“When in Rome, Use What You’ve Got”: A Discussion of Female Agency through Orange Is the New Black

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Abstract
Drawing on the work of Lois McNay as a feminist extender of Foucault’s ideas about power and the possibility of resistance, this article offers a discussion of her theories of female agency as transferred onto Jenji Kohan’s TV adaptation of Piper Kerman’s prison autobiographical narrative Orange Is the New Black (2010). Situated within feminist epistemology, our approach is interdisciplinary, and we argue that the series is an instance of McNay’s neo-Foucauldian framework in practice, with her three dimensions of agency integrated in a critical discourse about life in women’s prisons. We contend that Kohan presents the protagonists as active subjects with potential for transformation. In our view, her narratives of resistance against the disciplinary practices of the institution can be read as political statements that promote consciousness-raising among viewers.

Keywords
women in prison, Foucauldian feminism, resistance, agency, TV series

Introduction
In 1975, Michel Foucault published Discipline and Punish, where he analyzed the birth of the modern prison, examining the effects of disciplinary power, surveillance,

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and the law on individuals and their bodies. Since then, his theories have developed a complex relationship with feminism. As Margaret McLaren (2002, 14) explains in *Feminism, Foucault, and Embodied Subjectivity*, there is no agreement about the usefulness of his work. She divides the feminists who engage with Foucault into four groups: (1) staunch critics; (2) moderate critics; (3) feminists who use, extend, or apply aspects of his work with reservations about his overall project; and (4) Foucauldian feminists with only minor reservations.

Drawing on the third line of work, this article proposes a critical application of Foucault’s theories, focused on the forms and possibilities of agency in the female prison context. We discuss feminist-Foucauldian ideas and their resonance in Jenji Kohan’s TV adaptation of Piper Kerman’s memoir *Orange Is the New Black: My Year in a Women’s Prison* (2010), with particular attention to Lois McNay’s analysis of Foucault’s theses in *Foucault and Feminism* (1992) and her subsequent neo-Foucauldian theorization in *Gender and Agency* (2000).

Our methodological approach combines a critical revision of McNay’s neo-Foucauldian theorization of female agency with an analysis of selected scenes and characters from *Orange Is the New Black* (*OITNB*; Netflix, 2013–2015) to illustrate the relevance of McNay’s theoretical model. Other feminist scholars like McLaren have drawn on Foucault’s definition of power as productive and established meaningful links between his conceptualization and feminist theory. By illuminating both its negative aspect (domination) and its positive side (production of new objects, discourses, and resistance), McLaren (2002, 41) explains, Foucault conceived power as a dynamic that “creates new possibilities, produces new things, ideas and relations,” and this, she concludes, “is akin to what feminists call ‘empowerment.’” As one of the authors that have put this connection into play, McNay constructs her own, multi-layered conceptualization of agency, which we apply to *OITNB*. Following McNay and other feminist authors like Lenore Walker and Jaye Cee Whitehead, we identify the show’s characters’ responses to the prison’s disciplining practices as neo-Foucauldian techniques of the self that allow them to identify as agentic subjects.

McNay’s (1992, 59) framework explores the evolution from “docile bodies” to “active individuals.” While the social/penal system tries to regulate the body, and individuals are subjected to disciplining practices, they may also respond to them, becoming agents of change of their conditions and within the structure they inhabit. In *OITNB*, there are many examples showing how hierarchy is disrupted to the inmates’ benefit, for instance, when a violent Correctional Officer (CO) is fired and arrested after falling into a trap set by the Spanish *mamis* (S2 E10, “Little Mustachioed Shit”). Conversely, at other moments, the repressive structure is reinforced to the women’s disadvantage, for example, when the administrators buy new weapons for the COs in response to a hunger strike (S2 E11, “Take a Break from Your Values”). We elaborate on these and other storylines articulated around power struggles and agency below.

