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THE WALL AND THE BRIDGE
A SPATIAL HISTORY OF SEGREGATION MEASURES IN SCOTTISH
PRISONS

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DECLARATION

As per Regulation 25 of the Postgraduate Assessment Regulations for Research Degrees I acknowledge that elements of Chapter Six build on work which was undertaken for a dissertation which formed part of an MSc degree (Criminology and Criminal Justice) and so there are limited portions of text which are identical to that earlier work. In addition, parts of Chapter Four and Six have been significantly abridged to form a chapter that will be published in late 2016 as part of an edited collected (editors: Emily Hart and Esther van Ginneken).

As per Regulation 26 of the Postgraduate Assessment Regulations for Research Degrees I confirm:

- This thesis was composed by me
- It is my own work
- It has not been submitted for any other degree or professional qualification (subject to the qualification above)

ABSTRACT

This project explores the contemporary history of segregation in Scottish prisons, focusing on measures of ‘special handling’ particularly the network of small units that was operative between the 1950s and the 1990s. Scotland has a complicated, troubling, idiosyncratic and, to a lesser degree, inspiring tradition of special handling measures, involving generic punishment blocks, anachronistic isolation units, highly innovative specialist units, ‘safe’ and ‘silent’ cells, and more collective segregation spaces such as vulnerable prisoners wings. Such sites have provoked considerable attention across public and political arenas; they have been sources of shame, pride, criticism and confusion; in specific penal moments, they have been experienced by prisoners (and officers) as warzones, sanctuaries, coffins and creative spaces; and, in terms of efficacy, they have both exacerbated and ameliorated the behavioural difficulties of the prisoners contained within them.

The objectives of this research are (1) to chronologically map the evolution of key segregation sites, attending to the external pressures that have informed the policies, procedures and rules governing their protean use, (2) to explore the impact of particular environmental factors on the initial design, operation and, subsequently, the closure of these sites, and (3) to reflect on the relationship between space and the ways individuals have understood, coped with, and in various ways ‘acted-out’ their segregated confinement. Deciding who, how and why to segregate prisoners raises questions of a conceptual, operational, political, and moral nature. But deciding *where* to segregate prisoners situates such questions within the physical constraints and potentialities of space. By adopting a spatial-temporal approach, this research straddles disciplines, utilising the methods of penal history, prison sociology, and – though in a more approximate manner – the steadily burgeoning sub-discipline of carceral geography. Additionally, by marshalling a number of personal testimonies, this history

attempts to capture the emotional resonances of segregation – how it feels to actually live and work in ‘prisons within prisons’.

INTRODUCTION

To segregate means to control. Segregation is that which is forced on inferiors by superiors. But separation is that which is done voluntarily by two equals – for the good of both.

- Malcolm X

The link between persons and environments holds a position in the social sciences similar to that of virtue in society. We love to preach and teach it, but we often ignore it in practice

- Hans Toch (1977:1)

Project Aims and Chapter Summaries

I began this project with a single, broad question: *what has segregation meant in Scottish prisons throughout the twentieth century and up to the present?* Initially my intention was to explore the topic from multiple perspectives, chiefly those of the prisoners against whom segregation has been imposed, but also prison officers who were tasked with implementing it, prison officials who had overseen it, and policy makers who had designed and legislated its parameters. It quickly became clear, however, that this term ‘segregation’ encompasses many more practices, ideas, and physical sites than merely the traditional segregation unit, as is typically assumed. A central divide emerges between *routine* segregation measures on the one hand, applicable to all prisoners - including classification and allocation mechanisms, spatial zoning, and situational controls – and, on the other, *specialist* segregation measures. This latter category includes various forms of punitive, administrative and protective custody intended for those prisoners who are considered especially problematic and/or vulnerable. While the means and to some extent the effects may differ, the motives underpinning these two categories of segregation are consistent: security, order, discipline, and to a lesser degree, care. My objectives for this research then shifted; the project’s first aim became understanding the conceptual and practical nuances of both these

categories, along with the differences and parallels between them. (Chapter Two addresses this).

In the course of that early research, and after having interviewed several prison officials (Chapter One offers a full methodological discussion), the topic that assumed the most significance in the data was Scotland's particular and peculiar history of specialist measures, namely the network of small units operative between the late 1950s and the early 1990s. Consequently, my second aim for this work was to present a more specific account of how this network evolved, concentrating on this narrower time period: the latter half of the twentieth century. I was concerned to outline the specific spatial and operational arrangements that comprised the small units network, the categories of prisoners it targeted, how individual units were managed, with what effects, and for what purpose each unit served – both in practice and rhetoric (Chapter Three considers these questions).

Given the paucity of archival materials relating to certain units, as well as the excess of documentation regarding others, it was apparent that my ambition to offer a comprehensive analysis of this network was unfeasible. Instead I decided to devote the second half of this thesis to examining in more detail the extreme poles of the unit spectrum, i.e. those units that were worryingly anachronistic, adopting authoritarian and often brutal approaches to the management of so-called 'problem' prisoners¹ (e.g. the Peterhead 'Digger' and the Inverness 'Cages'), and those that were markedly progressive (e.g. the Barlinnie Special Unit). This was partly a decision made for prosaic reasons (based on what source material was available, accessible, and the accounts given by interview participants) and partly a more deliberate strategy to understand specialist segregation in Scotland by way of highlighting examples of its best and worst practices – both of which, inevitably, had a disproportionate impact on the wider prison system as well as triggering often strikingly emotive responses within the public sphere. The third aim of this work was to piece together micro portraits of these two kinds of special units, drawing in particular on prisoners' published

¹ By 'problem' prisoners, I am referring to the heightened risks and needs they present from a management perspective, rather than making a qualitative judgement about the essential nature or character of these prisoners as human beings

autobiographies (see Chapter One pp. 34-32 for a methodological discussion of prisoner-authored writing).

The conjoined themes that textured these personal testimonies - featuring in all six of the life-story accounts written by Scottish prisoners that I engaged with - were autonomy and its connection to dignity, and indeed, degradation. Each of these men had spent significant periods in segregation settings, beginning in traditional segregation units (usually but not always on punitive grounds) and later being transferred between several of the more specialist small units dispersed across the penal estate. Their testimonies speak to the raw and embodied experience of living within extreme places – environments of profound social isolation and material impoverishment, which they often resisted through violent, disturbing means (see Chapters Four and Five), along with those which inspired a sense of hope, enough in some cases to provide the conditions for personal transformations (see Chapter Six). To make sense of the stories prisoners tell about these radically different environments, and how they themselves interpreted their responses to them, the concepts of autonomy/dignity first warranted closer theoretical attention. The fourth aim of this project was to attempt that analysis and to do so primarily through a philosophical lens (see Chapter Four).

The fifth and final aim of this project was to grapple with the spatial resonances of segregation. As an explicitly *situated* praxis, experienced by those who operate and endure it, or sometimes even thrive because of it, the features of the physical environments where people are segregated literally shape the phenomenon itself – as a psychological process and as a material reality. This comes through most pertinently in personal testimonies, thus particular attention is paid to this socio-spatial dynamic in the final two chapters of the work. Chapter Six, for example, makes these connections especially explicit: first by developing a concept of what I am terming ‘spatial autonomy’ and secondly by arguing that it was this feature of the Barlinnie Special Unit (BSU) which accounts for much of the unit’s dignity-enabling, desistance-promoting success. Questions of space – its limits and possibilities – were equally significant within the institutional archives, though for different reasons, largely related to the more pragmatic issues of efficiency, risk, and economics. Where questions of space are relevant elsewhere

they are woven throughout each of the chapters, as are reviews of the germane academic literatures.

Structurally, this thesis deviates in some respects from the standard scientific format, though I hope in ways that enhance rather than detract from its overall coherence. There is, for example, a more philosophical chapter (Four) positioned between the first part of the thesis – offering analyses of segregation in general, and specialist measures in Scottish prisons specifically - and more micro analyses of discrete small units in the second part.

For the sake of clarity, the direction of travel is as follows: first a wide-lens view of segregation in prisons is presented, expanding the conceptual and procedural boundaries beyond simply the discrete punishment block. This is followed by an account that hones-in on specialist forms of segregation, which in the Scottish context refers in particular to the network of small units. The topic is then distilled further through a targeted examination of specific examples of small units.

Chapters Two and Three are paired in that they both trace the conceptual underpinnings of segregation in prison, and offer procedural analysis as well as historical context. Chapters Five and Six are similarly paired but as comparative analyses of individual units existing at either end of a degradation-dignity spectrum. Sandwiched between these two pairings is a more theoretical account of in/dignity, which is intended to tie together the first and second parts of the thesis.

Segregation as a Penal-Administrative Norm

Where all prisoners are segregated *by* prison, sequestered away from their families and the communities in which they live, prisoners are further segregated *within* prison through the imposition of numerous practical mechanisms and in a variety of distinct and often liminal spaces. Since the birth of the modern prison in the late Eighteenth Century, the separating-out of prisoners and the dividing-up of prison space, or what Foucault (1977) framed as ‘meticulous tactical partitioning’, has become the penal-administrative norm. Arguably the praxis of segregation – whereby physical and ideological boundaries are established across which only certain people in certain circumstances may go - has become the very sine qua

non of contemporary carceral worlds. More than just a discrete tactic of control, or a discrete containment site (applicable to only a small minority of prisoners), the concept of segregation has been translated into a systemic organisational strategy with much wider meanings and applications than merely the traditional segregation unit, or ‘punishment block’ as it is known colloquially.

All prisoners are subject to categorization procedures – a key mechanism of segregation - at the point of entry into the system in order to determine prison allocation; they are initially managed separately through induction processes (though this is a relatively recent development), and in the case of untried prisoners, they are accommodated in segregated remand facilities for the entirety of their imprisonment. The conditions of confinement for further groupings of prisoners, including specific residential arrangements along with access to work, education and recreation activities, is delineated, supported by various systems of differentiation e.g. Incentives and Earned Privileges Schemes. This relates to whether or not, and when, prisoners enjoy ‘enhanced’ as opposed to ‘basic’ regimes, which in some prisons means placement in different parts of the establishment. The stage at which a prisoner has reached in their sentence may also determine the ways they are segregated within the prison community. For example, separate units – though still understood as ‘mainstream’ locations - operate in some prisons with the purpose of preparing long term prisoners for release, consisting of often less restrictive regimes, more freedom of movement, and a greater emphasis on providing work and educational opportunities.

Given this plethora of differentiated spatial, social, and management arrangements, it becomes difficult to rigidly distinguish between ‘segregated’ and ‘mainstream’ prisoners. A central distinction then in discussions of segregation in prisons is that between *routine* segregation measures and *specialist* segregation measures. The difference between them relates to: numerical scope (i.e. whether measures are applicable to all or only some prisoners); and linked, the target of segregation, and criteria for inclusion (i.e. based on conceptions of risk, dangerousness and vulnerability, or based on disciplinary infractions); collective or individual segregation (i.e. whether or not prisoners are able to associate with one another within a segregated site); the nature of segregation conditions (the

particular set of spatial and social restrictions); and, the length of time prisoners are held in segregated custody. One retired Scottish prison governor I spoke with described the leadership of a prison community as being “like mastering a rubik’s cube”. He was referring to the difficulties of getting all the competing interests to align. This metaphor also feels apt when considering segregation practices insofar as the image summons the multiple component parts of an individual prison entity; the separate, divided blocks which are positioned close together, though not always in a perfect fit.

In penal settings, where prisoners are already at a distance from life on the outside, internal segregation arrangements create various layers of remoteness – distance (both spatial and social) between individual prisoners, between groups of prisoners, and between staff and prisoners. But this does not necessarily imply malevolent or repressive intent (though segregation has often and emphatically involved deeply brutalizing conditions); in theory if not always in practice segregation may be used as a justifiable, even ethical means to keep people safe and to minimize harm. If this is the conceptual backdrop of segregation then in broad terms, segregation in prisons refer to the range of *practices* that are used to divide-up and separate-out particular prisoners, the protean *sites* installed to contain them, and the number of different *rules* that are employed to govern its use.

Specialist Segregation Measures & ‘Problem’ Prisoners

The greatest attention in this project is paid to the network of small specialist units emerging in Scotland in the 1950s, developed and extended between the 1970s-1990s, and used chiefly for administrative but also, to a lesser degree, punitive purposes. Notwithstanding the expansiveness of segregation arrangements, this narrowed focus is warranted owing (1) to the numerous distinctive features that have characterised Scottish approaches to the management of administratively difficult prisoners, which (2) has not been fully recorded or examined in an historical context, despite (3) high-profile national and international attention that elements of this network has provoked at various moments in recent penal history.

Administrative segregation in Scottish prisons, as well as in other systems throughout the world, typically represents the apex of this practice, and of the end-point of punishment itself. As a penal control technique it is the most extreme form of segregation, generally used for the longest periods, and usually involving the most totalising and therefore controversial conditions of isolation. If we can judge a society by how it imprisons its most troublesome citizens, we can also judge a prison by how it manages its most challenging prisoners. To that extent, a close examination of this network tells us something about the changing nature of Scottish prisons in a wider sense, as I hope this thesis demonstrates.

Specialist segregation is best understood as a deliberate penal strategy used in pursuit of administrative, punitive and/or protective ends. These three justificatory frameworks apply to the following types of prisoners respectively: those who demonstrably or perceivably pose a threat to either security (i.e. escape) or order (i.e. incitement to disturbance); those on disciplinary charges (for rule infractions); vulnerable prisoners (e.g. sex offenders, ‘grasses’, victims of prisoner abuse, ex-police personnel, etc.), along with those suffering severe mental illness and who cannot be accommodated in a secure hospital. In relation to these specialist sites, there is a hardcore of prisoners who either do in fact or who are merely perceived as presenting elevated threats to security and order and thus against whom alternative, often more extreme forms of segregation are deemed necessary. It is somewhat perplexing that while England & Wales have retained specialist administrative sites (e.g. the system of CSC and DSPD units)², and while other advanced democracies have similarly targeted systems, e.g. the ‘supermax’ phenomenon in the U.S. (see Chapter Three, pp.120-133), the Scottish Prison Service now operates without any such measures. This omission is especially interesting given Scotland’s early experience with small units – of which this thesis is principally concerned (see especially Chapters Five and Six).

² CSC refers to ‘Close Supervision Centres’, a special system of administrative segregation comprising a number of high security units spread across the penal estate in England & Wales. It was established in 1998 on the recommendations of the Spurr Report (1996) and despite its many changing forms, it has continued to operate according to the principle of ‘prisoner progression’. DSPD refers to ‘Dangerous and Severe Personality Disordered’ used as additional sites of specialist administrative segregation and developed in the mid-1990s.

The bromidic phrase ‘prisons within prisons’ is an accurate description of many, though emphatically not all, specialist segregation environments; we should be careful to avoid the implicitly negative associations it seems to uncritically suggest. That is, certain segregation spaces and practices have proved necessary and broadly beneficial from both an institutional perspective and from the standpoint of individual prisoners – providing, for example, respite and specialist conditions for those who are unable to cope with, or who face additional stresses in, mainstream locations. We should note that in the case of protective segregation where it is practiced in segregation units (as opposed to separate vulnerable prisoners halls), therefore involving the same spatial and accompanying regime constraints considered necessary for those under punitive and administrative segregation, it is still often requested by prisoners themselves. Moreover, with regards to administrative arrangements, in Scotland at least, certain sites within the small units network might be considered both progressive (e.g. the Barlinnie Special Unit, 1973-1996, see especially Chapter Six), and, from prisoners’ perspectives, advantageous as spaces to live and work. Nevertheless, each of the small units instituted in Scotland – and in relation to specialist segregation measures more generally – were intended for the management of so-called ‘problem’ prisoners, although what exactly this means has been articulated in a number of different ways throughout the recent past.

Official definitions of problem prisoners are difficult to find in the archival record until the 1990s, at which point there was in general a more concerted effort to formalise matters by providing a clear, theoretical basis for the range of ideas, terms and practices relating to segregation which had previously been adopted without much analysis. The Working Party on the Barlinnie Special Unit (see Chapter Five), for example, defined problem prisoners as simply, “those whom it would have been preferable to manage off-site” (1994:para.7). The report goes on (in para.41) to profile prisoners who belong within that category as those who are “violent”, “those who are manipulative”, and “those who are unable to cope”, with a fourth category for “those who are mentally ill” – though with the caveat that Governors should “not put them forward on an regular basis as candidates for off-site management...they generally pose problems which can be contained

within normal prison locations.” Much of this project is concerned with what that off-site management has meant. In other words, how have segregation systems been used to contain prisoners who require management outwith the ostensibly mainstream? Moving from routine segregation to specialist segregation measures, then, this project addresses the Scottish penal approach to prisoners deemed either especially vulnerable, excessively difficult or dangerous, and/or those who contravene the disciplinary code.

Small Units in Scotland

There are a number of features which make the development of specialist segregation measures in Scotland especially interesting, two are particularly significant. First, during much of the period between 1960 to the late 1990s, the geographic dispersal of individual small units within the network was peculiarly unbalanced. For example, within Peterhead prison there was for a time five separate units within this individual establishment used to segregate prisoners and for a variety of purposes: two sites were used to contain prisoners under an administrative framework (the Individual or ‘Thomas McCulloch’ Unit, and the ‘10 Cell’ Unit); one site was used as a punishment block to contain for short periods prisoners who had breached particular rules (the notorious ‘Digger’) – this was also used for administrative purposes but less formally; one site was used for broadly protective purposes (the Protection Unit); and the final site, a fortified entry block (the B Hall Unit), which after an incendiary riot in 1984 underwent modifications to strengthen the security of each cell. (For a good overview of these arrangements, see Coyle, 1987). Thus, the internal geography of segregation within Peterhead prison was highly differentiated, so much so that Adler and Longhurst (1994:109) were apt to describe it as “a penal complex rather than a unitary establishment”. A place of internal spatial pluralism within a monolithic institutional edifice. In addition to the units concentrated in Peterhead, several more were dispersed across other prisons within the estate, including the ‘Time-Out’ Unit in Perth prison, and the eponymous Inverness ‘Cages’.

The second feature of Scottish small units which made this network unique was the extraordinary variation between how each unit was managed and operated,

with many taking on a distinctly experimental quality. It has been argued that different spatial segments within an individual prison have their own set of conventions, practices and social dynamics, and that staff and prisoners both create and adapt to these distinctive unit identities or unit ‘cultures’ (Liebling et al, 2011). This was strikingly the case with respect to small units in Scotland. Indeed, this network might be considered as containing a spectrum of arrangements with conditions of deep, individual isolation at one pole and collective, participatory communities at the other. The Inverness ‘Cages’ and Peterhead ‘Digger’ best exemplify the former, while the Barlinnie Special Unit is the shining example of the latter.

The disparities between Scottish small units cannot be explained simply by the different uses to which each unit was put since many that adopted the same or very similar rationales, under the same framework (i.e. administrative segregation) and managing the same profile of offender (i.e. the perpetually disruptive/violent) still had contrasting internal approaches, cultures, systems, and effects. Neither can these disparities be explained as the result of temporal progression given that some units operated concurrently - in the same prison even. Two alternative explanations are offered in this thesis. The first relates to crisis events (riots, protests, escape attempts, serious assaults) which produced a climate of palpable fear within Peterhead prison particularly - where many of these events occurred – and in turn precipitated a number of alternative approaches. The second explanation relates to the general welfarist tradition in Scotland which allowed units such as the BSU to emerge albeit with initial and ongoing resistance from various quarters. Both explanations are further supported by the small size of the Scottish prison estate along with its degree of detachment from its Westminster policy masters (until the Scotland Act 1998, Scottish prisons were at least nominally under the control of the British Secretary of State for Scotland). These matters are discussed in detail in Chapters Two and Three.

At this juncture a spatial consciousness becomes helpful insofar as it introduces the importance of environmental factors in shaping (literally) the particular nature of and variation between each unit. The key question is how does the space itself inform identity and culture construction - at an individual, group and

organisational level? In other words, how do the physical features of segregation sites (size of cells, layout, surveillance potential, communal/outside areas, levels of light and darkness, temperature, optics, and acoustics, etc.) affect experience? And moreover, who is given control over these elements? In posing such questions I am treading the same analytical ground as Mitchell (2000:5-6), who asserts in his cultural geography thesis that ‘arguments over “culture” are arguments over real spaces, over landscapes, over the social relations that define the places in which we and others live.’

Directly connected to these questions of crisis events, penal politics and space are more phenomenological elements – how prisoners and staff *feel* about their prison experiences; their roles, treatment and what is expected of them. The stories both groups tell contain frequent references to, if not explicit mention of, the themes of dignity, autonomy, and indeed their opposites. Within segregated (especially specialist) environments, there are much greater challenges given the troublesome profiles of such prisoners. A delicate balance must be struck, therefore, between securing the aims of prison management on the one hand (principally, maintaining security, establishing order, and ensuring the safety of staff and prisoners (see Chapter Two for a discussion of these objectives), and fulfilling the essential emotional and existential needs of human beings on the other. (Having one’s dignity respected might not be a pre-requisite for life, but it is vital for living *well*). This has often led to many more restrictions within segregation sites compared with mainstream locations, including: of amenities, of contact with others, of movement, and of material comforts. These privations, and the control of one group over another required to enact them, necessarily constrains the individual autonomy of some whilst over-extending the power of others. The prisoners whose testimonies I have engaged with in this work typically describe this experience as profoundly threatening to their dignity. Additionally, their testimonies contain explicit descriptions of how this process of dignity lost (and indeed regained) manifests in, as well as a consequence of, the spaces within which they lived, i.e. segregation units. They go further and explain if not quite justify their violence and general recalcitrance in terms of a struggle to reassert their autonomy thereby reclaiming their dignity.

To a degree, this project is about what kinds of actions desperate prisoners have taken and the various, often anxiety-fueled approaches the Scottish Prison Service (SPS) has adopted by way of response, namely segregation and specifically specialist measures. “The one element which we must always build into the prison system is hope because a prisoner who doesn’t have hope is a dangerous prisoner” (Andrew Coyle, then Chairman of the Prison Governor’s Association, in a BBC Radio Scotland, 13th October 1988). This comment – a variation on a theme expressed by a range of penal managers and policy-makers – encompasses both a perennial penal dilemma, and one of the central arguments this thesis explores; what it means to both have and to lose the hope which a sense of personal dignity ensures, along with the myriad ways segregated environments have and might function to contribute to either of those experiential processes.

“There are cases”, wrote Sir Alexander Paterson in 1922, “where it is kinder to break a man’s neck in a second than to spend twenty years breaking his heart.” Scotland’s history of small units (post capital punishment) has included components that have certainly broken men’s spirits – both the men locked in places of segregation, and the men we have collectively tasked to keep them there. Within the context of particular types of segregated environments, however, this project is also about the ways some prisoners have repossessed a sense of hope through both their own struggles and the creative efforts of the SPS.

Viewing the contemporary history of segregation in Scottish prisons through a spatial lens means encountering the walls against which people have felt repeatedly backed-up and glimpsing the bridges that have, at redeeming moments, offered those same people a way out. The 'walls and bridges' of segregation offer a useful metaphor to carry with us through this unusual and complicated history. It is taken from the title of an article written in the second edition of the Key Magazine in 1974 – the in-house publication of the Barlinnie Special Unit (an extraordinary segregation site discussed comprehensively in Chapter Six).

Why is the Socio-Spatial Dynamic Important?

In this project space is a filtering lens through which the past might be viewed, bringing into focus certain aspects of that past which are otherwise often

concealed or appear only marginal. It is not that the spaces of segregation per se are the main topic but that segregation practices through time might be more fully understood, or understood in richer ways, through marshalling what Soja (1989) calls a 'spatial consciousness'. Space is something of a motif in this history, a permeating idea which enhances straight diachronic and more policy oriented analyses of prison worlds.

Evoking the fusion between Soja's (1989) use of the Kantian concepts of *nacheinander* (phenomena in sequence) and *nebeneinander* (phenomena side by side), the basic argument for an integrated temporal-spatial approach holds that space is more than merely a physical environment within which particular actors, activities and ways of technical ordering are located; rather, space is a complex and causal variant that both reflects and produces action and meaning. Therefore, understanding the history of an institution, or more specifically, the development of one aspect of it (in this case segregation), requires analysis of the forms, features, imaginings and effects of the spatial contexts within which it occurs. Dominique Moran (a founding advocate of carceral geography) argued that researchers working in this field need to be 'cautious not to reproduce a one-dimensional focus on space which reflects an unhelpful dualism between space and time' (2012:307). Moran may have been referring to the need to recognise the space-time synergy as it is experienced in the present, but by way of exploring the evolution of segregation through time, within the spatial contexts it was experienced, and, crucially, the mutually-informing dynamic between the two, this research hopefully presents a three dimensional picture.

If we take seriously Canter's (1987:214) assertion that 'the whole system of events associated with imprisonment contains a network of human activities inextricably linked to the places in which those activities occur', then a socio-spatial approach is meaningful since it provides a way of seeing the generative relationships between the development of penal policy and practice (as well as individual experience), and the particular spatial contexts that have quite literally shaped them. Adopting an overly deterministic attitude to space is not my intention here, insofar as it is even possible to claim empirically that certain elements of space precisely cause behavioural and policy outcomes; the

relationship is decidedly unclear (Fairweather, 2000). Instead, it is a *sense* of place and space that I have tried to capture when chronicling segregation's past, motivated by a recognition that where events took place very much structured the content of those events, along with the ways they were both experienced contemporaneously and come to be remembered in the present. Quietly assumed more than outright apparent, what lies beneath questions of what went on and why, is the question of 'where was I when it happened?' These 'where' questions tend to be painfully addressed in prisoners' testimonial writings, which usually describe the spaces in which people lived in minute detail, recalling through metaphor, literary allusions and the raw language of emotion, the human impact of these environments.

In policy documents, official evaluations, and other kinds of institutional documents, the mechanics of space may be recorded (though not always) – i.e. the dimensions, the placement of windows, heating pipes, sanitation, the surveillance potential, etc. – to the extent they are relevant to the concerns of security, order and safety, but rarely are the deeper psychological and emotional aspects of space given credence. In the context of 'elite' interviews (with retired and still-serving prison officials), this richer understanding of the various impressions of space was initially absent from discussion - an absence which suggested, to me at least, not a lack of salience but a lack of recognition. (A full account of the spatially-oriented methods used in interview encounters to help trigger the spatialized memories of segregated environments is offered in Chapter One). So then, the potential of a spatial optic for historical analysis is: to capture the visceral atmospherics and emotional landscapes of the past; to illustrate the limitations and opportunities of lived experience in space; to provide structure and shape to micro histories; and, to expose contradictions between penal ideas & penal practices.

Viewing history through a spatial lens provides a means of description i.e. a set of concrete measures and objects through which experience can be portrayed through its literal situation in space. We might talk generally about the tensions of human relations in prisons in the context of the specific spatialized stresses that arise from double cell occupancy living; we might consider the general pains of imprisonment through the spatial prism of a cell, what it does and does not

contain and how its design and features meet (or do not) the functioning emotional, practical and spiritual needs of human beings; we might, for example, focus on sanitation provisions – its placement in-cell, questions of visibility and disposal – and from there begin to make connections with much broader ideas about human rights, surveillance trends, and control practices. But a spatial lens also allows for more analytical reflections about how space itself determines history (rather than simply containing it). Deciding who, how and why to segregate prisoners raises questions of a conceptual, operational, political, moral and emotional nature. But deciding where to segregate prisoners situates such questions within the physical constraints and potentialities of space. Locked in a mutually constitutive dynamic, the specificities of prison life (its people, cultures and practices) both change and are changed by the specificities of prison spaces. Issues relating to the sometimes insurmountable contradictions between how prison spaces are designed (often during periods with cultures and traditions that significantly deviate from the present) and how they function and are used within contemporary contexts are clearly pertinent here.

