Penal Theory and Practice as Plot Matrix: From Jeremy Bentham's Principles of Penal Law to Margaret Atwood's The Heart Goes Last

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Introduction

The interconnections between law and literature may be approached by exploring the polysemy of *plot*, well-known for being "one of the most elusive terms in narrative theory" (Dannenberg 2005, 435). The 'law' under scrutiny here is Jeremy Bentham's penal theory, with which Margaret Atwood's 2015 novel *The Heart Goes Last*, the representative of 'literature' in these pages, holds an intertextual dialogue. Rather than being a weakness, the polysemy of *plot* makes it possible to highlight the importance of space and theatricality within this dialogue.

When asked how she came to be the head of a sprawling surveillance system, Jocelyn, one of the protagonists, gives the following answer:

> I was an English major […] It's a real help […] It's where all the plots are. That's where you learn the twists and turns. I did my senior thesis on *Paradise Lost*. (Atwood 2015, 136–137)

What seems to be implied is that being familiar with the "twists and turns" common in storylines can help one anticipate the plots (in the sense of 'conspiracies') that surveilled subjects may foment, but also possibly that it helps one design successful plots in response. The term *plot* is used in both senses, that of a "series of events consisting of an outline of the action of a narrative or drama" and of a "secret plan to accomplish a hostile or illegal purpose" – the third and fourth meanings provided by the *American Heritage Dictionary*, which Peter Brooks refers to in *Reading for the Plot*. These two meanings build on the first two entries in the dictionary, namely plot as a "measured area of land" and as the "ground plan" or "diagram," and according to Brooks are connected to them by "a subterranean logic": "the idea of boundedness, demarcation, the drawing of lines to mark off and order" (Brooks 1984, 11–12).

This chapter first discusses the part played by plots in the two senses of storylines and conspiracies in Jeremy Bentham's penal theory, arguing that by trying to thwart, or even better, forestall, plots on the part of subjects intent on breaking the law, Bentham within his theory makes space for literary plots. This ambition to stop plots from being hatched was in fact firmly rooted in

space, embodied in the architecture of his model prison, the Panopticon. The building was originally meant to be erected on a very specific plot of land, i.e. the Rootstein Hopkins Parade Ground in London. Instead, on the same area, the Millbank penitentiary was later built, ironically designed on principles at odds with Bentham's.[1] Moving from the spatial back to the metaphorical, we could say that the Panopticon also became the "*diagram* of a mechanism of power reduced to its ideal form" in Foucault's elaboration of its functions in *Discipline and Punish*, thereby illustrating the interplay between the four senses of *plot* highlighted above (Foucault 1995, 205, emphasis mine).

Margaret Atwood's *The Heart Goes Last* may be read as a response to a number of utilitarian tenets. The novel engages not only with Bentham's Panopticon but also more broadly with his penal theory and offers a critique of a carceral society to be experienced vicariously through focal characters by the readers of the text. Atwood appropriates the plot potential present in Bentham's theory for her own satirical ends. Taken together, the two parts of this paper suggest that penal theory produces plots both within theoretical and literary texts. In the latter case, the connection is not merely one of inspiration, but rather a creative engagement with theoretical and social tensions.

1. Plots in Bentham's Penal Theory

1.1. Plotting as a Historically and Spatially Anchored Practice

While there may be a tendency in narratology to think of plots in ahistorical terms, the first examples given by the *Oxford English Dictionary* all come from the early modern period, and more precisely the late sixteenth and early seventeenth centuries. It has been suggested that "concepts of narrative organization emerged from a sixteenth-century movement to impose geometric order upon the land" (Brückner & Poole 2002, 619[2]). Phenomena such as "the explosion of surveying manuals (guidebooks for charting the land)" and "the development of the idea of narrative plot (literal and figurative charts of a story line)" were "interconnected" (Brückner & Poole, 618). The "plat" [sic!] (a "representation of manorial properties that included both the graphic form of the map and the discursive description") was used for purposes of taxation, and was therefore linked to economic and social imperatives (Brückner & Poole, 635). Geodesy, the branch of mathematics dealing with the shape and area of the earth, helped foster "a cartographically and chorographically shaped consciousness of nation-

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[1] For a presentation of the historical background and of a creative reappropriation of the plot of land, see Cottell & Mueller (2020).

[2] I would like to thank Peter Schneck from the University of Osnabrück for drawing my attention to this piece.

al power," through which the English "took effective visual and conceptual possession of the physical kingdom in which they lived" (Helgerson 1992, 108, 107). Taking possession of land through mapping is also at the core of the colonial enterprise, a point which must be borne in mind when examining Bentham's writings on the penal colony of New South Wales, to which his own Panopticon plan was supposed to be superior.