Through the dialogue between neo-Foucauldian feminist theory and our selection of examples from the first three seasons of the show, we argue that *OITNB* is an instance of McNay’s framework in practice, with her three dimensions of agency integrated in a gender-aware discourse about life in a women’s prison. Furthermore, we
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content that the series, expanding significantly and often fictionalizing Kerman’s narrative, presents her protagonists as active subjects with potential for transformation. Their attempts at resistance against the disciplinary practices of the institution can be read as political statements, conferring resonance to McNay’s theories. *OITNB*’s universe shares many traits with Foucault’s classical prison, but, permeated by feminist thought, it offers its inhabitants the possibility of standing up against the domination of a system dramatically conditioned by gender, race, and class.

According to Lynne Joyrich (1996, 22), television at the last turn of the century had “begun to alter our very ways of seeing and knowing,” and its relevance to our process of socialization, in conjunction with new media and information platforms, is undeniable. As part of a collection of influential series that include American Movie Classic’s ([AMC] *Mad Men* (2007–2015) and Netflix’s *House of Cards* (2013–present), *OITNB* “forms part of a wider approach to eliciting change in social attitudes” (Henderson 2007, 19), possessing the “ability to depict that which is so often absent from our screens” (Henderson 2007, 174). This includes stories of female resistance in general and women prisoners’ resistance in particular, as we will discuss.

“*You Take a Woman’s Power Away*”: Resistance in *OITNB*

McNay’s (1992, 73) conceptualization of agency is predicated on Foucault’s dynamic thought: toward the end of his career, he “attribute[d] a degree of agency or self-determination to the individual.” The possibility of resistance was realized in his framework through what he called “techniques of the self,” that is, ways in which “the individual comes to understand him/herself as a subject” (McNay 1992, 49). In the prison environment, this is hard: the system sends the message that subjectivity must be sacrificed and choice ruled out. This is illustrated in *OITNB*, for example, by the women’s uniforms (which also reveal how experienced an inmate is, the “newbies” conspicuously dressed in orange) and by the compulsory job assignments that depend on the inmates’ behavior and/or on the interests of the institution. In these ways, the prison controls incarcerated individuals and the duration and conditions of their sentence, as described by Foucault ([1975] 1995, 244) in *Discipline and Punish*.

In the first season of the show, and despite having been assigned to a minimum security prison, Piper Chapman (Kerman’s TV alter ego) is sent to the Special Housing Unit (SHU) or “solitary,” which according to prison activist Victoria Law ([2009] 2012, 7) is “used to isolate and punish prisoners who challenge their conditions of confinement.” Piper’s sin is dancing with her on-and-off lover Alex during a party, and she is penalized for an action that, in her counselor’s (homophobic) eyes, challenges the order of the institution. Despite the consensual quality of the scene, she is charged with attempted rape. In the SHU, she is deprived of information and external references, hears other women screaming, is given moldy food, and is shackled and under a guard’s supervision in the shower. By the end of her solitary confinement, the audience realizes that the strategy works to stifle disobedience and individual will: “If they
let me out of here,” Piper barters, “I will shut up . . . put my head down . . . do my time. I will smile at Healy and I won’t go near [Alex]” (S1 E9, “Fuckssgiving”).

In this respect, Andi Rierden (1997, xv) has described the “extreme loss of self” that takes place within a women’s prison, and Rena Fraden (2001, 133) has concluded that under these conditions, “[t]he odds of recovery of a ‘wholeness of self’ and liberation [are] low,” as Taystee’s recidivism and Poussey’s extreme loneliness in OITNB suggest. The former is released (S1 E9), but incarcerated again soon after that, unready to face life outside. She verbalizes her fear before leaving, when she tells Poussey, “I’ve been in institutions my whole life . . . ] I got no skills.” Clearly, the scarce and inadequate educational and training options in Litchfield—the fictional equivalent of Danbury prison where Kerman was imprisoned—have not contributed to compensating for this lack. Poussey, in turn, misses certain feelings and relationships more than specific abilities, as we can infer from the dynamic she establishes with Taystee—tending more toward romantic love and desire for Poussey, but friendship only for Taystee—and from her desperate search for belonging in season 3. In the sixth episode, she reflects, “This place is getting me down . . . I need a girlfriend.” In her search for affection, Poussey breaks the traditional racialized associations of the prison’s informal structure and joins a group of inmates—most of them white—that follow mute, shy, also white Norma as their new guru. In addition, to deal with her sexual drives, she becomes addicted to soft-porn science fiction texts written by another inmate.