What this means for analysis of particular segregation arrangements is that in addition to exploring a range of external and internal variables, some of which have been identified above, space itself is an important category or determinant for exploring change. The features of spatial environments, including the material design of them as well as more ideational aspects, directly and more subtly affect the operation of segregation, its characteristics as a lived experience, and its functional evolution through time. As Lefebvre (1970: 25) asserts, space is organised so that ‘it expresses social relationships but also reacts back upon them’ and thus, as he reasons in a later work, “to recognise space, to recognise what ‘takes place’ there and what it is used for is to resume the dialectic; analysis will reveal the contradictions of space’ (1974:14). Lefebvre separated space into three analytical categories: (1) The representation of space, i.e. how it is designed and constituted; (2) Spatial practice, i.e. what kinds of activities and interactions occur within it; (3) The representational aspect of space, i.e. the meanings people imbue in and derive from it. Each of these elements are explored throughout this thesis in the context of discrete segregation sites and their development, but it is the last

of these categories which is mined further (in Chapter Six especially). The implication is that we change how we act and who we are (or might become) not simply in different spaces but, in part, because of them - this idea resonates with Ted Hughes' poetic statement: 'what alters the imagination, alters everything'. Space is a factor contributing to that process of perspective-shifting.

Within the growing sub-field of carceral geography, a body of work is emerging developing theorisations and empirical insights of this imaginative aspect, of the ways prisoners through personal agency processes create, construct and reclaim prison spaces (Baer, 2005 in the UK context; Sibley & van Hoven, 2009 in relation to prisons in New Mexico). This work goes some way to dismantling the Foucauldian notion of the prison as a site of total, Panopticon control where prisoners are all but stripped of their power to act in and on the carceral environments in which they are locked. With reference to women's prisons in South Africa, Dirisuweit (1999) offers a deep micro study of how prisoners resist that spatial and social domination via their means of repossessing space. In something of a similar vein, I want to suggest that in the case of certain sites within the special handling framework in Scotland, the material, optic and aural atmospherics of such sites, as well as the linked practices and regimes that were operative, generated certain kinds of self-constructed unit (and personal) identities. The consequences of which in terms of behaviour and subsequent management responses informed in quite direct ways the development – and thus the greater history – of the small units network. What distinguishes this work from those cited is that while prisoners may actively 'make their own spaces, material and imagined' (Sibley & van Hoven, 2009:205), thereby distorting or eclipsing the representational forms that others have attempted to impose, this process alone does not in every case signify a reclaiming of space in the positive sense. It does not always lessen feelings of subjugation, nor promote a sense of personal power. During periods of Scotland's penal history prisoners contained in certain segregation spaces have variously imagined those physical environments, and engaged with them accordingly, as graves, coffins and warzones, as well as sanctuaries and creative places. The demonstration of autonomy in how carceral geographies are materially personalised and imagined by prisoners may displace

the power of those guarding the guarded (insofar as they are able to determine how spaces are conceived of and interacted with) but the experience of domination remains, only now it is the prisoner himself who tightens the noose of control (see Chapters Four and Five).

Original Contribution(s)

Academic attention has been paid both to elements of the history of Scottish penal policy and practice (see Cameron, 1983; Coyle, 1994; Hutton, 1999; McAra, 1999; McManus, 1999), and, in a more limited fashion, to specific segregation arrangements at specific moments in time (Adler & Longhurst, 1989; Cooke, 1989a&b; Coyle 1987; Sparks, 2002; Whatmore, 1987; Wozniak, 1989). What has not been attempted is a detailed portrait merging the two, i.e. an historical analysis of multiple segregation arrangements side by side. By documenting the multiple forms, frameworks and locations of segregation, by exploring the relationships between them and by examining the policy context in which they have arisen, I hope to make a useful contribution.

Analyses that merge spatial, sociological and historical perspectives is a relatively underexplored path in prisons research – the emerging scholarship of carceral geography scholarship is the exception to this general rule. This project contributes to that body of work by applying this kind of analyses to segregation measures in recent Scottish history.

In methodological terms, I hope this research makes two further contributions. First I have collected the personal and institutional oral histories of a number of prison officials, many of whom come from a generation of people who have relevant knowledge of significant segregation developments in Scottish prisons - we are now approaching the last years in which their experiences may be collected directly. Secondly, the use of certain spatially-oriented interview techniques to provoke spatialized recollections is a useful and novel method for this kind of project; it is an approach that might be worth developing (in theory and practice) for further research.

ONE

Methodology

A combination of qualitative methods were used in this project: archival research, secondary textual analysis of prisoners' published autobiographies, and semi-structured interviewing. Further, to explore the spatial dimensions pertinent for this work, I experimented with novel interview techniques including the use of spatial prompts (photographs, maps, floorplans, etc.) during interview encounters, and, though to a lesser degree, engaging with what might be called 'situated storytelling', whereby conversations were had in the physical places where the experiences had taken place.

In three sections, this chapter offers descriptions of these methods, explaining the research design and the precise techniques used. This is woven into broader discussions of pertinent methodological dilemmas and debates relating to processes of remembering within the context of both institutional historical consciousness and, at the individual level, the ways people summon and share personal memories. The first sections address the process of archival research; the materials I accessed, the methods of analysis, and the limitations encountered, primarily those concerned with the storage, preservation and nature of records. Drawing on the work of Derrida this section also includes a wider analysis of the implications of data preservation and the role of historical consciousness in the prison context. This is followed by discussion of the status of prisoner autobiography in social science research. The preceding sections concerns the process of interviewing, particularly focusing on elements of narrative inquiry. An argument is advanced proposing why and how psychogeographical approaches might be useful in qualitative, historical research. Insights from memory studies are examined in some detail and used to support the methodological value of merging these two research approaches. Subtitled 'what I would do differently', the final section offers additional analysis of the

methodological, epistemological and, to a lesser degree, the ethical challenges I encountered in this project.

In general (and in this project specifically) historical and qualitative research methods require ongoing adjustments, which is not to suggest a lack of careful planning; rather, a certain flexibility of approach contingent upon the kinds of material that one unearths (largely by accident) and the kinds of conversations (both formal and informal) that one has, again some of which are fortuitous rather than strictly planned. Qualitative methods in the social sciences are often more comfortably positioned within an arts paradigm rather than one that is strictly scientific. By way of caution, Gergen (1985:273) provides an earthy analogy suggestive of this point:

The sciences have been enchanted by the myth that the assiduous application of rigorous method will yield sound fact – as if empirical methodology were some form of meat grinder from which truth could be turned out like so many sausages.

With narrative (and indeed archival) methodologies there is no agreed set of data collection or analysing procedures, rather ‘good narrative analysis makes sense in intuitive, holistic ways. The knowing in such work includes but transcends the rational’ (Josselson, 1993:pxii). Mindful of the craft of historical, qualitative research, and whilst still attentive to issues of credibility and validity, this chapter describes the methods used on that basis.

Notes on Archival Research

The process of writing (in some senses *making*) one version of penal history is a descriptive as well as an explanatory exercise. It must engage with the tools of, but requires more than, the methods used in sociological or evaluative investigations of prison life and practice. Cause and effect is not always neatly established given the long-range temporal span of study, and for that same reason neither is perfect description possible. As said by Bertrand Russell in *Mysticism and Logic*,

every advance in [social] science takes us further away from the crude uniformities which are first observed into a greater differentiation of

antecedents and consequent and into a continually wider circle of antecedents recognised as relevant” (quoted in Carr, 1961: 84-85).

If decisions relating to segregation – where, why, who, how, how long – have been responsive to shifts in broad penal patterns relating to, for example, particular conceptions of prisoners, operational and management philosophies/apparatuses, politics and legal activism, then the practice of segregation is a valuable prism through which to glimpse the essential nature of an individual prison (and the wider system to which it belongs) at any given time. For that reason, documenting this history in the limited time-frame of a PhD and with limited resources became, inevitably, an exercise of omission. How to write a reasonably comprehensive history of aspects of segregation *in* Scottish prisons without also writing an extraordinarily complex history *of* Scottish prisons? One way of doing so is to use space as a key descriptive frame, as well as analytical category, through which to view segregation at certain points in time. As a methodological starting point, then, I began by exploring the spaces of segregation that are currently being used in Scottish prisons, which in the early stages of this project amounted to the traditional segregation units, or ‘punishment blocks’, attached to most prisons and positioned within the perimeters of individual institutions. However, as stated above, it became apparent that these sites represented only one kind of environment within which prisoners are segregated, and indeed only one category of segregation. At this juncture the difference between ‘routine’ and ‘specialist’ measures of segregation emerged, as did Scotland’s peculiar history with the latter category – in the majority of historical policy documents that reference ‘segregation’ particular mention is made of the small units network. I therefore adjusted my approach and decided to dedicate the bulk of my research to this specialist network, spending less time attending to routine measures (this is reflected in the structure of the thesis, with only Chapter Two dedicated to them).

The small units network in Scotland comprised seven physical sites:

- The Inverness ‘Cages’
- The Barlinnie Special Unit

- The Individual Cell Unit
- The Perth 'Time Out' Facility
- The Shotts Unit
- The Peterhead 'Digger'

Strictly speaking this final unit in Peterhead prison was not formally part of the specialist network; rather, it was one of Scotland's longest-standing, and most notorious routine segregation blocks, ostensibly commissioned as a place of short-term punishment for disciplinary infractions. In practice, this site was used to hold the same prisoner demographic the officially designated small units targeted and, moreover, it held prisoners for extended periods of time (weeks and months rather than days). It also served as something of an unofficial 'feeder-site' to the formal small units and, based on interview data and prisoners' autobiographies, it helped to set the tone both for the ways particular units were run, and for how prisoners and staff responded to them. For these reasons it warrants inclusion in this analysis.

I intended to examine all seven of these sites and to collect relevant archival and interview data so as to offer a reasonably comprehensive account of how, why, and when this network evolved. In addition, I assumed I would also have the space, time and means to include analysis of the various approaches to protective segregation, charting for example the development of both partitioned Vulnerable Prisoners Halls within individual prisons and, later, the use of Peterhead prison as an entire establishment devoted to the management of protection prisoners (in this case sex offenders). This proved to be wildly ambitious for a variety of prosaic reasons, but archival questions (preservation and related issues of accessibility) also factored into the more limited portrait I am able to offer here.

The story that it is possible to construct along with the spaces that might be selected relies on the range and nature of archival materials that have been preserved (and what has been lost), the storage of those archives, and, particularly, how easily they might be accessed. In this project, while there were multiple data sources from which to draw, the institutional archives were

dominated by particular kinds of documents detailing only certain kinds of segregation spaces and practices. Contacts in the SPS research department were extremely generous and helpful in providing entry to the archives kept at HQ. I was also fortunate to have accessed the wonderfully arcane jumble of materials kept at Peterhead prison just in time before the prison was decommissioned. Additionally, some of the people I interviewed had their own impressive collections through which I had the opportunity to rummage. But the process of identifying and then exploring the archives felt distinctly improvised, unsystematic and strangely dependent on forces of serendipity. To varying degrees this might be the case with all historical studies but I was surprised in this case by the lack of careful and properly organised archival stores. I was surprised that a detailed and comprehensive record of certain segregation arrangements had not been preserved, or, if it had been, that it was not immediately clear where exactly such records are kept. This was a point of discussion that featured in several interviews with penal managers. Extracts from one such interview, conducted in the early part of this research are included below to give a sense of these difficulties and how officials within the system viewed them:

Jessica Bird (JB): Why is it proving so difficult to find internal documentation relating to the units?

Participant (P): I don't know, I think, I suppose we don't have a proper structure in place and it's just been left to particular establishments to keep records over the years and decisions have been made at a very low level. We just haven't made it a priority.

R: So it's accidental?

P: Oh yes, absolutely. It's never been a priority; it's never been one person's area of responsibility. It's writ large at the moment with records, mostly prisoners' records that we're in a mess. We just set up quite a big project team. The records are all over the place just now and we've no policy about who's accessing what, who manages what, it's just evolved over the years with the vast expansion of case management, ICM....um

R: and all the paper that comes with it.

P: yes (laughs). Parole processes haven't really been updated for a long time and there's been various working parties and projects and they've all run into the ground and so there's yet another attempt to regenerate work

on parole dossiers. These documents are massive, lots of unnecessary....they repeat this every year regardless. The SPS produces lots and lots of paper! But it hasn't been stored over the years. Some of it will still be in establishments but a lot of it is gone.

In light of these difficulties, I chose to lower my ambitions and attempt to offer a detailed examination of far fewer sites – those which either had considerable archival materials attached to them or those which were given the most attention and ascribed significant meaning by the people I interviewed, or whose stories I read. As it happened, these two elements mostly overlapped. Reflecting this emphasis, then, this thesis offers considerable description and analysis of: The Peterhead 'Digger', the Inverness 'Cages' (which are considered most fully and in parallel in Chapter Five), and the Barlinnie Special Unit (Chapter Six).

If a key strength of this project is the depth of description offered of these discrete sites, this same feature stands as one of the project's limitations insofar as wider analysis detailing the network as a whole (as well as other specialist and routine segregation measures beyond it) is not given. I did, however, map the general policy development relating to other segregation sites though in a more summary form than I had initially hoped.

The archival records that were available to me are listed below:

Accessible and complete materials:

- (a) SPS policy documents and internal reports, including:
 - Custody and Care (1990)
 - Assessment and Control (1989)
 - Opportunity and Responsibility (1990)
 - Peterhead Unit: The First Two Years September 1995 – September 1997
- (b) HMIPS reports from 1982 –

N.B. I also came across draft copies of specific inspection reports (early 1980s) with comments, notes and underlined passages written by particular governors

- (c) The three reports on Scottish prisons conducted by the Committee for the Prevention of Torture

Accessible but only partially complete materials:

- (d) Standing Orders;
- (e) Register of Receptions, Peterhead Prison (1926-1967)
- (f) Register of Punishments, Peterhead Prison (1979-1984)
- (g) Internal documents and press releases relating to BSU open days, outings, and charity events
- (h) Minutes of meetings
 - Working Party to review the unit at Inverness prison (Thursday 26th October, 1978)
 - Meeting to discuss Inspection Report of Barlinnie Special Unit, dated July 2nd, 1984
 - Barlinnie Special Unit meeting with the Governor and Deputy Governor, Dr. Whatmore, Dr. Cooke, and E McKelvie, Senior Social Worker (19th April, 1990)
 - Whitely Council Meeting (1965), attended by members of the SPOA
- (i) Fragments of risk prediction reports for Peterhead prison (1980s but dates were unclear)
- (j) A small collection of staff notices from the Inverness Unit (early 1970s but dates are unclear)
- (k) Prisoners' personal files (or fragments of) and other documents relating to specific prisoners, these range from the period between 1969 – 1979 and include details of the following,
 - Background
 - Index offences

- Behaviour in the prison, including descriptions of specific infractions and disciplinary records
 - Notes on personality
- (l) Private correspondences
- Dozens of letters between penal officials, including Directors of the Prison Service governors, assistant governors, medical officers, operations staff, unit managers, political actors, e.g. representatives of and the Secretaries of State for Scotland, Executive Committee members of the Scottish Prison Officers' Association. These letters cover the period between 1960s – 1980s. Most relate to either specific prisoners, specific incidents, or specific policies (e.g. special escorted leave schemes from units, and there was a particularly long letter from one prison governor to the chief medical office about the use of mechanical restraints – dated 1972).
- (m) Photographs
- 'Separate Cells' – Peterhead 10 Cell Unit
 - Barricades in bottom flat 'Separate Cells' – Peterhead mainstream
 - Damages to the roof and landings during the 1987 rooftop protests
 - Vandalism in Peterhead 'Digger' cells
- (n) Media archives
- Original newspaper cuttings, most from the 1970s and related to the BSU, including the Glasgow Herald, the Guardian, the Courier, the Daily Telegraph, the Sun, the Daily Express, the Daily Mail, the Daily Record
 - Transcripts of radio segments, again most from the 1970s and related to the BSU
- (o) The Key Magazine, Issue 1 1975 (in house publication of the Barlinnie Special Unit)
- (p) Inverness 'Cages' daily schedule 17th December 1987

- (q) Cassette tape recordings of prisoner interviews from an internal SPS research project (never completed or published) in the aftermath of the 1987 protests at Peterhead prison.

Data Analysis

These records cover a relatively long time-span, they comprise myriad types of sources which were not coherently ordered or stored (i.e. not all material relating to Peterhead, for example, were stored in the Peterhead archives); rather, they were stored in various locations (most either in unmarked boxes in both Peterhead prison and SPS HQ, or in individual private collections). All materials were physical (i.e. none had been digitized), which is something of a departure from the general trend in historical archiving. In this research a more traditional approach was required without the need for digital techniques, and given the variation in types of sources (as well as the degree of completeness) the method of analysis was source-specific. In general, the method of content analysis I adopted was qualitative and ‘open’ as opposed to systematic and ‘prescriptive’ (McKeone, 1995) – this meant identifying dominant themes and messages without a strict set of categories or parameters. Time restrictions also influenced the methods of analysis I was able to adopt; whilst visiting Peterhead prison, for example, in the first few months of the research, I spent three concurrent days at the prison in an auxiliary office building where I was able to go through the archives but was unable to remove any materials. The approach I took, therefore, was to hand-write summaries of as many documents as I could in the timeframe. I subsequently used these notes to cross-reference with other records I found as the research progressed. Time restrictions were also imposed in relation to the archival collections held in personal collections, although one individual allowed me to keep files pertaining to the Barlinnie Special Unit for a period of months, which meant the information I had for this unit was much more comprehensive, hence the more thorough analysis I was able to offer in this thesis (in Chapter Six). Additionally, I was also able to spend longer periods with the documents stored at SPS HQ (a total of 15 days), which similarly allowed for a more comprehensive analysis. Since I accessed these archives later in the research process I had by that time (two years after I began the project) developed a

number of pertinent themes which I separated into categories and used to direct my reading of these documents. This procedure involved ‘thematic analysis of text’ and ‘indexing’ (Trochim and Donnelly, 2008:151). More specifically, where mention was made of topics within my chosen categories I lifted key extracts, quotes and dates and recorded these data in notebooks. These related to: 1) classification procedures; 2) small units; 3) segregation measures more broadly; 4) riots, protests and violent incidences; 5) vulnerable prisoners; 6) prisoners who posed management problems (of any kind); 7) miscellaneous, which principally included any information that related specifically to the time period I was interested in (1950s-1990s). For each document, I established (where possible) its external validity, i.e. ‘where, when and by whom it was produced’ (Wiersma, 1986:223). Subsequent, ‘internal criticism’ of each source involved evaluating the ‘meaning, accuracy and trustworthiness of the content of the document’ (Wiersma, 1986:224), which was more challenging to gauge.

The policy-oriented documents were used to establish facts since they contained information relating to specific practices. These were compared with the HIMPS reports of roughly the same period, which also included factual and statistical information. The outlines of particular ‘crisis’ events and extreme incidences of violence were often recorded in these documents, as well as in some of the letters – individual incidences were also referred to in the prisoners’ files (occasionally it was possible to match isolated events noted in the policy and inspection reports to the particular prisoners involved, and thus to glean more detailed accounts, the same was also the case with respect to individual newspaper reports). I did not find cases where the historical record pertaining to crisis events were disputed between sources; but there were numerous examples of variation in the interpretations of their meanings. This was especially evident when comparing accounts offered in prisoners’ autobiographies with descriptions of those same events (or general time periods) presented in letters between prison officials, and accounts in internal prison documents. To gauge a wider range of interpretations, I also relied on secondary analyses of major events, policies or practices e.g. the inquiry into the Peterhead protests conducted by an external committee

commissioned by Gateway Exchange (1987), and the book members of that committee subsequently published (Scranton, Sim, and Skidmore, 1990).

The prisoners' personal files were incomplete; there were files on four prisoners as part of the BSU archives which were the most comprehensive, including for example reports written by medical staff, prison staff, and details of their backgrounds, index crimes, and behaviour within the prison system. There were also much older files in Peterhead prison relating to dozens of prisoners but documents relating to individual prisoners were scattered between multiple boxes of documents so piecing together complete pictures of individuals was much more difficult. The prisoners about whom there was the most documentation were those who had presented the most serious management problems – and within a limited time frame (the late 1970s and 1980s during which much of the most incendiary disorder occurred). Reference to such prisoners were made in many of the letters sent between prison officials and representatives of the Office of the Secretary of State for Scotland, or from and to the various Secretaries themselves. Again, I adopted a comparative analytical approach to this range of data to make sense of the variations in interpretations of disorder (related to etiological explanations, and justifications of responses). I also cross-referenced these data with the accounts presented in prisoners' autobiographies. The fragments of prisoners' files I drew on in this research were not confidential at the time I was given access to them; I was not asked to sign any confidentiality documents, though as an ethical decision I chose not to identify any of the prisoners whose information I made reference to – except data already made public in prisoners' autobiographies, or those who had shared their insights on the record via media.

At the beginning of this project I was advised that I would probably stumble upon relevant articles by accident, that I would find boxes of material at the back of a drawer somewhere. This was hard to believe especially since this project is concerned with the *recent* past and with a practice that has at times generated significant external attention, but in the event, that was exactly the case.

Questions about institutional memory, about historical consciousness and about the degree of responsibility that a state body does and should assume with regard to preserving its own history became more concerning as the research progressed.

Given these omissions, before detailing the additional research methods used in this project (namely, interviewing), it seems apposite to take a slight detour here in order to think through more carefully some of the larger implications of penal archiving, or indeed the failures to do so, which the next section attempts with reference to insights from Derrida in particular.

Institutional Remembering and Forgetting: Warnings from Derrida

In his book *Archive Fever: a Freudian impression* (1996) Derrida explains the intrinsic conflict between the impulse (understood as a burning passion) to conserve institutional memories through the maintenance of archives and the parallel drive to destroy - to actively forget. According to Derrida, the vulnerability of archives, along with memory more broadly conceived, is attributable not only to inevitable accidents of time – where documents are lost or mismanaged as the places they are kept, the people keeping them, and the practices of recording/storing change – but also to intentional acts of denial and repression, ultimately amounting to acts of oblivion. Drawing on Freudian concepts, Derrida terms this the ‘death drive’ which exists, and can only exist, in relation to a fever for remembering. Such vivid reflections are relevant for any historical study that relies on institutional archival materials since power hierarchies structure what is remembered and what is forgotten rendering questions of justice all the more urgent. But they are especially pertinent when exploring the specific topic of segregation in prisons and for several reasons.

First, as inherently locked institutions, prisons have traditionally maintained their impenetrability to outside gazes, guarding its present practices and opening its gates to research only on its own limited terms. This general impulse to safeguard extends to its history for “there is no political power without control of the archive, if not memory” (Derrida, 1996:4), which may mean more than merely refusing outside access (which was not my experience with this research). Rather, control of the past (and therefore the future-present) may be tacitly ensured through complacent archive-keeping; not only through the willful concealment or closure of records - that may in any case be minimally legitimate for reasons of security and personal confidentiality – but through passive negligence. The loss of

particular records can act to preserve dominant orthodoxies of history just as much as the selective retention of others.

Secondly, the specific practice of segregation has historically included uniquely controversial elements which a self-consciously humane organisation might rather forget, or remember only in a detached manner in ways that draw the starkest lines of difference between what was then and what is now. Certain forms of segregation have caused (and still do) significant psychological harm to the people to whom it has been applied (see subsection on solitary confinement, p. ? of this thesis) and indeed to those who have been tasked with imposing it. The body of research on the destructive impacts of solitary confinement in particular stretches back almost to the very beginnings of the modern prison; a consensus of harm that is now well established (see Sharff-Smith, 2006). But other less extreme, less totalising forms of segregation have also created human suffering, provoking external concern and legal challenge along with some (though not enough) institutional soul-searching. This is inevitable given the sensitivities, challenges and consequences of decisions to formally separate certain kinds of individuals from the mainstream prison population. Segregation is used to militate against, or as a means of providing an incomplete answer to, very serious questions of suicide, escapes, violence, and various forms of personal and institutional disturbance. Routine crises that can so easily become uncontrollable and in turn can have a critical bearing on the reputation of a prison service. It is unsurprising then that degrees of denial and repression, if not quite oblivion, are sustained through time regarding precise details of the ethical and operational dimensions of certain practices. Yet, as Derrida reminds us, death-driven amnesia is not merely the lack of remembering enabled through intentionally complacent archive-keeping; it also represents processes of *misremembering*, of over romanticising or over demonising the past.

In terms of recording the history of segregation, there has been a tendency evidenced in the archives to preserve documents relating to very best- and very worst-practice, a conscious chronicling of both the most harm-inducing approaches (even if only by way of outside pressure) and those shining examples where benefits can be measured and heads may be held high. By contrast, the

much broader, often banal, and somewhat ambiguous range of spaces and practices that have also constituted segregation have apparently evaded archival attention. In this way, “the [particular] archivization [of segregation] produces as much as it records events” (Derrida, 1996:17). Illustrative of this point: the vast bulk of preserved SPS archives specifically regarding small units in Scottish prisons relate to the Barlinnie Special Unit, compared to information about many, if not most, other units, which is scattered, lost or has simply been destroyed in the sweep of time. It says something about the place the BSU assumes in institutional memory as both a source of often excessive (though in other ways warranted) pride and embarrassment, that such a detailed collection of public and private documents has been kept – untypically, all in one place.³ Documents concerning the 10 Cell Unit in Peterhead, however - notable for the fact it was re-functionalised at least three times since its construction in the early 1980s – are difficult to locate, and where they are the information is only patchy. A similar lack of careful, comprehensive archiving also pertains to the Perth Time-Out facility, the Inverness ‘Cages’ (unexpectedly given its notoriety), and the Individual-Cell Unit (also known as the McCulloch Unit), again located in Peterhead prison. In terms of the more generic segregation sites, the ‘punishment blocks’ (though recently and tellingly re-named Separation and Integration Units), the archival picture is even more fragmentary. These “feeder” sites are interesting in themselves but also relevant to the extent they were the places from where prisoners deemed suitable for specialist sites both tended to come from and later were often returned to. With the exception of the punishment block in Peterhead prison (the infamous “Digger”), very little in the way of official documentation still exists, or is at least uneasily obtainable. Certain kinds of data, including for example statistical information past and present regarding the number of people kept in these segregation units, length and reasons for containment, design features and adaptations, and incidences of dirty protests or other kinds of trouble specifically within those settings, are either not recorded at all, were collected but

³ It is perhaps un-coincidental that the official who was able to locate this archive, having taken responsibility for preserving it, was described by one criminologist I spoke with as ‘the conscience of the SPS’.

have not been archived, or are not made publicly available. This is a problem common to many prison systems particularly within supermax prisons in the United States (see Reiter 2012). With respect to explicitly protective sites, however, e.g. 'safe' or 'anti ligature' cells, along with collective segregation spaces i.e. vulnerable prisoners wings, there is a substantial body of predominantly policy-oriented literature. This might be expected given the comparably recent introduction of standardized spaces and practices applicable to protection prisoners. But still, before the early 1990s when the SPS adopted a new approach to the containment of sex offenders (the largest group of protection prisons), and before targeted attempts to improve suicide prevention with better designed spaces, the state of protective segregation in the preceding periods is virtually unaccounted for. I did come across a few fleeting references to the VP wing operative in the 1940s in Peterhead prison but this represented a (welcome) archival anomaly, distinctive due to its rarity.

If the production of institutional history depends on available and accessible source material, and in turn if that depends on the kinds of institutional archives that have been preserved, then, as Derrida suggests, the *way* it is possible to produce a particular history (as much as *how* that past is interpreted) to a large extent determines *what* that history is understood as being. Perspective is unavoidably skewed by the traces that have been deliberately (or inadvertently) protected. In the case of Scottish segregation, it is possible to write a properly sourced history of the small unit network but it is not possible to write it comprehensively (the BSU would be the star of the show). Equally, it would be possible to write an institutional history of punishment blocks but the Peterhead Digger would seem to assume even more significance than the albeit considerable status it undoubtedly had. Based solely on institutional archives, even more challenging are attempts to write a balanced and detailed history of protective segregation since the impression would be that it was formally invented only in the last few decades and with only, or especially, the SO population in mind. However, as previously suggested, for reasons of both practical limitations and archival considerations, I have chosen to focus this research on more administratively and punitively oriented forms of specialist segregation (though

the materials I have amassed on protective segregation in Scotland indicate a possible avenue for future research.)

