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Reducing Prison Violence

Eating your insides out:

cultural, physical and institutionally-structured violence in the prison place

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The aim of this article is to explore prison violence from an abolitionist perspective. Penal abolitionists argue that prisons are not only ineffective as a way of handling conflicts, troubles and problematic conducts but that they actively create harmful outcomes. Abolitionists maintain that the prison place cannot be successfully reformed and that it is essential that its inherently harmful nature is fully acknowledged. Abolitionists promote radical alternatives grounded in non-violent values and principles and in recent times critique of the prison place has often been framed through the language of the 'violence of incarceration'.[1] In following this tradition this article identifies and critiques three interconnected forms of violence in the prison place — cultural violence, physical violence and institutionally-structured violence.[2]

How we come to think about prison violence, whether violence is considered justifiable or not and what we judge to be the best ways to reduce violence are all cultural questions. *Cultural violence* performs a key role in naturalising the 'way things are done round here', shaping how conflicts are handled and whether violence is celebrated, condoned or condemned.[3] Significantly, it also provides a lens through which we understand what prison violence is in the first instance. In *Violence, Inequality and Human Freedom* Peter Iadicola and Anson Shupe argue that 'violence is any action or structural arrangement that results in physical or nonphysical harm to one or more persons'.[4] This article draws upon this approach to conceptualise prison violence.

People are most familiar with defining violence as a physical action. This implies an actor and that the act of violence was intended by that person. Such a focus leads us to think directly about *physical violence* in prison. Much of the academic literature concentrates on physical violence, especially violence perpetrated by prisoners on other prisoners,[5] although there has for some time been considerable evidence of prison officer violence.[6] Yet whilst scrutiny of physical violence is very important, analysis should not be restricted to this form of prison violence alone. It is too narrow. It misses too much harm.

Penal abolitionists focus on the inherently harmful consequences of the prison place. For abolitionists violence is a form of coercive power producing violent outcomes, such as psychological distress, self-harm, and death. *Institutionally-structured violence* is silent, invisible and yet potentially deadly. It pertains when autonomy and choices are severely curtailed; human wellbeing, potential and development are undermined; feelings of safety and sense of security are weak; and human needs are systematically denied through the restrictive and inequitable distribution of resources.[7] Rather than a perverse or pathological aberration, institutionally-structured violence is an inevitable every day feature of prison life. Permanent, ubiquitous and operating independently of direct human action or intention, institutionally-structured violence slowly but surely eats into people 'from their insides out'[8] and forms the bedrock upon which physical violence takes root.[9] It is the third and most insidious form of prison violence discussed here.

1. Scraton, P. and McCulloch, J. (eds) (2009) *The Violence of Incarceration* London: Routledge.
2. Galtung, J. (1969) 'Violence, Peace, and Peace Research' *Journal of Peace Research*, Vol. 6, No. 3 pp. 167-191; Gilligan, J. (2000) *Violence: Reflections on our deadliest epidemic* New York: Jessica Kingsley.
3. Galtung, J. (2013) 'Cultural Violence' in Galtung, J. and Fisher, D. (2013) *Johan Galtung: Pioneer of Peace* London: Springer at p. 57.
4. Iadicola, P. and Shupe, S. (2003) *Violence, Inequality and Human Freedom (second edition)* Oxford: Rowman & Littlefield Publishers, at p. 23.
5. Cohen, AK, Cole, GF and Bailey, RG (eds) (1976) *Prison Violence* London: Lexington Books; Edgar, K., O'Donnell, I. and Martin, C. (2003) *Prison Violence: the dynamics of conflict, fear and power* Devon: Willan; Levan, K. (2012) *Prison Violence: Causes, Consequences and Solutions* Aldershot: Ashgate; Trammell, R. (2012) *Enforcing the Convict Code: Violence and Prison Culture* London: Lynne Rienner.
6. Kauffman, K., (1988), *Prison Officers and Their World*, Cambridge, MA: Harvard University Press; Edney, R. (1997) 'Prison Officers and Violence' in *Alternative Law Journal* pp289-292.
7. Galtung, J. (1994) *Human Rights in Another Key* Cambridge: Polity Press.
8. Boyle, J. (1977) *A Sense of Freedom London*: Pan Books.
9. Gilligan, J. (2000) *Violence: Reflections on our deadliest epidemic* New York: Jessica Kingsley at p. 192.

