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THE LOGIC OF SEGREGATION VS THE LOGIC OF CONCENTRATION CAMPS

Nathalie Jaudel

K6G

A few months ago, *LA Weekly* featured an article with the following title: “In the Gay Wing of LA Men’s Central Jail, It’s Not Shanks and Muggings but Hand-Sewn Gowns and Tears.” Housing approximately a tenth of the 4,000–5,000 prisoners at LA’s MCJ, which is supposedly the largest central jail in the world, outfitted with 1,000 CCTV cameras and 500 wardens, the Gay and Transgender Wing – called K6G – has four windowless dorms with bunk beds into which about 140 prisoners clad in a sky-blue uniform are crammed. Created in 1985 after charges were pressed by the ACLU (American Civil Liberties Union) to protect gay people from an increased risk of physical, and especially sexual, violence in prisons, the wing is believed to be the only one of its kind in the world.

In order to decide who can be accepted, two wardens, otherwise referred to as “classification officers”, test all the prisoners when they first arrive – a test sometimes called “gaydar” – so as to determine whether those claiming to be homosexual *really* are so. The questions asked mostly seek to ascertain whether the prisoner is sufficiently familiar with gay culture, or, rather, gay culture as defined by the classification officers themselves, who are white heterosexuals and, as they admit, self-taught in this matter. Their questions concern the location, entry fees and layout of West Hollywood gay bars, the meaning of some gay slang, etc. The evaluation is supposed to protect K6G prisoners from hetero- and bisexual “predators”. According to the *LA Weekly* article, even though K6G remains a prison, the friendly atmosphere that reigns there has little to do with the rest of the jail: the clothes are hand-sewn with razorblades used as needles, there are fashion shows and a weekly competition to nominate Mister Gay, etc.

Although the proponents of this system argue that segregating gay inmates has sheltered them, thus creating the possibility of a community, it has been

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the target of much criticism. It is mainly aimed at a selection process that is considered to be “a flawed and offensive screening system operated by heterosexual Sheriff’s deputies, rife with homophobic clichés, racist assumptions, and classist generalising.”¹ The screening is also criticised for being “based upon stereotypical views of gay and transgender life”, excluding those who do not go to West Hollywood bars, especially African-Americans. The questions that are asked are criticised for stressing the inmate’s ties to the community instead of his/her sexual desire; for excluding bisexuals, who despite being part of the LGBTQ paradigm, are seen as potential threats to gays and transsexuals; for forcing people to “come out” and thereby infringing their right to privacy; and finally for reinforcing dominant clichés regarding masculine and gay identities. For example, if a prisoner is not effeminate, is not promiscuous or shows no interest in luxury, s/he may be excluded from K6G.²

Out of all these critiques, two are particularly interesting: first, the current system is reproached for ignoring all other vulnerability factors with regard to sexual assault. This includes not only mental or physical disability, young age, first incarceration in prison or jail, nonviolent history, prior convictions for sex offences, sexual orientation whether gay or bisexual, but also slight stature and being perceived as fearful, intelligent, soft-spoken, effeminate or awkward.³

Secondly, it is argued that this procedure not only promotes a vision of homosexuality defined as a lack of masculinity, even as a feminisation (thus homosexuals and M2F – male to female – transsexuals are treated the same), but it also promotes a vision of homosexuality that is essentialist and does not take into account the contemporary fluidity of sexual identities – all the MSMS (men who have sex with men) are thus expected to identify with gay culture.

The Logic of “For All” vs The Logic of the Limit

I would like to try and theorise this phenomenon with the help of Lacan, who, on various occasions, mentions segregation and concentration camps. My premise is that Lacan distinguishes these two processes and constructs a separate logic for each one of them.

In “Preface to a Dissertation”, written in December 1969, at a time when *Journey into the Whirlwind* by Eugenia Ginzburg and *One Day in the*

1. Extein, A., “Can a Jail Be Fabulous? Queer Responses to *LA Weekly*’s article on K6G Gay and Trans Inmate Classification in LA County Jails”, *The Centre for Sexual Justice*, 20 November 2014, available online.
2. Robinson, R. K., “Masculinity as Prison: Sexual Identity, Race, and Incarceration”, *California Law Review*, Vol. 99, 2011, pp. 1309-1408.
3. *Ibid.*, listing the vulnerability factors in sexual assaults detailed in the Prison Rape Elimination Act, 2003.