From an empirical standpoint, then, there is the problem of ever narrowing fields of archival data coupled with, from an analytical standpoint, the above referenced challenge of ‘ever widening circles of antecedents’ to explain that data. The result: a history of segregation which aims to overview as well as detail its constituent parts, making clear the connections between them, but only succeeds in offering a limited account which gives greater written space, if not weight, to certain aspects of segregation based on what is possible to document owing to what has been only partially preserved. And this is the situation even before issues of compromised neutrality, speculation and biased or otherwise imperfect interpretation have a bearing on the story being told. (Though, the impossibility of forming an active allegiance with and thereby representing every side does not preclude the possibility of empathising with all sides – in this respect, Becker’s ‘whose side are you on?’ logic may represent something of a false choice).

In failing to properly maintain prison archives by allowing some archives by accident or design to vanish, a prison service may be demonstrating passive neglect more than intentional obfuscation. Nevertheless, this archival complacency represents a general absence of historical consciousness (which may or may not be motivated directly by Derrida’s possibly overly-dramatic notion of the ‘death-drive’) and also a lack of public accountability. In practice, researchers are often left to rely on serendipity, encountering by chance particular archival stores in the course of study. One example from this research: while sifting through a small collection of documents personally stored by a member of the SPS research department, I stumbled upon a box of cassette tapes. These tapes were recorded interviews with Scottish prisoners from the late 1980s in the aftermath of a series of riots. Participants were asked to give their personal reflections on how and why the riots came about, with many interviewees also cataloguing a litany of complaints about prison life in general. Whilst many of the recordings are inaudible, the data that was retrievable offered rich insight. Subsequently, in conversation with the interviewer in those tapes, I learnt that this data has not been published elsewhere, in fact he was unaware these tapes still

existed at all. Telling the most faithful story one can, pieced together from documentary fragments, rather than offering a complete version of what *really* happened is the best one can hope for. It is for these reasons – the wish to be faithful and the limitations of archives – that narrative testimonies are so vital. Beginning with a discussion of the status of autobiography in social science research, as one narrative form, the next sections discuss the value of narrative research more generally as well as the specifics of the interview process in this project.

Prison Autobiographies

When the prisoners began to speak, they possessed an individual theory of prisons, the penal system and justice. It is this form of discourse which ultimately matters, a discourse against power, the counter-discourse of prisoners and those we call delinquents – and not a theory *about* delinquents.

- Foucault (1977:209)

As an ethical imperative the ‘heterological historian’ (Wyschogrod, 1998) must integrate the testimonies of excluded voices into the dominant historical orthodoxies that are typically preserved through institutional archives. Along with the above-referenced prisoner tapes, many of which have a narrative quality insofar as participants tended to consider the specific issue of riots through the larger prism of their own personal histories within and outside of prison, I engaged with two additional narrative sources: published prisoner autobiographies and interviews, mainly with SPS personnel. Some prisoner-authors have certainly been heard, often with much popular acclaim - think of Bobby Sands in Northern Ireland or Jimmy Boyle in Scotland, both of whom had their accounts made into successful films. In individual cases, then, prisoners’ voices can be popularised and therefore not always marginalised, silenced or entirely excluded from the record, even if the majority of such testimonies do not usually receive such publicity.

In this project I engaged with six self-told life stories of five Scottish prisoners – Jimmy Boyle (1977;1984); Hugh Collins (1997); Tommy Campbell (2002); Johnny Steele (1992); Larry Winters (1979) - each of whose testimonies included

lengthy descriptions of their experiences in Scottish small units. The Peterhead ‘Digger’, Inverness ‘Cages’ and the Barlinnie Special Unit were particularly focused on in their accounts, which is indicative of the unusual nature of these environments and indeed the impact they had on those who were confined within them. Reasons for writing prison autobiographies vary, and few prisoner-authors offer lengthy reflections of their own motives. Nellis (2002:435), however, identifies general motivations:

...to justify the offender to himself (more rarely herself) and the world; to help the writer come to terms with the traumatic experience of confinement; to expose prison conditions and prompt debate on penal (and/or wider social) reform; to make money where the stigma of imprisonment makes gainful employment difficult after release; and for purely literary reasons – to evoke, describe and explain a world all too often hidden from, and ignored by the public.

The six accounts used in this research share many similar qualities in terms of their adherence to particular conventions of storytelling. Through charged, often haunting descriptions, thick with sensory detail, they force readers ‘into the scene’ (Ellis, 2004:142) allowing us to ‘experience an experience’ (Ellis, 1993:711). By way of following a largely chronological rather than temporally fragmented path they develop plot and character (Ellis & Ellingson, 2000) – the latter is presented in each of these six accounts through a redemptive arc – an explicit autobiographical presentation of Maruna’s (2001) concept of the ‘redemptive script’ - so that by the end we the readers are given a sense of the personal development, if not in every case transformation, the prisoner-author felt they had experienced. What is being communicated comes across as a statement of ‘I began as one kind of person and finished-up as another.’ Although, this is not to suggest an inconsistency of character; rather, these authors find ways to first explain their prison-based offending, as in large part the product of brutalizing conditions, and secondly to reclaim certain aspects of themselves which in one context contributed to their recalcitrance but later was reinterpreted as crucial to their more positive behaviours. For example, a highly developed sense of personal autonomy (and its inherent connection to individual dignity) is used to legitimize violent behaviour in response to a prison system that, as they viewed it, sought to

crush their spirits. This same quality of almost unrelenting self-possession is again used to explain how prisoners were able to transcend the indignities and privations of imprisonment but in ways that were non-violent, creative, and personally meaningful. (Chapters Four and Five discuss this movement in detail). This accords with Maruna's (2001) findings that some 'desisters' (though in the community rather than in prison) do not entirely shed their identities when they abandon their offending activities but instead redeploy particular identity-elements in productive, non-offending forms. In this way, these prisoners' accounts contain a coherence of character, themes and ideas – a coherence which Agar and Hobbs (1982) suggest are common elements in narrative forms.

At some level, the act and art of writing one's life story 'offers an opportunity to experiment with becoming a person' (Gilmore 2001:103). This recalls Bruner's (1987:15) much cited, almost aphoristic statement, 'we become the autobiographical narratives by which we 'tell about' our lives.' So influential has narrative theory become to how scholars across many social science disciplines understand identity construction that a sub-branch of 'narrative criminology' has emerged which attempts etiological analyses, as Presser (2012:5) holds, 'to explain crime and other harmful action as a function of the stories that actors and bystanders tell about themselves'. She makes explicit this connection between identity-construction and narrative:

We talk ourselves into feeling resentment, anger, or anything else; we tell ourselves who we are and should be, who others are and should be, and what the world is like and should be like....One changes one's thoughts, primarily through self-talk (Presser, 2012:8)

Narrative criminology, however, has tended to concentrate on oral testimonies (see especially Presser, 2004;2009), largely produced through qualitative interviewing methods and ethnographies, while story telling in written formats, autobiography in particular, has been less well attended to. In the case of prisoner autobiographies, this genre has been especially underexploited within our discipline (see Morgan, 2002; Nellis, 1988; 2002) for similar reasons to those which are occasionally levied against convict criminology and the method of auto/ethnography more specifically. The criticism centers on what Newbold et al

(2014:444) term ‘the problem of excessive subjectivity’, particularly as it relates to the dangers of emotionalism (Jewkes, 2012). ‘In prison research, becoming emotionally attached to one side or the other is not unusual, but doing so affects the perceptions of the researcher’ (Newbold et al, 2012:439). In the case of prisoner-authors (as distinct from researchers with or without a criminal record), how much more affecting it is when what is being described is one’s own experience, one’s own side? The understandable and valuable emotions elicited by imprisonment for those who have first-hand experience of it may bleed into a more dubious emotionalism, which Newbold et al (2014:441) describe in the following terms:

For the ex-prisoner, the contaminating potential of hyper-emotionalism lies in passions such as frustration, resentment, and perceived injustice, which can be considerable and sometimes consuming, and which can compromise objectivity. Jewkes validly points out that the existence of emotion does not necessarily invalidate an “insider” criminologist’s views. Rather, the passion engendered by the experience of incarceration can add color, context, and contour both to objective and subjective findings. Provided it does not unrealistically skew the researcher’s perception or analysis (441)

They conclude, however, that the “insider” perspective may be ‘regarded as an essential thread in the tapestry of criminological inquiry’ (441). This same essential proposition should also be applied to the genre of prison autobiography. While it is distinct from academic writing, such testimonies, as Morgan (2002:337) contends, ‘are not criminology in a formal sense as they do not adhere to any formal conventions of sociological method’, they contain the same qualities of ‘color, context, and contour’ as academic auto/ethnographies.

They represent some of the most extended narratives and analyses of a particular social experience normally hidden from public view. They are also documents of significance for penal history...The meaning of prison and its practices may thus be interrogated over a substantial period. (Morgan, 2002:337)

Linked to these sets of concerns regarding emotionalism, but applicable specifically to prison autobiography, is the issue of verisimilitude. The concern being the extent to which such testimonies are factually accurate (Nellis

1988:2002). While there may be ‘no place for hot-headedness in academic writing’ (Jewkes, 2012:71), there is certainly a place for it, or at least there is an abundance of it, within prisoners’ autobiographies. Some degree of caution, therefore, is legitimate when considering the range of grievances prisoners might have and the particular motivations or hope that they might harbor as to the possible effects of their writing. In discussions of Truth, however, it is arguably more useful to replace the question of ‘did these events *really* (i.e. objectively) happen in the way the author describes’ with Bocher’s (2002:86) question ‘Does the narrator *believe* this is what happened to him?’ (*italics added*). Indeed, if we accept the premise that narrative does not merely communicate identity but in some senses actually helps shape it, then it matters very much how prisoner-authors narrate their experiences, how they *themselves* construct and interpret both their offending and their processes of desistance, and that this is arguably of equal if not more significance than matters of fact. This is where prison autobiography and academic auto/ethnography critically diverge.

If this truth problem is prison autobiography’s trickiest characteristic, then its superlative advantage is its relatively unmediated construction. In his study of ‘desisters’ and ‘persisters’ in Manchester, Maruna (2001) provides one of the best examples of narrative criminology’s attempts to capture offenders’ narrations, yet this work, while hugely important, is a mediated academic process – the participants tell their story about themselves *to* another. Autobiographical writing, by contrast, is unhindered by the presence of an embodied audience and therefore the story is less affected (directly at least) by the Hawthorne Effect. In her work with (on?) Jim David Adkisson – a man who committed a mass shooting in Tennessee in 2008 – Presser (2012) makes this point in relation to the written account Adkisson produced before the commission of the crime as compared to the oral account he gave to her during interviewing:

The pre-crime note is tailored to a general audience including would-be supporters. The post-crime interview is tailored to a particular audience of one who interrogates his behavior, however dispassionately. The interview data are also shaped by my questions and responses. (11)

Though prison-authors may be partially informed by the perceived responses of the readership he hopes to gain, their stories are not overtly influenced by their particular relational dynamics with the researcher. On that basis, the testimonies are therefore undiluted. Qualitative research with prisoners incorporates into the research those voices, it actually listens to them – the criminologist is ‘a gate-keeper to the truth’ (Morgan, 2002:330) - but the genre of prison autobiographies *is* those voices – unmediated.

Another benefit of the specific autobiographies engaged with in this project relates to the demographic qualities of the prisoner-authors. Storytelling in general involves multiple ways of communicating one’s experiences and beliefs that may be grounded in part by, for example, one’s gendered position (Blair et al, 1994), or class status (Hooks, 2000; Dykins-Callahan, 2008). Within the genre of prison autobiography specifically, middle class and highly educated prisoners, usually those without long histories of offending, have tended to receive more literary prestige and wider public attention beyond the merely puerile versus those written by lower status, persistent offenders. Morgan (2002) labels these groups ‘Straights’ and ‘Cons’ – the former, he suggests, typically offer more prison-based account, while the latter tend to present more person-based narratives.

The five Scottish prisoners whose life-stories are considered in this research all came from relatively deprived social backgrounds; their testimonies include reflections on what this meant and means to them. Returning again to Presser’s analysis of Jim David Adkisson, she notes a similar theme in his written testimony and further, she identifies a set of tendencies within the structure of account which directly correspond to crucial constructions in Scottish prison-author’s accounts.

David’s homicide/suicide note begins with a brief orientation, followed by discussion of the personal hardship problem. It concludes with a reference to that problem. Yet, personal hardship is nowhere mentioned in the interior of the story. In contrast, David vividly set out the evils caused by political foes, his anger at them and his plan to kill some of them. (2012:11)

Clear structural parallels are evident within the Scottish prisoners' autobiographies; they begin with at least one chapter identifying the material, social and educational limitations of their childhoods, some circle back to these deprivations towards the end by way of demonstrating a narrative arc of 'look how far I have come', while the central bulk of the texts – the “interior of the story” – deal almost exclusively with the abuses perpetrated by the prison system and with the harms caused. Connections are made in these life stories between their low social and economic statuses and the particular models of masculinity that are celebrated and thus imbibed by boys and young men within that milieu. This becomes highly relevant when attempting to interpret their prison-based violence – that which is recounted in the main body of the texts - and, in particular, the notions of masculine honour they associated with it. Presser makes some pertinent arguments regarding this violence-honour dynamic:

I disagree with Katz when he observes: “Words are not necessary to make violence a means of honoring offended respectability” (1988: 37). The individual actor may not utter words aloud, but words link concepts – states of being, events, and actions – to one another within conventional stories, such as the story about “violence restoring honor”. (2012:7)

Rather, Presser maintains that ‘Language and language forms, especially story forms and metaphors, structured his [Jim David Adkisson’s] sense of self/other/situation’ (18). I am arguing in this work (articulated fully in Chapters Four and Five) that the constructions of “self/other/situation” communicated in (if not *because of*, as Presser might contend) Scottish prisoners’ autobiographies rely principally on their particularly close attachments to their ideas of personal autonomy. The violence they committed was to a large degree justified by them as a legitimate response to attempts by the prison authorities to cripple this capacity. Presser introduces the concept of the ‘power paradox’ to explain a comparable impulse in Adkisson’s case. She writes ‘David constructed his violence as both strategic and compelled. His agency was a paradox’ (18). This analysis might also be applied to Scottish prisoners; in order to protect their autonomy – and by extension their human dignity – they chose to resist the prison strictures through violent force, but such was the strength of their attachment to

honouring their autonomy that this choice was, appeared at the time, as the only option – thus, it was not an entirely free choice.

My hunch is that I was able to arrive at this substantive analysis (developed in Chapters Four and Five) precisely because of the nature of the source material, i.e. the long form autobiographical testimony. The level of chronological detail and particular structure of these texts would not have been possible, or rendered far less likely, if the data had been drawn from interviews (had that been a practical option). The interview data I was able to amass with mainly retired and presently serving prison officials (see the next subsection on ‘participants’), did not yield the same depth of content as these prisoners’ autobiographies and consequently, their personal perspectives were less easily mined and represented here. Unfortunately, given that there does not currently exist a well-established body of autobiographies written by prison officers, the stories of prison staff, detailing their experiences of segregation in particular, have largely been un-told. Whilst there are accounts by management elites, in many instances they offer a policy-oriented perspective often reproducing what the official record has already established.

In summary, the genre of prison autobiography provides depth and nuance, it serves to augment, to breathe life into, and in some cases to directly challenge the institutional record. These testimonies may fill certain factual gaps but their greater offering is through a rich, vivid and usually ambiguous portrait of lived human experience. In seeking to understand the recent past of segregation, we are fortunate to have a number of Scottish prisoners’ autobiographies from which to draw. Given that these autobiographies are written by men who have typically experienced segregation through its most excessive forms of spatial control, and given that “the unintended consequence of making space a means of control is to simultaneously make it a site of meaningful resistance” (Creswell, 1996:163), these published stories are particularly useful in offering visceral depictions of the various ways prisoners have struggled within segregated environments, and how those struggles have manifested in, through and to some degree as a direct result of space. Insofar as these accounts have deeply-felt emotional and sensory content - indicating a re-living more than a mere re-telling of past events - their attending

intensity gives us a sense of what it felt like to be there. The strength of this phenomenological quality marks the line between autobiographical memory and autobiographical fact (Berntsen & Hall, 2004).

What matters is the way in which the story enables the reader to enter the subjective world of the teller—to see the world from her or his point of view, even if this world does not 'match reality' (Plummer, 2001;401).

Prison history is all the poorer for the absence of a similar wealth of autobiographical writing from prison officers, notably those serving on the front lines.

Interviews

I conducted formal, semi-structured interviews with:

- 7 SPS staff – 3 retired, 4 currently serving
- 3 prison researchers
- 1 ex-prisoner

Formal, unstructured interviews with:

- 2 SPS staff – both currently serving
- 2 members of the Inspectorate

All of these participants, with two exceptions, had particular knowledge and/or first-hand experience of aspects of Scottish segregation; many had been directly involved in the design and/or operation of aspects of the small units network. The exceptions were members of HMIPS, whose perspectives added value to this project insofar as they offered insight into how the Inspectorate operates and its process of conducting inspections. This proved useful given the attention paid (especially in Chapter Five) to various inspections of segregation sites since its founding in 1981.

In addition, I had multiple conversations with my supervisor, Richard Sparks, who was one of three researchers involved in the first and only academic evaluation of the Barlinnie Special Unit (conducted in 1993). These conversations

were informal (and thus not included in the list above); I took extensive written notes during conversations but they were not audio recorded; they were largely unstructured; and, consent was established implicitly on an ongoing basis. I have not included any direct quotes from these conversations in this thesis but the material gathered significantly informed the work to the extent that particular themes, factual details, and personal impressions often guided the kinds of questions I posed to other participants, allowing for cross-referencing. Further, Richard's memories of his research experience in the BSU helped direct the sub-topics, people and places that I went on to investigate more fully. In a sense this form of guidance is typical of the supervisor-student dynamic, though I received deeper and highly relevant assistance given that Richard's professional history corresponded so closely with the peculiar institutional history I was attempting to capture.

These interviews were hugely diverse in terms of interview length (ranging from thirty minutes to six hours), setting and the techniques used. Some interviews were stand-alone, others involved several follow-up conversations, some of which were audio recorded, others were recorded with hand-written notes. With some participants I had continuing and more informal electronic correspondence after interview encounters. During the course of research, I attended a number of criminal justice-related events in Scotland (e.g. public lectures, academic seminars, conferences, etc.) where I had further conversations with these participants as well as with others who I did not have the opportunity to interview formally but would have liked to given their knowledge of aspects of Scottish penalty. The information and insights shared in these kinds of social interactions was not transmuted into research data in a definable manner, and therefore required no additional mechanisms for establishing consent – i.e. I did not directly quote any of these individuals neither did I make reference in this work to their particular perspectives or interpretation of events without properly citing them – but such conversations did inform my general approach to the topic insofar as I gained a better understanding of the particular themes or areas that might be worth investigating further – and in more systematic ways. In some cases, the

contacts I made at these events put me in touch with particular people who I was then able to interview formally.

I had an extended research relationship with the ex-prisoner, involving many hours of recorded conversation as well as numerous hours of more social contact. The protracted and ongoing encounters I had with many participants allowed for a depth of engagement, as well as subsequent revisions and clarifications, both of factual content and in terms of the development of memory.

In terms of the interview schedule, I had in every case a general set of topics and themes I asked participants about but in all cases I adopted a loose approach thereby allowing participants to tell their own stories. Many of the interviews with SPS staff took a narrative form; I initiated conversations based on participants' early career memories and from there they tended to give largely chronological accounts, with moments of prompting from me when issues relating to specific segregation practices or discrete small units were introduced. This semi- and unstructured interview method made sense in the context of an historical project such as this since attempting to elicit and capture individuals' memories of past events through too formulaic an approach (or in this case, set of questions) would be to miss the point; it would be too narrow and unyielding an approach.

Clandinen and Connelly (2000:20) write of narrative inquiry:

It is a collaboration between researcher and participant, over time, in a place or series of places, and in social interaction with milieus. An inquirer enters this matrix in the midst and progresses in this spirit, concluding the inquiry still in the midst of living and telling, reliving and retelling, the stories of the experience that make up peoples' lives both individually and socially.

This conformed to my research experience. The conversations I had were dialogic in nature; characterised by mutual exchange whereby both the participants' and my own interpretations, uncertainties and confusions were discussed. This more discursive approach avoids, to some extent, the pitfalls of "polite interrogation" (Kellehear, 1996:98) that might otherwise occur in more unbalanced researcher-participant dynamics. Asking questions and providing comment and reaction to or, more commonly, clarification of the given answers helped to establish rapport

and also to validate the participant as the expert of their own story. Many of these discussions went on much longer than the scheduled timeframe, and many felt unfinished. For this reason follow-up interviews proved helpful. The order I interviewed people in also had an effect. For example, my first set of interviews took place inside the soon-to-be decommissioned Peterhead prison. There I interviewed four members of SPS staff who were all, though at different stages, nearing the twilight of their careers, all of whom had begun their careers in the dangerous cauldron of the late 1970s or early 1980s. Each of these individuals was involved in the decommissioning process of Peterhead; they were working in the physical backdrop of an institution that was all but empty (the final group of prisoners were due to be transferred in the following few months). As with all transitions, there was a sense of accompanying pressure and uncertainty, along with frustrations – present concerns which seeped into the tone of the memories they shared about the past. In these interviews, for example, there was a much greater emphasis than in others on the tensions between grade officers and management. One of the participants spent nearly an hour describing how misunderstood and unsupported by management and by the Inspectorate he had felt as a rookie prison officer working in Peterhead in the 1980s. He focused on the use of protective or “riot” gear and how resistant officers were to the decision by the then governor to dispense with such protection, how some officers felt “literally thrown to the wolves” as a result. I had the impression that current stresses were in some indiscernible way influencing the strength of these particular memories. After spending a few days ensconced in Peterhead, I left with a baseline view of recent Scottish penal history that was perhaps unfairly skewed towards the needs and interests of officers, and less generous towards the experiences of managers (and indeed prisoners). As a result, then, aware of those allegiances, I spent the next few months actively seeking appointments with retired governors. I also spent a week at the Inspectorate HQ, reading old inspection reports and talking to currently-serving inspectors. It was at this point that I began to engage closely with prisoners’ autobiographies to further redress the balance.

The point of interviewing those who had either already retired or who were nearing the end of their careers was (1) to record shifts that have occurred in segregation policy and practice through the personal recollections of the people who had designed/implemented them, (2) the assumption that there might be fewer institutional barriers to full, open and more emotionally nuanced discussions with this group, and (3) more prosaically, to record the memories of people whose stories might soon be lost.

Recruitment of participants depended mainly on the 'snowball effect'. This was useful in terms of establishing credibility and name recognition. I approached individuals often through third party contacts at the SPS, which meant they already had a provisional sense of what the research was about. Additionally, some participants provided me with a list of names of potential interviewees and in some cases contacted others on my behalf.

Interview locations varied; they included prison offices, segregation units (those still operative along with now de-commissioned spaces), participants' homes, SPS headquarters, and public cafes. Specific locations affected the techniques of recording. Inside prison walls the use of recording devices is restricted so for some interviews I relied instead on pen and paper notes. Initially this undermined more natural, reciprocal modes of communication but as the research progressed (and as I became a more adept and subtle note-taker) I found the absence of a voice recorder created more informality and therefore proved beneficial. It was difficult to take even paper notes whilst interviewing participants 'on the move', which was how a number of interviews were conducted – these encounters took place whilst touring particular segregation sites, producing accounts in some way influenced by the spatial environment itself. These discussions I term 'situated storytelling'. The value of this technique for narrative historical studies is rooted in the link between what is unconsciously provoked or spontaneously retrieved through what is coincidentally encountered in space. As Rapoport (1980:286) suggests, physical environments make concrete "the immaterial, spaceless, timeless nature of values, meanings and the like". Being in the physical spaces where incidences actually occurred served to generate the remembering and retelling of particular details as well as whole stories which may not have been

told at all, or recalled in quite the same way if a static interview had taken place in an office for example. To further explore the role of spatial affectivity, I used mnemonic devices to encourage participants to situate their memories within the spatial contexts in which they occurred – this precipitated discussion of how, whether, and to what extent particular features of space impacted on experience.

In terms of observation, I spent time in the various segregation units of four prisons, where I was given guided tours and the opportunity to speak with currently serving segregation officers (both individually and in groups). I do not include these encounters in the interview count (specified above) since they were of a more informal nature, as were my notes. Moreover, given the historical nature of this project, my field notes from these visits re current practice were less pertinent than the interview data. That said, aspects of the design of these units have remained reasonably fixed throughout the recent past; the look and feel of them now is, in various ways, consistent with what it has been. The design of the distinct outside exercise “pens”, for example, has not changed much since they were first used, though there have been small modifications. My field notes from these visits, along with the body of policy-related and procedural information (which are matters of public record) did inform some of the thesis (see especially Chapters Two and Three).

Ethics

Guillemin & Gillam (2004) mark a key distinction between ‘procedural ethics’ and ‘ethics in practice’, defining the former as “seeking approval from a relevant ethics committee” and the latter as “the everyday ethical issues that arise in the doing of research” (p.263). As primarily historical in nature, this research involved few obvious ethical concerns relating to the harmful impact on participants. In terms of procedural ethics, then, prior to conducting this research the necessary approvals were sought, which amounted to a Level 2 self-assessment submitted to the Research Ethics and Governance Committee at the University of Edinburgh. I did not interview any ostensibly vulnerable groups, nor was my subject matter overtly sensitive beyond the concomitant issues of it, i.e. the authoritarian and restrictive nature of certain forms of segregation. In any

case, with the exception of one ex-prisoner participant, all interview data concerned accounts given by SPS staff or other non-prisoner groups and therefore the potential for their memories of these more insalubrious sites to provoke distress was minimal.

Before interviews I wrote a detailed summary of the project, emphasizing its open-ended nature. Consent was established at the beginning of each interview regarding recording devices. I made it clear that quotes would be anonymised, but stressed that the size and connectedness of the SPS meant that in some instances identification might be unavoidable. All participants gave their permission with some expressing that they were comfortable with being quoted directly, though I confirmed I would only be quoting people in terms of their position (i.e. ‘governor’, ‘segregation manager’, ‘chaplain’ etc.) rather than by name.

The procedural ethics in this project were generally clear-cut, yet there were certain ethical considerations that arose in the course of research that were not entirely expected, those which fall into the ‘ethics in practice’ category.

The potential harms to participants in qualitative social research are often quite subtle and stem from the nature of the interaction between researcher and participant. As such, they are hard to specify, predict and describe in ways that ethics forms ask for, and likewise, strategies for minimizing risk are hard to spell out (Guillemin & Gillam, 2004:271)

Some of the conversations I had touched on dramatic past events particularly those involving the control of prisoners prior to, during and after rioting and other kinds of incendiary disturbances. In places, some participants seemed uncomfortable discussing their role in managing these incidences, their experience of suppressing violence (sometimes directed at them personally), and the impact these had on them in the aftermath. The discomfort may have been relatively low-level but I was still cognizant of striking a balance between allowing the space to explore these ambivalences (which involved gently nudging them to expand on certain answers, and asking potentially awkward follow-up questions), and respecting their cues to move on to other subjects. In only one interview did I get the sense that the discussion was having a particularly heightened emotional effect – though not necessarily adversely. This was a

product, I think, of the location of the interview: the now decommissioned Silent Cell in the segregation unit of Peterhead prison, where the participant recalled an experience that had taken place there when he had just begun his career with the SPS. It seemed the interviewee wanted to tell this story, although his tone shifted and became more personal and emotive, which meant I relied more on instinct about how to negotiate the conversation, and when to move on. This particular encounter is described in more detail below.