According to Brückner and Poole, the concept of *plat* was surrounded by a "profound sense of deception and corruption," thus providing the connection to the sense of the plot as an evil scheme (642). Malpractice on the part of surveyors could indeed ruin families and wreak havoc; on the theatrical stage, this corresponded with the figure of the mischievous plotter. Plot was confronted by Elizabethan and Jacobean authors as "a form which potentially subverts, corrupts, and distorts meaning," an approach which stands in sharp contrast with the nineteenth-century faith in plot as a touchstone for narrative truth and certainty (Brückner & Poole, 644). The subversiveness of plots is illustrated by the seemingly endless punning allowed by its polysemy, as evidenced by the passage from Thomas Middleton's play *A Game at Chess* (perf. 1624) with which Brückner and Poole open their article. In Bentham's penal theory, the very possibility of punning enabled by polysemy was to be done away with lexicographically, and usurpation of identity was to be made impossible by giving one and the same name to only one person. Bentham's theory can therefore be read as an attempt to stabilize the proliferation of meaning.

While Peter Brooks's study *Reading for the Plot* centers on nineteenth-century 'great' novels such as Stendhal's *Le Rouge et le noir* or Dickens's *Great Expectations*, the literary form connected to plots in the early modern period was the theatre. At the time, *plot* began to signify "textual structures" that materialized in "the relatively new theatrical practice of creating a graphic schematic of a play" (Brückner & Poole, 635). This "schematic" was posted in the tiring house for the guidance of actors, but was also published and could therefore be brought to the playhouse and consulted during the play. The practice is represented in Middleton's *Women Beware Women* (1626). In this play, numerous schemes of revenge are performed on stage during a masque-like entertainment. This performance departs uncontrollably from the script it was supposed to follow, thus befuddling the Duke, who watches as part of a fictional audience and at whose wedding the masque is being performed. The theatrical dimension in relation to evil purposes is also a point which must be kept in mind for the analyses below. Both in Bentham's writings and Atwood's fiction inspections of penal institutions tend to turn into masquerades hiding sinister plots.

1.2. Law, Statistics and Space Control

Before turning to the issue of plots specifically, a few words are in order to discuss the sources that can be drawn upon for Jeremy Bentham's penal theory. Indeed, that theory should not be reduced to penal devices or inferred solely from the reformer's Panopticon writings.[3] These latter include the famous memoir but also two postscripts published in 1791 in which practical details of his scheme are worked out, as well as texts which compare the model prison with other systems such as the hulks, transportation, or the penitentiaries in North America. These comparative essays include – among other texts – early material on Bentham's engagement with the penal colony under the title "New Wales" (1791) as well as his three letters to Lord Pelham (1802), who was then Home Secretary; they are now available in the latest volume of the *Collected Works* put together by the Bentham Project at UCL, entitled *Panopticon versus New South Wales, and other Writings on Australia* (Bentham 2022). Although, due to the influence of Foucault's reading, the Panopticon may now only evoke an abstract mechanism, the original plan was not developed in isolation from the realities of eighteenth-century Britain and its colonies. Rather, the scheme was in direct competition with transportation to New South Wales. One of the reasons why the plan was dropped was the supposedly improved condition of the colony (Bentham 2022, 73). It should also be noted that penal reform was only one of the areas to which Bentham sought to apply his Panopticon scheme; he also developed variations of the schema for workhouses, schools and political institutions (Brunon-Ernst 2012, 19–21).

Beyond the Panopticon writings, Bentham's penal theory must be reconstructed from a number of additional texts. Published sources include his *Introduction to the Principles of Morals and Legislation* (finished in 1780 but not published until 1789), his *View of the Hard Labour Bill* (1778), and his address to the French on the question of capital punishment (1831). The latter two texts subsequently appeared in the fourth volume of John Bowring's edition of Bentham's *Complete Works* (1843). The Bowring edition also includes Bentham's *Principles of Penal Law*, which comprises three parts: "Political Remedies for the Evil of Offences"; "Rationale of Punishment," which consists in a survey of all forms of punishment and reaches the conclusion that the most acceptable is active or laborious imprisonment; and "Of Indirect Methods of Preventing Crimes." My chapter in this volume draws mainly on the Panopticon writings and on *Principles of Penal Law*.

Reforming prisons entailed mapping their locations in Britain, as well as charting the abuses they sheltered. Such topographical ambitions were illustrated, for instance, by John Howard's survey in his *State of the Prisons* (1777) or

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[3] See Draper (2002).

James Neild's *Account of Persons confined for Debt in the various Prisons of England and Wales* (1800), complemented for the third edition in 1808 by the result of his investigations in Scotland. Bentham presents Neild as "a second Howard," whose mission was to "hunt out of their holes" tyrannical prison managers, although he also points out that Neild actually started his tour of British prisons before Howard (Bentham 2022, 286, 290). Locating places of detention was not as easy as it may seem today, since it was common for debtors to be detained in private houses. Neild also inspected hulks, i.e. ships which housed convicts and were used to relieve Britain's overflowing prisons; in his third letter to Lord Pelham Bentham described them as uninspectable black holes. In Bowring's introduction, the term *topography* is also used metaphorically to refer to penal science: the "Rationale of Punishment," as Bentham argues, "exhibits the topography" of the "department of Criminal Law," whereas former writings only provided "a general map" (Bentham 1843b, 390).