Even in their hostile, potentially destructive context, the show’s protagonists still fight to improve their plight, initiating a series of “transformative actions” that, in Susan Sered and Maureen Norton-Hawk’s (2011, 328) terminology, can be dubbed “resistance,” illustrating Foucault’s ([1976] 1990, 95) affirmation that “[w]here there is power, there is resistance.” We adopt this label of resistance to counteract the tendency to conceptualize women in prison as victims, which has been denounced by critics such as Kathy Boudin and Roslyn D. Smith (2014, 251) because it leaves out “the role of a woman as an agent of her life, with responsibility for past choices and possibilities for change.” Gender violence scholar Lenore Walker (1989, 225) explains in Terrifying Love that, for some criminalized women who have suffered repeated acts of abuse, prison might be the first place where they spend significant time alone, thinking about their lives. Prison might also provide them with a community of women who could offer support. Such is the case of Gloria in OITNB, whose past as a battered woman features in an episode significantly titled “Low Self Esteem City” (S2 E5), and who is deeply appreciated as a santera and a cook by the Latina inmates in Litchfield. She is a respected figure in her community, competing for leadership with other strong characters like Red among the white inmates or Vee among the African Americans. The first three seasons of the show emphasize Gloria’s empowerment, in spite of her traumatic past and difficult present, presenting her as a capable individual with valuable skills, a strong rival to other “tribal” leaders.

Six years before the premiere of the series, Jaye Cee Whitehead published an article about empowerment in female prisons proposing that, despite the seeming depoliticization among some inmates, there may be a type of resistance that they exercise beyond traditional forms of political mobilization, focusing more on their concrete needs than
on organized actions. Resistance, Whitehead (2007, 311) concludes, “occurs in the micro, everyday context of prison life” through a series of “tactical strategies” that we believe are congruent with Foucault’s techniques of the self. In this regard, season 2 uses a recognizable kind of activism—a hunger strike—more as an excuse to build a narrative about positions of leadership than as an example of successful mobilization. Asian prisoner Brook Soso’s efforts to unite the white inmates in a visible communal action and publish their complaints in a prison newsletter, the Big House Bugle, end up half absorbed by Sister Ingalls’ charisma and half neutralized by the COs’ bribery. In the same storyline, Piper’s initiative to edit and circulate that newsletter is also swiftly quashed, leaving no time for its development as a solid forum for organization. However, other more loosely planned forms of resistance yield results that modify the everyday conditions, the prison structure and, ideally, the audience’s view about the micro-universe presented in OITNB, as we set out to prove in the next section.

To do this, we assume resistance as a condition for agency in the prison context. In accordance with Whitehead, and with Diamond and Quinby’s (1988, x) revision of Foucault, we locate agency in local, micro-level practices. As June Schlueter (2007, 322) suggests, “agency is manifested in the (re)production of experience.” This agency, as exemplified below, is not bestowed on individuals, but is worked for actively by them. Furthermore, as Schlueter (2007, 321) states, it is “a political good in and of itself.” Being aware of the skepticism of critics like Allison Samuels (2013)—she has written that “[t]here is the idea that Orange will magically wake up Americans and force them to acknowledge the harsh reality that time served in jail isn’t quite the same for everyone”—we still uphold that the series contributes to consciousness-raising about the conditions in women’s prisons, the inequities of the U.S. justice system, and the situation of female subjects as protagonists in control (or not) of their own life stories.

From Resistance to Agency: Power, Creativity, and Change

As a logical continuation of her previous line of thought, explained above, McNay’s book Gender and Agency: Reconfiguring the Subject in Feminist and Social Theory ([2000] 2014, locs. 315, 410, 784) proposes three inter-related conceptualizations of agency: (1) the “capacity to manage actively the often discontinuous, overlapping or conflicting relations of power”; (2) the “ability to act in an unexpected fashion or to institute new and unanticipated modes of behaviour”; and (3) what she labels the “political dimension of agency”: “the capacity of the individual to engender change within the socio-cultural order.” All are present in our analysis, with OITNB as an instance of theory in action.