Listening to, participating in and actively encouraging the affective dimension of situated storytelling incurs an emotional cost. For the researcher this can jeopardise objectivity, though not necessarily in ways that undermine the objective value of the research. Rather, honest reflexivity regarding emotional impacts (see Liebling, 1999) and a deployment of ‘emotional resources’ (Jewkes 2012) during research interactions as well as during subsequent data analysis, can yield additional layers of rich, nuanced data. Another ethical consideration involved the un-elicited enthusiasm some participants showed for ‘telling tales’ about others, and specifically identifying individuals who were thought to have made errors of judgement. In some cases, there seemed to be residual resentments about decisions that were taken relating both to individual’s own careers and to particular aspects of segregation. The SPS is a small, well connected system with its own set of internal politics, and at times I was uncomfortable with the critical assessments people were offering regarding the behaviour of their former colleagues. In some, though certainly not all, interviews, disparaging comments were made either by inferences or more explicitly in direct reference to people I had either already interviewed or were due to interview. Given the conversational approach I adopted in interviews, I felt the weight of expectation to participate in some way, or at least offer some response, which was uncomfortable and difficult to navigate.

In the remainder of this section I want to further support the argument that aspects of psychogeography – its underlying ideas and methods – might be usefully deployed in narrative inquiry. The argument is first developed theoretically. A very brief overview of both narrative inquiry and psychogeography is provided, with insights from memory studies interleaved between them to emphasise the

connections in terms of their associated methodologies. Secondly, I discuss specific examples demonstrating how these spatial approaches were applied in practice.

Institutional History through Personal Narrative

Narrative inquiry is the process of gathering, in some cases co-creating, and then analysing stories. It is an attempt to capture the texture of people's lives as they remember it, and in this sense stories are generally reflections (rather than exact representations) of lived experience, expressing the often messy, usually complicated "social reality of the narrator" (Etherington, 2004:81). The depth and variety of knowledge communicated through stories reflects the extent to which they are embedded in both the personal beliefs, attitudes and values of the teller (constructionism) and in wider cultural contexts and histories (social constructionism). Situated within this web of intersecting influences, stories provide rewarding data with varying meanings. In contrast to modernist frameworks, where the notion of 'objective truth' is stressed, narrative inquiry, as a postmodernist approach, holds that truth is multi-perspectival (Polkinghorne, 1988). Further, as "both the method and the phenomena of study" (Pinnegar & Danes, 2004), storytelling communicates a range of perspectives by *how* the narratives are told, its specific linguistic properties, as well as through the content of those stories. The socio-linguistic components of stories are in themselves considered constitutive of reality (Riessman, 1993), gauged by applying various hermeneutical approaches (e.g. discourse, textual, conversational analysis which examine closely discrete forms of speech, grammar and lexicon structures). Added to this already complex set of concerns is the degree to which narrative researchers themselves interact with the storytelling process. Narrative inquiry often contains an explicitly dialogical and collaborative dimension involving reciprocal sharing and a kind of transparent engagement with the story where the 'listener' communicates emotional and other impacts. Such interactivity renders stories as co-constructions (Chase, 2005), where researchers are not so much 'objective observers' as active participants in a research relationship (Keeney & Ross, 1992). However, while this may serve to deepen trust and as a corollary provide the conditions for more unguarded and multifaceted conversations, it also

has a bearing on the nature of stories that are told. Here questions of validity arise; issues of personal positioning, personality, agenda and relational dynamics become relevant (Skinner & Allen, 1991). Moreover, the dialogical aspect also comes into play during processes of transcribing since the researcher is required to make choices about the selection of data and where to place emphasis, which necessarily modifies the story in some way. (I have said something above about the relevance of this point to this research - such questions were especially pertinent in the case of my prolonged research relationship with Thomas McCulloch, which is discussed in greater detail in Chapter Four).

With respect to historical studies specifically, narrative testimonies are paramount insofar as personal stories enrich the institutional account provided in archival data. Since the chief object of historical work is to document and interpret past phenomena, stories are valuable to the extent they allow individuals to speak to their experience of that past, to humanise it, rather than primarily as objects of study in themselves. Which is to say, in building a picture of segregation by integrating individuals' storied memories of it, I was more concerned with the content of their personal experiences and how they made sense of them, and less attentive to the particular linguistic composition of the stories through which those personal histories were articulated. Since stories are a conduit for memory, I was concerned with how particular memories are retrieved and what effect retrieval situations might have on the content of those memories. "Historians" writes Tumblety (2013:2) "seek evidence not only *of* memory (what is remembered) but evidence *about* memory (how and why the past is remembered in one way and not another)." Beyond linguistics and the cultural/psychosocial forces that inform the ways memories are selected, distorted and re-constructed, this also refers to the mechanics of the memory encounter. From a methodological standpoint this aspect became an increasing point of interest in this project. Whilst all stories rely on processes of recollection, the longer-range span of narratives in historical research is much more dependent on the qualities of memory. How much of the past and how well it is remembered (which amounts to emotional authenticity as well as mere factual accuracy), is closely related to the kinds of retrieval situations the narrator is exposed to. This was something that became

evident to me initially by accident during an early interview: the presence of external, sensory cues precipitated a distinct change of tone in the narrative and unearthed memories quite different in nature from those previously shared (discussed below). This memory component, all the more relevant for the construction of historical narratives, is the focus of the following subsection.

Many of the interviews I conducted were with (what is uncomfortably termed) ‘elite’ participants, Interestingly, because this project is historical in nature, which encouraged the telling of more open-ended narratives over a longer temporal span, the professional strictures of the elite persona which might ordinarily apply appeared to be less of a constraining force here. Telling stories about the relatively distant past, where current institutional practice and policy appears detached from it, provided a kind of safety, allowing greater freedom to share personal impressions. In general, narrative inquiry in historical studies may generate possibilities for stronger emotional content, and for personal views that may deviate from official lines, compared with studies that are more present-focused and evaluative. At least, that was the case in this project, though this point is not quite so simplistic. With some participants there was a degree of ‘subjective distancing’, where “differences in the evaluative implications of past episodes affect(ed) people’s feelings of the subjective distance of those events” (Ross & Wilson, 2003). In other words, past events/practices that are understood by the storyteller as suggestive of personal failure seem further away in time than those events which are considered successes. For example, when discussing the turbulent 1980s – the violence of prisoners’ riots and the SPS’s controversially rough tactics by way of response – participants stressed and repeated phrases such as ‘it was a completely different era’, ‘ancient history’, ‘unrecognisable’. Yet at the same time, I was surprised by how eager people were to talk about it, particularly their emotional experiences. With one or two exceptions, most participants offered detailed accounts that included descriptions of fear, insecurity, bafflement and, to a lesser degree, a sense of betrayal – that management had failed to adequately protect officers.

The Memory Component of Storytelling and the Role of Retrieval Mechanisms

Since the telling of stories inherently relies on memory processes then to say we are (or become) the narratives we tell about ourselves is to say that the contours of our self-recognised identity are shaped by the particular *qualities* of memory (Ross & Wilson, 2003). In a sense this inverts Bruner's analysis insofar as it is the conditions and properties of memory that shape narrative as much as the reverse is true. If that is the case then the varying effects of different memory retrieval mechanisms are important for constructing those narratives and by extension for constructing the self. In other words, the conditions of remembering informs *what* is remembered. Bruner appears to relegate memory processes to an effect of narrative – where memory is organised through the story - rather than having a causal relationship to it – where the story is organised through processes of remembering. “Our very memories” writes Bruner “become victims of our self-making stories” (2003:210). I want to suggest that while the story is the medium through which memories are composed and communicated - which might very well be guided by “culturally shaped cognitive and linguistic processes”, as Bruner asserts - “external perceptual cues (such as particular objects, persons or locations)” along with “internal conceptual cues (such as themes, life themes or feelings)” (Berntsen & Hall, 2004:793) are the means by which those memories are retrieved. Therefore, narrative inquiry should pay attention to memory-retrieval mechanisms; narrative research might be further developed by deliberately engineering situations that contain particular kinds of cues in order to generate particular kinds of memories (and thus stories).

Influenced by Bruner, the prevailing view within narrative inquiry holds that, "making stories from one's lived history is a process by which ordinarily we revise the past retroactively, and when we do we are engaged in processes of languaging and describing that modify the past" (Bochner, 2007:203). What is being referenced here is the engagement of only *voluntary* memory, famously described by Proust as “the memory of the intellect and the eyes, [which gives] us only imprecise facsimiles of the past which no more resemble it than pictures by bad painters resemble the spring.” Without devaluing voluntary memory in quite that way, we might still hold that the autobiographical accuracy it seeks to establish is elusive, that degrees of distortion, though valuable for the forces they

represent, are inevitable. Yet this is the most common form of memory evoked in narrative interviewing. As Berntsen and Hall (2000:790) suggest, “when asked to (deliberately) retrieve memories for specific events, people often respond with descriptions of higher order knowledge”, that is knowledge which is intentionally summoned, offering a summary of events based on rational calculations of what is considered relevant. Revisions and modifications are indeed made; impressions of the past are retroactive projections informed by the accumulated knowledge, experience and position of the teller as they are now, all of which may be culturally structured.

By comparison, *involuntary* memory denotes spontaneous remembering, where there is a stronger embodied and emotive (and a less explicitly cognitive) component, and where myriad cultural and cognitive forces exert less power in shaping the narrative. Movingly, Proust says this of such memories:

(T)heir primary character was that I was not free to choose them, that they were given to me just as they were...the very fortuity, the inevitability of the manner in which the sensation was encountered controlled the authenticity of the past that it resuscitated, the images it let loose, since we feel it striving towards the light, we feel the joy of the real, found again. (VI:187).

Involuntary memories have an immediacy; they require less cognitive effort than voluntary memories and have been found to have faster retrieval times as a result (Schlagman & Kvavilashvili, 2008). One difference, then, albeit crude, between voluntary and involuntary memory is the distinction between re-telling and re-living past events, between recalling the past, and inhabiting it: one is a conscious process of retrieval while the other is, in a sense, transportive. Proust again: “if we get a whiff of a long-forgotten smell we are suddenly intoxicated and...if by chance we come across an old glove [belonging to a departed loved one] we burst into tears”, and further exemplified, of course, by the celebrated madeleine and lime flower tea episode where one taste of the tea-soaked cake acts as an immediate vehicle not simply to the re-constructed past but to Proust’s embodied experience of it. Proust’s treatment of involuntary memory, and indeed within literary traditions more generally, is inevitably powered by creative license,

which, through exquisite description, heightens the memory-effect of sensory experience (often defining it as a moment of epiphany), and exaggerates the oppositional split between voluntary and involuntary memory. This vivid lyrical intensity, whilst compelling in literary terms, does not in every way accord to the facts of cognitive science (see Mace, 2004). However, with some caveats subsequent clinical studies have partly confirmed aspects of Proust's anecdotal speculations, and on the following grounds:

1. Involuntary memory is considered “more effective than voluntary goal-directed retrieval in accessing memories of specific episodes” (Berntsen & Hall, 2000:791);
2. With respect to retrieval mechanisms (or memory cues), findings suggest that there is a greater connection between episodic memories and external rather than internal cues, specifically those associated with features of the physical environment (Berntsen, 1996; 2001)
3. Further, there is a connection between sensory cues and emotional affectivity – in relation to olfaction in particular, neuroscience has established a link between the lateral olfactory stria and the ‘neural substrate of emotional memory’(Herz & Schooler, 2002:22; Herz & Cupchik, 1992). Some studies have suggested that verbal cues more frequently trigger involuntary memories, but still maintain that sensory cues have greater emotional affectivity and therefore become more salient for individuals (Mace, 2004) and thus perhaps over-privileged in research;
4. While involuntary memories were originally understood in terms of intrusive or negative recollections associated with traumatic past events (Horowitz, 1975; Klos & Singer, 1981), more recently they have been shown to include positive and neutral emotional content (Berntsen & Rubin, 2002; Brewin et al, 1996).

This last point may serve to offer limited ethical cover for research that attempts to trigger involuntary memories. It does so by counteracting the argument that in every case such memory encounters are emotionally disturbing and consequently

unwanted. In terms of this research I was persistently mindful of the possibility for distress that certain kinds of segregation experiences, specifically evoked through external cues, might involve. However, given that this outcome is more likely with people who have been segregated (i.e. prisoners) rather than people who have imposed it (i.e. officers and policy makers), and given that the vast majority of interviews were conducted with the latter, the likelihood of distress was minimal, though there were moments of obvious discomfort, as indicated above. The ex-prisoner I spoke at length with, and on numerous occasions, demonstrated an active willingness to engage with the more painful aspects of their experiences, repeatedly volunteering to use spatial prompts as means to describe and explain them. In only one of the other interviews did the emotional pitch of the story, specifically provoked by spatial triggers, feel problematic, and in that instance I re-directed the conversation to more neutral ground by asking more general, factual-based questions.

Importantly, academic memory studies, unlike literary traditions, establish something of a synergetic relationship between voluntary and involuntary memories with neither category having precise or contained parameters. The mysteries of consciousness and the still contested processes of cognition that are linked to memory retrieval render any rigid delineation near-impossible. Given these difficulties, Mandler (2007) helpfully suggests using the epistemologically looser categories of 'expected' and 'unexpected' to describe and explain particular memory encounters. If we can apply these insights to personal autobiography we might also draw on them when constructing institutional history since the content of the stories people tell about an institution's practices – the order and nature of knowledge they remember with regard to it – are similarly generated by, if not entirely contingent upon, the memory-retrieval situations within which narratives are told. In this project I wanted to write a history that engaged with the phenomenology of segregation, to explore how it felt to live within and to impose different kinds of segregated conditions. On this basis I was interested both in participants' general summaries of the past but, pertinently, in their lived experiences of specific episodes from that past. Developing ways to

evoke involuntary memory, therefore, was a useful avenue of investigation. Moreover, given the socio-spatial perspective this thesis takes, I was interested in how the spaces of segregation affected people's experience of it. To explore this I used spatial prompts in some interviews (photographs of particular sites, floor plans, drawings) as well as conducting other interviews in the actual spaces where segregation was/is operative. By accident more than by design I found that in some cases these spatial cues triggered involuntary memories, which altered the nature of the story being told – sometimes radically. Certainly the constructed linearity of stories was temporarily disrupted, and in this sense conformed to Mandler's 'unexpected' categorisation. I found that external cues, especially when they were heavily sensory, often provoked emotional responses and enabled stories to be told that felt almost atmospheric, where one had a sense of the feel and smell and sound of a place.

Journalists and documentary film makers routinely employ such methods. As standard practice they report incidences by actually *being there* in the locations where the incidences occurred. They interview people in significant environments often touring them together thereby allowing the space itself to foreground the story as well as, in various ways, to inspire the structure and content of the story being told. Originally inadvertently and later more deliberately, I attempted to apply a similar approach in this project, developing in a very preliminary manner a method of 'situated storytelling' for historical research. In addition to insights from memory studies, as identified above, this method was also informed by those from psychogeography, which the next subsection examines. In terms of practical application I would have liked to have used spatially-informed techniques in every interview. I would have liked to develop a systematic way of doing so. For reasons described in the final section, this was not possible. The fact this method was only partially applied constitutes a key limitation of this project.

Lessons from Psychogeography: the Potential of 'Situated Storytelling'

I did not apply a comprehensive psychogeographical approach; rather, its two basic tenets informed aspects of the interview techniques. These tenets – (1) the

role of spatial affectivity in shaping lived experience and social relations, and (2) the link between what is unconsciously provoked or spontaneously retrieved through what is coincidentally encountered in space – are particularly relevant for narrative historical studies. This sub-section attempts to explore and substantiate such claims, especially to further support the claim that spatial triggers might function as valuable emotional mnemonics.

Guy Dubord (1955), one of its earliest proponents, defined psychogeography as, "the study of the precise laws and specific effects of the geographical environment, consciously organized or not, on the emotions and behaviour of individuals." He tempered the suggestion of spatial determinism, however, by also describing the approach as having "a rather pleasing vagueness", which is fitting given how nebulous this hybrid term has subsequently become. To the extent that this approach is concerned with the affective dimension of environments (particularly urban environments) on emotional and behavioural experience, it shares key characteristics with the broader discipline of environmental psychology. What distinguishes psychogeography is the means by which environmental impacts on individual subjectivities are observed. On this point the concept of *dérive* is employed, referring to a kind of mindful wandering, a 'continuous drift' (Chtcheglov, 1953). It involves physically entering spaces, exploring them without a specific destination or planned route, relying instead on what is coincidentally encountered. Consequently, one might observe and feel the effects of the political structures, relational patterns and aesthetic features of an environment that might otherwise have been missed or taken for granted through force of habit. In this way the un-purposeful though still attentive act of *dérive* serves to reveal "a symbolic order of the unconscious" (de Certeau, 1988).

Traditionally, psychogeographical practices have had a subversive element; they allow for a playful disruption of how we interact with and interpret place. Indeed, given the politically revolutionary roots of psychogeography, the kind of urban wandering originally advanced by the Lettrist Group (later the Situationist International) was actively transgressive; spatial prohibitions were flouted, barriers scaled, forbidden zones entered, and in doing so the meanings of place were radically re-imagined. The ideas and methods of psychogeography have

been used in numerous ways, e.g. with a targeted psychoanalytical focus (Sennett, 2008); to explore the often hidden socio-political and cultural connections within spaces including, more recently, cyber spaces; as a means of examining touristic practices; to investigate how power manifests and is unequally distributed through space; and, as an entry point for literary critique (see Coverley, 2006) as well as for specific forms of travel writing (Ackroyd, 2000, 2007; Moorcock, 1988; Sinclair, 2003). I was interested in how psychogeography, particularly the *dérive* concept, might be applied in carceral settings.

With respect to prison research, ethnographers naturally engage some form of the *dérive* concept: they inhabit carceral spaces, often drifting between areas without a specific purpose, observing practices and people. Yet typically an overt spatial consciousness tends to be absent from prison ethnography hence the value, necessity and growing appetite for carceral geography. But at the intersection between history and social science – that is, where the recent past of prisons is being studied thereby allowing for the possibility of narrative interviews with those who were *there* – such spatially informed methods are less widely practiced. In a basic sense, every act of personal storytelling is situated, which is to say embodied; when we talk about personal experiences, share memories, or reflect on our subjective impressions of events, the stories we tell have a psychic and physical reality. We *feel* as we speak. ‘Situated storytelling’ as a targeted method for collecting oral histories draws on this affective aspect with the aim of compounding it through the use of spatial triggers. This method is legitimised when it can be demonstrated that (a) affectivity yields epistemologically valuable kinds of data, (b) spatial triggers - which may involve directly accessing the spaces within which particular experiences occurred (and exploring them in the manner of the *dérive* concept) and/or using cues such as photographs, maps, floor plans etc., - stimulate affectivity in particularly distinct and interesting ways, and (c) sufficient ethical attention is paid to the potential effects of this method for all participants.

Two examples of situated storytelling

Informed by the *dérive* concept, the first example establishes how fruitful aimless and attentive spatial wandering can be with respect to the unexpected insights that are generated from the associations triggered by spatial cues. The second example illustrates the emotive power of sensory environments as a means of memory retrieval. Both these examples are taken from the same visit to Peterhead prison at the beginning of the field work, before I had carefully thought through interview techniques. We were accidentally applying the tactics of psychogeography and unintentionally confirming the insights of memory studies. It was after the fact when I reflected on my field notes and on the interview transcript that the value of these elements became apparent. Subsequently I attempted to employ similar techniques but found there were particular practical challenges in doing so – these are described in the final section. Nonetheless, there were other ways to adapt spatially-informed techniques through the use of non-sensory spatial prompts.

Example #1 – *Touring Peterhead prison*

In June 2013 I visited Peterhead prison. At that point most of the prison was in a state of disuse as the drive to construct a brand new, purpose-built ‘community facing’ prison (HMP Grampion) were nearing completion. There was still a small number of prisoners contained here but the vast majority had been transferred elsewhere. Some of the auxiliary buildings had already been completely razed⁴, much of the prison complex was a building site, and the new prison was almost built. The juxtaposition was stark between the ash-black stone of the 200 year old Victorian convict jail and, close by, the pale almost gleaming edifice of Grampion - both monoliths of progress in their own times, both in their own ways physical testaments to the enduring traditions of punishment. Almost proportional to the noise and activity of the building site was the near-silence and dormancy everywhere else. Walking through abandoned wings and people-free courtyards, entering virtually empty spaces or filled only with the material detritus of

⁴ It was particularly unfortunate that the self-contained accommodation block - formerly known as the 10 Cell Unit, and later used variously as a staff training facility and for containing enhanced regime prisoners – had been demolished by the time I visited the prison. This unit had certain spatial features that were intentionally designed into the structure in order to operate the targeted regimes it did. And yet, I found no photographs of the space in the Peterhead archives. The importance of narrative testimonies of the space (and what occurred in it) are therefore all the more vital.

institutional life, feeling the cold and smelling the bodily traces of its former caged men, which, in the arched ‘slopping out’ areas was still disturbingly pungent, was in every sense haunting.

Wandering through the mostly vacant spaces, I was accompanied by an assistant governor who almost played the role of museum tour guide. On this ‘*dérive*’, particular details of the space were noted and discussed, the implications of which I’m not sure would have properly registered had we conducted the interview in an office. Aspects of prison management, of prisoner containment, and the experience of supervising these tasks, would have perhaps gone unnoticed had I not be able to point to specific features and ask what they were for, how they were used, why they were necessary, what effect they had, how officers and prisoners negotiated them, etc. Some details of note:

- The Lino flooring throughout the halls, including within the Digger, was added in 1993, before which time the hard concrete was left exposed (exacerbating the cold and presenting a hazard during bouts of violence);
- Each cell door had a metal bung, another 90s modification, for water hoses in cases of fire – a response to the dangers of the troubles in the late 80s, and reflective of the emerging health and safety agenda;
- Cell windows were built high into the wall so that a view of the ‘outside’ could only be glimpsed by standing on the heating pipes running along the base of cells – a Victorian design presumably intended for security reasons and to encourage internal reflection by, amongst other things, restricting communication between prisoners in adjoining cells. Windows were a honeycomb of very small glass panes, with the bottom four panes left glassless for ventilation. To keep the fierce cold of the North Sea at bay they initially had wooden coverings but these were later removed in the mid-1980s since prisoners were tearing them up and using them as weapons.
- The top floor of the halls had extremely narrow galleries making it difficult for more than one officer to supervise prisoners. For this reason,

at times of disturbance difficult prisoners unable to be accommodated in the Digger due to lack of space were confined to the bottom flats only. During total lockdowns involving mass segregation (which occurred for significant periods throughout the prison's history) access to the top floor landings was controlled via temporary cages erected around the connecting stairways.

- The accommodation blocks were vast buildings with towering ceilings and multiple landings, between which were “suicide nets” to prevent accidental or deliberate injury.

Such details generated lengthy reflection by my tour guide, who offered micro stories for each of them drawn from his own experience. The precise design and layout of halls, once registered, sparked discussion of how prisoners manipulated the space during confrontations with officers, and in taking control over aspects of their daily living routines. In turn this spontaneously precipitated memories of vulnerability. Recalling the violence and aggression within these settings – which the space itself in various ways enabled – initiated broader policy-oriented dialogue. Unprompted, my guide spoke of the primacy of the ‘custody and order’ agenda over that of ‘care and opportunity’, in spite of what the rhetoric indicated from that time. He spoke of officers’ resistance to small units, characterising them as “fanciful” with prisoners given “too much say”. He talked about the rituals officers observed before entering certain spaces and before transferring prisoners from one segregated zone to another; the advice given to rookies during lockdown periods to keep their ‘helmets down!’ to avoid dirty missiles and other weapons. Under those conditions he explained the tensions between ground-level officers and management staff: “it wasn’t their chin on the line”. The accumulation of these recollections along with the vividness of particular memories was, I think, in large part effected by the fact of where and how our conversation was conducted.

Example #2 – *Sensing* the Silent Cell

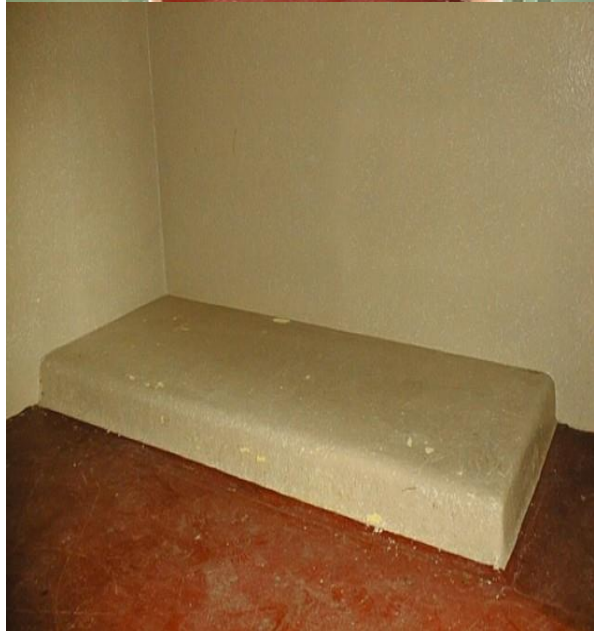
Cold-boxed in a block adjacent to the Digger, the Peterhead silent cell is a cave-like space, windowless, shrouded in low artificial light or in total darkness. The

space is slightly larger than a typical cell, an effect compounded by the absence of furniture and fittings besides the low plinth intended for resting - original design attention given to sleeping and toiletry arrangements was understandably negligible given the restricted time periods – hours rather than days – for which this space was used. What distinguishes the silent cell in Peterhead from both mainstream and segregation cells as well as from other silent cells across the prison estate is its novel internal construction: it is a ceiling-less box within a cell which can be viewed from above via a small staircase built along the right hand side. (Fig One illustrates these features). The sparseness, the sensation of being watched from the shadows above, the scent of dust and dank concrete, the absence of any view of an ‘outside’, together created a deeply uncomfortable atmosphere. In this setting, the account given by my guide of Peterhead’s history switched to an acutely personal story of his lived experience of it. He remembered what it had been like as a young officer to hustle a rebellious prisoner into the cell, how he had felt doing it, the noise the prisoner had made as he shouted and banged, struggling. Standing in the freezing, uninhabited room, he recalled a particular incident where he had been locked-in with a prisoner in the course of a bungled transferral process, “only for a few minutes but it felt like hours”. He remembered the anxiety, the uncertainty; he looked unnerved. The telling of this story in this echoing space sparked a chaining of memories. He talked about what it took for officers to do this job safely and effectively, continually exposed to danger then to return home depleted to play the role of father and husband: “you had to shower when you got home to wash the smell of the prison off...nobody wants their kids to know about dirty protests.”

The transportive memory effect of this setting generated an emotional poignancy and a richness of detail so that it seemed as if we were talking of events that had only just occurred. There was a Proustian immediacy and impact which felt quite distinct from discussions preceding and following this encounter, and which unearthed previously veiled ambivalences about the disconnect between how officers and prisoners perceived and treated one another, between operational and ethical demands, between policy and practice, and between the pressures of professionalism and the private unease of individuals who were tasked with

forcibly segregating others. T.S. Elliot said “the first condition of right thought is right sensation – the first condition of understanding a foreign country is to smell it.” Without direct experience of imprisonment, I initially felt lowered and dejected in the silent cell, shamed that this kind of environment was where we kept human beings. I felt I understood more of what the fact of segregation might mean for prisoners and what it might indicate about the system which imposed it. I had not been considering the emotional complexities and real pains experienced by officers until the memories my guide shared interrupted this limited view, expanding it with manifold shades of subtlety.

Fig One Silent Cell - Peterhead prison





What I would do differently

Archives

As previously noted, there are significant gaps in the archives. Certain materials have been either destroyed, lost or exist in personal collections only.

Consequently, parts of this project are under-sourced requiring a more speculative approach informed by fragmentary evidence. While this might be an inevitable shortcoming of all historical studies, in this case the archival deficit might have been reduced had I approached the research more creatively. I could have spent more time scouting archives kept in individual prisons instead of relying primarily on what was immediately available in central stores. Equally, I could have

worked harder to identify personal archives and attempted to access them. The impulse to conserve documents at an individual level became more evident as the research progressed; many participants alluded to their own archival collections, which in many cases I did not pursue chiefly due to time constraints. At the beginning of this project I over-estimated the extent of institutional record-keeping. I naively assumed the SPS would have a comprehensive store of data including raw statistical information stretching back decades, rules and regime information for every segregation site, records of meetings, and a full set of planning reports. This was not the case and had I been cognizant of that I would have made a more determined effort in seeking permission to access private collections. Of the archives I did manage to discover and access, it took me a while to learn how to navigate the material efficiently. Since many of the SPS stores are literally kept in un-categorised boxes in filing cabinets in disparate parts of different buildings, I spent long periods reading everything I could find, rather than being selective. As the research progressed I learned strategies for sorting materials, for assessing relevance at a glance, and for rapid, well-organised note-taking (I was unable to take any SPS materials away with me, which meant I was tethered to the spot and had to work within prescribed time limits). This saved enormous amounts of time and energy but I came to it relatively late.

