

CONVICT LEASING

“HOGTIED,” JOHN L. SPIVAK (1932)



convict (n). from the verb form, convict: to convince in argument; to “over come”; to impress. From the Latin, convincere. The proof of guilt is carried over into a physiological realm by the mere presence of the body whose address is at once the utterance of the charge [convict] as well as a recognizability of the ethos that keeps the convict separate, working. The public identity of this ethos, even if classified accross multiple genres– Which is to say, naturalized. Liberal democratic conviction, a staging of conduct, is the artifice of a false monstr ation—the forced revelation that criminality exempts the same freedom which is an energy by another name: spirit, History, the imperative, the contract, altr uism, faith in whatever will result from the process.

Between the mid 19th- and early 20th-centuries states declaring themselves too impoverished to maintain prisons and prisoners would lease out convict labor to railway and mining contractors or large plantations. The practice became especially prevalent following the Civil War.

False convictions, theft of bail money, and identity fraud supplied the lease system with so-called convicts.

The convict becomes recollection, which labor gives over to the grammatical. A body is bent and turned weight on the shovel, a muscle pulls an arc an extension at the hoe, the hammer. A stance upon the ground shaken by strike and arranged by other punishments the pull of ties and spikes utters an optical situation for which discipline, as we are taught it, include the offers itself without endangering the objectivity of rack, where American liberty. in a convict's arms are pulled in front of them while they stand in the sun

“Convicts working in unison by singing,” reads until their caption by John L. Spivak in 1932, whose description of the image makes an aesthetic predicament, a ninety degree out of the ethical paradox depicted by the chainangle. gain. “Rhythmic movement is necessary,” he continues, “to avoid injuring one another while bending or rising.” The way history sometimes projects memory forward, erasing the breach of the moment that is the present, makes of the scene a dimension interpreted objectively as the

Children often become frustrated when building on a macroscale. Their hands, better suited for focusing on the touch and manipulation of individual objects, can't keep pace with the vision of, for instance, a corral for their elephant, or a seemingly endless highway of wooden blocks for their train. I know that children's hands have built America. Its

naturalness of a state,

infrastructure, commerce, universities, government houses, etc. The invisibility of what naturalness of law to keep the transpired, which is to say not only the body there under watch, near work but also the death, and also all death like the gray pixelated skyline. the other fidgeting and research To work towards that death, to overcome that is the physical world of a it, sing it, to praise a faith in it. Recollect it. child's body, this is all a lost Cast it forward, in front of us, to recollect it, and opportunity for a new so on, this becomes the work which convinces us of language, for educate the physical grammatical legitimacy. The image turns it into parenthood. to brush and the song to syncopation. Convince before the All unknown heavenly angels and the screen through which song projects scenery. with blurred echoing boundaries that there is no childhood, no age, no voice, no status with which to declare no, no recollection and no iteration, no life which the courts precede with examples and history.

One star in the east,/ One star in the west,/ and between the two there ain't never no rest.