Power and Its Edges

As Geoff Danaher et al. (2000, 71) have pointed out, Foucault’s theorization incorporated the idea that “[p]ower can flow very quickly from one point or area to another, depending on changing alliances and circumstances.” Power is thus not permanently
possessed, but contingently exercised, allowing individuals and groups to shift positions. The nature of power allows for practices of resistance to flow, and as McNay (1992, 42) notes, “within the oppressive constraints that operate around ideas of femininity, there are contradictions and instabilities which, at times, have provided women with a base from which to undermine the very system that constrains them.” This applies to Litchfield, where the relations of power are discontinuous and several characters display talents at negotiating with (in) the system, activating strategies that allow them to acquire or maintain agency. For one, Red is able to build a queendom in the kitchen and to keep a successful contraband network with the help of other white inmates. Her position is challenged at the end of season 1 after an incident that hurts one of her “girls,” but she relentlessly consolidates her position (earning her “family’s” forgiveness [S2 E9, “40 Oz of Furlough”] and “playing” administrator Joe Caputo in season 2 to obtain a space in the greenhouse to relocate her business). Later, she tries to seduce Healy to regain her job as cook (episodes S3 E5, “Fake It Till You Fake It Some More”; S3 E6, “Ching Chong Chang”; S3 E7, “Tongue-Tied”).

There are other contexts in which inmates exert agency amid the flow of power among bureaucrats, counselors, and COs in OITNB. The vertical structure of the institution fosters struggles between administrators and lower rank officials (as the privatization storyline in season 3 exemplifies), but their everyday interaction makes the imbalance between COs and inmates most relevant to the women’s lives. Kerman ([2010] 2014, 129) states in her memoir that “[i]t is hard to conceive of any relationship between two adults in America being less equal than that of a prisoner and prison guard,” and Law ([2009] 2012, 64) confirms this when she discusses serious abuses fed by “the power that a prison official holds.” In the Netflix adaptation, the random searches, the arbitrary punishments, and, especially, the harassment by CO George “Pornstache” Mendez make the show’s critical stance obvious. The episode “Comic Sans” (S2 E7) is particularly rich in this regard: it shows Warden Natalie Figueroa’s dark financial dealings, COs listening to the prisoners’ private calls, Jimmy’s “compassionate release” when she is too sick to be cared for inside, and Daya telling CO John Bennett, who has got her pregnant: “You have a choice. You have the power. I’m an inmate. I have nothing”.

Nevertheless, even figures that are expected to be particularly powerless for reasons of race, class, or age are given a chance at resistance in the show’s version of prison life. We have already illustrated how Red, one of the “golden girls,” works successfully through its structure, her age not an obstacle to action or leadership. African American transsexual Sophia also exercises individual agency to get attention when she is denied access to her hormones. By fabricating an emergency, she places her body in the frontline of a battle against a system that does little for women’s health and for transgender persons’ well-being, as Law ([2009] 2012, 208) describes when she writes that transgender women in prison historically have had “to fight for even the most basic rights and protections.” Immersed in a process of identity (re)construction that is anything but easy, Sophia is not ready to surrender: “I’ve given five years, $80,000 and my freedom for this,” she says (S1 E3, “Lesbian Request Denied”). By episode 9, there is a new doctor in Litchfield and she is back in treatment.
Group agency is portrayed, among other storylines, during the Daya–Bennett romance in season 1. When Daya realizes that she is pregnant, the Spanish mamis concoct a scenario that will present the pregnancy as a result of rape by Pornstache. To achieve this, Daya must claim control of her hitherto disciplined body and lure him into a trap set by her peers. Their plot, however problematic in ethical terms, works as a form of effective agency: Daya continues with the plot until she gives birth and has the option of economic benefit when Pornstache’s mother offers to care for her and the baby. Collectively, the women thus shatter the power balance by avenging the murder of Tricia, a drug addict and one of the youngest inmates, whom the CO had pushed to an overdose (S1 E10, “Bora Bora Bora”). His trajectory is clear evidence of how an individual can lose his power within the prison industrial complex: he is arrested and incarcerated, and behind bars, his alpha male mask dissolves.