The meaning of violence

A culture is a shared set of beliefs, traditions, norms and values transmitted from one person or group to another reproducing patterns of interaction and power relations. Culture provides a repertoire of available meanings in a given space and time. All places of violence are underscored by what Johan Galtung has called 'cultural violence'.[10] *Cultural violence* consists not of the violent act itself, but rather the cultural codes, norms and values adopted to define and legitimate violence in the prison place.[11] Physical violence is normalised in many prison cultures: it is not only accepted but expected and sometimes encouraged. Whilst there may be a relative absence of actual physical violence in prisons, the constant fear of violence is ever present. This fear of physical violence undoubtedly exacerbates insecurities and trust-deficits. Prisoners must be constantly vigilant, cautious and alert to those around them for the rules of engagement that pertain outside are suspended in the prison place.

Prisons are hierarchal institutions and this is no more evident than in the relationships among prisoners and those between prisoners and prison officers. Indeed, physical violence can be spawned by such hierarchies. For prisoners, physical violence can be a way of acquiring goods and services, keeping face or fronting out problems. Physical violence can secure prestige, honour, respect and a reputation for toughness: Gresham Sykes famously referred to those at the top of the prisoner hierarchy as 'wolves' who engaged in violence to send a message to other prisoners.[12] Physical violence can therefore have a symbolic meaning or be perpetrated in the false belief that the act will reduce, rather than escalate, violent encounters in the future.[13]

Culture also provides the framework through which we either see, or don't see, violence in the first instance. Culture gives us eyes or makes us blind. Prisoner physical violence is often taken seriously because it is the most visible form of violence and it is a direct threat to the states monopoly of the use of force. Focus on prisoner physical violence is often grounded in individual pathologies and considered the more or less natural consequence of a prisoner cultural code made up of 'less civilised', unemployed (especially youth) working class from deprived inner cities. There are official condemnations of prisoner physical violence, but nearly always alongside references to the deprived nature and inherent violence of perpetrators.[14] Less emphasis is placed on institutionalised violence — that is the violence of prison officers and the harms generated by the structural arrangements of the prison place. Penal abolitionists thus call for a more sophisticated and comprehensive account of prison violence.

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The Spatial and Temporal Contexts of Prison Violence

Prisoner physical violence is a significant problem, and one which appears to be increasing. Recorded prisoner-on-prisoner assaults rose from 14,664 incidents in 2013 to 16,196 in 2014, whilst serious assaults increased from 1,588 incidents to 2,145 in the same period.[15] Care must be taken though when measuring physical violence for there is a considerable unknown 'dark figure'. Levels of assaults are influenced by recording practices, whereas much prisoner on prisoner physical violence goes undetected or unreported. Prisoners may lie about injuries from fear of further repercussions or because they think they may be perceived as an 'informer'. They may want a 'quiet life' and thus accept a beating or be planning retaliatory violence.[16] Physical violence by prisoners is often relatively minor (there are only small numbers of prisoner homicides) but it is recognised that victimisation is routinised and part of the social organisation of the prison.[17] As such, physical violence cannot be separated from a consideration of the institutionalised violence generated by the organisational structure of the prison place.[18] It is to the