Interviews: Recruitment and Techniques

Given the time and scheduling constraints of a project of this kind I spoke formally with far fewer people than I would have liked, though informally with many more people than I had expected – in the ordinary course of academic conferences and public events it seemed that most people with any experience of the SPS (in whatever capacity) had a view and a set of memories about particular segregation arrangements, and people were usually enthusiastic about sharing them. Nevertheless, whilst I heard a range of perspectives, the research would have benefitted from a more diverse collection of voices. A consequence of snowballing is that one tends to access networks of similarly positioned people. If I could go back to the beginning I would spend more energy locating people who had served as ground-level officers during key points in this history. I would also have liked to speak with senior members of the now defunct SPOA. The tensions

between officers and management particularly with regard to how segregation was conceived of and implemented is a theme that became increasingly apparent throughout the research. I would have liked to explore this further. Two additional groups of people whose memories would have made a valuable contribution to this project are members of the architectural teams who designed or adapted particular segregation spaces, and prisoners who spent significant portions of time in spaces of protective segregation. Both of these groups are difficult to access: the first because (a) many sites were constructed in the distant past so their architects are no longer living, and (b) where this is not the case, there are significant gaps in the archives so that it is unclear who was involved in this process; the second group includes the sex offender population, and those people who have experienced heightened vulnerabilities in carceral settings. Given the confidentiality of prisoners' files (and the fact that many have not been retained) and given the ethical sensitivities surrounding this group, I was unable to pursue this line of inquiry. On reflection, however, I might have found ways to negotiate these barriers. I had the opportunity to conduct several interviews with an ex-prisoner who had spent the bulk of his incarceration in Peterhead prison, eventually graduating to the enhanced regime block (formerly the Digger). His insights proved extremely helpful in building a picture of the experience of protective custodial separation. It is a significant limitation of this project that I was unable to incorporate this aspect of segregation into the final thesis. The amount of material I gathered relating to other arrangements meant decisions had to be made about how to prioritise content within the prescribed word limit. The information I gathered on protective segregation was comparatively limited and for that reason I decided to prioritise administrative and punitive segregation forms given the significantly more extensive and varied range of data I was able to access with respect to it. There is a sense of waste about not including all the material I have gathered (and how unfinished the thesis feels as a result), though I do now have a small but valuable store of information and transcripts on protective segregation which might be marshalled in a future project. (The trope of thesis 'abandonment' rather than 'completion' exists for a reason).

With respect to interview techniques, there were many obstacles to fully implementing the methods theorised above. The relative ease at which I was able to employ elements of psychogeography in Examples #1 and #2 above was the result of Peterhead prison being virtually non-operational. The extraordinary history lesson I received on this tour, structured almost entirely by personal memories, would not have been possible had the prison been fully functional. We would not have been able to enter the deepest places, or to linger on particular features. The route would have been carefully stage managed and hugely limited in terms of both time frame and access had the prison been operational. These differences became patently obvious during the ‘walking interviews’ I attempted with other staff in other prisons. That said, while touring some presently operative segregation units (in Glenochil, Shotts and Barlinnie prisons), on each occasion guided by officers of long-standing service, I was able to see its unoccupied areas: the exercise “pens”, the “safe cells”, staff areas etc., and to ask targeted questions regarding the features they contained. But notably, I had to actively request to view these spaces and I had to gently push to extend the time we could spend talking within them. The extent to which we were able to slowly explore and digest these spaces, to loiter and change directions - thus allowing the space to subtly direct conversation – was critically hampered by operational demands as well as perhaps by the incongruence between un-purposeful wandering and professional behavioural norms. Within strict boundaries, then, researchers might conduct ‘walking interviews’ with their prison assigned guide as they tour certain areas, but the opportunity to conduct situated interviews within areas of historical relevance specifically with people who were there (e.g. ex-prisoners, retired officers, former policy-makers, etc.) is, in almost every case, unfeasible. There is also the problem that relevant spaces might no longer exist, that entire buildings might have been demolished or so radically adapted as to no longer represent its previous form thus undermining the potential for memory-retrieval through sensory and emotional affectivity.

Spatial Prompts

On the use of spatial prompts in interviews conducted in ordinary settings (e.g. offices, homes, public cafes), if I was organising this research again, there are a

range of adjustments I would make. First, I would compile photographs and floorplans (where possible) of every segregation site before beginning the interview process. I would conduct a number of test interviews to experiment with systematic ways of questioning participants on the basis of these visual aids. I could then develop a semi structured interview schedule that would produce more obviously comparable data. As it was, I was only able to use spatial prompts in a very limited number of interviews – I did not have the materials nor had I understood the value of this method until the research had significantly progressed.

More broadly, I regret the gulf between my initial ambitions for this study and the finished thesis. As with most projects, the tale grew in the course of research, and while the breadth of material seemed to increase, I made the decision to limit the segregation sites I would critically engage with, and in that way attempt to offer a depth of descriptive analysis. An inevitable though unfortunate consequence was the forfeiting of many other, equally significant sites and practices, which while mentioned, were not given equal attention.

TWO

Segregation as a Penal-Administrative Norm; Routine Segregation Measures

In today's world, boundaries are fixed, and most significant facts have been generated...the heroic frontier now lies in the ordering and deployment of those facts. Classification, organisation, presentation. To put it another way, the pie has been made – the contest is now in the slicing.

- *The Pale King*, David Foster Wallace

Segregation: n. the action or state of setting someone or something apart from others.

- *Oxford English Dictionary*

The Impulse to Compartmentalise

The way we live is influenced by urges to categorize and compartmentalise. Such demarcations allow us to make sense of other people, order our environments, distribute material resources efficiently, maintain the security of the group for the benefit of the individual, and protect our personal identities. Human experience is fundamentally structured by the continuous (re)drafting of such interfaces. We intentionally split into separate parts our built environments, our social groupings, and our personal lives – our private selves even. Scholars across multiple disciplines have attempted to explain this impulse. In the context of city-splitting, for example, Carl Nightingale (2012) offers a sweeping history of urban segregation from 5000 BCE Mesopotamian to the bordered neighbourhoods of 21st Century Chicago, arguing in particular that ever since racial designations first entered city planning decisions (1700s Calcutta he concludes), there has been a

global “segregation mania” (3). In the case of social splitting, the French historian Phillipe Aries, in his pioneering work *Centuries of Childhood* (1963), traced the invention of childhood as a distinct and separate category of personhood. This concept, he argued, emerged in the upper classes of the 17th century but did not fully embed across the social strata until the 19th century. It was perhaps one of our more advantageous attempts to categorise human beings since once a theory of innocence/dependence was widely accepted this ushered in new practical mechanisms for educating, managing, and caring for this especially vulnerable category of person. In philosophy, the most significant shift in the history of modern ideas was the Cartesian split between the material and the rational, with the latter framed as master over the former. This cornerstone of Enlightenment thinking (hardly challenged except notably by Pascal) emerged in parallel with the increasing dominance of technology over nature, that which underpinned the extraordinary advancements of the Industrial Revolution. Rollo May (1950), a leader of American existential psychoanalysis, argued that in addition to these crucial divides in the sciences and philosophy, the nineteenth century was also marked by a “cultural *compartmentalization*”.

In art, there was the “art for art’s sake” movement and an increasing separation of art from the realities of nature...In religion there was a separation of theoretical beliefs and Sunday practices from the affairs of weekday life....With respect to the psychological life of the individual, the nineteenth century is broadly characterized by a separation of “reason” and “emotions”, with voluntaristic effort (will) enthroned as the method for casting the decision between the two – which resulted generally in a denial of the emotions. (May, 1950:31)

Influenced by the early existentialist ideas of Kierkegaard in particular, Carl Jung (1933) attempted to explain such psychological disunity with the concept of the ‘shadow self’. He argued that feared parts of the psyche are hidden from our conscious selves, that we separate these (*our*) selves from dangerous thoughts and emotions, burying them instead in the dark corners of our minds.

Together these various tendencies towards compartmentalization suggest that separation(s) rather than integration has been an organising principle for much of our human history and across multiple spheres. It is not surprising, therefore, that segregation as a practical method of order and control has also manifested within the carceral sphere (increasingly so). However, the divisions, boundaries and specific forms of isolation that have been implemented often serve to amplify the tensions they were originally intended to ameliorate. In other words, just as city-splitting was and is intended to establish order (and maintain power structures) through territorial delineation, but instead tends to cement discord between groups, the segregation of particular categories of prisoners, particularly under a rubric of “dangerousness”, has often stoked resentments and led to various forms of protest and resistance (see Chapters Four and Five). Similarly, in the case of psychological splitting, the hidden aspects of the psyche which the ego sequesters away in an attempt to protect the self from its most frightening tendencies (usually those related to sex, as Freud maintained), re-emerge in destructive and uncontrolled ways precisely because they have been so hidden. The crucial point here is that while segregation might be politically expedient in some cases, and seemingly pragmatic in others, it can also be, in the penal sphere specifically, spectacularly damaging from both psychological and ethical perspectives (see Jeffreys, 2013; Coyle, 2002.)

The drawing of lines, where and how, what/who is put within and outside of them, structures human experience, just as it has come to structure the world of prisons (Foucault’s concept of ‘meticulous tactical partitioning’ is pertinent here, discussed on p.86). To that extent, the concept of segregation, understood expansively as the *deliberate and controlled partitioning of spatial social and personal worlds* - along with the particular systems employed to make practicable our impulses to compartmentalise - is a valuable prism through which to gauge a society’s organisation, its general character, and to glimpse traces of its historical roots. Far from being a narrow or singular concept, segregation is a capacious concept inclusive of these ideas of classification, ordering, and differential management. And far from being applicable to only recognisable minorities, the

closer a community is observed the more difficult it is to identify the segregated from the mainstream.

Segregation in Prisons: a Spacious Concept.

Segregation in prisons relies on myriad tools, regimes and spatial arrangements that serve first, in general terms, to order individual prisoners and groups of prisoners, and secondly, in more discrete and targeted terms, to ‘set-apart’ certain kinds of prisoners from the mainstream. That binary constitutes the distinction between routine segregation measures and specialist, or ‘special handling’, measures. The former includes categorisation methods, other processes of differentiation, and systems of spatial and social zoning, while the latter is a more concentrated expression of these methods with greater restrictions, more rigid boundaries, and applicable to far fewer numbers of prisoners.

Broadly understood, segregation is a strategy of penal organisation that has its roots in the systems of spatial and social partitioning within prisons that emerged in the late Eighteenth Century – of which the silent and separate systems are particularly illustrative examples (see Forsyth, 2004; Ignatieff, 1978; Scharff Smith, 2004, 2006; Johnston, 1974; Evans, 1982). Segregation has since developed in Scottish prisons, quite rapidly since the 1950s, into a pervasive and heterogeneous mode of penal administration. The dominance of cellular confinement in modern prisons and later the gradual proliferation of sophisticated segregation forms in the post war period illustrates the fundamental role that ideas and practices of division, isolation and boundaries (of many kinds) have come to play in the carceral sphere. Nevertheless, when segregation in prisons is mentioned what is typically brought to mind are very specific kinds of spaces, practices and experiences that are popularly defined first by their exceptionalism insofar as they are assumed to be an anomalous form of incarceration, and secondly by their exclusivity such as they are viewed as applicable to only and always the very worst prisoners, operationally speaking: the most violent, disruptive and/or vulnerable. On these grounds, segregation is commonly framed in terms of the ‘prison within the prison’, understood as something of a penal aberration, or at least as a discrete, hauntingly extreme type of containment

intended as one concrete response (though demonstrably not a solution) to the real problem of ‘problem’ prisoners.

Spatially characterised in the public penal imaginary by the language of ‘holes’, ‘blocks’, ‘cages’, ‘dungeons’, ‘tombs’, these are places where the practice of individual isolation (a.k.a. solitary confinement) is the norm; places where segregated prisoners’ experiences are shaped by profoundly impoverished physical environments and severe limits on human contact, compounded by distorted perceptions of time and a lack of purposeful, creative activity with disturbing ethical implications (Jeffreys, 2013). What is less commonly understood is that isolation of this nature is not limited to formal segregation units. In the Scottish context, recent findings of the Committee for the Prevention of Torture (CPT), for example, exposed that prisoners in remand units across Scottish prisons (but specifically in Barlinnie prison) “often spend up to 22 hours confined to their cell” (Council of Europe, 2014). Neither is extreme isolation used only as a short-term penal measure. That is, while the system of legal and operational rules governing Scottish prisons may heavily circumscribe the length of time prisoners can be legally kept within various segregation units, throughout contemporary history and into the present such restrictions have been routinely thwarted by continuous transferral between segregation units – a practice known colloquially as ‘ghosting’.

From an international perspective, it has become increasingly inaccurate to understand such extreme forms of segregation as peculiar given the proliferation of so-called ‘supermax’ prisons where entire populations are held in these kinds of solitary conditions. Bauman (2000) argues that such facilities are consistent with the general ‘paradigm of exclusion’ that penal policies tend to rely on in pursuit of order. In the US the Bureau of Justice estimated that in 2005 there were 25,000 people contained in supermax facilities (where solitary confinement is standard practice) and a further 82,000 kept in segregation units distributed across lower-security prisons (Gibbons & Katzenbach, 2006.). In her comprehensive study of supermax prisons, Sharon Shalev (2006) rejects a singular causal explanation for this complex phenomenon and instead offers an holistic portrait integrating discourses around the ‘waste management’ function of prisons (Feeley

& Simon, 1992) as part of ‘the new punitiveness’ (Pratt et al, 2005); its practical consequences in terms of rising prison populations, overcrowding, and attending resource constraints; the decreasing purchase of rehabilitative ideals (Allen, 1981) coupled with a more risk oriented and managerial administrative approach to ‘problem’ prisoners (Ward, 1999); the increased possibilities for economic advantage that supermax prisons provide for communities and private stakeholders (Burton-Rose, et al, 1998; Currie, 1998); and, more historically specific to the U.S., the role of racism in the criminal justice system (Miller, 1996).

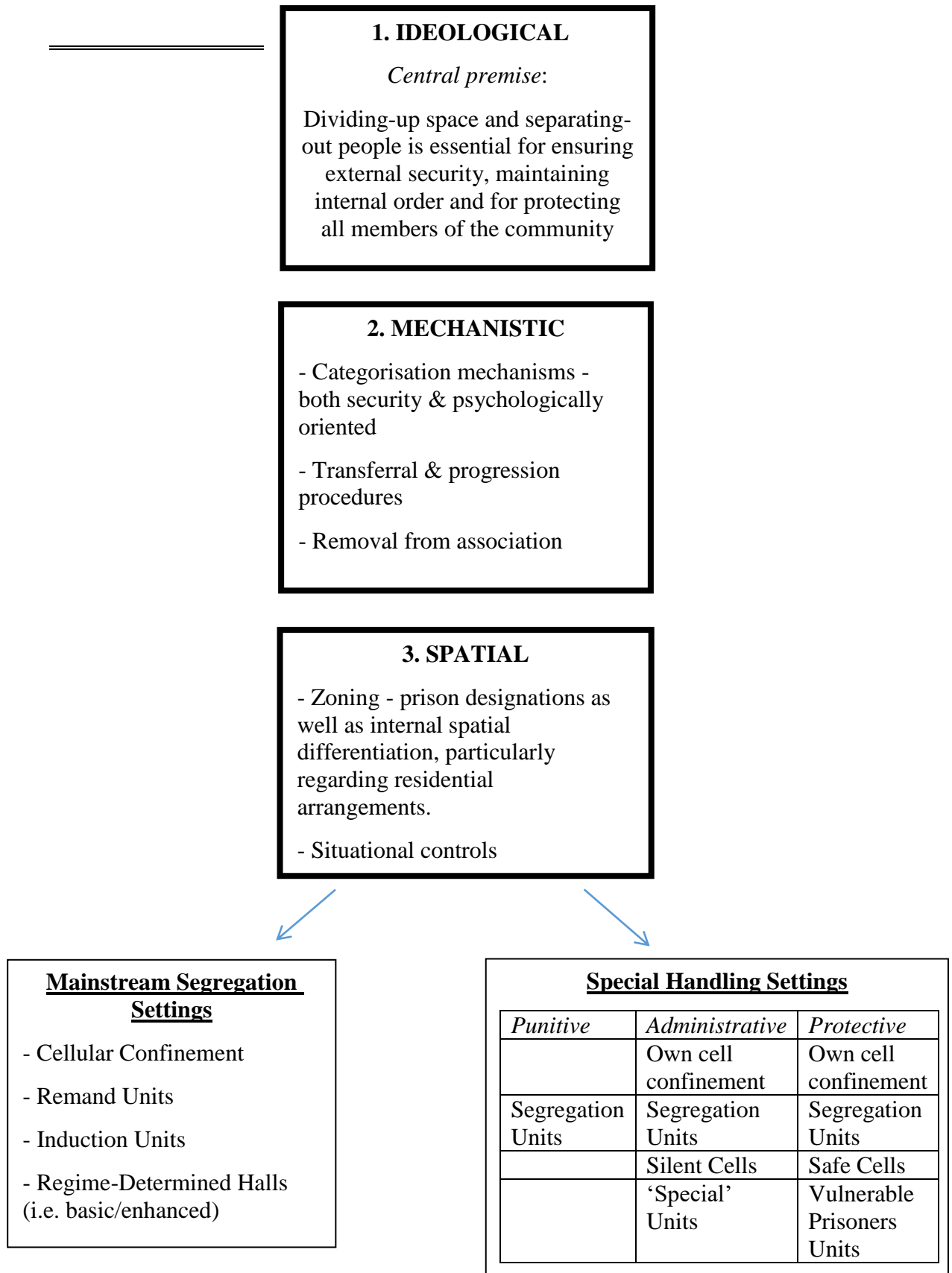
Nevertheless, neat and overly reductive precisely because it is so irresistibly evocative, segregation narrowly understood as only discrete segregation units or as the particular practice of solitary confinement, or as related only to one type of prison environment (e.g. supermax facilities) is simplistic, though it does accurately capture its central and lowest expression. Occupying the nadir-position of extreme custody, the harms exacted by segregation of this kind are proportionately greater, lending moral weight as well as operational urgency to reform efforts (given the associated risks in terms of long-term order maintenance and institutional reputational costs). Solitary confinement has expressly become the most culturally potent segregation practice, a totem of harm around which significant criticism, legal challenge and lobbying activities have been mobilised. To this end, core international human rights instruments specifically addressing the connection between extreme isolation and torture are routinely evoked, e.g. the UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1985), the UN Basic Principles for the Treatment of Prisoners (1990), and more recently, the Istanbul Statement on the Use and Effects of Solitary Confinement (2007). Furthermore, given that solitary confinement as a standardized practice of prison administration emerged at the very genesis of the ‘modern’ prison in the late Eighteenth Century, it assumes historical importance (the next section describes this transformation). For these reasons, it is unsurprising that the traditionally-understood segregation unit, with its customary (over)reliance on the practice of solitary confinement, has come to preoccupy those concerned with segregation.

However, closer scrutiny of the concept of segregation broadens our understanding of the multiplicity of forms through which it manifests within penal settings with regards to spatial and social arrangements. This chapter draws a crucial distinction then between (1) *routine segregation measures*, those which include generalised and widely applicable practices such as categorisation mechanisms, spatial zoning, and the plethora of residential arrangements that whilst ostensibly ‘mainstream’ still serve to segregate prisoners according to discrete categories; and (2) *specialist measures*, encompassing administrative, punitive and protective forms and including both individual isolation and group seclusion, those which constitute the formal core of a segregation subsystem and thus warrant particular attention.

Encouraged by Selznick (1969:4), who argued, “(S)ocial science is best served when definitions are weak and concepts are strong”, in this chapter I explore a number of claims about where and how the conceptual boundaries of segregation might be drawn, using Scottish prisons specifically as a case study to exemplify its various manifestations through contemporary history. To understand segregation, such claims may be further sub-divided into three interdependent components: (1) ideological – the system of ideas underpinning particular kinds of prison administration; (2) mechanistic – the functional practices and processes that make it work; and, (3) spatial – the physical contexts within which segregated prisoners are housed. Such arrangements include both collective segregation and individual isolation. The former involves association between and integration amongst a group in a segregated environment, while the latter amounts to total (albeit short-term) seclusion, where individuals are almost entirely excluded from the company of others and from accessing particular resources.

The nature, interaction between and implementation of these three elements (see Fig Two below) determine a prison’s spatial layout and how it internally operates; it determines who is kept where, why, for how long, and the conditions under which they live. By exploring these elements, this chapter attempts to demonstrate the centrality of segregation thinking and practices to prison management, and the extent to which it has come to structure the lived experience of prisoners.

Fig Two: Elements of segregation



At the level of the individual, prisoners experience segregation through four general processes, sketched below in very general terms:

1. Initial institutional allocation, whereby convicted offenders are distributed across the prison estate, determining whether they will be contained in, for example, Young Offenders Institutes, women's prisons, category A-D adult male prisons, Immigration Removal Centres, or possibly secure hospitals. Untried prisoners are transferred to remand units.
2. At the point of entry, prisoners are housed in separate induction units for the purpose of acclimatising them to the prison environment, providing information regarding prison rules and procedures. They undergo an increasingly technical process of risk/needs assessment, which in turn determines where they are accommodated within the prison according to the predicted level of care and/or control that is assessed as appropriate.
3. Most prisoners are then transferred to mainstream halls and put under a basic level regime. Progression to enhanced level regimes, based on behaviour, may involve transferral to separate mainstream halls. (The 10 Cell Unit in Peterhead prisoner, for example, was re-functionalised in the late 1990s to house enhanced level prisoners). Some prisons have additional facilities for long term prisoners nearing release. Barlinnie prison, for example, has a separate block for long term prisoners, within which prisoners are granted increased freedom of movement and experience far less restrictive controls.
4. For prisoners who manifest particularly heightened vulnerabilities, or those whose behaviour warrants specialist attention – either on disciplinary or administrative grounds – special handling measures are used to discretely segregate them. Segregation units, silent/safe cells, and special units may be used for either short-term or medium-term periods, while formal Vulnerable Prisoners Units, particularly regarding sex offenders, are used in the longer-term, which may involve the entirety of their sentence.

An additional component of penal segregation, which occurs concurrently in a more diffuse, informal manner concerns the ways in which prisoners themselves practice segregation. These unofficial although often quite rigid arrangements whereby prisoners create distinct and exclusive groups amongst themselves, can be both insidious and advantageous in effect. This internal and informal use of segregation is prison-specific, highly variable and shaped in part by the protean patterns of prison populations. The perceived rise of gang culture in some urban prisons and the position it is assumed religious affinity plays in this process is presently of concern to policy makers, prison managers, and academics. However, the misidentification of religious piety, particularly Islamic faith, as *extremism* is of concern (Williams, 2016). Prisoner-orchestrated social segregation has implications for prison management extending to the use of formal segregation measures in instances where fears surrounding security, control and protection become heightened. In turn, the variable nature of staff-prisoner relations on individual wings, informed by how individual officers subjectively understand and execute their role (see Liebling *et al*, 2011) often serves to both magnify and alleviate possible tensions. Indeed this relational spectrum, ranging in nature from the co-operative to the internecine, has wider ramifications for the maintenance of prison order more generally (Sparks *et al*, 1996), and indeed for the subsequent necessity (or perceived necessity) of formal special handling measures.

Antecedents: ‘Disciplinary Partitioning’ as the Paradigm for Modern Prison Administration

Prior to the Eighteenth Century, state-sanctioned punishment was largely corporal. Law-breakers, rebels, rogues and wretches suffered various kinds of public humiliations that tended to have an explicit physical dimension: whipping, branding, the use of stocks, and death by the gallows. Examples of capital punishment imposed on minor as well as more serious offenders can be found throughout the early 1700s, though objections to this practice were gaining traction during this period - Thomas More’s *Utopia* (1615) is one of the earliest written indictments, advocating imprisonment as an alternative for petty criminals. However, the lack of an adequate, centrally-managed and bureaucratic network of penitentiaries required a penal substitute, which was for much of the

eighteenth century the use of transportation to the colonies to parts of Africa, to America, and later in 1786 to Australia following a temporary moratorium after the American Revolution (see Willis, 2005). For the most egregious crimes, or for those who were most unfortunate, public hangings remained a popular form of punishment. The emphasis was on bodily pain and public shaming, often imposed capriciously according to local customs and/or subject to the personal moods of individual sentencers. Local jails and lock-ups were primitive, small, and largely used as temporary holding facilities for those awaiting exile or before the main punishment *event* – and it was very much a designed ‘spectacle’ (see Foucault, 1977). To accommodate prisoner overspill – a product of the rise of petty offending in the wake of industrialisation and the attending waves of urban migration - great floating hulks moored on the banks of the River Thames came to be used, though they were never intended as permanent carceral settings despite being in use for an 80 year period (Campbell, 1994). The concept much less the (now common) practice of long-term imprisonment would have appeared quite bizarre to contemporaneous law-makers. Instead, penal settings were used for the containment of minor offenders, including debtors, who were serving relatively short sentences (Pugh, 1970). Up until the end of the 1700s, many of these penal environments were informal, which is to say somewhat chaotic spaces with few demarcations in terms of spatial function and categories of prisoners, thus allowing for the co-mingling of men, women and children, along with remand and convicted prisoners (see Muncie, 2001). N.B. In early Scottish prisons, the lack of gender-based segregation and general classification was cited as a particular concern by John Howard after his visits to Scotland in 1779, 1782 and 1783 (Cameron, 1983:58).

Within the context of a wider social reform agenda, the nature, methods and delivery of punishment began to shift. From swift, sharp doses of corporal punishment to longer-term sequestering in penal settings; from high visibility public shaming to the removal of offenders from public view. But it is not entirely clear the extent to which, or at what point in time, public appetites for visceral scenes of degradation truly diminished – or whether they have at all. Nevertheless, in opposition to the deeply entrenched views of policy

traditionalists as well as general public apathy (if not outright disdain) for the plight of criminals, a rising swell of independent reformers and commentators continued to react against the arbitrariness and brutality of this system of criminal justice, out-crying in particular the often appalling and unsanitary material conditions of these early penal settings. Amongst them were the now celebrated accounts of John Howard, Elizabeth Fry, Joseph John Gurney, James Neild and Alexander Wedderburn. Charles Dickens' highly popular, serialised portraits of prison life, though fictional, arguably had equal if not more impact in terms of spotlighting the acute deprivations of prisons, and pertinently of humanising prisoners through powerfully sympathetic narratives.

During the period between the end of the eighteenth century and the opening decades of the Nineteenth Century, an uneasy confluence of three sets of factors gradually triggered a transformation within penalty initiating what Foucault terms 'the birth of the [modern] prison' – the admixture of which translated into the operational dominancy of the praxis of segregation:

1. The gradual supplanting of corporal and capital punishment, followed by transportation, as the dominant punitive forms with imprisonment as the primary state sanction.
2. The social and spatial systemisation of internal penal management.
3. The role of religious ideologies connecting particular segregation elements, chiefly individual and total isolation (i.e. solitary confinement), with spiritual salvation.

Once transportation was finally abandoned in the 1850s, the position of prisons as the principal, certainly the most symbolically important, state sanction was reinforced and by extension so too was the power of the state. The expression of this movement was concretised in the architectural designs of prisons: from turreted towers and dungeons to purpose-built monoliths imposing in their dark, gothic splendour and often geographically (as well as ideologically) positioned at the heart of urban communities. Moreover, by the 1860s, there had been a substantial growth in the number of penal laws (Ignatieff, 1978), resulting in the

criminalisation of a larger minority of the population, and since imprisonment became a more widely used penalty, segregation in the first instance – i.e. the spatial and civic setting apart of law-breakers from their communities – readily became a customary and almost presupposed component of the criminal justice system. Whilst overall imprisonment rates remained comparatively low, questions relating to efficiencies became more expedient as the figures grew proportionately, resulting in the second set of factors relating to changes in how prisons were internally organised and managed. This attention to internal operations became especially urgent when prison administration was centralised following the enactment of the Prison Commission in 1878. A bifurcation between local prisons (for short-sentence and remand prisoners) and convict prisons (for long-sentence prisoners) was then established. At this stage prison buildings became yet more sophisticated and deliberate in their external design, more recognisably distanced from society and, crucially, more dependent on segregation mechanisms to structure the internal ordering of space and the people within them.