Further case studies could include Tiffany “Pennsatucky’s” negotiation for new teeth, which proves that inmates have power when they access sensitive information (S2 E2, “Looks Blue, Tastes Red”); Vee identifying the needs of other prisoners to build her power base (S2 E3, “Hugs Can Be Deceiving“) or using her street smarts to win a territorial war (S2 E5, cited above); the young Latinas Marisol (“Flaca”) and Maritza squeezing Bennett through group pressure (S2 E6, “You Also Have a Pizza”); or the temporary subversion of the power balance between the veteran inmates and the new, inexperienced COs in season 3. The different layers of domination within the prison framework are portrayed through intrigue and humor, and sometimes seriously shattered—although never fully dismantled. The female characters’ strategies of resistance lead to exercises of effective agency as conceived in McNay’s neo-Foucauldian feminist theories, modifying the prisoners’ conditions of life while offering a critical perspective on the options available to criminalized women.

**Staying Creative Inside**

In the feminist extension of Foucault’s work that forms the basis of our analysis, McNay’s ([2000] 2014, loc. 410) most original contribution is her conceptualization of agency as the capacity to act in unexpected ways or institute unanticipated modes of behavior. To the Foucauldian ability to resist, she adds creativity as an empowering quality, associating it with “renewed understandings of ideas of autonomy and reflexivity, understood as the critical awareness that arises from a self-conscious relation with the other” (McNay [2000] 2014, loc. 128). This dimension is predicated on a process of self-awareness within a relational context, detectable in *OITNB*. 

In her memoir, Kerman ([2010] 2014, 81) describes inmates celebrating holidays with minimal resources, enriching their diet with “extracurricular prison cooking,” altering hygiene products and clothes to make them more effective and beautiful, creating presents from nothing, and fulfilling their sexual needs by manufacturing dildos. “The industrious hobbyist of the penal system,” she quips, “would work with whatever material they had” (Kerman [2010] 2014, 117). By the end of the experience she comes to the conclusion that, among other things, the women at Danbury “shared a deep reserve of humour, creativity in adverse circumstances, and the will to protect
and maintain our humanity despite the prison system’s imperative to crush it” (Kerman [2010] 2014, 292, emphasis added). This is precisely one of the sources of subplots for the show.

In a 2013 interview, Kohan commented on the importance of humor in the series and its role as a coping strategy in the darkest situations. We see it used, for instance, upon Piper’s surrender, when her friend Polly tries to lighten the weight of the upcoming prison situation by saying, “You may not come back with a unibrow” (S1 E1, “I Wasn’t Ready”); or in season 2, when Piper is shown to be relieved that the male prisoner who had harassed her on the plane to Chicago, en route to another correctional institution, is a convicted murderer and not a rapist (S2 E1, “Thirsty Bird”). Similarly, in the third episode of season 3 (“Empathy Is a Boner Killer”), the inmates’ humor and wit are deployed during their dining hall conversations, which freely mix evolution and “blow jobs,” including hilarious expressions that they coin themselves, such as “chlamydia dell’arte.” In Kohan’s words, humor “really highlights the pathos and the struggle,” working to make both the comic and the dramatic sides of the narrative shine (Radish 2013). It is also one of the show’s main resources to represent the women’s strategies to retain agency inside a dehumanizing institution. Building on Kerman’s anecdotes, the series develops storylines about health, relationships, and labor through funny examples of female creativity. As relational theory suggests, “women who are able to foster mutual and empathetic connections are more likely to experience increased self-worth, increased knowledge of self and others, and increased empowerment to act” (Covington 2007). Putting their imaginative talents to work together, the characters in *OITNB* challenge the homogenizing forces of the correctional facility, fabricating options where there seemed to be none. As noted in the title of this article, Tricia encourages her peers to be practical—“When in Rome, use what you’ve got” (S1 E4, “Imaginary Enemies”)—as she misquotes the proverb, trying to mobilize others to devise decorations for her girlfriend’s release party with just some toilet paper.