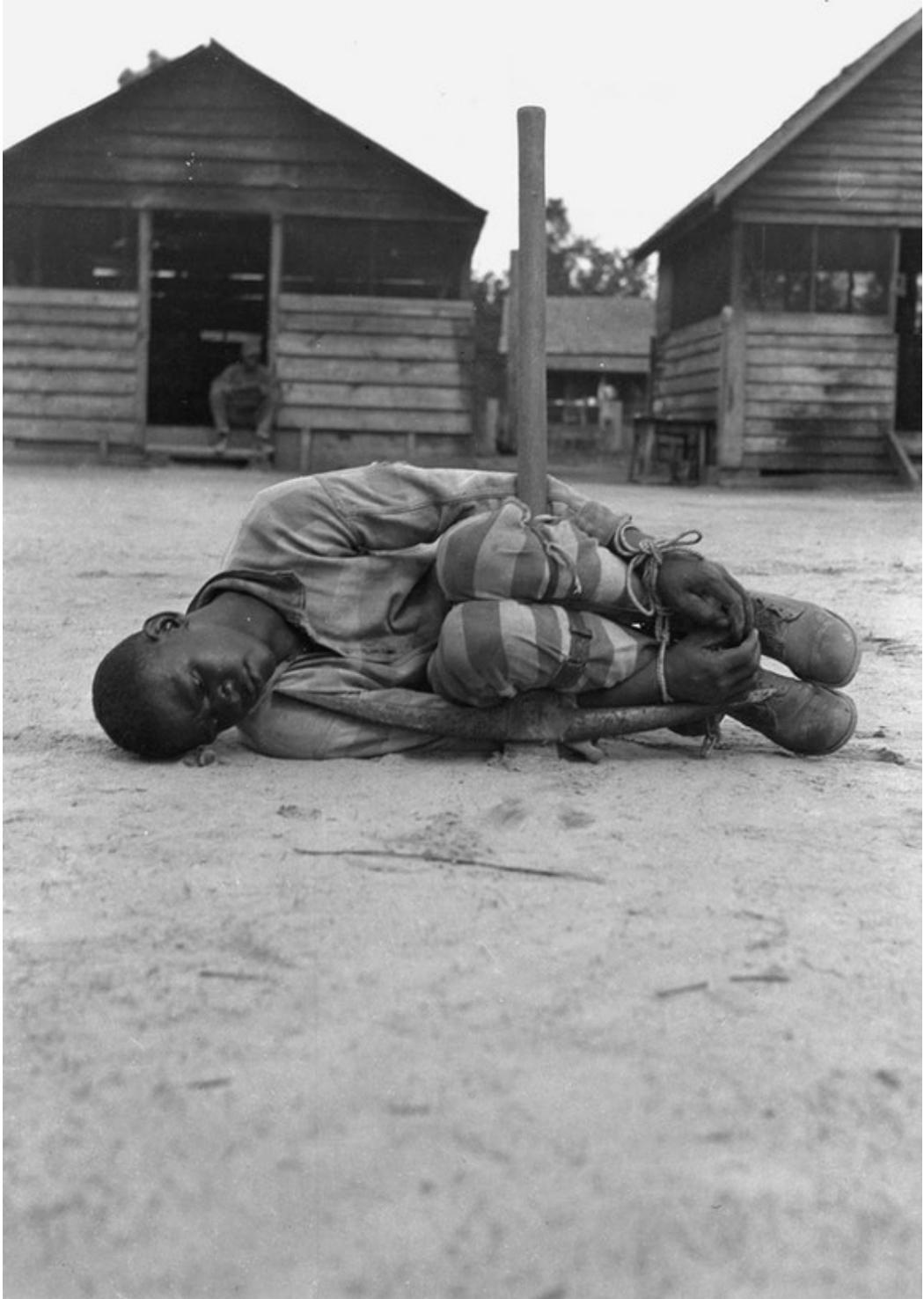
The lease system signals a theatricality to American abolition. The staging of rights and the commitment in performance belie the reflexive self-awareness of faith in being liberal, being a people of rights. A culture of belief.

While it leaves behind black and white photos scattered around archives [stories of possibility, of a forwardness to memory, of the uniforms overcome, of progress accommodated] the transformed land, the built carceral networks squat like stumps throughout these states. The benefit and the reward of work made invisible by classification still circulates. Forced incarceration is coeval to labor without contract | but the contract is a legality, but the legal is a logic premised on crime, but crime is a racialized grammar that we learn as we build :

Lost childhood is a ghost in every echo of public discourse.