Secondly then, informed by Enlightenment ideals, there was a move towards reason, towards planned, systematic, what we might now call ‘evidence-based’ management approaches, away from the superstitions, haphazardness and irregularities of the past. In the legal arena and in terms of general public policy this may have constituted a progressive agenda, however the extent to which imprisonment was consequently made a more humane experience for those prisoners was tempered by the increasingly sophisticated (read: oppressive) surveillance technologies and orderliness that rationalisation produced - the aim and effect of which was to intimately control prisoners, and did so extraordinarily successfully. In Foucault’s (1977) analysis, the tremendous power of the state over prisoners’ lives was extended and consolidated by this calculated, coldly rational model of prison administration, involving “enclosed, segmented space” where prisoners were “inserted in a fixed place”, where “the slightest movements are supervised” and where “all movements are recorded.” Bentham’s theory of the Panopticon is taken as the purest expression of how these ideas of optical and spatial control might be achieved: chiefly through segregation practices. While

this ideal architectural form was never wholly translated into concrete reality, nevertheless prisons were transformed from places of collective, mostly short-term quarantine to highly differentiated environments where prisoners were segregated not merely from the outside world but internally segregated by an increasingly complex array of disciplinary mechanisms, those which served to define their daily routines and activities, their capacity to move within and between various zones and, most encumbering and affective of all, their psychological experiences of confinement. Famously contextualising this shift by drawing parallels between differing approaches to leprosy and the plague on the one hand, and approaches to prison organization on the other, Foucault says this:

If it is true that the leper gave rise to rituals of exclusion, which to a certain extent provided the model for and general form of the great Confinement, then the plague gave rise to disciplinary projects. Rather than the massive, binary division between one set of people and another, it called for multiple separations, individualizing distributions, an organization in depth of surveillance and control, an intensification and a ramification of power. The leper was caught up in a practice of rejection, of exile-enclosure; he was left to his doom in a mass among which it was useless to differentiate; those sick of the plague were caught up in a meticulous tactical partitioning in which individual differentiations were the constricting effects of a power that multiplied, articulated and subdivided itself; the great confinement on the one hand; the correct training on the other. The leper and his separation; the plague and its segmentations. (Foucault, 1977, part 3:2-3)

This ‘meticulous tactical partitioning’ predicated on ‘individual differentiations’ changed the penal landscape from collective, dormitory-style prisoner containment (most fully practiced in debtors prisons) to individual cellular confinement (see Forsythe, 2004). A shift that is perhaps the first and most explicit example of a general movement towards the operational primacy of segregation. Notably, however, throughout contemporary history this model of prison organisation has not developed equally across all jurisdictions (in parts of Latin America, for example, group rather than individual residential arrangements remain common, see Berbeck, 2011), nor within individual prison systems (in the UK context up until the 1970s dormitory arrangements were a typical feature of

prisons within the open estate – in lower security categories of U.S. prisoners they still are).

During this period approaches to the management of people through spatial organisation became more intentional, compounded by advances in surveillance techniques and later by technologies. So too was institutional allocation increasingly structured around the principles of segregation, whereby individual prisons were formally designated to separately contain men and women, young and adult prisoners, and low-level and more serious offenders. From a relatively ill-defined, primitive approach of collective warehousing to the regimentation of design layouts which ensured the perpetual segmentation of prisoners through both individual cellular confinement and the functional designation of non-residential spaces into specific purpose-defined areas. These measures were deliberate attempts to control and restrict prisoner association and communication in the interests first of moral reformation and later rationalised in terms of maintaining discipline and order.

The third set of factors that contributed to the transformation of imprisonment, providing further legitimisation for segregation practices beyond a Foucauldian control-impulse, was the divine rooted notion of reformation, and its importance as a concurrent aim with that of simple punitive order. At a point in time when retributive attitudes to social miscreants were particularly pronounced and where public literacy of the dogmas of damnation set the cultural tone, this understanding of wrong-doers as redeemable (and how wrong-doing ought to be addressed) represented, at that time, a progressive liberalism. Although, the often misconstrued leniency of this position masked the heavy burdens it imposed on individual prisons, to say nothing of the oppressive management strategies it subsequently gave rise to i.e. the near-absolute isolation of individual prisoners through, most particularly, the separate and silent systems. The former constituting solitary confinement in the spatial sense while the latter defined the nature of social interactions by prohibiting communication between prisoners in association.

Through an emphasis on the redemptive function of prisons (advanced especially by the Quakers), the system of institutional, systemic discipline became conjoined to the notion of *self*-discipline, underscored by the belief that individual prisoners were capable of effecting their own reform (Smith, 2009). The concern here was not merely with what we might now call ‘rehabilitating’ offenders’ surface selves but with the more profound, all-embracing and spectacularly paternalistic if well-intentioned drive to save men’s very souls. This was thought achievable through almost complete social isolation. As one nineteenth century commentator confidently alleges, ‘it is almost universally found that such self-communion is the precursor of moral amendment’ (Adshead, 1845: x). Insofar as spatial and social isolation was thought to aid processes of spiritual introspection thus enabling a closer proximity to God, segregation was further rationalised and indeed widely implemented as standard practice. On the grounds of contagion, or ‘moral pestilence’ (Kingsmill, 1854) both from a management perspective and in the sense of hindering the purging of sin, the separate and silent systems also represented a coalescence of the control and redemptive functions of imprisonment. For religiously-minded reformers, improving material conditions within prisons may have been a core aim, but the value of spiritual cleanliness was the predominate objective, serving both preventative and curative functions (Evans, 1982).

Such efforts towards the spiritual and behavioural rehabilitation of prisoners were located within a kind of individuating-introspective modernism, made possible by a general movement in social, political and economic spheres towards the primacy of the individual over the collective – this was the period in which society was beginning to structure itself according to the capitalist model of individualism, precipitated by the grand transformations activated by the Industrial Revolution. Stressing the role of individual (moral) autonomy – an ideological trend led by Enlightenment philosophers such as Kant, Descartes and Rousseau – resulted, in criminal justice terms, in a greater onus on the concept of personal, *legal* responsibility. At the same time, attachments to still culturally-pervasive religious ideologies sustained the spiritual notion of personal salvation. In this aspect, like many other features of segregation, it is not the practices of

segregation that have changed (nor in some cases the actual physical spaces) so much as the underlying ideology: from a separate system to save men's souls (the redemptive agenda) to a separate system as a way to mitigate men's risks (the security agenda).

Together these three elements created carceral environments that were structured around the principles of segregation – a meta-structure that endures since for the most part it continues to define the shape of contemporary Western prisons even if they are rationalised in new ways, largely by the various logics of risk-mitigation (as opposed to the expunging of sin, for example). Foucault's descriptions of the internal organisation of the earliest modern prisons in many cases still accurately characterises prisons in the Twenty First Century. While the 'silent' and 'separate' systems fell out of use, finally abandoned by the end of the nineteenth century, Shalev (2009) makes the point that,

Many of the prisons which were constructed during that period, however, remained in operation, albeit in a modified form. Indeed, some of these prisons, including Pentoville in London and Vestre in Copenhagen, still operate today. *Most crucially, solitary confinement became an integral part of prison systems.* (17, italics added)

After more than a century of myriad and strict approaches to segregation, the basic rationale underpinning its use had become deeply embedded into penal thought and administration. To qualify Shalev's argument, in the UK and Scottish context (unlike in the U.S.), it was segregation in a more expanded sense (including both collective and individual forms of isolation), rather than the specific practice of solitary confinement, that remained integral. This durability of the rationale and practices of segregation is attributable partly to the efficiency and orderliness that it produces, which remain key operational aims of prison management. But other factors are also pertinent here, including the issue of architectural constraints.

Architectural Constraints to Routine Segregation Measures

Prison buildings constructed in earlier periods (according to different socio-cultural, political and penal-administrative ideologies) continue to operate as carceral settings. The extent to which they may be re-functionalised on the basis

of more contemporary approaches to prisoner-management – reflective of changes to systems of segregation, for example - is impeded by their original physical layouts and design features. The various stages of prison building in the Twentieth Century (see Dunbar & Fairweather, 2000), which might have provided a genuine opportunity to fundamentally re-imagine the nature of imprisonment through architectural innovation, instead proved remarkably similar in effect (if not eternal aesthetics) to earlier designs. Gone were the ostentatious, symbolic ornaments of power – the towers, menacing gargoyles, foreboding stone columns and wrought-iron gates – replaced by flat roofs, pale-painted exteriors, less visibly obtrusive security measures (i.e. wire mesh perimeter fences rather than high, impenetrable stone walls), and low, stocky building blocks interspersed with patches of green space redolent of less insidious state institutions e.g. hospitals, government complexes and schools. Yet, internally the similarities remained striking: halls of individual cells stacked one atop the other, central (often minimally-used) communal areas surveyed by well-positioned officers' stations with clear sight-lines ensuring maximum levels of optic and spatial control, separate areas connected by long, caged walkways studded by a series of locked doors, and self-contained outside "pens" adjoining segregation blocks.

Prison layouts can be divided broadly into two categories: 'indirect' and 'direct' supervision, with the latter the more advantageous in terms of supporting healthy relationships between prisoners and officers (Fairweather, 2000), and for reducing the tensions that give rise to violence (Wener, 2000).

Prisons with indirect supervision are those where inmates and staff occupy, to some extent, their own territories. Staff may intermingle with inmates to a limited degree, but supervision and control are more remote and characterized by reliance on distant visual surveillance; officers can retreat to their own secure stations. Control may be exercised from one central point or by patrolling corridors or landings... They [prisons] may have central open galleries off a series of landings or enclosed corridors. (Fairweather, 2000: 34-35)

The layouts that more readily produce indirect supervision tend to be older institutions. The monolithic prisons built towards the end of the nineteenth century, for example, were remarkably similar to those constructed a century

earlier given the attachment to stacked cells on often vast landings with central viewing ports allowing staff to manage prisoners ‘at a distance’. The three main prisons in Scotland used throughout the twentieth century – Peterhead (built in 1888), Inverness (1902), and Barlinnie (1882-1897) – followed this design layout. Each of these institutions was initially designed with few spatial opportunities for interaction either amongst prisoners themselves or between staff and prisoners. While the ground floor landings were reasonably large, the upper level floors were incredibly narrow limiting the number of bodies that could be there at any one time. Additionally, there were no purpose-designed areas for general congregation, reflecting the preferences at the time for individual cellular confinement and isolation. The food hatches built into each cell door are further evidence of this orientation; rendering it unnecessary for prisoners to be released from their cells except for ablutions and limited periods of work. This assumption of cellular confinement was even reflected in the design approach to health and safety. During an ‘walking interview’ in Peterhead prison, I asked my guide, an SPS officer of long standing, what the bungs in the cells doors were for, he said “they were put in in case of fires... sometime in the 70s I think...the hole is the size of a water hose”

The predicament for progressive-minded penal managers – those who accept the benefits of direct forms of supervision – is how to foster more and better interactions in a physical environment that severely inhibits this. Beyond expensive, time-consuming, and politically sensitive building projects, this dilemma requires huge feats of imagination and innovation – which are qualities that have not generally characterized prison administration, particularly when operating within restrictive and unyielding design frameworks. The intersection between architecture and ideology is important here; they can work in symmetry just as one can either impede or indeed expedite the positive evolution of the other. For example, the built environment of cellular confinement can, as shown above, hamper efforts towards more collective and participatory forms of community (and direct supervision). But this very design layout can also, when managed in a particular way, allow prisoners the degree of privacy, solitude and safety that human beings require for wellbeing. Research suggests that single

occupancy housing (i.e. individual cells) has fewer negative psychological effects on prisoners than either double occupancy cells or dormitories (Fairweather, 2000). Wener (2000) provides an explanation for this association between privacy and personal safety, as well as its advantageous implications for prison security:

Privacy – in particular, environmental support for exerting control over social interactions – can play an important role in affecting inmates sense of security. A door to a cell or bedroom that can be opened or closed gives inmates the ability to shut off or remove themselves from potentially difficult situations. If, for example, another person is agitated and threatening, and inmate may be able to avoid confrontation simply by going into his or her room. The ability to increase or reduce access to others in this and more subtle ways can alleviate the tensions that lead to violent confrontations. (52-52)

In *The Ecology of Survival*, Toch (1992) presents a similar argument but does so from a more explicitly psychological and less instrumental perspective:

The incentive to privacy is the threat of overstimulation. This threat is “transactional” in the sense that some persons are more annoyed and endangered by stimulus “overload” than others. The need for privacy is related to introspection, for instance, in that a complex inner life demands protection from interference....Even where insulation affords opportunity for study or reading, the main benefit often seems to be of “peace” (freedom from excess stimulation) and “relation” (modulated feelings and thoughts). (36-37)

On this basis, the cellular confinement design of older prisons might be beneficial from the vantage point of both prisoners and prison managers. Crucially, however, there is something important here about the concepts of autonomy and ownership, i.e. who has the power to determine when prisoners can retreat into private spaces and when they can interact with others, as well as the extent to which they understand those spaces as *theirs* (see Chapter Four for a full discussion of the autonomy concept). When those elements are achieved the traditional architecture itself, while originally inspired by seemingly anachronistic ideologies, can in fact foster more progressive management approaches.

The Contemporary Objectives of Segregation: Security, Order and Protection

Prison management aims have remained remarkably consistent throughout modern penal history albeit prioritised with different emphases and protean rationales at discrete moments in time. The distinction between the general aims or philosophies of imprisonment and the specific aims of prison administration is the difference between asking what prisons are for and how prisons are run. While these questions are connected prison administration is primarily a pragmatic concern for there are certain material realities that despite shifts in penal ideologies remain relatively fixed. “In a very practical sense” writes Coyle (2003:108), “maintaining safety, security, good order and control over the prison population is the prison manager’s immediate objective.”. These elements are linked but the concept of ‘security’ in the broadest sense is foundational. In the first instance perimeter security must be maintained so as to prevent escape (the minimum and fundamental duty of any prison system), which involves the use of security hardware (fences, gates, bars, surveillance technology, guard posts, etc.) for the purpose of keeping prisoners “in”. Internal security, by contrast, is a more flexible concept as well as a more complicated task. In a U.S. Department of Justice report on Prison and Jail Security, Benton and Obenland (1975) defined it as,

...the ability of an institution to control or influence behaviour within inside areas in a manner that is consistent with the safety of prisoners and staff. Therefore, this concept includes the protection of prisoners from one another, protection of staff and residents from one another, and control or prevention of riots and disturbances. (1975:40)

In pursuit of these more prosaic management objectives, a range of correctional methods, broadly encompassed within a segregation paradigm - i.e. predicated on a logic of ‘setting apart’ – have been instituted, including (1) *mechanisms to classify prisoners* into discrete groups, i.e. on the grounds of gender, age, sentence length, risk categories, and behaviours, etc. (2) *spatial zoning*, to create separate regions within the prison with specific functions and purposes used to accommodate prisoners differentially, and (3) a range of increasingly sophisticated *situational controls* to maintain the boundaries these first two elements require.

Prison communities are fragile; as inherently coercive institutions, prisons function with multiple layers of tension, alleviated or aggravated by the particular interaction between policies, systems and cultures operative within individual prisons, as well as the ways in which such interactions are situated in the physical environment itself. Wener (2000) frames these interactions within what he terms a 'contextual model', demonstrating how the physical, organisational and social environments, along with perceptions of the setting, together produce particular responses – those associated with reduced or increased risks of violence and disorder. From an operational perspective, the basic nature of the incarceration project – one set of people locking-up another – is an intrinsically precarious enterprise however it is organised. The interlinked tasks of maintaining external security, ensuring at least minimal internal security, and creating a safe environment is a perennial challenge. A challenge that is more or less complicated by a range of forces that together inform the kinds of relational dynamics that exist within prisons thus determining how stable a community is. These include: the coherence (or otherwise) of a public penal philosophy, that which bleeds down eventually colouring policy and practice; resource constraints especially staffing levels set against both general population figures and specific population demographics, shaped in turn by shifts in sentencing policy and cultures; general material conditions; and, at a more localised level, the prevalence and effects of specific crisis events (high profile escapes, rioting, instances of self-harm, etc.) and the ways in which they are publicly imbibed and responded to. These and other factors contribute to what King (2007) labels 'the problem of containment', described in the following terms:

It is not that difficult to run prisons that are virtually escape proof, though it is very expensive. It is not that difficult to run prisons which minimize opportunities for riot and mayhem, though they also tend to reduce opportunities for everything else to a minimum and they infringe human rights. It is very difficult indeed to run prisons which are more or less escape proof, orderly and safe, which provide programmes aimed at changing offending behaviour and offering prospects of rehabilitation, and with respect to the human rights of staff and prisoners...It is a question of reconciling conflicting aims, of holding things in balance. (King, 2007:329)

Where the general, endlessly debated and inconsistently applied aims of imprisonment (incapacitation, deterrence, retribution, reform etc.) are ideological in nature, the operational aims (security, order and protection) are practical, performance-driven, and reliant on routine segregation measures. Operationally, the balancing act to which King refers is dependent upon appropriate categorisation mechanisms, clear spatial zoning and effective (rather than merely excessive) situational controls. When these systems of segregation function relatively efficiently, and are implemented with basic levels of legitimacy, the majority of prisoners adhere to the rules and regimes imposed on them. But there remain a number of discrete groups that present additional management problems, jeopardizing in various ways the three central operational aims, and therefore warranting a more targeted system of special handling measures with its own separate sets of assessment criteria, containment spaces and specialist controls (see Chapter Three). Before considering both routine segregation measure in this chapter and specialist measures in the next, it is worth examining in more detail these objectives, focusing on security and order given their relevance for the discrete small units discussed in detail in the second half of this thesis. Viewing these objectives through a spatial lens, particular attention is paid to the role environmental factors play in how these concepts might be understood and applied.

Security and Order

Security means a system of defence, it refers most especially to the boundary, and to the strength of that boundary, which keeps prisoners within the confines of the prison. As Richard Tilt (1997:39), a former Director General of the Prison Service succinctly puts it, “we can assume that custody refers to containment of prisoners within the prison perimeter, and that security is the arrangement by which this is achieved.” Security then is not only an intended outcome but a means of ensuring prisoner containment – it is a set of “measures – physical, practical and procedural – to prevent escape” (King, 1997:45). ‘Security Risk’ prisoners are therefore those who have either attempted escape, whether successfully or not, or those who threaten to do so. Counterintuitively, manifestly robust external security measures, while effective in the short term can on occasion contribute in

the longer-term to a breakdown of internal security, which is to say, *order*, such that they may be experienced by prisoners as exorbitantly restrictive and to that extent illegitimate (Sparks et al, 1996). The obvious danger here being not a gradual but an abrupt intensifying of security measures in reaction, leading to what Morgan (1997:65) terms a ‘disorder amplification spiral’.

Clearly connected to security but distinct from it, order is conceptually richer and best understood as,

...any long-standing pattern of social relations (characterised by a minimum level of respect for persons) in which the expectations that participants have of one another are commonly met, though not necessarily without contestation. Order can also, in part, be defined negatively as the absence of violence, overt conflict or the imminent threat of the chaotic breakdown of social relations. (Sparks et al, 1996:119)

Order that is established through consent, often compounded by the provision of programmes, appropriate incentives and, primarily, serious investment in healthy or at least relatively stable prisoner-staff relations, is considered ‘dynamic’ – the positive definitional dimension. With regards to its negative dimension, order may be pursued by way of more static forms of control (i.e. situational security hardware, physical barriers, etc.) and more rigid behavioural controls (i.e. the disciplinary framework), though an over-dependency on such measures tends to create particular kinds of climates that are more likely to breed hostile atmospheres with commensurate levels of prisoner resistance (see Chapter Five).

From a strictly spatial perspective, preventing violent or assaultive behaviour through prison design, thus foiling disorder, has been effected customarily either by instituting concrete boundaries between people and spaces, e.g. walls, bars, cellular confinement (the traditional approach), or by “removing ‘blind spots’ where inmates can hide and assaults can occur out of the sight of staff” (Wener, 2000:49) (the New Generation approach). The pessimistic view, described here by Wener, holds that “since prisons are violent places because they are places where violent people reside, it seems the main role design can play is to keep violent people apart, or to make their actions visible” (2000:49). More optimistically, Young asserts:

The most effective form of control is that which facilitates the voluntary and rational recognition of rules. The most stable forms of order are those in which individuals feel an obligation to rules, not ones in which conformity to rules is imposed by pressures external to them. (1987:111)

Casting autonomy as the conceptual keystone, there are both sociological and environmental implications here – particular design frameworks as well as spatial approaches more broadly understood that allow for enhanced personal/group decision-making regarding the function and use of the spaces in which they live. The emphasis on the consensual component of order maintenance - on systems being accepted and rules being followed by choice rather than by coercion - necessarily requires that prisoners' autonomy is respected, that it can be (and should be) actively mobilised for positive outcomes. Again moving from sociological to spatial analysis, this concept of personal choice-power (see Chapters Four and Six) and its connection to the establishment of safer, more ordered communities, has been richly theorised within the complimentary literatures of environmental criminology, urban studies and human geography, from which useful parallels might be drawn and applied to questions of security and order in prison settings.

Just as violence and disorder in prisons has been, to some degree, attributed to the assumed nature of prisoners (see Wener's comment cited above), sociological analyses of crime and disorder in certain urban environments similarly tend to stress social anomie and demographic characteristics in aetiological explanations of crime 'hot spots'. But in their failure to take account of environmental/design factors, such theories are incomplete (Stark, 1987). Since the 1970s, there has been a growing recognition that there is something vital about the nature of place itself - the design, layout, function and social use (as well as more ideational aspects regarding how the environment is perceived by both its inhabitants and outsiders) – that informs how safe, as in the rates of crime and disorder, a place actually is along with how safe it is experienced as being (Newman, 1972). Arguably, there is some value to importing (at least aspects of) theories that connect crime to the design of built urban environments on the one hand, to

understandings of the relationship between (dis)order and the design of prison environments on the other.

Routine Segregation Measures

Spatial Zoning and Mobility

Prison systems have evolved into a network of separate but connected parts, composed of different types of prisons broadly categorised according to age, gender and levels of security. Individual prisons within each general category have become increasingly delineated spaces in terms of their internal organisation. They have developed into complexes consisting of a number of differentiated regions: reception areas; residential halls where specifically classified groups of prisoners sleep and eat; work sheds; education, health, and visiting centres; outside exercise and recreation spaces; staff offices, etc. What distinguishes prisons from other kinds of state institutions is not the segmentation of space into discrete zones per se – though the design layout is perhaps more defined in prisons than in other settings – but the rigidity of boundaries between these zones, along with the close supervision with which movement amongst them is monitored.

As with every other aspect of prison management, the organisation and use of space have come to be strictly controlled by the ‘keepers’, and in this sense the ‘kept’ are not merely spatially and socially separated in the course of daily routines and regimes but overtly segregated by them. Levels of access to particular provisions, facilities and activities along with degrees of distance/proximity, of remoteness/connection rely on tight spatial and social controls maintained through segregation practices.

Traditional sociological accounts of prison life have emphasised the various ‘pains of confinement’ (Sykes, 1958) that such inflexible restrictions of movement, association and general personal autonomy have exacerbated. Early accounts also stressed the prevalence of staff abuses as part of the domination culture in which prisoners struggled. Continuing this theme, though taking a more technological perspective, Foucault (1977) argued that it is not merely the loss of

liberty, with all the associated psycho-social deprivations that this entails, but the actual institutional practices and policies of internal control that create personal pains. Indeed, while the systemic means by which people are regulated in penal spaces, as well as the disciplinary techniques and technologies applied to both maintain these systems and as a response measure when they are breached, may be motivated by (and actually increase) the drive towards efficiency, it does so at the cost of prisoner subjugation.

The sheer reach of these systems – with the effect on prisoners more recently being described memorably in terms of ‘depth, weight and tightness’ (Crewe, 2011) - characterises such settings as ‘total institutions’ (Goffman, 1968); they are sealed social worlds and thus have quite distinctive internal cultures. Subsequent analyses, however, have considered the subtle and more significant variations to how precisely social and spatial arrangements are organised and enforced within particular prisons; how attending regimes are implemented and therefore differences in how individual prisoners experience their confinement. The basic argument here: it makes little sense to think of the prison as a unitary institutional form, as if all prisons are uniformly alike; it is not a singular universe but multiple prison worlds (Rock, 1996). Moreover, running counter to or rather supplementing the argument that prisons are inherently peculiar institutions - albeit similar to other high control environments, e.g. asylums, military institutions (Goffman, 1968), and concentration or other types of labour camps (Sykes, 1958) - some accounts consider prisoner culture to be a distilled extension of the criminal sub-cultures existing in society (Irwin & Cressey, 1962). In more administrative terms (though the same essential argument), the modern trend in prisons towards social ordering through micro categorisation and spatial zoning might be understood as reflective of wider trends in public policy including especially housing, health, and education.

Interestingly though perhaps unsurprisingly given the relatively circumscribed criminal code (in terms of number of offences), the prevalence of short-term over longer-term sentences, and related, the exorbitant cost of imprisonment, custody rates across both kinds of prisons plummeted in the latter decades of the nineteenth century and early part of the twentieth century: in England and Wales,

for example, the daily prisoner population fell dramatically from roughly 28,400 in 1876 to 11,400 in 1921 (Hobhouse & Brockway, 1922:3). Population figures become highly relevant to the operation of segregation systems when they reach certain levels. The problem of overcrowding along with associated budgetary/resource constraints and the pressures of low staff-prisoner ratios affects, in operational terms, institutional allocation and subsequent transferral processes, cell occupancy, and provision of/access to programmes and activities. In terms of more general effects on the culture and climate of a prison, population figures are one stress factor that can inform the extent to which internal tensions are felt and therefore the degree of internal order that is present.

The salience of movement in penal settings is especially pertinent; the physical borders demarcating prison worlds are pre-determined, largely inescapable, micro-managed and highly regulated. In this way penal spaces conform to what Zhang et al (2008) label 'hyper-organizational spaces' (Hancock & Jewkes, 2011). The internal geography of prisons in general and specifically segregation spaces is highly differentiated. Like honeycombs, prisons are composed of multiple separate regions connected by walkways, corridors and passages studded en route by lockable doors, gateways and other kinds of physical barriers. In the most literal of terms the practices and policies governing how prisoners and prison staff move between and within these zones, along with how those journeys are surveilled, is one of the principal tasks of prison management. Consequently and unsurprisingly questions of mobility within penal environments have preoccupied scholars working in the carceral geography field (see Moran, Gill & Conran, 2013 and Moran, 2015 for comprehensive overviews of theoretical positions and empirical case studies). The challenges and implications of movement in prisons has also been a consideration in the history of special handling measures in Scotland and on a number of grounds.