The show also uses irreverent humor when elaborating on Kerman’s passing references to dildo-manufacturing, putting female sexuality to the forefront through Boo’s solution to the screwdriver conflict (S1 E4, cited above): she hides the proof of Piper’s guilt and builds herself an instrument of pleasure at the same time. Maxipads, which Kerman mentions repeatedly as objects of modification, feature significantly in *OITNB* and are connected to serious issues of health and security. Sophia feels feminine in the flip-flops that she instructs Piper how to make with maxipads, which importantly also keep away fungi (S1 E3, cited above). Piper herself turns them into protective masks during a flu epidemic (S1 E8, “Moscow Mule”) and uses them to maintain hygiene during a long trip in which the COs do not allow her to use the toilet (S2 E1, cited above).

In accordance with gender-conscious thought about life behind bars, the series’ protagonists embody Susan D. Phillips and Nancy J. Harm’s (1998, 7) feminist approach to prison intervention: “Incarcerated women are oppressed women,” they state, and for them to establish safe and healthy life alternatives, “these women need to develop marketable educational and vocational skills, support systems, and a
perception of themselves that gives credit to their resources and strengths.” As an instance of this affirmation, in the show the pragmatic inmate Tricia mentioned above succeeds in throwing her farewell party, feeling proud before her lover and the whole group in the fourth episode; inmates in the maximum-security prison where Piper is taken in season 2 earn money by training roaches to carry cigarettes, cultivating economic resources in a context of scarcity (S2 E1, cited above); and Red, using her smuggling skills, manages to provide for her “family” and reinforce her role as a mother figure despite the cuts in funding and raw materials for her cooking (S3 E12, “Don’t Make Me Come Back There”).

Focusing on these kinds of creative skills enriches the characterization of certain women within the show’s diverse cast. Season 3 emphasizes the contrast between two particular characters: Suzanne (“Crazy Eyes”), an African American woman who is perceived as mentally disturbed, versus Piper, an attractive, educated, privileged White, Anglo-Saxon Protestant (WASP). The former channels her imagination through soft-porn science fiction writing that brings her trouble with her counselor, who dismisses her texts as “obscene” in the seventh episode. But it also makes her popular among her fellow inmates, earning her a peculiar fan club and even a romantic admirer—a situation that reveals her sexual inexperience. Apart from the humorous relief that is common to the creativity-based anecdotes described above, this storyline provides insight into questions that can open debates about female imprisonment: the tendency to label deviant women “crazy,” the stigma associated with incarceration, its psychological effects, and its links to an overall system of subordination, as described by Edwin Schur (1984, 9).

In turn, season 3 also features Piper starting a business to sell used underwear online, twisting the exploitative structure of the Whispers prison sweatshop to her own benefit. Her speech encouraging her “sisters” to rebel against patriarchal-infused self-hatred and “make a reek to last a thousand years” (S3 E8, “Fear, and Other Smells”) is one of the comical peaks of the season. However, this sequence is also a potential spark to light a discussion about the options available to female inmates depending on their class or race, about the flawed trans-historical construct of the American Dream, and even about the (in)adequacy of body-love and self-help discourses in the context of a collective of women deprived of freedom. *OITNB*’s hybrid narrative, then, combines comic and dramatic elements to create a politically aware discourse with a potential for resonance beyond the screen.

**Agency and Social Change**

McNay’s third conceptualization of agency is the most ambitious. The idea that the individual can engender change in the socio-cultural order (McNay [2000] 2014, loc. 784) goes beyond Foucault’s techniques of the self to propose a wider impact affecting the individual’s community and, ideally, society as a whole. It is also the least explicit one in *OITNB*, although it is hinted at through the instances explained above, which go further than the “I,” including complicity between individuals (Boo’s dildo satisfying her while covering for Piper) and collective actions (the *mamis*’ involvement in
managing Daya’s pregnancy) that disturb the structure. Thus, with its intra-diegetic exercises of agency that question the establishment, the dramedy points at the function of television fiction as a tool to change social attitudes that we suggested in our introduction. As a hybrid product rooted in the twenty-first century culture of active viewing, OITNB falls into the category of “open” narratives that allow more challenging representations than more “closed” factual formats like news media (Henderson 2007, 7). Those alternative representations can, conversely, put issues into circulation and raise consciousness among audiences about topics relevant to female experience in general and the prison context in particular.