10. Galtung, J. (2013) 'Cultural Violence' in Galtung, J. and Fisher, D. (2013) *Johan Galtung: Pioneer of Peace* London: Springer at p. 57.
11. Scraton and McCulloch (2009) 'Introduction' in Scraton, P. and McCulloch, J. (eds) (2009) *The Violence of Incarceration* London: Routledge at p. 7.
12. Sykes, G. (1958) *Society of Captives* New Jersey: Princeton; Levan, K. (2012) *Prison Violence: Causes, Consequences and Solutions* Aldershot: Ashgate.
13. Levan, K. (2012) *Prison Violence: Causes, Consequences and Solutions* Aldershot: Ashgate.
14. Levan, K. (2012) *Prison Violence: Causes, Consequences and Solutions* Aldershot: Ashgate.
15. Ministry of Justice (2015) *Safety in Custody Statistics England and Wales: Deaths in prison custody to March 2015 – Assaults and Self-Harm to December 2014* London: MoJ.
16. Levan, K. (2012) *Prison Violence: Causes, Consequences and Solutions* Aldershot: Ashgate; Trammell, R. (2012) *Enforcing the Convict Code: Violence and Prison Culture* London: Lynne Rienner.
17. Edgar, K., O'Donnell, I. and Martin, C. (2003) *Prison Violence: the dynamics of conflict, fear and power* Devon: Willan.
18. This is especially the case with physical violence such as self-harm which is reaching near epidemic proportions. In 2014 there were 25,775 reported incidents of self-harm, an increase of 2,545 incidents from 2013. For further details see: Ministry of Justice (2015) *Safety in Custody Statistics England and Wales: Deaths in prison custody to March 2015 – Assaults and Self-Harm to December 2014* London: MoJ.

spatial and temporal contexts of such violence that we now turn.

Although prisoner physical violence is relational and dependent upon a number of contingencies, it is embedded in, and socially produced by, the situational contexts of daily prison regimes.[19] Most obviously, we think of this in terms of prison conditions, crowding and the spatial restrictions created by the architectural dimensions of the prison place itself. Prisons are a specifically designated coercive *spatial order* controlling human choices, actions and relationships. External physical barricades regulate the conditions of social existence through sealing the prisoner from their previous life, whilst internal control mechanisms survey and place constraints on the minutiae of the prison day. Security restrictions on prisoner movements — such as access to educational and treatment programmes; religious instruction; work and leisure provision — are carefully structured and regimented around predetermined orderings of time and space. The architecture of the prison place determines the location of events and distribution of bodies and in so doing also highly regulates relationships, and subsequently physical violence.

Institutionally-structured situational contexts include a general lack of privacy and intimacy; the forced relationality between prisoners sharing a cell; insufficient living space and personal possessions; the indignity of eating and sleeping in what is in effect a lavatory; living daily and breathing in the unpleasant smells of body odour, urine and excrement; the humiliation of defecating in the presence of others.[20] Yet if these visible daily spatial constraints were all there was to institutionally-structured violence then calls for improved prison conditions, greater forms of autonomy and enhanced resources allowing prisoners to choose how they live their lives might be considered sufficient. But they are not. The spatial and temporal penal order cuts into people much more deeply than this.

Violence is built into the prison place like bricks and mortar. To understand fully its harmful consequences requires a consideration of how imprisonment distorts time. The highly regulated temporal order of the prison place not only results in recurrent and dull cycles of events with predictable actions, intervals and periods of duration, but also puts a straight-jacket on a prisoner's ability to control their own *personal time*. The prisoner is compelled to adhere to *prison time* — an imposed regimented timetable created in the interests of organisational convenience. Ruptures to prison time only rarely come from prisoners - and if so, are through direct means of contestation - but penal authorities have the ability to change the flowing of time, to interrupt it or expand it.[21] This can be hugely unnerving. Time slows down in prison. But the slowness of time creates only an illusion of certainty. The daily monotony, when disrupted by unexpected and sudden events erupting beyond the prisoner's control, erodes the ability to predict or confidently anticipate what the day will be like.

The prison place starts 'eating the prisoner inside out', penetrating the inner-self, destroying the natural rhythm of life and passing of time. Past, present and future meld into one, and prisoners becomes trapped in time-now-awareness.[22] Existence is only the here and now. The heavy weight of the boring mundane dull realities of prison life appear endless: the moment of the prison situation is ever present, distorting the real flow of time. As such, time consciousness results in an incredibly painful awareness of the passing of *wasted time* that can never be recaptured or spent differently. Most prisoners barely cope. Many do not.[23] Coping becomes a tenuous, relative and fluid concept that ebbs and flows over time. The most intense pains of imprisonment are not to be found in the given quality of living conditions, but in the denial of personal autonomy, feelings of time consciousness, and the lack of an effective vocabulary to express the hardship of watching life waste away.[24]