First, from a management-perspective the purpose(s) of segregation are enacted within and facilitated by the spaces in which segregated prisoners are contained. In practice this means that particular environments must allow for inter alia clear sight lines, the use of surveillance equipment, secure access points, damage-limitation fittings, effective observation zones, the capacity for specialist

provision, etc. All of which must in some way take account of prisoners' daily movements (whether within a unit or between sites in the larger prison). The location of segregated sites within individual prisons in relation to other zones of the prison, those which have sometimes been required for the use of segregated prisons (e.g. sanitation area, visiting areas, work, educational, spiritual, recreation, health facilities, etc.) has impacted upon the kinds of situational security measures thought necessary throughout the connecting parts, as well as on the ways the rest of the prison are managed during those periods of movement. It has often been the case (and not simply in moments of general 'lock-down' during and after bouts of rioting, for example) that while segregated prisoners are moved between areas, the movement of mainstream prisoners is temporarily suspended. This has implications for the organisation of mainstream regimes as well as being something of a logistical inconvenience, so much so that it has oftentimes resulted in greater restrictions on the movement of segregated prisoners, serving to further consolidate a sense of isolation for those who are already denied any meaningful integration with other prisoners. Not incidentally, the awkward positioning of the first small unit in the 1950s (at Peterhead prison) given its close proximity to mainstream halls, was one stated reason for its closure – the feeling of prison managers was that this proximity exacerbated the negative influencing effect of 'problem' prisoners on mainstream prisoners. Similarly the case with respect to arrangements for vulnerable prisoners, sex offenders in particular, who in the interests of their own safety, are rarely ferried between prison zones unless all other prisoners are stationary elsewhere.

Secondly, predicated on this impulse to control internal borders and to rigidly delineate the movement across them of certain kinds of prisoners, segregation units (both standard punishment blocks, but more typically specialist facilities) have become increasingly self-sufficient through the addition of separate outside recreation spaces, gyms, workrooms, conference rooms, and visiting spaces within the units themselves, thus negating the need for segregated prisoners to move out of these environments at all. This produces levels of physical stasis in space and time, degrees of immobility, and the attending sense felt by some

prisoners of being semi-permanently wedged in liminal places that while transitory and alien remain the places to which they are very much fixed.

Thirdly, on a less quotidian basis though still occurring frequently enough to be problematic, the twin issues of unit entry and unit transferral are apposite here. By what measures has it been thought appropriate or necessary to move some prisoners (and not others) to certain segregation sites (and not others)? What circumventing measures have there been in cases where a particular site is not “working” for a prisoner, or if the circumscribed period for which they are allowed to be kept there has elapsed (determined by both internal Rules, and legal parameters)? The once hugely over used (and still operative, albeit much more rarely) ‘merry-go-round’, ‘ghost train’, or ‘round robin’ (as one Governor I spoke with referred to it) whereby prisoners are continually moved back and forth between segregation sites is of particular concern. By contrast, what happens when a segregation site “works” too well, when a prisoner if not quite flourishes then at least copes much better compared to his experience within other sites? This question is more important than it may appear since built into the operating mantra of every kind of segregation arrangement is the eventual transferral of prisoners back to mainstream locations, which has been a source of much frustration and anxiety for prisoners in the context of parole decisions. (If a person can only cope in certain environments but is expected to demonstrate his suitability for release in the very places in which he most struggled to live responsibly then the situation will, of course, feel dire if not entirely hopeless). Movement in this third sense, then, refers to the actual geographical passage of prisoners from one segregation site to another as well as to their altering status as belonging to one or other category

Classification

“If prison architecture is the main ‘hardware’ of prisons” (Shalev, 2007:60) – including the internal spatial zoning that architectural design both produces and accommodates – then “classification is the software of their makeup.” Such is the importance of classification mechanisms that the categories into which prisoners are separated, and the criteria for determining who should be included within

each, define not only the physical outlines of the prison and the distribution of resources to each region, but also have a significant impact on the experience of incarceration for prisoners. In other words, the security category that prisoners are assigned will affect the conditions of their confinement, and more generally, the differentiated ways they are labelled and responded to. Problems occur when prisoners feel trapped (literally and figuratively) in a particularly restrictive environment based on perceptions of their risk potential. (This theme is explored in more detail in Chapter Four).

It is customary to begin a review of classification with the authoritative Mountbatten (1966) and Radzinowicz (1968) Reports (discussed comprehensively in Ditchfield, 1990; Walmsley, 1989). The first of which was established in the wake of a series of high profile escapes from English prisons culminating in that of the alleged Soviet spy George Blake.⁵ The second followed closely after and was therefore located within the same penal backdrop (see King, 2007). Although both Mountbatten and Radzinowicz advocated an ethos of liberalisation, it is their points of divergence on how to achieve this which are commonly noted, namely the respective divide between a concentration policy for the highest risk prisoners versus a dispersal policy - with the subsequent instalment of small segregation units across the penal estate. In the Scottish context Mountbatten's 'Vectis' vision, that which involved the construction of a fortress like institution solely for the purposes of containing the most acute security-risk prisoners, was never a feasible option owing to the limited size of the Scottish penal estate and thus, in absolute terms, the small prisoner population (Bottoms & Light, 1987)⁶. In practice however, a paradoxical integration of concentration and dispersal policies was already operative in Scotland. That is, from the late 1950s until the late 1980s the majority of (perceived) high risk prisoners were concentrated either within Peterhead or Aberdeen prisons, which fostered an increasingly volatile and dangerous culture particularly given the geographical positioning of these institutions, i.e. in the far north of the country, miles from the urban centres from

⁵ It has been suggested that it was not the escapes in themselves that provoked uneasiness, or not only that, but rather the politicised nature of the high status escapees (Thomas & Pooley, 1980).

⁶ As it happened Mountbatten's 'Vectis' never materialised on the Isle of Wight either, as was advocated. Instead it was rejected in favour of Radzinowicz's dispersal solution.

which many prisoners lived (and therefore where their families and communities were)

The concentration of long-term prisoners in remote institutions where modern technology is used to isolate individuals can only lead to alienation, dislocation and confrontation. (Gateway Exchange, 1987: 103)

At the same time as this concentration policy, segregation units within those, and dispersed amongst other, prisons were used as additional spaces of containment (see Adler & Longhurst, 1989, 1994; McNeill, 1988). Such sites were ostensibly used on punitive grounds, though not always acknowledged for that purpose.

Later, with the abolition of the death penalty in 1965, segregation sites began to be used on administrative grounds and additional sites were added to this framework, e.g. the Inverness Unit (and the “Cages”) established in 1966.

Whatever means of classification are employed, practical questions follow relating to the custody arrangements applicable to each category. This is especially the case for the management of high risk or otherwise problematic prisoners given the increased restrictions placed on them, and the higher levels of supervision they are deemed as requiring. Other pragmatic concerns that are implicated in classification decisions are financial. Shalev (2009) makes this point whilst demonstrating the ways such decisions are worryingly impervious to doubt:

The higher security category of a prison, the more expensive it is to house prisoners in it. The outcome of prisoner classification, namely the number of prisoners allocated to each security category, plays a major role in budgetary projections and estimates of future need for prison beds in each security category. These estimates are also used in long-term projections of the prison system’s future construction needs. Since these projections are based on classificatory assignments, classification can be described as a circular process with built-in mechanisms for reinforcing its own predictions and setting in stone administrative decisions and policies. (61)

With respect to security categorisation, if not custody arrangements, the Mountbatten Report exerted particular influence in Scotland. On the recommendations of the Scottish Working Party on Classification, the Criminal Justice (Scotland) Act 1967 introduced a system of classification that was broadly

congruent with Mountbatten's categories (Coyle, 1987; McNeill, 1988). This consisted of four levels of security⁷ linked to the conjoined factors of propensity to escape coupled with the degree of public harm that was presumed likely were an escape attempt to prove successful. We also see evidence in Scotland of a "conflation of security and control issues" (King, 2007:331) characteristic of both reports (particularly Radzinowicz's). This was fomented later by the category of 'dangerousness' inaugurated by the Scottish Council on Crime (1975), constituting a fusion between threats of escape and disruptive potential. Arguably, order rather than security has been and remains a far more pressing concern in the Scottish context - attributable in part to the incidences of disorder that have, in the recent past, sporadically interrupted penal operations. The connection between penal 'crisis' events and penal policy is, however, far from settled (see Scranton et al, 1988; Scranton et al, 1991, Thomas & Pooley, 1980). Also of consequence was the virtually non-existent consciousness regarding mental health during this time and thus the lack of meaningful provisions aimed at alleviating prisoners' distress. This allowed for some highly vulnerable prisoners to be included in the dangerousness category and subsequently to be contained in various segregation settings alongside violent and subversive prisoners (McNeill, 1988). Whether much progress has been made in this regard is debatable. As recently as 2008, a Scottish Government report (Out of Sight), noted:

Segregation or separate cells are used at times, with difficulties faced in making distinctions between mental health and behavioural or management problems. The use of segregation as a response to mental illness is wrong (para.14)

The impact of the Mountbatten and Radzinowicz reports notwithstanding, there has been general reluctance in Scotland to adopt wholesale the policies proposed in England and Wales. Instead, Scotland's penal classification system was from its inception infused with a somewhat crooked philosophy of welfarism, contra to the more risk-oriented approaches of England & Wales (McAra, 1999). This was a kind of philosophy that associated security/order determinations with prisoners'

⁷ Within the most recent incarnation of the Prison (Scotland) Rules (2006), the language of 'security' has been replaced with that of 'supervision', which says something about the changing rhetoric, if not practice, surrounding imprisonment.

‘trainability’ – a clever euphemism obfuscating a more disturbing reality (see Chapter Five for prisoners’ interpretations of this concept). In addition, relationships between Scottish penal elites and lower-level prison managers are of a particular nature, further marking Scotland as unique. Coyle (1987) for example extols the especially ‘close relationship’ between courts, policy makers and prison managers. Similarly, McAra (1999) emphasizes the co-operative elements of Scottish policy and practitioner networks, arguing that this has to a degree allowed Scotland to maintain its own coherent identity. By comparison McManus (1999) recognises a lack of cooperation in decision-making and Adler & Longhurst (1994:106) develop this theme further by stressing the wrangling of bureaucratic and professional discourses. They go as far as stating that “the SPS has been the site of a power struggle between groups of actors acting as the bearers of different ends and means discourses...” (1994: 325).⁸

Trainability

The death toll of the rehabilitative ideal in England and Wales sounded slowly, but perhaps its final peal came during the late 1970s when, as expressed in the May Report (1979: para.424), the definitive view was that rehabilitation has “had its day”. The rise of a more punitive and managerial agenda, characterised by Feeley and Simon (1992) as part of the ‘new penology’, contributed to this demise, yet within Scotland “underpinning these changes has been a continued commitment to the values of welfairism” (McAra, 1999:373). Broadly speaking, this claim may stand up but with it comes the temptation to romanticise these values and to associate spuriously welfairism with progressiveness. Rather, welfairism in Scotland, possibly right up until the mid-1990s, might be better understood as a more complicated and not altogether positive force. Crewe’s (2009) incisive phrase “rehabilitation with edge” could be easily commandeered here – in the prison context, the pointed part relates to the concept of ‘trainability’. Prior to 1987, this concept was key factor in classification decisions (as evidenced by the explicit reference made to it within policy documents governing the

⁸ Certainly from my own conversations, this second, less positive view seemed to be the dominant narrative.

National Classification Board). But what exactly were prisoners being trained for, what were they being trained to do and be?

The trainability system was introduced in Scotland in 1966 as a way to determine prison allocation, and subsequently to manage work programmes and resources.

The criteria was as follows (Scottish Centre for Civil Liberties, 1978):

- a) Prisoners who demonstrate a willingness and ability to benefit from trade are sent to either:
 - Edinburgh (first-time offenders)
 - Perth (all other offenders)
- b) Prisoners who demonstrate no willingness or ability to benefit from trade are sent to either:
 - Peterhead (35 years of age or under)
 - Aberdeen (over 35 years of age)

Exceptions: political prisoners of any age whatever their trainability potential, and first time offenders sentenced to over 15 years, sent to Peterhead.

In effect to be ‘trainable’ meant to be compliant with the imposed strictures of imprisonment, to conform to the officially sanctioned behavioural norms, and to be willing to work whenever and however it was offered and whatever that work actually entailed. In McNeill’s (1988) view this amounted to something approaching forced labour. Trainability was therefore allied with a notion of the ideal prisoner-subject, related more closely to docility, passivity and compliance rather than with a prisoner’s willingness to engage in genuinely rehabilitative processes. It is salient here that education featured rather less in the Scottish prison system than elsewhere (Wozniak, 1987). One retired governor who I interviewed offered this perspective:

Trainability was a flawed concept. We weren’t offering very much at that time and they [the prisoners] knew it...If you class somebody as something, that is what they are. They get branded...We moved the hard cases to Peterhead and you had this situation where a whole prison became notorious and they [the prisoners] took pride in causing trouble.

This comment speaks to processes of internalization – the phenomenon of the ‘self-fulfilling prophecy’ – that form the core of labelling theory (Becker, 1963). A prisoner’s willingness to work and behave as he was instructed (along with other factors such as sentence length and age) determined where he was allocated within the prison estate. Once in the system, a prisoner’s response to work and general (non)compliance affected his progression from prison to prison, from site to site - a game of “penal snakes and ladders” (McNeill, 1988:41). This demonstrates the link between classification decisions – those based on trainability determinations - and questions of both spatial zoning and mobility.

THREE

Segregation as a Special Measure; Small Units in Scotland

The challenge of how to manage the small but disproportionately disruptive hardcore of persistently violent prisoners is an enduring dilemma for any prison system. In the 1960s, when anxieties around security and order were particularly heightened in UK policy and prison-administrative circles, such prisoners were described by Lord Radzinowicz (1968) as those ‘on whom normal sanctions of withdrawal of privileges and loss of remission has no effect’ (para. 168). Without recourse to standard disciplinary measures, the challenge some prisoners posed required striking a balance between ameliorating the threat of escape, maintaining internal prison order, and doing so in ways that were humane and morally defensible. In Scotland specifically, the institutional response was to establish a unique network of small units (see Coyle, 1987), providing a number of alternative custody arrangements outwith the mainstream. Positioned on a control-treatment spectrum, each site was developed with the purpose of either creating temporary respite before prisoners were returned back to normal prison locations, or, following a more explicitly rehabilitative rationale, to address behavioural problems with more targeted programming.

The development of the small units network, as well as other kinds of segregation arrangements, has in part been the product of the fear generated both preceding and subsequent to mass disorder. While often unrealised such fears have served as a powerful galvanising factor in approaches to ‘problem’ prisoners. General fears about the direction of the SPS and criminal justice system more broadly have also played a role in the ways prisoners have understood and therefore ‘acted-out’ their confinement. Fear (mostly born from a sense of powerlessness) has framed the often complicated and usually fragile dynamic between grade-level staff and prison management, who in turn have at various moments expressed frustrations

if not always outright fears about the decisions of their political masters. Not all of these anxieties have been without solid foundation.

The abolition of the death penalty in 1965 (legislatively complete in 1969) fostered deep concern amongst prison officers regarding the potential increase in the number of recalcitrant prisoners with ‘nothing to lose’. While there is no evidence to support the argument that it was this change in the law which was causally or even partially responsible for the troubles that would later blight the SPS, as late as the mid-1980s a large minority of the Scottish Prison Officers Association (SPOA) continued to express (during their annual conference) a wish to re-instate this sanction. This is hardly surprising given the rising hostilities within Scottish prisons at the time, those which would very soon after erupt into full scale rioting. Such tensions were not only apparent between prisoners and the SPOA, but also between the union and individual prison governors; there is evidence to suggest relations had been strained in the decades prior to the 1980s. In a letter from one prison governor to his assistant governor (dated February 28th 1971), the relationship between himself and the local branch of SPOA is described as ‘less than cordial’. He goes on to characterize members of the SPOA as ‘trouble makers’ who were involved in ‘back biting and double dealing’.

Within this cauldron of general hostilities both amongst staff and between staff and prisoners were additional resentments on the side of the latter. One example concerns the parole system, which was viewed by some as fundamentally unfair. The Parole Board reported in 1969 (HMSO, 1969: 7-17) that the rate of applications was low, particularly from prisoners at Peterhead and Aberdeen prisons (where the highest security category prisoners were held). The view of the Board was that prisoners had a perception that their applications would not be granted. The Independent Committee of Inquiry into the Peterhead protests (Gateway Exchange, 1987) found that this perception was retained by prisoners up until and throughout the dark decade of the 1980s. Part of the reason for this was specific changes to the parole system including new restrictions on certain categories of life sentence prisoners (e.g. sexual offenders, and those who are convicted of killing law enforcement officials). The Annual Report of the Parole Board for Scotland includes strong criticism of these policy shifts, while prisoners

experienced the most adverse effects insofar as it contributed to a sense of hopelessness, as well as undermining trust between prisoners and the authorities. This is confirmed by the responses in the prisoners' questionnaires distributed as part of the Independent inquiry (Gateway Exchange, 1987:58-59)

Added to these specific fear-fueling cases, the growing size and shifting demographics of the prison population significantly altered both the nature of Scottish imprisonment and the shape of its systems of segregation. The ballooning of the overall population figures beginning in the late 1960s, continuing almost unabated until the twenty first century, led to overcrowding with associated problems for order maintenance. At a basic level, attending to the minimal needs of too many people with too few resources, requiring grown men to live like infants cheek-by-jowl doubled-up in cells intended for single occupancy, ignites all kinds of sparks that are likely to grow into something more inflammatory. And they did, emphatically. The rise in the number of younger, longer-sentence prisoners during the late 1970s and 1980s (owing in part to changes in sentencing policy, especially the introduction of indeterminacy), was an important factor in creating a small but vociferous population of men, barely out of their teens, who found it extremely difficult to cope with the heavy fact of their imprisonment. Moreover, the inadequacy of staff training, in both length and depth of content (until only very recently) severely limited the capacity of prison officers to manage this complex population. For much of the period under discussion here training consisted of only a six week period at Polmont training college and one probationary year 'on the job'. From the records it appears that the emphasis was placed on mastering control and restraint techniques and other risk-oriented approaches rather than on more dynamic or relational methods of control. Whatever their private views of prisoners, many officers either did not have or were not provided with sufficient training and resources to adequately manage the volatile situations in the ways that we, the public, expected from them. A retired Scottish prison officer I interviewed put it like this:

Participant (P): There wasn't any specialist training or selection of officers for the segregation units. In Peterhead that meant inexperienced

officers were dealing with a very dangerous environment. It was like a little corner in the cold where sunshine doesn't reach.

Jessica Bird (JB): Was there additional training for officers working in small units?

P: Yes, some. At the start I'm not sure how adequate it was. It wasn't developed until later. The incident in Inverness [in 1972, prisoners in the 'Cages' staged a protest which resulted in an officer losing an eye] shows how dangerous the situation was. We weren't prepared.

In terms of actual rebellions – activated inter alia by the factors identified above - throughout much of Scotland's contemporary penal history, incidences of isolated disturbance, physical violence (amongst prisoners and between staff and prisoners), and larger-scale rioting, have scarred the penal landscape. It is not hyperbolic to consider aspects of the regimes of Scottish imprisonment, particularly during the 1950s – 1990s, as brutal (and consequently, to an extent, brutalising), nor to overstate the extremity of the recruscedence of prisoners' protests – either within contained segregation settings, or those which may have begun there before spreading across mainstream locations. The content of such incidences is destructive enough - events included: cases of severe physical injury; several high-profile escape attempts, and one initially successful effort in 1976, which caused the deaths of two staff nurses at Carstairs Secure Hospital and one Scottish police officer; frequent dirty protests within the most restrictive segregation sites, creating the kinds of environments that were in every way wastelands (see Chapter Five); and, as is perhaps most widely documented, the highly incendiary rooftop protests of 1986/7, made all the more dangerous and fear-inducing by the element of hostage-taking (on separate occasions, three prison officers were subjected to this frightening scenario).

Some have attributed such troubles to the bad apple thesis. where sole responsibility is assigned to a small group of rebels. In a letter to a prison governor (dated 1987) a prison officer concluded that the causes of the rooftop protests 'had nothing to do with physical conditions and regimes and had everything to do with the nature of individual prisoners'. Leaders of the SPOA took a similar line, as did the Secretary of State for Scotland, Malcom Rifkind.

A thread running through much of this patchwork history of segregation (small units in particular) is fear. Fear from multiple quarters that the prison system is not adequately constituted to perform its work and to accomplish its objectives, fear that prisoners will act-out, fear when prisoners actually have acted-out, and fear surrounding the messy consequences of that. I want to note at this point that during some of my more in-depth, intimate conversations with prison officers of long standing, I was quite moved and surprised by the degree of anxiety that they had experienced during their service, and by the fact that some apparently still felt deeply when recalling past events.

Participant (P): The staff had been to hell and back. It was a frightening time. You're in an environment where staff had been running around with bin lids to protect themselves from slates [during the roof top protests in the late 1980s]. But even after that, you were exposed every day.

Jessica Bird (JB): So they weren't wearing formal protective gear?

P: They didn't have anything; it was bin lids!

JB: That seems extraordinary.

P: Well I can assure you. When I'm doing presentations for younger staff I really hammer it home that these guys were, um, well, I wouldn't be here today if it wasn't for the bravery, the determination, and everything else of these folk. The system was in complete chaos. It was frightening.

Another participant referred to this period as the 'Battle Royale', and to those prisoners who were understood as the instigators as 'the leaders of aggression'. Another said this – specifically referring to the segregation unit in Peterhead prison:

At that time, it was '88 so the riots were close [reference to the series of rooftop riots of 1986/7], and you had people in the digger but the whole prison was on lockdown then. It was real lockdown. There weren't many there [in the Peterhead Digger] but you could have cut the atmosphere with a knife. Clearly the staff were frightened. They [the prisoners] were the worst ones, well deemed to be the worst. They had been on the roof and the staff had battles with them every day. It was desperate.

This was the fearful, antagonistic and precarious context in which the small units network involved in Scotland. Before addressing the details of specific units, the

next section addresses the conceptual frameworks that defined special segregation measures more broadly.

Punitive, Protective and Administrative Frameworks

In accordance with the amended Scottish Prison Rules (2006) specialist segregation is best understood as a deliberate penal strategy used in pursuit of administrative, punitive and/or protective ends. These three justificatory frameworks apply to the following types of prisoners respectively: those who demonstrably or perceivably pose a threat to either security (i.e. escape) or order (i.e. incitement to disturbance); those on disciplinary charges (for rule infractions); vulnerable prisoners (e.g. sex offenders, ‘grasses’, victims of prisoner abuse, ex-police personnel, etc.), along with those suffering severe mental illness and who cannot be accommodated in a secure hospital.

Punitive (or disciplinary) – responding to specific instances of rule-breaking and used as one, the most severe, ‘award’ in the disciplinary arsenal.

Protective – ensuring the safety of individual prisoners or groups of prisoners on the grounds of both offence and non-offence related vulnerabilities.

Administrative – pertaining to matters of individual and prison security, applied to prisoners who attempt (and/or succeed) escape and to those who present ongoing challenges to the smooth running of the wider prison (inciting disturbances, persistent confrontation, perpetually undermining rules and procedures, though typically in ambiguous ways, etc.).

Each of these frameworks is codified in the Prison Rules, presently under a number of different provisions: r.94 (1a) & (1b), r.99 (1), r.100 (1a) & (1b), and r.119 (1a). These give rise to specific stipulations regarding the grounds upon which individuals may be segregated, the length of time they may be kept in segregation sites, access to due process rights (e.g. legal representation, complaints procedures, right to management intelligence), and the conditions of custody that may be applied in each case.

Within each framework there are a number of sites, practices and rules, ostensibly distinct, with their own timeframes and systems of oversight, intended to function

in clearly defined ways. Fig Three sketches the basic outlines of these special handling arrangements, indicating the types of prisoner to whom each form applies and, in Scottish prisons specifically, the range of sites that have been used to house them:

Fig Three: ‘Special handling’ segregation in Scottish prisons

	PUNITIVE	ADMINISTRATIVE	PROTECTIVE
<i>Prisoner Type</i>	‘Rule Breakers’	‘Disruptives’	‘Vulnerables’
<i>Aims</i>	Disciplinary Order	Control & Security	Safety & Care
<i>Method</i>	Individual Isolation	Individual Isolation & Collective ‘Special Handling’	Individual Isolation & Collective Separation
<i>Locations:</i>			
<i>(a) Mainstream prison settings</i>	-Own Cell Confinement -Segregation Units -Silent Cells	-Own Cell Confinement -Segregation Units -Silent Cells	-Own Cell Confinement -Segregation Units -Safe Cells -VP Wings
<i>(b) Specialist settings</i>		-10 Cell Unit (Peterhead) -Inverness ‘Cages’ -Perth ‘Time-Out’ Unit -Individual Cell Unit (Peterhead) -Barlinnie Special Unit -Shotts Unit	-10 Cell Unit (Peterhead) -Peterhead prison (post designation as national sex offender facility)

Punitive segregation as it is currently practiced is the least complicated framework. Once a governor has decided to segregate a prisoner in response to a particular infraction - which is the most extreme punishment that s/he has the authority to impose - there is usually only a single site in which this punishment can take place: the formal segregation unit. The system regulating punitive segregation has evolved to be fairly proscribed insofar as the timeframe,

transparency of decision-making, prisoners' access to legal representation and complaints procedures are concerned.

Administrative segregation is usually articulated in policy documents as 'Good Order and Discipline', though somewhat erroneously given that 'discipline' is also used in relation to punitive measures, which are expressly prohibited under the administrative framework. Prisoners segregated under this framework are contained either within their own cells on mainstream blocks and for a temporary period (hours rather than days or weeks), or, in more serious cases, in formal segregation or specialist small units. The former may fall under the policy purview of 'removal from association'. In the second instance, it amounts to containment within the formal segregation unit or within so-called 'special cells', both of which lie outside mainstream blocks. (Glenochil prison represents an anomaly since its special cells are not located in the segregation unit but are instead distributed between the two main blocks). There is a hardcore of prisoners who present elevated threats to security and order and thus who have been segregated in alternative, specialist sites e.g. the Barlinnie Special Unit. But this has since been abandoned and in the present context there are no units that are comparable to BSU. Indeed, it is perplexing that while England & Wales have retained specialist sites (e.g. the system of CSC and DSPD units)⁹ the Scottish Prison Service now operates without any such measures.

In relation to protective segregation, this functions according to a similar 'routine' and 'special' binary in terms of the practices and sites that are utilized. In fact, there is not very much difference between how administrative and protective segregation work in practice, despite these frameworks having entirely distinct justifications and demographic targets. Where this is the case with respect to individual prisoners there is a key difference to protective segregation as it applies in the collective sense. That is, groups of vulnerable prisoners may be segregated

⁹ CSC refers to 'Close Supervision Centres', a special system of administrative segregation comprising a number of high security units spread across the penal estate in England & Wales. It was established in 1998 on the recommendations of the Spurr Report (1996) and despite its many changing forms, it has continued to operate according to the principle of 'prisoner progression'. DSPD refers to 'Dangerous and Severe Personality Disordered' used as additional sites of specialist administrative segregation and developed in the mid-1990s.

en masse in the interests of their safety in neither routine nor special sites, but instead may be contained in semi-autonomous units, e.g. vulnerable prisoners units or separate floors for sex offenders located within, or at least relatively connected to, mainstream prison blocks.

Punitive arrangements (used largely on only a temporary basis) have featured in all carceral settings in one guise or another since the beginning of the modern prison as we now recognise it. In the Scottish context specifically, and with respect to protective segregation, approaches to the management of both offence and non-offence related vulnerable prisoners have evolved at something of a distance from, rather than in conjunction with, the network of small units. It has tended to involve more concentrated and collective forms of segregation, i.e. separate Vulnerable Prisoners (VP) halls located within local prisons, operating regimes similar to those in mainstream halls, as well as whole prisons designated as treatment facilities, i.e. for sex offenders, (e.g. Peterhead prison from the early 1990s – 2014). Insofar as sex offenders are segregated spatially from the mainstream but maintain a degree of social freedom amongst themselves within their segregated site, there is something very interesting here about how segregation can create manufactured communities, and what the implications of this are. von Benda-Beckmann et al (2009:9), while dealing with legal constructions of space, are insightful on this point: “The abstraction from characteristics of people placed together, for instance in constructions of ‘community’, often suggest a politically intended ‘equivalence’ while masking important social differentials.”

Additionally, a range of sites of individual isolation have operated on protective grounds, notably Safe or Anti-Ligature Cells. These tend to be either attached to the segregation units of local prisons (often referred to by prisoners as ‘punishment blocks’) or dispersed throughout mainstream halls usually positioned close to the officers’ station. The fact of such cells as settings to mitigate the risk of suicide and/or self-harm, have existed since at least as early as the 1920s (I came across archives in one Scottish prison from 1921 detailing such arrangements). The ways these cells have been designed and used, however, has changed substantially during this period. With respect to the English Prison

Service, Fairweather (2000:41) considers newer safe cell designs to have ‘a more ordered and stabilizing quality, and appears more supporting and calming’.