   The circular shape of the Panopticon may be read as Bentham's own attempt to "impose geometric order upon the land" whether literal or figurative. Although Bentham does not produce a "plat" of the sort described in Brückner and Poole's article, he does include tables which testify to a will to present information in a visually graspable, synthetic form and, ultimately, to show that the Panopticon is superior to the other systems with which it is compared. Several tables offer an estimate of the expenses incurred by transportation and compare them to the Panopticon's relative frugality (Bentham 2022, 19, 139, 142–143, 145, 252–253). Other tables compile statistics about the convict population, among them on convict emigration, convict mortality on the voyage and on the settlement, the number of lawful and unlawful returns from New South Wales to Britain or the number of sick, invalid or dead convicts in the hulks (Bentham 2022, 118, 132–133, 284). For the sake of comparison, a table is also provided which lists the number of prisoners in the penitentiary of New York, contrasting the number of those who have been admitted with that of the discharged, whether by death, pardon, expiration of sentence or escape (Bentham 2022, 228).

   In Bentham's endeavor to control the land, statistics, defined as "a science based on the collection and analysis of aggregate data via surveys," takes precedence over geographic mapping. His effort in "Pauper Management Improved" to compile numerical data in tables when assessing the number of paupers in English parishes is contemporary with the first use of statistics in Sir John Sinclair's *Statistical Accounts of Scotland* (1791–1799) (Arneil 2020, 744–745). As Arneil comments, "statistical analysis was born for the express purpose of serving internal improvement of both land and paupers – that is, domestic colonization" (Arneil 2020, 744–745). Just as in Bentham's pauper panopticons, such enterprises of domestic colonialism focused on land, and more precisely waste land, which was to be surveyed and seized so as to be made productive

and profitable through agrarian work. In penal law and in the model prison, but also in actual places of confinement, space control was crucial for the prevention of fomenting plots.

1.3. Countering Plots in Penal Law and Penal Practice

In his survey of eighteenth-century English penal law, Bentham spotted loopholes which made the law vulnerable; such loopholes allowed criminals to hide in obscurity, taking advantage of the system's oversight and ambiguities. More precisely, Bentham sought to make abduction, usurpation and forgery impossible. In his desire to anticipate the last of these, he produced scenarios which were exploited to the full in literature, especially of the sensationalist kind.[4] In his discussion of the criminal opportunities opened up by the existence of namesakes, he contemplates an almost allegorical scenario in which confidence is betrayed, innocence is exposed to danger and crime is offered "security" (Bentham 1843c, 557). Property – like identity – needed to be firmly established by stabilizing written texts such as title-deeds (Bentham 1843c, 551). Bentham's solution was twofold: it consisted in creating centralized registers and making them public. To avoid usurpation of marital rights, for instance, he recommended transcribing the register of each parish into a more general one (1843c, 553). Similarly, in order to protect individuals from illegal detention, he suggested creating registers to keep a systematic record of places of confinement along with the grounds for detention for each person detained without their consent. These registers were to be "publicly exposed, or at least allowed to be freely consulted by every body [sic!]" (Bentham 1843a, 370). This faith in transparency and publicity as protection is directly challenged in Margaret Atwood's novel, as we will see below.

The same drive towards transparency and control is also embodied in Bentham's treatment of space, whether real or fictional. The plots which Bentham sought to prevent were mainly escapes on the part of detainees, but they also included abuses on the part of the authorities, which could be "the result of design or negligence" and were, for instance, covered up by the collusion between the prison manager and the inspectors (Bentham 1843f, 122). Indeed, Bentham stressed the fact that although "the interest of the delinquent" could rightly "in part be sacrificed to that of the rest of the community," it should not "be totally disregarded" (Bentham 1843b, 398). The solution to avoid conspiracies on the part of both prisoners and managers, was to ensure continuous lighting of the premises with the elimination of even the smallest recesses where plotting could take place. Plotters, in addition to dark corners, needed time, and they

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[4] For a detailed analysis, see Wrobel (2020, 422–426).

could be deprived of this resource for plotting by continuous inspection.[5] After presenting the example of J. Murphy, a convict who by 1802 had managed to escape from Newgate, from the hulks (in Woolwich and Portsmouth) and from a bridewell, the reformer asks:

> How many times in the same period would this ingenious person have effected his escape from a prison on the Panopticon plan, out of an apartment exposed night and day to the view of several pairs of eyes, themselves unseen by him, and commanding the whole circle, without so much as a change of place? (2022, 234)

The inspections of hulks were ineffective because managers were notified in advance:

> [so that] every thing not fit to be seen might first be put out of sight as much as possible:—that part of the filth might be shoveled away:—that eatable food might for the moment take place of uneatable: that the plague of famine might for the time be stayed: that in the motley company there each person might have his part given him to act: that instructions might be given to one class, injunctions backed with menaces to another: that every mouth might have a padlock put to it: that a varnish of some sort or other might be put upon every object—that a mask of some sort or other might be put upon every face. (Bentham 2022, 287)

Here, the covering up of abuses is presented as a staging involving "part[s]" and "mask[s]," harking back to the link between plots and theatricality.