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Life of Ivan Denisovich by Alexander Solzhenitsyn had just been published in France, Lacan explains that if psychoanalysis has found its home in psychiatry, it is especially because of psychoanalysis's antipathy to the discourse of the university.⁴ He then underlines the “segregative articulation” of the psychoanalytical institution, despite its role in saving many European psychoanalysts from Nazi camps and from the threat of Soviet camps. “The result,” Lacan writes, “is a sequel maintained by the established domination of academic discourse in the USSR and its antipathy to sectarian discourse, which, on the other hand, flourishes in the USA since that country was founded by it.”⁵ The word “antipathy” is followed by a footnote that reads: “Naturally, the refusal of segregation is basic to the concentration camp.”⁶

The preceding quotes could be read in two ways. First: in countries (such as the URSS) where the discourse of the university reigns supreme – a discourse that is linked to the universal (the “for-all”) inasmuch as the university was first created to supersede cults and harmonise the various *magisteria*, and therefore to produce unanimity and consensus – there is the refusal of segregation, i.e., the refusal of difference and separation (abolition of class, logic of *all the same*, reduction of each one to anyone).⁷ According to Lacan, concentration camps are the natural outcome of this logic. As is the rejection of psychoanalysis. And second: in countries (such as the USA) where, from the start, society was founded on the sectarian discourse – since America was a land of welcome for a variety of religious groups fleeing European persecution – segregation prevails⁸ but concentration camps do not. Psychoanalysts are protected there as long as their discourse and practice remain consensual; otherwise they undergo segregation, as Lacan himself discovered: “a certain Ipépée [IPP]⁹ effectively forbade access to my seminar to all those in its obedience who were less than fifty years old.”¹⁰

Reading the “Proposition of October 1967” in the light of “Preface to a Dissertation” allows one to articulate the hypothesis that in the former

4. Lacan, J., *The Seminar Book XVII, The Other Side of Psychoanalysis (1969-70)*, Norton, New York/London, 2007.

5. Lacan, J., Preface to Lemaire, A., *Jacques Lacan*, Routledge & Kegan Paul, London, 1977, p. IX.

6. *Ibid.*, p. XV.

7. Miller, J.-A., “From Symptom to Fantasy and Back” *The Sinthome*, No. 14, 2013. Available online.

8. Jim Crow laws organising the segregation of blacks were in force until 1964, but it was not until 1965 that the right to vote was granted and 1967 for the end of prohibition of mixed marriages.

9. Reference is made here by Lacan to the Institut de Psychanalyse de Paris (IPP), whose creation led to the splitting of the Société Psychanalytique de Paris in 1953, and to his departure and subsequent creation of the Société Française de Psychanalyse the same year. The intended pun “pépée” (which plays on the phonetical pronunciation of PP in french), might allude to Princess Marie Bonaparte, IPA's vice-president at the time. For further reading: *La scission de 1953. La communauté psychanalytique en France, 1*, documents édités par Jacques-Alain Miller, *Ornicar?*, 1976.

10. Lacan, J., *op. cit.*, p. IX.



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text Lacan already distinguishes two separate logics behind segregation and concentration camps: “The third facticity [...] is what the term ‘concentration camp’ renders speakable. [...] Let me summarise by saying that what we have seen emerge from this, to our horror, represents the reaction of precursors in relation to what will unfold as a consequence of the re-arranging of social groupings by science and, notably, of the universalisation science introduces into them.” And he adds: “Our future as common markets will be balanced by an increasingly hard-line extension of the process of segregation.”¹¹

I suggest we read these two sentences as targeting two different phenomena and logics.

On the one hand, the logic of concentration camps derives from the *universalisation* in social groups introduced by science; it is caused by the logic of *for all*, even if its consequences are related to the *limit*.

On the other hand, the logic of segregation derives from a *limitlessness* produced by the abolition of borders and thus results from a logic of separation and *limit*, even if its consequences are related to the question of *not for all*. So, if we follow Lacan, where the universal reigns (logic of for all), as in the USSR for instance, there is no segregation (logic of not for all), but there are concentration camps (logic of borders, of limits). Where there are no limits, no borders (neo-liberalism, free and/or common markets etc.) segregation (logic of not for all) reigns, but there are no concentration camps. Therefore, segregation belongs to the logic of for all/not for all, but happens in limitless, borderless worlds. Concentration camps belong to the logic of borders (being enclosed territories) but they happen in worlds where the universal logic (that of for all) is leading.

Albeit paradoxical, Lacan’s demonstration is rigorously logical:

- limitlessness/borderlessness have consequences that belong to the “for all” logic i.e. segregation;
- universal (for all) has consequences that belong to the border/limit logic i.e. concentration camps.