Alabama Arkansas Florida Georgia Kentucky Louisiana Mississippi Nebraska North Carolina South Carolina Tennessee Washington

there are blocks, pillars, and slabs of beams. A is building with buildingstones there are blocks, pillars, slabs and beams. B has to pass the stones, and that in the order in which A needs them. there are blocks pillars slabs beams For this purpose they use a language consisting of the words block, pillar, slab, beam. A calls them out—B brings the stone which B has learnt to pass



I was

not prepared for my son's own act of defiance to this world. To be gray at birth. To hold his breath. To pause upon his entry into this fortress, labyrinthine and confusing as to whose fingers will hold you and whose will want to squeeze you and convince the breath of its restriction. As if he looked upon this photograph with me and paused, holding himself by the diaphragm in anticipation of hearing the young Black man scream out in some human actualization of order and sense, not wanting his own breathing to obscure the photograph's rationale, evidence that the method of torture might not undo the project of humanity, which, in the history of my son's own awareness cultivating inside his mother's body, captures everything. The anticipation was like warfare I imagine. Though one where you are either unarmed, holding nothing but another person or your ownself, or where you hold a weapon you don't know how to use. With nothing but a determination that is life itself.

you might creatively subvert, as if to say improvise with, if not for being bound to it

tied to an object

The gravity of a prisoner's convictions in the Lease System could range from mere fisticuffing, hog-stealing, or other misdemeanor crimes like carrying a concealed weapon—a crime, as noted by George W. Cable in 1880, common among whites though often overlooked.

My son's voice at times, pressing as it does to the limits of his body, is an investigation. How far will ribs expand. What is his. Who is it that is that his. Who is the one feeling skin stretch or the bones move. A word without contrast fills the rooms during his research. Like a cheek, or greasy finger imprinted against windows facing the street. Fills the smallest spaces between fur on cats, surprised by how voice might travel like fingers along their spines. His language is a filling that seems to not end until spontaneously consonants break the song of a voice. One that until then was the universe itself.

While some 1200 convicts during the year 1880 were leased in the system fewer than half were serving sentences of 10 years, many sentences of less than 1 or 2 years. 10 years was the maximum amount of time an overworked convict in the system was expected to live. In Tennessee, Cable uncovered 12 boys under the age of 18 leased in the system, with each serving sentences of less than 1 year. In North Carolina there were 234 convicts under the age of 20 leased in the system.

Our sound is a field sometimes. One where things are moved by their influence on each other. With no judgement as we know. To witness is to give it
Captu
re. **to detain that sound in a camp of tortured stillness.**

Because I am Willful is a word often used to be kind without *Sometimes my*
discipline kindness. To be generous by capturing in a word. It is *students ask*
categorical. Do we learn about paternalism through *how I*
histories of violence? To have been violated? To be *can read*
one who studies violence is seeing influence. What is *that word*
influence by other names. Learning them. What is *outloud,*
truly another name is another language. Another *and I say I have*
place. *to,*
that the
writer
meant for it
to be there
for us
to have
to reckon
with.

Vagrancy was a common charge in the Leasing System. Orphanhood, for children.

My son pushes a small plastic lawn mower so that
bubbles are coaxed from a spinning yellow sprocket.
The faster he pushes it, the more excited the bubbles
seem to float into the light, bursting into the palms of
maple leaves forming a canopy above the scene of
us. Him pushing. Me watching.

our life blurring at the edge of becoming an aesthetic moment

He pushes his lawn mower until his skin becomes
rosed and it seems to glow, to me

*One time a student
asked if I would
feel the same
if I were
White,
and I said "but I'm
not."*

stone
beam
pillar
slab

I would burn every acre in America

touched by dulled glops of sweat from my child's burnt face.

I sit watching him push and feel weighed and immense and immobile in an anger that is mine. That has frothed among pages of study and that has no counterpart and clouds my ability to be neighborly.

Privilege and too much
television at a young age makes this anger a heroic
passion. The just. The burning vengeance. *Fo*

r a reason

I do not know

John L. Spi

vak, a photographer and journalist

chose to

fictionalize his document the risks he took,

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convict camps. He ca g docum

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The fiction moves in where the absence of real reckoning
leaves a space unaccommodated with the words

we have
for naming the

exertion taking place there. The commons.

Yet, the document speaks because a camera hanging around his neck was not used to bound the occasion, but rather reveal events occurring and give them, speechless from discipline, the power of consequence. Spivak's photos stage an unstaging.

We look upon images accompanied with what we bring with us

Some images need coaxing from the archive. Some images need pause, a meditative withholding of their act, a mindful demonstration of what is present.