Kohan has acknowledged her political agenda as showrunner, expressing a firm belief in “the power of the media” and a desire “to [tell] stories and [create] characters that start conversations and get people talking and caring about people in situations that they never thought they’d give a shit about.” As a self-identified feminist, she is sensitive to variables that affect individuals and groups. In her own words, “I’m enraged by the limitations forced on people—by poverty, oppression, hatred, fear” (Miller 2015). Her work is part of a wave of postmodern television narratives that do not provide final or closed answers, but raise questions, in this particular case about the female prison experience. Themes that are open for discussion and reflection during or after viewing the show include the war on drugs, female identity (re)construction and perception, and motherhood in custody.

As a result of Kohan’s adaptation of her memoir, Kerman’s project of prison reform and awareness has gained momentum. She continues to deliver speeches about criminalization and re-entry based on her experience, and over the life of the series, she has appeared at events with Kohan as part of a joint consciousness-raising effort. Just as Kerman’s memoir is a patchwork of women’s experiences, the series is a collage of female subjectivities that challenges what Teresa de Lauretis has called “the paradoxical status of women in western discourse.” According to de Lauretis, woman conventionally serves as “the very ground of representation, both object and support of a desire which, intimately bound up with power and creativity, is the moving force of culture and history.” However, this culture simultaneously excludes woman “from history and cultural process,” as it is also “founded on the dream of her captivity” (1984, 13).

We propose that the TV adaptation presents female characters as active subjects with potential for transformation, and turns the fictional Litchfield prison into a space where feminist agency and praxis are possible. The show can be read as a form of feminist activism against a prison industrial complex that affects women in very particular ways. By providing its protagonists with at least relative, intermittent agency, the series proposes alternatives that move away from the demonized criminal woman or the passive victim types to be found in androcentric narratives, potentially expanding the audience’s perspectives of women in prison and the takes that imprisoned viewers who have access to the show may have on themselves. As Joyrich (1996, 17) has affirmed, television’s postmodern construction of subject positions may “reformulate our notions of identity and difference, both extending and negating conventional terms.” Thus, the polyphony and multiplicity of micro-level practices of agency in OITNB denounce and work against the homogenizing, dehumanizing practices of the prison system.
Conclusion

*OITNB*, with its powerful resonance and growing visibility, has (re)opened the conversation about female offenders and the U.S. justice system. Reviewers insist on its unprecedented (although imperfect) treatment of diversity, and its success is contributing to breaking taboos that not even self-proclaimed transgressive networks like HBO had managed to dismantle. Our research has tried, first, to fill in the gaps that Law ([2009] 2012, 5) has identified in the literature about imprisoned women’s agency, which, while noting the differences between male and female needs in prison, does not elaborate on “how these differences either act as obstacles to collective organizing or change the ways in which women organize.” Second, our article exposes how *OITNB* incorporates feminist approaches to female agency—in particular, McNay’s neo-Foucauldian theories, which extend Foucault’s gender-blind theses—proposing alternatives to conflicts that have everything to do with gender, domination, and a very flawed conception of justice that needs serious reconsideration, as audiences are urged to notice.

Declaration of Conflicting Interests

The authors declared no potential conflicts of interest with respect to the research, authorship, and/or publication of this article.

Funding

The authors disclosed receipt of the following financial support for the research, authorship, and/or publication of this article: This work was supported by the Spanish Ministry of Economy and Competitiveness (National 2013–2016 Research & Development Program) under grant #FFI2014-55781-R.

Notes

1. The quotation is from a conversation between inmate Red and counselor Sam Healy (S3 E6, cited above).
2. See our discussion about Suzanne “Crazy Eyes” Warren’s creativity below.
3. For further discussion of this incident, see Pramaggiore’s (2016) “From Screwdriver to Dildo” in this issue).
4. For a further discussion of this moment, see Schwan’s (2016) “Postfeminism Meets the Women in Prison Genre” elsewhere in this issue.
5. Kerman’s recent talks include July 1, 2014 at the White House; November 7, 2014 at La Ciudad de las Ideas in Puebla, Mexico; and an invitation by the Unlocking Doors Texas Re-entry Network on April 7, 2015. Kohan and Kerman appeared together at the Women’s Prison Association’s “Cocktails for a Cause” in October 2013.

References


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