There is another text by Lacan which, I think, argues the same thing. In “Address on Child Psychoses”¹² he links the extension of our “universe” as well as mankind’s engagement in a “global” time to the increase of the process of segregation. He adds that when imperialisms (without borders – that is, limitless wholes) replace empires (defined by borders, therefore

11. Lacan, J., “Proposition of 9 October 1967 on the Psychoanalyst of the School”, *Analysis*, No. 6, Australian Centre for Psychoanalysis, 1995, p. 12.

12. Lacan, J., “Address on Child Psychoses”, *Hurly-Burly*, No. 8, October 2012, p. 271.



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limited wholes), the question that arises is how human masses can remain separate (a question related to the limit, the border, and therefore to segregation). Whereas empires maintained borders and thus kept modes of jouissance separate, imperialisms know no border. Hence the question triggered by this development: how can human masses be kept separate, whether or not they are destined to occupy the same geographical space?

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I think there are two elements that enable us to distinguish between segregation and concentration camps. First, the presence or absence of a geographically delineated space with a hermetic border where segregation does not necessarily lie in a circumscribed gathering, but can be partial or sectorial. For example, Jean-Claude Milner shows how the segregation of the Jews in France at the beginning of the 20th century was not total: there was social segregation but no segregation in terms of citizenship. Jews were citizens in their own right; they were allowed to vote and could become civil servants.¹³ Second, the prevalence or otherwise of the logic of the state of exception. According to Giorgio Agamben, the concentration camp is indeed “the space that is opened when the state of exception begins to become the rule.”¹⁴ As a patch of territory situated outside the normal judicial order, the camp is the place where, in the words of Hannah Arendt, “the principle according to which ‘everything is possible’ [...] fully comes to light.”¹⁵

The creation of K6G could thus be read: the USA, which was founded on a sectarian logic, eventually abolished the segregation of African-Americans. As a result, the camps grew “naturally”. This could explain not only the fact that this country whose population only amounts to 5% of the global population detains 25% of prisoners held worldwide, but also the prevalence of black people in US prisons: African-Americans represent about half of all US prisoners, hence, proportionally speaking, black people are six times more likely to be sent to jail than white people.¹⁶ And these prisons are places where the state of exception reigns more or less under the guise of the law of “the survival of the fittest”, and where “everything is possible”, or almost is – or at least a lot is, especially being victims of molestation and/or sexual aggression to which the wardens turn a blind eye.¹⁷

13. Milner, J.-C., *Le juif de savoir*, Grasset & Fasquelle, Paris, 2006.

14. Agamben, G., “The Camp As Biopolitical Paradigm Of the Modern,” in *Homo Sacer: Sovereign Power and Bare Life*, Stanford University Press, Stanford California, 1998, p. 96.

15. *Ibid.*, p. 97.

16. <http://www.naacp.org/pages/criminal-justice-fact-sheet>

17. Cf for example, Chammah, M., “A boy among men”, *The Marshall Project*, February 2015, available online.





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By the way, it is interesting to note that a similar tendency prevails in France, where the prison population went from 20,000 in the 1960s up to almost 70,000 today, with a current rate of 120 prisoners for an accommodation capacity of 100, and a massive over-representation of Muslims (a reported 63% of prisoners are Muslim, and yet Muslims represent only 7.5 to 12% of the overall population).¹⁸

K6G can thus be seen as an attempt to restore a form of segregation in order to maintain separate modes of *jouissance*, to isolate each from the other's, because without it, what prevails in these micro-societies (which is what prisons are) is the logic of the state of exception, of "all is possible". In this case, segregation is founded not on racial criteria, but on choices of *jouissance*, because "we are contemporary [...] with this paradox of mixing of forms of *jouissance* and their segregation, of their isolation."¹⁹ The relatively good atmosphere that results from this segregation evokes the articulation proposed by Lacan between fraternity and isolation: "No other brotherhood is even conceivable, or has the slightest foundation, as I have just said, the slightest scientific foundation, unless it is because people are isolated together, isolated from the rest."²⁰

From Oppressive Segregation to Protective Segregation

We may notice here a movement akin to the one found in the dynamics of Lacan's teaching. He knew a thing or two about segregation, having been banished from the list of the IPA's didacticians and forbidden to train analysts. But his position on this matter evolved throughout his teaching.