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For abolitionists the acute pains created through a saturation in time consciousness can be considered a manifestation of institutionally structured-violence. In one way or another, the sense of loss and wasting affects all prisoners.[25] Such pain can be overwhelming and as a result prisons become places of death. The literal death of a person — corporeal death (the death of the body) — has haunted the prison place throughout its history. In recent years deaths in prisons have once again taken an upward turn. Between 2012 and 2013 self-inflicted deaths rose from 60 to 74 deaths — a 23 per cent rise — and this number increased to 83 self-inflicted deaths

19. Cohen, A.K. (1976) 'Prison violence: a sociological perspective' in Cohen, AK, Cole, GF and Bailey, RG (eds) (1976) *Prison Violence* London: Lexington Books.
20. Nagel, WG. (1976) 'Prison architecture and prison violence' in Cohen, AK, Cole, GF and Bailey, RG (eds) (1976) *Prison Violence* London: Lexington Books.
21. Sofsky, W., (1993) *The Order of Terror* Princeton, New Jersey: Princeton University Press.
22. Ibid; Cohen, S. and Taylor, L. (1981) *Psychological Survival* Harmondsworth: Penguin.
23. Medlicott, D. (2001) *Surviving the Prison Place* Aldershot: Ashgate.
24. Scott, D. and Codd, H. (2010) Controversial Issues in Prison Buckingham: Open University Press.
25. Medlicott, D. (2001) *Surviving the Prison Place* Aldershot: Ashgate; Serge, V. (1929) Men in Prison London: VGL.

in 2014. There were 242 deaths in total in prison in 2014, approximately one third of which were self-inflicted.[26] The deadly outcome of a self-inflicted death needs not the intentional hands or actions of another. Rather it is a harm directly produced by the structural arrangements of the prison place.

Prisons are places of both *pain* and *blame* and historically prisons have produced two other forms of 'death': civil death and social death. Civil death means that a person is 'dead in law'. Talk of the legal or civil death of prisoners inevitably draws parallels with slavery, for which the concept was first deployed. Though the removal of the legal rights of prisoners is no longer entirely complete in English law, prisoner rights are still very restrictive.[27] Since the 1970s the legal recognition of prisoner rights have been placed on 'life support' and though the judicialisation of penal power has allowed access to the courts and strengthened prisoner due process rights, successful prisoner petitions are still relatively rare, especially with regards to living conditions.[28] The other form of 'death' is social death. Social death is a 'symbolic death' rather than physical death, where the former self is consciously extinguished as a worthy and moral subject. Social death is about the 'death' of human relationships, status and moral standing and at its extreme refers to the non-recognition of the prisoner as a fellow human. Whilst in prison the prisoner is treated like an outcast. The prison sentence is a moral judgement that leads to the construction and distancing of a perceived morally inferior person. The person imprisoned is denounced and censured. The prisoner label is a category of blame, shame and humiliation — and, irrespective of their offence, the label prisoner carries with it the weight of social and moral condemnation. The prisoner is now a less eligible subject whose views, opinions and voice can be refused or ignored. The former self has died. Consequently the prisoner may be required to find new ways to securing respect in the convict code.

The long term harmful consequences of social death come from the literal severing of the prisoner from previous relationships in the wider community. An individual's self-identity is shaped through relations with other people and a person can only recognise themselves through engagement with fellow humans. Prisons remove previous positive foundations of personhood.[29] Living relationships become dead ones. The elimination of relationships constituting the self-identity can result in the demolition of the former personality.[30] Imprisonment removes mechanisms of support and mutual aid, undermines family life and damages the ability to live in normal human society. It takes people out of their familiar situational contexts and subsequent damage to the self can prevent re-socialisation. For abolitionists the long-term harmful consequences wrought by social death are further evidenced by high recidivism rates and the difficulties in successful resettlement.