Bentham sought to counter such plots with his own narrative, which intended to take inmates from corruption to reformation. The link between narrative and architectural design in Bentham's time has long been established. In *Imagining the Penitentiary*, John Bender shows how realist novels highlight "the power of confinement to reshape personality" (1987, 1) and sees in the penitentiary prison the embodiment "of the underlying assumption that narrative processes can reproduce (re-present) human behaviour so as to re-create personality" (8–9). The means of reformation was "a programmatic course of events with the end of shaping personality according to controlled principles" (35). Ultimately, the penitentiary "tell[s] the story of the materially constructed self" (38). Similarly, in *The Fabrication of Virtue*, Robin Evans highlights "a profound belief in the transforming powers of architecture," which is allotted "the central task of fabricating normality" (1982, 5, 8). In addition to producing a narrative of reformation, the penitentiary was also "an architecture of inescapable relationships" (92) in which "relationships between the prisoners and the gaoler were *plotted*" (46, emphasis mine). The Panopticon was "an essay in the engineering of behaviour through the manipulation of architectural form" (222). The chapter entitled "Architecture against Communication" in Evans's book (318–345) shows the technical ingenuity deployed to prevent communication between prisoners and deprive them of the possibility to foment plots.

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5 See Wrobel (2020, 421–422).

In addition to engaging with plots on several levels – as spaces to be con-trolled, schemes to be prevented, and narratives to be produced – Bentham's penal theory, including but not limited to the Panopticon, is both novel – in the sense of new – material, and material that is particularly suitable to novels, a fact which has not gone unnoticed by authors. The popularization of Bentham's scheme by Foucault means that there are now explicit references to the Panopticon in contemporary fiction as well as in literary criticism.[6] The example discussed in this chapter, Margaret Atwood's *The Heart Goes Last*, makes covert reference to Bentham's theory. The plot potential present in the Benthamite Panopticon model is appropriated for satirical purposes. Atwood targets some of Bentham's tenets but also what may be called the carceral society of North America.

2. Carceral Society in Margaret Atwood's The Heart Goes Last

2.1. Presentation of the Novel and Narratological Setup

In *The Heart Goes Last*, economic meltdown has struck the United States, and the North-East in particular: the rust belt has turned into a "rust bucket" (5). Stan and Charmaine, the "middle-of-the-road" protagonists (9), decide to join the Consilience/Positron project, a gated "twin town" in which complementari-ty between carceral and non-carceral space guarantees full employment for all and the disappearance of crime:

> [I]t occurred to the planners of Positron […] that if prisons were scaled out and handled rationally, they would be win-win viable economic units. So many jobs would be spawned by them: construction jobs, maintenance jobs, cleaning jobs, guard jobs. Hospital jobs, uniform-sewing jobs, shoemaking jobs, jobs in agriculture, if there was a farm attached: an ever-flowing cornucopia of jobs. Medium-size towns with large penitentiaries could maintain themselves, and the people inside such towns could live in middle-class comfort. And if every citizen were either a guard or a prisoner, the result would be full employment: half would be prisoners, the other half would be engaged in the business of tending the prisoners one way or other. Or tending those who tended them. (Atwood 2015, 48–49)

Because it is "unrealistic to expect certified criminality from 50 per cent of the population," participants take turns (Atwood 2015, 49). Every other month, they leave Consilience to spend a month working inside Positron. Meanwhile, their homes will be occupied by their "alternates," who will leave them on "switchover day," when it is their turn to go back to prison. The project is led by Ed, whose use of TV screens and paternalistic attitude is reminiscent of Or-

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6 See Fludernik (2017).

well's Big Brother but who also runs the scheme as a CEO who is accountable to shareholders, with Jocelyn at the head of the surveillance system.

From a narratological point of view, the novel replicates the framework of *Nineteen Eighty-Four*, acknowledged by Atwood as a major influence.[7] To borrow Genette's terms, third-person heterodiegetic narration is combined with internal focalization. The difference to *Nineteen Eighty-Four* is that there are two focal characters (Stan and Charmaine) instead of one, and as a consequence the same events are sometimes shown from both perspectives, most notably the climactic scene in which Charmaine is required to execute Stan. (On the context see below.) This narratological setup ("heterodiegesis *with ontological difference* plus internal focalization") makes the reading of *The Heart Goes Last* as "claustrophobic" as that of *Nineteen Eighty-Four*, and enables readers to experience vicariously the story-world of the novel (Bode 2019, 26, original emphasis). In terms of levels of knowledge, there is a discrepancy between Stan and Charmaine on the one hand, and Jocelyn, the head of surveillance, on the other. Because she controls the surveillance system, including the central database, she is clearly superior, hence her ability to become a mastermind and set up successful plots.