From 1956 to mid-1969, Lacan strove to criticise the segregation exercised in the IPA by pointing out its practice of extraterritoriality and its refusal of any heterodox theoretical orientation. All of his interventions on the question of segregation between the first version of "Proposition of 1967" and "*D'une réforme dans son trou*" in February 1969 seek to stigmatise the harmful consequences for psychoanalysis – for psychoanalysis and not for psychoanalysts themselves, who had been saved from the Nazi camps – of the logic of segregation and scientific extraterritoriality that characterised the IPA, which "protects its followers" but at the cost of "a reduction of duties involved in the analyst's desire."²¹ Lacan had already

18. Moore, M., "In France, Prisons Filled with Muslims", *The Washington Post*, 29 April 2008. There are no ethnic statistics in France, therefore the estimates vary considerably.

19. Laurent, É., and Miller, J.-A., "The Other who Doesn't Exist and his Ethical Committees" (lesson of 20 November 1996), *Almanac of Psychoanalysis*, GIEP, Jerusalem, 1998, p. 32.

20. Lacan, J., *The Seminar Book XVII, op. cit.*, p. 114.

21. Lacan, J., "Première version de la "Proposition du 9 octobre 1967"...", *Autres écrits*, Seuil, Paris, 2001, p. 588.





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denounced these two phenomena in “Situation of Psychoanalysis” in 1956 by sardonically comparing the IPA to the Vatican – a “philatelic state”. He mocked them again in February 1969 when he called for the formation of analysts to be taken out of “the hands of helots penned – even if comfortably – in an international preserve.”²²

Following his expulsion, he went on to create a school whose principles broke away from those of IPA. Where the logic of segregation reigned (in the IPA) – which ensured the exclusion of psychotic, homosexual, and/or maverick analysts, the perpetuation of a strict division between personal and didactic analysis, as well as between analysis and theoretical training (combined with extraterritoriality) ensuring a distrust of lay analysis, and the putting forward of the so-called “unconveyability of the experience”, a bureaucratic admissions procedure based on didactic analysis, and the refusal of connections with other fields of knowledge – Lacan was to open his school to people who weren’t analysts (such as École Normale Supérieure members, Jesuits, etc.) and to those who were experts in related fields, such as anthropology and linguistics, etc. By so doing, he enhanced lay analysis while abolishing the artificial barrier between personal analysis, didactic analysis and theoretical formation.

But his tone changed as of December 1969, with the preface to Anika Lemaire’s thesis. In March 1970, he drove the point home: “We are of course in a period where segregation, ugh! There is no longer any segregation anywhere, it’s unheard of when you read the newspapers. It’s just that in society [...] everything that exists, and brotherhood first and foremost, is founded on segregation.”²³ Later on, in “Television”, which he wrote at Christmas 1973: “With our *jouissance* going off the track, only the Other is able to mark its position, but only insofar as we are separated from this Other. Whence certain fantasies – unheard of before the melting pot.”²⁴

This series of sentences can be read in two different ways, which are not mutually exclusive. First, segregation can be conceived of as dangerous: since segregation is structural, the mixture of modes of *jouissance* and the refusal of the Other *jouissance* breed racism, banishment and exclusion. Added to this are the imposed segregation and the one that relies on the privation of rights and liberties when that privation is not meant to protect the segregated subjects themselves. To a certain extent, it is the way opponents of K6G understand it. Some go as far as to suggest that the argument that K6G is meant to protect gay people is fallacious; they say that what is really at stake is the removal of gay inmates in order to keep heterosexuals away from HIV

22. Lacan, J., “Libres opinions. D’une réforme dans son trou”, written for *Le Monde*, 3 February 1969 (unpublished).

23. Lacan, J., *Seminar XVII, op. cit.*

24. Lacan, J., “Television”, *Television/A Challenge to the Psychoanalytic Establishment*, Norton, New York/London, 1990, p. 32.



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infection risks.²⁵ Second, segregation, understood as separation, can be conceived of as shelter, refuge, protection and therefore as the only possible source of fraternity – i.e. a certain way of “living together”. It is the “asylum”²⁶ function of segregation, the one favoured by those defending K6G.²⁷

And yet, after having, for a long time, denounced the privilege of extraterritoriality that psychoanalysis was content with – claiming its own segregation from the era, the humanities and the outside world, leaving non-doctors, non-members and analysts in training outside of the group’s secluded kernel – and having attempted to oppose the “imposture that lies in being with one’s kin” by turning away from the specialists, Lacan accomplished the opposite move. Not only did he redouble his efforts to separate psychoanalysis from medicine and the discourse of the university and to maintain both at a distance from the master’s discourse, but he also foregrounded, towards the end of his teaching, the extimacy of psychoanalysis by turning his school into a counter-society²⁸ – that is, a group which refuses to submit itself to the master signifiers that structure the society, which refuses to collaborate if only by protesting, and is thus situated elsewhere, on *the other side*, in a position of extimacy.