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To highlight that prisons have disastrous consequences is not the same as pointing the figure at individual people working in the penal system or saying they deliberately intend to bring about such dreadful outcomes. The problem is much bigger than 'individual pathology'. Prison life is patterned in such a way that it results in systematic need deprivations. We must be prepared to ask openly and honestly whether prison can ever be anything other than a claustrophobic box: a suffocating yet empty space draining the soul of meaning and hope and eating people up from the inside out. That the prison is not always victorious in destroying the human spirit or ruinating the mind is surely testament to the sometimes remarkable fortitude and endurance of those it contains.

Challenging Violence

The aim of this article has been to consider three different forms of violence — cultural, physical and institutionally structured violence — from an abolitionist perspective. It has been argued that in prison culture, physical violence is often considered as legitimate, whilst the harms generated by the structural organisation of the prison place are generally not recognised as violence despite the fact that they produce harmful outcomes: often serious injuries much worse than the harms of

26. Ministry of Justice [MoJ] (2015) *Safety in Custody Statistics England and Wales: Deaths in prison custody to March 2015 – Assaults and Self-Harm to December 2014* London: MoJ.
27. Scott, D. (2013) 'The Politics of Prisoner Legal Rights' in *Howard Journal of Criminal Justice* Vol. 52, No. 3 pp. 233-250.
28. Ibid.
29. Sofsky, W., (1993) *The Order of Terror* Princeton, New Jersey: Princeton University Press.
30. Scott, D. and Codd, H. (2010) Controversial Issues in Prisons Buckingham: Open University Press.

physical violence at the hands of others. For abolitionists two things need to be urgently done: existing prison cultures legitimating physical violence need to be effectively challenged and moves must be made to develop a language about, and recognition of the existence of, institutionally-structured violence.

1. Make institutionally-structured violence more visible

We must start by naming the prison place for what it actually is — an institution of legalised violence. This means looking beyond explanations of individual pathology and focusing instead on harmful outcomes. This requires denaturalising the taken for granted deprivations of dignity and need organisationally structured within daily penal regimes. We must debunk current myths around the virtuous and morally performing prison and instead acknowledge that prisons produce a specific moral climate that is more likely to dehumanise and dehabilitate than positively transform an individual. Articulating the brutal mundaneness of everyday prison life that is so corrosive to human flourishing and wellbeing may also help facilitate a new culture that can assist in making institutionally-structured violence more visible.

2. Challenge existing cultures of violence

Recognising that prisons are institutions grounded in structural violence does not mean that current patterns of interactions and cultural codes cannot be challenged at all. From the very top of the NOMs through to the lowest staff grades every effort should be made to challenge cultures condoning or celebrating physical violence. Prison authorities and prison officers should talk openly about the harmful consequences they see on a daily basis: they, alongside prisoners, can bear witness to the truth of current penal realities and should be allowed to do so without impunity.

3. Alleviate structured deprivations

For abolitionists, whilst it is impossible to change all the structural arrangements of the prison place, there are still contradictions within daily operational practices that can be exploited. Humanitarian changes can be introduced that can mitigate the worst excesses of institutionally-structured violence. Some need deprivations can be easily removed in both policy and practice and many infringements of human dignity can be reduced if not entirely removed. Once again cultural changes can be made to the prison place: a democratic culture providing first a voice to prisoners and then a commitment to listen to that voice with respect and due consideration can enhance recognition. Finding new non-violent ways of dealing with personal conflicts and troubles in prison would also almost certainly reduce the extent of physical violence and would help de-legitimate cultures of violence.

4. An immediate and radical reduction in prison populations

Despite the best of intentions, prisons can never free themselves of violence entirely. They are harm creating institutions steeped in a history of failure. Prisons eat peoples' insides out and whatever the law-breakers social background and whatever wrong they have done, prison is almost certainly going to produce harmful outcomes. Quite simply we cannot use violence as a weapon against violence. The current dialogue about prison organisation should move beyond the public-private sector debate about who can manage prisons better towards instead a closer analysis of *what prison is*. Harms will continue to be systematically generated in prisons, whoever runs them, and therefore we must once again urgently, vigorously and robustly call for a radical reduction in the use of prison. Reducing our reliance on imprisonment in the first instance is undoubtedly the most effective violence reduction strategy at our disposal.