In Bentham's *Principles of Penal Law*, the agents of the plots as well as their victims tend to remain ciphers. They are broad categories ("offenders", "ravishers"), generic terms ("the person", "a man") or allegories ("innocence", "crime"). From a grammatical point of view, crime features more prominently – through nouns and passive voices – than the criminal or the victim. Literature, through its instantiating power, offers another perspective by bringing to life fictional characters with their individual specificities and perceptions. Free indirect discourse, which is itself a form of internal focalization, opens up ironic perspectives. The narrator does not make his or her presence felt, but readers are clearly invited to distance themselves from the characters' thoughts and from how they read their environment as well as one another. For instance, while Charmaine, seen from the outside and especially through her husband's eyes, initially seems to be blindly taken in by the Consilience/Positron scheme, merely aspiring to play the role of a harmless housewife, the novel shows that her motivations and character are more complex. Although her husband believes she is the embodiment of "transparency, certainty, fidelity" and is utterly "predictable," she has quite a few surprises in store for him: she cheats on him, hides the fact that her position as "Chief Medications Administrator" means she is in charge of the "Special Procedure" by which people are put to death, and even brings herself to perform it on Stan when she is herself threatened with elimination (59, 90). Readers have access to the thoughts of Stan and Charmaine who, as noted above, are both focal characters. The gap

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[7] See "George Orwell: Some Personal Connections" in Atwood (2011, 141–149).

between Charmaine's actual character and motivations as opposed to how they are perceived by Stan encourages readers to distance themselves from Stan's thoughts and to revise their earlier judgments on Charmaine.

2.2. The Novel's Intertextual References to Bentham's Theory

The Heart Goes Last does not refer to Bentham's theory explicitly but there are numerous intertextual links. First of all, the names Positron and Panopticon sound somewhat similar. The two prison schemes moreover share similar 'utopian' characteristics: their circularity, self-containment and relative self-sufficiency, the claim to solve social problems and the fact that life is highly regulated within an authoritarian organization. Additionally, both prison models potentially degenerate into dystopias. One need not limit consideration of the Panopticon to its carceral application. Bentham's pauper Panopticon, too, can be described as a utopia.[8] In Bentham's scheme, just as in Atwood's novel, the problems to be solved are crime and poverty. Analogously, the Positron project "offer[s] not only full employment but also protection from the dangerous elements that afflict so many at this time" (31) and it is supposed to have "[u]nemployment and crime solved in one fell swoop, with a new life for all those concerned" and "a future that will be more secure, more prosperous" (45). The Positron project's utopian intent is to spread to other areas and to bring "salvation, not only of the many regions that have been so hard-hit in recent times but eventually, if this model comes to be adopted at the highest levels, of the nation as a whole" (44).

The Consilience/Positron project is built on a specific plot of land, which has been devalued because it is located in the most hard-hit region of the United States. By the middle of the novel, nine more new towns built on similar lines have appeared, projecting a "reordering of civic life" onto disorderly social space (100). The spread is materialized in the map which ornaments Ed's office: "There's a map on the wall behind Ed's desk, with pins in it. Orange pins are the Positron Prisons that are going up. […] Red pins are for the Ruby Slippers branches" (287). The scheme has become a profitable franchise in which, after Positron prisoners have been put to death, their bones, organs and DNA are sold to retirement homes which belong to the "Ruby slippers" branch mentioned above. The implementation of evil plots is once more indissociable from spatial considerations, as evidenced by the map.

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8   See J. R. Poynter's remark that "[t]he Pauper Plan grew into a Utopia, and is not the least interesting of the species. If, in much of his work, Bentham preserved a delicate equilibrium between economic liberalism and public planning, in this scheme the planner ran riot" (Poynter 1969, 109, quoted in Arneil 2021, 3).