At a time when the voice of a borderless liberalism claimed that the idea of “to each his own” was illegitimate, Lacan counter-posed the thought that his school was based on “a certain kind of protective segregation.”²⁹

Aporia

What the opponents of K6G’s selection process underline without realising it is the very reason why it is so difficult to say who should be included in a closed set and who should not. For lack of knowledge “of the jouissance from which we might take our orientation,”³⁰ there are two possible solutions: to take as a compass either the Other, or the object *a*.

To be oriented by the Other presupposes that modes of jouissance are not mixed – that there exists one jouissance, and one Other. This is the dream that underlies the mission of the classification officers. And yet, in today’s world, the great symbolic oppositions that once organised the world

25. Robinson, R. K., “Masculinity as Prison...”, *op. cit.*, p. 1408.

26. Lemaire, A., *Jacques Lacan, op. cit.*, p. VIII.

27. For example: Emens, E. M., “Inside Out”, *California Law Review Circuit*, No. 2, November 2011, pp. 95-103.

28. Miller, J.-A., “L’orientation lacanienne. Un effort de poésie” (2003), lesson of 12 March, delivered at the Department of Psychoanalysis, University of Paris VIII (unpublished).

29. Miller, J.-A., and Laurent, É., “L’Autre qui n’existe pas et ses comités d’éthique”, lesson of 4 December 1996 (unpublished).

30. Laurent, É., “LQ in English: Racism 2.0”, published on the AMPBlog, available on-line, January, 2014.



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are disappearing in favour of continuities, be they continuity between men and women or between homosexuality and heterosexuality. At a time when subjects gradually tend to refuse sexual identity labels³¹ – at a time of bi-curious, sexuals, questioning and metrosexuals – the signifying opposition between heterosexuals and homosexuals is becoming less relevant. Subjects no longer identify themselves under *one* S_1 , but under a swarm [*essaim*] of S_1 s, thereby producing blurred, cloudy identities, in which one point cannot be distinguished from another; identifications are becoming more and more singular. It is therefore quite easy for the opponents of a system of selection to underline that it is based on purely imaginary features, inasmuch as it can no longer rely on oppositions that are symbolic in nature. These imaginary characteristics range from the imposition of heterosexual, white norms on gayness to a conception of homosexuality as lack of masculinity.

We can no longer measure our straying jouissance in relation to the Other from whom we would be separated – because the Other no longer exists. It remains to try and construct social links and places to live, founded on the separation of modes of jouissance – the aforesaid communitarianism. This implies being oriented by the real of jouissance, that is by *a*. But in so doing, this produces an aporia, because the object *a* shifts – it does not behave by tidily putting itself away in a box. From this perspective it is not possible to oppose a gay mode-of-jouissance to one that is non-gay, any more than it is possible to superimpose one's same-sex object choice, gayness or homosexuality: "Sexual diversity is becoming normalised, and the gay/straight divide is becoming blurred."³² New words are flourishing: *down-low*, *homo thug* or *gOy*, by which the assumption of one's same-sex desire is told without any flashy coming-out or consent to the so-called gay mode of jouissance. It may well be this aporia that is uncovered in the paradox consisting in pushing aside those whose mode of jouissance is said to be homosexual in order to protect them from the sexual assaults of those whose mode of jouissance is said to be heterosexual.

The spokesman for the Fort Worth jail in the above-mentioned article on K6G may indeed convey these aporias in his own way when he ponders the possibility of a wing for the "lefthanded Frisbee players from Albania." What he shows too, with the choice of this slightly absurd example, is that whatever happens, sexuality, in prison as elsewhere – and probably more than elsewhere – remains an issue. This is what the ban on sexual intercourse testifies to, even if not enforced, in the K6G wing as in other parts of the

31. Savin-Williams, R., "Refusing and Resisting Sexual Identity Labels", ch. 10, *The New Gay Teenager*, Harvard University Press, Cambridge Mass., 2006.

32. *Ibid.*





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jail; for indeed, condoms are given to the convicts, even if each prisoner is only allowed one per week and no lubricant. Everything is prohibited while everything is tolerated; everything is tolerated while everything is rationed (and not without making things difficult or dangerous). Hypocrisy prevails. Whatever the liberal discourses and self-proclaimed permissive practices are, male homosexuality continues to challenge the norms and semblants which veil the hole dug by the absence of any inscribable sexual rapport, and continues to be acceptable only on condition that it be excluded.

Translated by Nicolas Boileau and Nathalie Jaudel