Consilience and Positron, like the Panopticon, are surveillance-intensive spaces, but Atwood's novel critically takes stock of the decentralization of the gaze in contemporary times. The watchtower is replaced by a combination of databases and elusive surveillance technologies such as biometric identification, facial-expression analyzers or GPS tracking. The walls, however, remain. Positron is indeed sealed off from Consilience, which is itself cut off from the outside world by a "shiny black-glass wall" (30). Within the wall, as in the Panopticon, surveillance is asymmetrical. As Stan puts it, "Because you can't see them doesn't mean they can't see you" (113), which may be read in correspondence with the panoptic economy of the gaze as highlighted by Foucault. Indeed, occupants know they may be watched at any time, but do not know when.[9]

The specificity of Atwood's novel is that it does not simply refer to the Panopticon and/or Foucault's elaboration of it, but seems to locate dystopia within the broader context of utilitarian theory. Indeed, the community is run according to a nightmarish version or dark parody of utilitarian principles. In his foundational *Introduction to the Principles of Morals and Legislation*, Bentham defined utility as "that property in any object whereby it tends to produce pleasure, good or happiness, or to prevent the happening of mischief, pain, evil, or unhappiness to the party whose interest is considered" (12). The object of all legislation – the greatest happiness of the greatest number – seems echoed in the Consilience/Positron motto of "maximum possible happiness" (50) and in Ed's new business scheme to turn people into sex slaves, meant to be sold beyond the walls of the twin city where it is being developed. The scheme consists in having customers designate the object of their desire, who will then be kidnapped and undergo brain surgery that will "wipe out [their] previous love object and imprint [them] with a different one," i.e. the customer. Ed describes the neurosurgery as "beneficial to all," i.e. to the person who will pay for the kidnapping and surgery as well as to the person who will undergo the surgery. He ends his speech by announcing "[t]he greatest possible happiness of the greatest possible number" (325–326). Finally, the insistence on the fact that people – and especially prisoners – have to become "productive members of society" may be read as an echo of Bentham's goal to turn inmates into industrious members of society. The idea is taken to macabre extremes when what the prisoners 'produce' is body parts and to do so they will have to be killed. Although Charmaine does not know what is done with the dead bodies, she believes that "whatever happens, it's bound to be useful" (87), which is perhaps an echo of Bentham's essay "Auto-Icon," the full title of which includes the words "Or Farther Uses of the Dead to the Living" (Bentham 2002).

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[9] See the development on panopticism in Miceli (2019).

Intertextual links can also be identified with Foucault's elaboration of Bentham's scheme, which he assimilated to a "laboratory" (Foucault 1995, 203, 204). Indeed, while the founders of the twin city claim that their endeavor is "an ultra, ultra important experiment" (44), this term is echoed with very different connotations in Stan's thoughts: "Panic of a rat in a cage, with ample food and drink and even sex, though with no way out and the suspicion that it's part of an experiment that is sure to be painful" (113). However, it is not so much a disciplinary society that Atwood is describing but a carceral one in which Positron is the heart of society, "the meaning of it all" (234). While in Foucault's account, the prison is only one example of the institutional manifestations of discipline meant to spread to the whole of society, in Atwood's novel, the prison retains a central place. It is arguably the purpose and guiding principle that gives "meaning" to the "outside world" (142). Stan believes that "citizens were always a bit like inmates and inmates were always a bit like citizens, so Consilience and Positron have only made it official." His next remark confirms the hypothesis of the intertextual link to utilitarian theory: "Anyway, the point is the greatest happiness all around" (180).

2.3. Exploiting the Narrative Potential of Bentham's Theory: Plots and Counterplots

In the self-contained world described in the novel, plots and counterplots feature prominently. The actual "bona fide criminals" (78), who used to live in the twin cities, had been preparing "an uprising against Management, with hostages taken and ears cut off." But, the novel tells us, "that plan was discovered in time, through a spy" (79), and the malefactors disposed of. Another plot-related aspect emerges when tension builds up as journalists try to "worm their way in" (246) to find out what is actually happening in the secret womb of Positron. These infiltrations from journalists lead to a spate of repressive measures, legitimated as necessary to "overcome the subversive elements" (246). In Ed's account, there is an outside in which "online radicals and malcontents […] claim that Consilience/Positron is an infringement of individual liberties, an attempt at total social control, and insult to the human spirit" (46). Their campaign is described by central management as a sabotage attempt "under the pretense that transparency is a virtue and the people need to know" (147).

The managers of Positron intend to control what is said about their scheme on the outside:

> The whole town is under a bell jar: communications can be exchanged inside it, but no words get in or out except through approved gateways. No whines, no complaints, no tattling, no whistle-blowing. The overall message must be tightly controlled: the outside world must be assured that the Consilience/Positron twin city project is working. (62)

The image sent to the outside world, as in all propaganda, relies on theatricality, on the staging of an "ideal life," and, one suspects, some careful editing. Indeed, participants are informed that "[f]rom time to time a film crew may arrive to shoot some footage of the ideal life they will all be leading, to be shown outside Consilience" (52–53). This invokes the historical link between plots and the theater.

The main plot (as in *plotting*), and narrative focus is that elaborated by Jocelyn, one of the founders of the scheme. She turns against the utopia when she realizes it is in fact a death machine run for profit. Her plan (or counterplot) involves smuggling Stan out of Positron to enable him to leak a flash-drive containing damaging documents. Stan's death is carefully staged so he can disappear from the database, take on another identity and be transferred to Las Vegas. As for Charmaine, she has to play the part of the bereaved widow when she is the one who put him to death – or so she believes. In church, she wishes she could kneel and place her forehead on her hands "as if in despair" so that she could "just zone out, which would help her get through this bogus funeral," but she knows she has to "sit up straight and *act* noble" (256, emphasis mine). The language of theatricality pervades the whole ceremony around the empty coffin. There is thus a double staging: the scene during which Charmaine killed Stan, but in fact only put him in a comatose state; and the staged funeral with the accompanying story that presents Stan as a hero who died to save his fellow employees when an electrical fire started in the chicken facility where he worked. Charmaine must not know that her husband is actually alive, because her grief has to appear genuine: "We don't want her to act, they'd see through it: they have facial-expression analyzers" (163).

Because even Jocelyn is under surveillance, it is necessary to fool Ed and provide a convincing motive for why she would want to have Stan eliminated. The motive is produced by means of an elaborate comedy of errors focusing on adultery. All couples have "alternates" whom they are not supposed to meet, i.e. the people who live in their house when they are in prison and return everything when it is their turn to go to Positron. When Stan finds a love note signed by a mysterious "Jasmine," he believes the latter to be his wife's alternate. In fact, Jocelyn and her husband Phil are alternates of Charmaine and Stan. "Jasmine" is the pseudonym Charmaine uses to communicate with her lover, who is no other than Phil. Their affair is part of Jocelyn's plan, which she calls a "scenario" or "stunt" (161, 162). Their illicit encounters have been caught on video, and so have Jocelyn's "degrading and jealous attempts to re-enact that affair and punish Charmaine through [Stan]": "Why do you think we had to go through all that theatrical sex in front of the TV?", she asks Stan (161). She is convinced that "those who might have to be shown those videos will see why [she] might want to get rid of [Stan]" (162). Charmaine's rescue from Ed's schemes at the end of the novel is also realized by means of a performance,

namely the staging of a show at a retirement home, in which Stan plays an active part.

Jocelyn's plot, with all its theatrical elements of love, lust, revenge and mistaken identities, is meant to reveal the dark truth of the Consilience/Positron project. At the same time, it is also an escape narrative of the kind that Bentham wanted to forestall in his model-prison. One could therefore argue that on yet another level, the novel calls into question the mechanisms which Bentham had designed so as to protect prisoners from abuses on the part of the authorities. The two most important of these guarantees were private management and transparency – clearly caricatured and thus undermined in Atwood's utopia.

2.4. Questioning Private Management and the Faith in Transparency

Bentham advocated private management because he thought it would better protect prisoners, on certain conditions. First, the governor's interests had to coincide with those of the prisoners in a symbiotic relationship. This is apparent when Bentham describes his Panopticon project. He was supposed to manage the project himself, in contrast with transportation to New South Wales: "In no point did my system rest itself upon cold forms. In body, in mind, in every way, if my patients suffered, I suffered with them. By every tie I could devise, my own fate had been bound up by me with theirs" (Bentham 2022, 82). Secondly, Bentham believed that private management would arouse more suspicion among the public and needed to be more critically scrutinized, a dimension which is often overlooked in discussions of panopticism. As Janet Semple explains, there were five levels of inspection within the Panopticon, the last one involving the opening of the whole panoptic structure to the public gaze, not just of inspectors but also of any casual visitor curious enough to take a look and for whom constant access to the central watchtower was guaranteed (Semple 1993, 140). In other words, the governor and wards, too, were to be put under inspection, and this was to offer a protection against abuses. In Bentham's words, "Jealousy is the life and soul of government. Transparency of management is certainly an immense security; but even transparency is of no avail without eyes to look at it" (Bentham 1843f, 130).

As Jocelyn in the novel notes, "once you've got a controlled population with a wall around it and no oversight, you can do anything you want" (157). The question is how to make oversight effective. Whenever the tightly sealed door of Consilience is opened to let outsiders in, the tour is carefully orchestrated. For instance, when Charmaine runs into Lucinda Quant, whom she recognizes as the presenter of *The Home Front*, a reality show about people being evicted, Ed explains: "We're giving her a quick tour of our wonderful project. She's considering a new show called *After the Home Front*, so she can tell the world about the wonderful solution we have here to the problems of homelessness

and joblessness" (143). The tour is obviously not meant to be an inspection but part of the scheme's communication, or even propaganda, plan.[10]

Transparency in Benthamite theory takes the shape of registers, public inspections and, in his later writings, what he called the Tribunal of Public Opinion. Atwood's novel presents a particularly devastating effect of transparency when it transcribes the public debate – conducted in social media, talk shows and blogs – which follows the revelations leaked by Stan. Outrage bursts out about "prison abuse," "organ harvesting," the creation of sex slaves through neurosurgery and the "plans to suck the blood of babies" (Atwood 2015, 354). Questions about the failure of oversight arise:

> [T]he misappropriation of people's bodies, the violation of public trust, the destruction of human rights – how could such things have been allowed to happen? Where was the oversight? Which politicians bought into this warped scheme in a misguided attempt to create jobs and save money for the taxpayer? (354)

However, what happens after the revelations is not the triumph of truth and justice but rather an anticlimax which leaves central questions unanswered. Talk shows supposedly make it possible for "two sides" to express themselves:

> *Some say* those who got their organs harvested and may subsequently have been converted into chicken feed were criminals anyway, and they should have been gassed, and this was a real way for them to pay their debt to society and make reparation for the harm they'd caused, and anyway it wasn't as wasteful as just throwing them out once dead. *Others said* that was all very well in the early stages of Positron, but it was clear that after Management had gone through their stash of criminals and also realized what the going price was for livers and kidneys, they'd started in on the shoplifters and pot-smokers, and then they'd been snatching people off the street because money talks, and once it had started talking at Positron it wouldn't shut up. (354, emphasis mine)

In this passage, the mixture of direct and indirect discourse bluntly reveals the accepted dehumanization of prisoners: neither side seems to question the idea of using criminals' corpses for profit. Atwood's text therefore also highlights the uselessness of institutional transparency when confronted with a powerful bias against prisoners ranging from mere indifference to actual hostility.

Conclusion

Going back to the historical etymology of *plot* has made it possible for this chapter to highlight two key dimensions of the Panopticon: the centrality of space and the link to theatricality. These have been illustrated in various ways both in Bentham's writings and in Atwood's novel. Theatricality in this context

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[10] For other examples of mock-inspections read in the light of panopticism, in respectively Ann Radcliffe's *A Sicilian Romance* (1790) and Wilkie Collins's *Armadale* (1864), see Wrobel (2010, § 42; 2020, 428–430).

is conceived as a suspicious practice, which is used as a strategy to hide an un-
palatable reality, for instance during inspections which are just masquerades. In
Bentham's penal theory, the plots to be nipped in the bud before they are even
hatched are escape plans on the part of prisoners and their possible accomplices
outside the prison, as well as abuses on the part of the authorities, i.e. governors
and warders as well as inspectors. Bentham's model prison is supposed to be
the place where a narrative of redemption unfolds for each individual. His
solutions to protect prisoners included the institution of private management
and the Panopticon's openness to the public, two provisions whose value is
challenged in Atwood's novel.

The Heart Goes Last is deeply anchored in North American detention
practices. At one point, Jocelyn provides Stan with a very short history of
incarceration. This history starts with the reforming age to which Bentham
belongs and which materialized in the United States in the Philadelphia and
New York penitentiaries:

> Prisons used to be about punishment, and then reform and penitence, and then
> keeping dangerous offenders inside. Then, for quite a few decades, they were about
> crowd control – penning up the young, aggressive, marginalized guys to keep them
> off the streets. And then, when they started to be run as private businesses, they were
> about the profit margins for the prepackaged jail-meal suppliers, and the hired guards
> and so forth. (157)

In the evolution sketched here, the narrative of reformation has entirely dis-
appeared. Before turning into a death machine, Positron, like many other
American prisons, was used for the "warehous[ing]" of prisoners (137) and did
not even pretend to try and make them fit to return to society.[11] Reference
is also made to the "for profit hosting of recalcitrants from other states" in
Louisiana (146). Atwood, in dystopian fashion, "takes the premise of for-profit
prisons to monstrous, comic ends" (Mead § 47). Although the privatization of
prisons, which began in the 1980s, is far from having spread to the whole
carceral system (according to the Sentencing Project, in 2019 private prisons
held 8% of the federal and state prison population[12]), they have come under
heavy criticism.[13]

Atwood's novel shows what happens when private management is dissociat-
ed from the transparency advocated by Bentham. As Alford contends, prisons
in contemporary America are not so much panopticons as "nonopticons" in
that no one bothers to look at the prisoners beyond making sure that they have
not escaped (Alford 2000, 131). Instead of discipline, one finds indifference on

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[11]   Fludernik (2019) gives Herivel & Wright (2003) as reference on the topic, among others.
[12]   https://www.sentencingproject.org/publications/private-prisons-united-states/.
[13]   The criticism, highlighting high rates of violence, has come from the Department of
       Justice itself. See the 2016 report by the Office of the Inspector General: *Review of Federal
       Bureau of Prisons' Monitoring of Contract Prisons*, available online.

the part of the authorities, and idleness among inmates. If civil society does not bother to look either, then prisons have indeed the potential to become laboratories where sinister plots based on the commodification of the human body can prosper. Atwood's novel, through its dialogue with both Bentham's theory (a fiction of its own kind as it was never put into practice in the manner the reformer envisaged) and with contemporary practice, draws our attention to the necessity of defining transparency – Bentham's main cure to stop plots in the sense of evil schemes – and its implementation within democratic society.

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