Every element of the cell was analyzed and redesigned, with furniture and sanitary fittings formed of new materials such as Corian or Velstone to give a unifying character. These are ‘warmer’ materials than stainless steel, but just as tough. Cell certification standards have also been produced which can be consistently applied throughout the prison estate.

In terms of function, as Fairweather suggests, this improved design has in the case of some prisons been adopted for all cells within mainstream halls, not merely specialist cells for at-risk prisoners. By contrast, during the second half of the twentieth century in Scottish prisons, institutions typically had only a few of these cells, and moreover, what distinguished them was not a sensitive design approach but typically increased levels of staff monitoring i.e. regular checks were made of the prisoner often indirectly via the spy holes carved into cell doors.

Of these three segregation frameworks, it is administrative segregation that tends to have the broadest and most ethically pertinent implications from a security perspective, since it is often used in response to the most persistently problematic prisoners. Further, given that the administrative framework allows prison authorities to hold prisoners in segregated custody for extended periods of time, as well as having a vague and quite flexible set of criteria for those who may be included within it, this form of segregation carries legal and rights-based complications.

In the last few years it appears that a significant change has occurred regarding not only the physical geography of special handling sites but also in the functionality of individual sites. That is to say, where once discrete units were used for discrete purposes, each seeking “to achieve very different penological ends, within a common security perimeter” (McNeill, 1988:46), in the contemporary context segregation sites now assume a multiplicity of purposes simultaneously. In other words, different types of prisoners (i.e. the minimally disobedient, the more perpetually uncontrollable, and the especially vulnerable) are housed in the same site but under different rule frameworks (punitive, administrative, and protective). This has many socio-spatial implications with

respect to the (in)suitability of particular spaces for the safe, secure and ethical management of different types of prisoners. In this way, while the distinctions between administrative, punitive and protective segregation are clearly defined within the policy documents (i.e. the Prison Rules and Standing Orders), in practice demarcations regarding their use is more opaque.

The socio-spatial dynamic is significant since particular segregation sites are conceived of and realised in one institutional context and yet many continue to be used in another often for a different purpose than the space was originally designed for. Thus, there may be a disjuncture between how sites are used and experienced and how they are spatially constituted. At times there is a deep incompatibility between the penal architecture of segregation and its penal praxis. There are examples of how this might be reconciled if not by redesigned much less rebuilding prison spaces but rather through innovative approaches to the uses of space, and to who might control those decisions. The management of the Barlinnie Special Unit was exemplary in this way (see Chapter Six), though it was something of an aberration on this basis.

The Small Units Network: Overview

The most challenging group of problem prisoners are the hardcore, disruptive individuals who prove perpetually unwilling or unable to abide by prison rules. In the Scottish context, and according to how the concept of ‘disruptive’ is precisely defined, this group has been estimated to comprise between 0.2% and 5% of the overall prisoner population (Coyle, 1987). It was with this group in mind that the small units network was devised. Despite being applicable to only a small yet still highly influential minority of prisoners, both the anachronistic and the progressive units have provided the catalyst for significant prison reforms along with subsequent shifts in conceptions of how prisons should do business, what it means for prisons to “work”, and how prisons are publicly responded to. For these reasons, emphasising the development of small units in Scottish prisons within a larger study of segregation is useful to the extent that it exposes broader trends in Scottish penal history.

As early as the 1950s there were discussions in Scotland regarding management approaches to especially problematic prisoners. An extract from the minutes of the Whitley Council meeting (dated November 1956) illustrates the concern.

Protection for Prison Officers in Scotland in the event of the ‘No Hanging’ Bill becoming law

The Official Side said that they shared the Staff Side’s concern and accepted that there was need for a special establishment to house the troublesome element in Scottish prisons. This comprised not only murderers – and not necessarily all of them – that a hard and difficult core liable to resort to violence existed and they must be segregated in a separate unit – Rule 36 was only a temporary measure. They pointed out that there had always been a group of violent prisoners. As the Staff Side were aware a new classification system was already under discussion and a Working Party had been set up. It was expected that proposed changes would include the setting aside of an establishment with a high degree of security for prisoners who required special treatment. They gave assurance that the matter would be dealt with as expeditiously as possible.

As well as the standard punishment blocks that have featured in prisons since their beginnings (where solitary confinement was the traditional modus operandi), in the 1950s, soon after this Whitley meeting, the first specialist administrative segregation unit was established in Peterhead prison to address the problem of violent and subversive prisoners. The nature of Peterhead prison as a site of concentration for the most hardened prisoners, operating the toughest regimes, rendered this unit both surprising and perfectly logical. Officers working in Peterhead were, unlike those staffing other prisons, empowered to inflict corporal punishment on prisoners as part of the disciplinary arsenal. This was the last Scottish prison to abandon such practices in 1949 (though according to records the use of the whip was scarce from the mid- 1930s onwards), after which time typical punishments included restricted diet, loss of remission (a particular burden for prisoners), and limited association usually consisting of a short-term period spent in the punishment block.

Given Peterhead’s reputation for robust disciplinary measures, and the associated hostilities amongst prisoners and staff, which were of far greater intensity than in other Scottish prisons, this first unit represented a quite new approach to dealing

with violence and disorder in prison. The unit was rudimentary – it was not purpose-designed but located in an adapted hall partitioned-off from mainstream prisoners - and its lifespan was short. After a period of low use between 1954-6 it was finally abandoned in 1957 but its existence signifies an early adoption of the idea of special handling measures for certain kinds of problem prisoners. There is little archival material left documenting the stated purpose, specific regime, entry criteria and general management of this unit, but we know from subsequent reports that it was largely viewed, internally at any rate, as a moderate success in principle if not quite in practice; it prepared the ground for the more formalised special units – though it was not until 1968 that the next “experiment” was attempted (the infamous Inverness Unit, later known chillingly as The Cages). A Departmental Working Party on the Treatment of Certain Male Long Term Prisoners and Potentially Violent Prisoners noted in its 1971 report that the first Peterhead unit was effective to the extent it “engendered the idea that group isolation rather than individual isolation might be appropriate for dealing with certain types of inmates” (p.4, para. 16). Compared to management approaches south of the border, the Peterhead unit was, in this respect, ahead of its time.

Predicated on an administrative rationale, a number of other kinds of special units have been tested in Scotland, operating vastly different regimes and with varying degrees of success set against their own stated purposes. These include: the Inverness Unit, opened in 1968; the Barlinnie Special Unit (BSU), 1973; the Individual Cell Unit (also referred to as the Hospital Unit or Block, and the McCulloch Unit), 1978; the 10-Cell Unit, later becoming E Hall, 1984; the Perth ‘Time-Out’ Facility, 1989; and, the Shotts Unit, 1990. Each site was built, designed and/or adapted according to a different and individual rationale, housing prisoners with often discrete profiles (but not always), and responsive to pressures both across the Scottish prison estate (along with the criminal justice system more broadly), and with those which became more or less urgent within individual establishments. These arrangements were overseen and evaluated by a variety of internal and external mechanisms (i.e. the HM Prison Inspectorate for Scotland, the Committee for the Prevention of Torture, a number of SPS Working Parties,

independent academic studies, and judgements from other concerned audiences e.g. reform groups, media outlets, family members and the courts).

Why were such units needed in the first place? What had changed in Scottish prisons so that this network of small units was thought necessary in the 1950s when it hadn't been before? Moreover, what was it about the Scottish prison system that enabled a unique small units network to evolve while a similar approach was not, during this same period, trialed south of the border? One broad explanation is that by the middle of the twentieth century the problems caused by 'problem' prisoners were or seemed different, and connected, the traditional responses to them were no longer viewed as acceptable or legitimate; they were no longer practically viable or legal. Another factor was the role of what I am terming here 'personality politics' (described in more detail on pp. 145-149), which is to say, the small size and particular institutional nature of the Scottish prison system allowed greater influence of key individuals over the direction of prison management policy. These factors are explored in the subsequent sections. A subsidiary question, though beyond the scope of this project: what has changed since the late 1990s so that small specialist units are now considered all but redundant where they were once viewed as essential?

Solitary Confinement and Specialist Segregation

Solitary confinement (SC) is a practice that has been and continues to be used in various kinds of segregated custody. It is not, however, synonymous with either routine segregation measures or specialist segregation measures; it may be a feature of both but more commonly it is associated with the latter. SC is defined as "a form of containment where prisoners are held alone in their cell for up to 24 hours a day and are only allowed to leave it, if at all, for an hour or so for outdoor exercise" (Shalev, 2008:1). SC involves almost complete spatial and social seclusion, usually within environments that are materially sparse where sensory deprivations and temporal distortions are common, where opportunities for meaningful activities are limited or in some cases non-existent, where security and surveillance mechanisms are omnipresent, and where contact with the outside world, including with family members, is severely restricted.

As a penal phenomenon it emerged first in English prisons in the late eighteenth century, institutionalised more formally at the beginning of the nineteenth century through the ‘silent’ and ‘separate’ systems (Chapter Two of this thesis discusses these beginnings). The statement below, from a British Home Office Inspection Report in 1838, provides an insight into the way SC was understood during this early period:

...upon the offender in his separate cell all the moral machinery of the system is brought to bear with as much force and effect as if the prison contained no other culprit but himself. His submission then must be immediate and complete....and he will apply himself with ardour to the labour of his hands as a relief from the insufferable burden of idleness and ennui. (Whitworth & Russell, 1838)

Amongst other sentiments, this statement demonstrates that SC was considered beneficial to the extent that it was thought to aid the moral (religiously oriented) process of reflection and thus reformation (Ignatieff, 1978). Compare this with the swathe of contemporary political, legal and cultural documents, usually positioned within an explicitly rights discourse, that denounce the torturous and abusive nature of SC – although in the U.S. context, with its constitutional commitment to States Rights, the Supreme Court has been slower to rule against this practice (see Cohen, 2006). In a wider international frame, this seemingly dramatic if gradual U turn, from prison reform quarters at least, is not simply the product of an historical accumulation of scientifically robust evidence regarding the psychological harms of SC (see especially Haney, 1994;2003, and Kupers, 1999), since as early as the 1790s its ill effects were observed and reported on. Something more complicated has occurred.

Contemporary forms of SC in specialist segregation settings

In the last few years there have been renewed and better informed efforts to end SC, especially as it applies to specific categories of prisoners i.e. juveniles (with some moderate success, especially in the U.S. context where it is used comparatively widely¹⁰). At the same time, though also for many decades prior,

¹⁰ In early 2016 President Obama announced an end to solitary confinement for juveniles in the US federal prison system. Individual states are beginning to show signs of following suit, e.g.

there has been a qualitative intensifying of the ways SC is practiced in some jurisdictions, again in the U.S. – the outlier for punitive penalty more generally. Some commentators argue that the use SC as part of specialist segregation measures has become more noxious (as an experience), and more entrenched and costly (as a practice) in part because of technological advancements:

It is clear that modern technology worsens the conditions of prisoners in supermax prisons and greatly helps the slide to torture in this steep decline of decent punitive values. Prisoners are more isolated, observed and controlled, afforded less human contact and suffer more sensory deprivation than earlier dungeons. (Morris, 2000: 107)

The arcs of the two trends – reform efforts and deeper if not more SC - are linked but only loosely since the movement towards technologically and operationally sophisticated forms of SC has been occurring since the late 1970s, largely under the radar and without much resistance until only very recently, as highlighted by Shalev (2013). In a comprehensive study of supermax prisons in the US, where SC is the *modus operandi*, Shalev argues that in addition to increasingly effective technologies, here has also been a series of ideological shifts regarding the discourses and aims of SC, of which it has become financially, politically and professionally expedient for a growing number of actors to embrace – most notably, private security companies along with prison subcontractors, and prison officers unions (which remain powerful forces in the U.S. penal scene).

The entrenchment of risk oriented approaches to prison administration, beginning in the early 1980s (Feeley & Simon, 1993), influenced these shifts. Risk and security become increasingly linked concepts, both legitimized in the public sphere through the rhetoric of public safety. However, as Shalev contends, ‘What is really meant by ‘security’ in supermax terms is internal control of prisoners’ (2013: 111, italics in text). This is ensured through multiple ‘layers of security’ manifested through strengthened institutional perimeter security as well as segregated unit exteriors, to robust internal surveillance mechanisms and harsh designs of individual cells – what Shalev aptly names the ‘innermost prison’

New York, where a bill to that effect has passed through the state legislature and is now, as of August 2018, awaiting the Governor’s signature before becoming state law.

(120). Buttressed by such security accruals, it is the processes of SC as opposed to the fact of it that has been adjusted.

In places where SC is applied to far fewer people compared with the supermax system (which currently holds approximately 80,000 individuals) and where it constitutes less extreme conditions, such as the system in England and Wales, many of the changes that have occurred have been similarly procedural and technological. By contrast, the architectures of the sites where SC have continued to be used have remained largely rigid and sparse in their design, producing the same environments of low-stimulation they did previously (“the burden of idleness and ennui” identified in the Inspection report of 1898 cited above). They continue to prevent all but the most superficial access to others, even in some troubling instances to medical professionals and legal representatives. They continue to be spaces where living (and indeed dying) is hard to do. In the contemporary penal landscape these features are particularly apparent in the most extreme forms of specialist segregated custody where solitary confinement is practiced, i.e. the segregation cells in the Close Supervision Centres in the English prison system; to a far lesser degree, the standard punishment cells in segregation units in Scottish prisons; and, though not in the same way given the more circumscribed time periods involved, so-called ‘special cells’ across UK prisons, used to contain mentally disturbed prisoners on protective and occasionally administrative grounds.

In his polemical indictment of the prison system in England and Wales, the former Chief Inspector of Prisons, David Ramsbotham, highlighted the disturbing persistence of SC in contemporary imprisonment forms. He pointed out that while SC within secure psychiatric hospital settings - framed as ‘seclusion’ – ‘is used only as a last resort...never as a standard method of managing risk’ and it ‘can be authorised in response to a specific incident, but is terminated as soon as possible afterwards’ (2003:115), this moderate approach is not equally evident with the prison system.

In contrast to the intense scrutiny and supervision of patients in special hospitals by trained medical professionals, prisoners in the basic regime sites, as well as

segregation unit, at Woodhill were held in enforced total isolation in punishment conditions with only one hour out of cell per day.

In view of all the experience and knowledge available in special hospitals, and all that the Prison Service claimed about the decency and humanity of its treatment of prisoners, it is scarcely credible that it could have introduced such a system [Close Supervision Centers, (CSC)] as late as 1998. (116)

This system of CSC in England is in some ways comparable to the earlier network of small units in Scotland, certainly with respect to both its specialist nature and to its prisoner-targets i.e. those who are perceived as dangerous and/or difficult to manage in mainstream prison locations. There the similarities end; it is a much more systematic, standardised and authoritarian set of arrangements, comprising seven discrete units within five individual prisons as well additional CSC cells dispersed across a further three institutions. On numerous grounds this system has provoked significant criticism in all three of the thematic reviews that the Prison Inspectorate has conducted (1999; 2006; 2015) Conditions within the CSC system in British prisons are demonstrably less extreme than in the U.S. supermax system, however the former shares many of the same harmful characteristics of SC, if not implemented to the same degree, e.g. restrictions to association, meaningful activities, family contact, and time spent out of cell more generally. Indicative of these privations, extracts from the most recent inspection are included below:

S11 - Time out of cell varied from around two hours a day to over six in line with the degree of progress made... All prisoners in units could have at least one hour in the open air everyday but exercise yards were very poor. Most units lacked adequate association space and provided too few activities.

S12 - The majority of prisoners said they did not have enough to do either in or out of their cells. Education and work were poor and opportunities to improve them were not taken.

S14 - Work to support prisoners to maintain contact with their friends, families and children was significantly underdeveloped. Visits facilities lacked privacy and were often too small. Some restrictions on visiting

arrangements and physical contact were not clearly based on risk assessments. (HM Inspectorate of Prisons, 2015:22)

Whilst otherwise critical of SC, Morris (2000) concedes that it may be necessary in some instances, but advocates significant modifications to its use; in particular, he argues that it is justifiable when ‘it can be accompanied by a variety of in-cell activities that allow prisoners to be productive and to develop their own capacities without risk to the staff or other prisoners or the community’ (108). In other words, precisely what present incarnations of SC (in supermax and CSC systems) are failing to ensure. Morris’ concerns chime with elements of Jeffreys (2013) ethical argument against SC. Critiquing the damages wrought by this practice, Jeffreys adopts a spiritual rather than the more commonly assumed psychological perspective (e.g. Haney, 1994;2003, and Kupers, 1999). He considers creativity - ‘the neglected dimension of human spirituality’ (2013:7) – as a fundamental quality of human flourishing, and one that is almost entirely obstructed in conditions of extreme social and material deprivation. The productivity and development of individual capacities to which Morris refers (and the absence of which Inspectors of the CSC note with concern) is crucial, on Jeffreys reading, as it relates to opportunities for creative channels. (Jeffreys work on the ethics of solitary confinement is returned to Chapter Four of this thesis).

Shalev’s ‘three-wave’ model of solitary confinement

Shalev (2013) traces the ‘birth of the supermax doctrine’ – a distinctly Foucauldian-sounding phrase – to the reclassification of Marion Prison in 1978 as the Federal Bureau of Prisons’ highest security institution. The forms of intense control and isolation proffered there have since been hauntingly labelled ‘Marionization’ (Richards, 2015). Marion prison began a trend characterised as a ‘new generation of the concentration model, designed especially for long term isolation’ (Shalev, 2013:22), which has clear parallels with Lord Mountbatten’s (1966) concentration policy recommendation in relation to the British prison system. Whilst there was nothing essentially “new” about isolating those prisoners who were considered especially problematic, Shalev provides a useful ‘three-wave’ model for understanding the broad shifts in the underlying

rationales, discourses, practical mechanisms, aims, and targeted prisoners of SC. The “initiators” of these three movements are described in the following terms:

The first wave was initially led by morally motivated prison reformers, and then taken over by prison administrators... The second way was led by psychologists motivated by newly developed behavioural sciences, and it was again taken over by prison administrators. The third wave of solitary confinement, as embodied in supermax prisons, has been initiated by prison administrators and has been accompanied by very little debate outside the prison system. (Shalev, 2013:23)

The first wave (1850s) was intended to save men’s souls, it was applied to all prisoners – in this sense it was a routine rather than specialist measure – and it was experienced by prisoners both individually (the separate system) and collectively (the silent system). The second wave (1970s) was geared towards ‘fixing’ men’s maladaptive minds, with the logic that ‘an environment of unrelenting isolation would make prisoners more susceptible to the next stage of the programme: ‘remoulding’ through therapy and medication’ (Shalev, 2013:17). The third, more amoral, wave (1990s) was a deliberate effort to all but entirely immobilize the troublesome prisoner - with virtually no attempt to transform his spirit or to modify his behaviour; the aim was incapacitation.

How do these stages, or ‘waves’, relate to the evolution of specialist segregation in Scottish prisons, in particular to the network of small units? Certain connections can be made between individual small units and elements of the rationales underpinning each movement, as identified by Shalev - the logic of either (1) moral transformation (1850s), (2) behavioural modification (1970s) or (3) “total” incapacitation¹¹ (1990s). However, what is interesting about the Scottish experience is that the unique character of each small unit – each wildly different from the other – means none conform entirely to only one of these frameworks, and thus the network as a whole does not correspond to the second wave of approaches to segregation as we might expect given the time period in which the network thrived – the 1970s. Fig 4 applies this wave model to the five

¹¹ The term “total” incapacitation’ has been used effectively in another context by Jonathan Simon (2012) to describe the practice and experience of life without parole in the U.S. prison system. See Chapter Four of this thesis for a detailed discussion.

most significant small units in Scottish penal history, identifying the particular features of each that accord with the three historical moments in Shalev's model. I have employed the precise language of both her categories (in bold) and her descriptions of them (2013:25). While all of these small units were isolated from mainstream prison locations, and were architectural composed of individual residential cells, some units involved collective rather than individual isolation for large portions of the day. They may not, therefore, be considered as environments of pure solitary confinement, but since the first and second waves of isolation included similarly collective forms of segregation (though the former more explicitly than the latter), the use of this model remains helpful as applied to the Scottish small units context; it demonstrates how unusual this network was inasmuch as parts of it were either highly anachronistic, recalling practices from much earlier time periods, or indeed prescient.

Fig 4 Small units in Scotland and the 'three-wave' historical model of isolation

	<u>FIRST WAVE</u> <i>Moral Transformation</i> (1850s)	<u>SECOND WAVE</u> <i>Behavioural Modification</i> (1970s)	<u>THIRD WAVE</u> <i>"Total" Incapacitation</i> (1990s)
Barlinnie Special Unit (Collective)	Rules: of morality and self-discipline Discourse: Reformation Equips Prisoner to...: Live as a law-abiding citizen in a free society/prepare to be part of the working force	'Clients': Troublemakers	
Peterhead '10 Cell' Unit (Collective)	Equips Prisoner to...: Live as a law-abiding citizen in a free	Rules: of acceptable societal behaviour	Rules: of acceptable institutional conduct

	society/prepare to be part of the working force	<p>Aim: Modify behaviour</p> <p>Discourse: Rehabilitation/treatment</p>	
Peterhead 'Digger' (Solitary)		<p>'Clients': Troublemakers (more politically motivated)</p>	<p>Regime: Confinement to a single cell; complete separation from others; no work, educational or educational programmes</p> <p>'Clients': High-risk/violent prisoners</p> <p>Role of Isolation: Physically isolate; control/incapacitate; breakdown communications</p> <p>Rules: of acceptable institutional conduct</p> <p>Discourse: Control</p> <p>Equips prisoner to.... Live as per the rules of the prison; unsuitable for a free society</p>
Shotts Unit (Collective)	<p>Equips Prisoner to....: Live as a law-abiding citizen in a free society/prepare</p>	<p>Rules: of acceptable societal behaviour</p> <p>Aim: Modify behaviour</p>	<p>Rules: of acceptable institutional conduct</p> <p>'Clients':</p>

	to be part of the working force	<p>Role of isolation:</p> <p>Physically isolate prisoners; strip prisoners of all previous conditioning</p> <p>Discourse:</p> <p>Rehabilitation/treatment</p>	High risk/violent prisoners
Inverness 'Cages' (Solitary)	<p>Regime:</p> <p>Confinement to a single cell; work inside cells or with others in complete silence</p>	<p>'Clients':</p> <p>Troublemakers (more politically motivated)</p>	<p>Surveillance:</p> <p>Constant</p> <p>'Clients':</p> <p>High-risk/violent prisoners</p> <p>Role of Isolation:</p> <p>Physically isolate; control/incapacitate; breakdown communications</p> <p>Rules:</p> <p>of acceptable institutional conduct</p> <p>Discourse:</p> <p>Control</p> <p>Equips prisoner to....</p> <p>Live as per the rules of the prison; unsuitable for a free society</p>
Perth 'Time Out' Unit (Solitary/Collective)		<p>Name:</p> <p>Adjustment Centers; Decompression Units</p> <p>Rules:</p> <p>of acceptable societal behaviour</p>	<p>Rules:</p> <p>of acceptable institutional behaviour</p> <p>'Clients':</p> <p>High-risk/violent prisoners</p>

The Peterhead 'Digger' was Scotland's oldest segregation site, used as a routine and specialist measure and for both punitive and administrative reasons. It was the site that most explicitly embraced the control and incapacitation doctrine that would later become standard practice within segregation forms across the U.S. and UK, as referenced above. Andrew Coyle (1994) provides a revealing description of the regime and conditions of the Digger at the time he assumed the governorship in 1988. To the extent that he identifies the spatial reality of SC (in this case on punitive grounds), it is a useful extract.

The punishment unit consisted of sixteen cells on two storeys with no communal facilities for association. The cells were stripped of all furniture; only a raised concrete plinth on which the prisoner spread his bedding at night broke the symmetry of the rectangular box. In earlier years prisoners had regularly broken the strengthened glass in the cell windows and used broken glass as a weapon with which to attack staff. Management's response had been to replace the glass by steel plates with drilled holes which allowed a minimum of ventilation and daylight. These cells were intended to be used for short periods by prisoners who were being punished for breaches of discipline. Most of the prisoners who were there in May 1988 had been in these conditions for several months, if not years. (96)

The Digger also had a windowless Silent Cell, which was attached to the unit but in its own separate, adjoining block, providing an additional level of isolation; the cell contained only a mattress on a concrete plinth, prisoners were denied access to work, they were surveilled from above via a narrow landing (which only officers had access to), and they were kept in constant low-level light. The agenda was not to reform prisoners by providing the opportunity for reflection; its purpose was to entirely incapacitate individuals albeit for short bursts in an environment of total control. One interview participant referred to this site as 'an architecture of oppression'. The conditions in the Silent Cell at the Peterhead Digger share similarities with the supermax system as it currently operates in the U.S., which is notable given that it was in use for the preceding century. The Independent Committee of Inquiry into the Peterhead protests 1986/7 expressed particular condemnation of these arrangements:

We see no justification for the barbarous use of cells like the silent cell at all and see no reason why the solitary cells should differ physically **in any way** from ordinary cells. (Bold in original text, Gateway Exchange, 1987:85)

The Peterhead Digger was not formally recognised as part of the small units network despite being the feeder site for prisoners who were transferred to many of the units that were later instituted. It was the first example of a segregation environment that used solitary confinement as a method of control rather than reflection or rehabilitation (however misguided that early approach was).

The Inverness Unit, opened in 1966 amidst fears surrounding the abolition of the death penalty (and thus the assumption that an additional site was necessary to contain prisoners who would now have nothing to lose by violence and disruption) was similarly oriented towards an incapacitation objective. While Shalev identifies this a 1990s development, Scotland was unfortunately ahead of this curve. But the 'Cages', as the Inverness Unit was known colloquially on account of its spatial design, also adopted elements of earlier isolation practices and rationales. It did, for example, allow prisoners to work in limited association with others, recalling the silent system of the 1850s, but for the greater part of each day solitary confinement was imposed. This unit was among the most controversial within the small units network, partly due to the physical conditions of the space. An inspection report of IU in 1971 proposed a number of environmental upgrades regarding lighting, heating, cell space, staff areas and levels (Coyle, 1987), but this guaranteed nothing. By 1976 very little had changed and thus in the wake of recurring public criticism the SPS conducted an additional internal review in which particular concern was raised regarding the lack of social stimuli for prisoners and the inadequacy of work/education opportunities. During this time major and minor disturbances within these prisons continued unabated, conditions remained poor, there were issues surrounding high staff turnover and staff discontent in the IU (Wozniak, 1989), and therefore additional sites of administrative segregation were considered necessary, suggesting if not the failure of present arrangements then at least the inadequacy of them to manage especially difficult prisoners.

By stark contrast, the Barlinnie Special Unit (opened in 1973) provided significant opportunities for association, for individual and group recreation, for creative activities, and for flexible and unlimited contact with families (Cooke, 1989a&b; Coyle, 1987; Whatmore, 1987; Sparks, 2002). The dominant functioning principles of autonomy, democracy and individuality are vividly attested to through the personal testimonies of Boyle (1977, 1984) and Steele (1992) in particular (see Chapter Six). There was some residual attachment to the moral and reformatory agenda that was widely embraced during the first wave of penal isolation (1850s) though in the case of the BSU, this was largely divorced from its earlier religious overtones. The way this unit operated, however, involved an explicit rejection of both the behaviour modification (with its reliance on psychological treatment programming) and incapacitation frameworks – emergent in the 1970s and 1990s respectively. Rather; this separate environment produced more democratic and dynamic social relations within small, relatively autonomous units. As such the pioneers of the BSU demonstrated acuity about what would later become a fairly widespread, albeit still on the ‘progressive’ edges, view of effective administrative segregation. By 1984 the Control Review Committee in England & Wales had adopted a similar position, advocating self-contained units and, within them, a prioritization of staff-prisoner relationships. A rocking of the pendulum then (though not for long), consolidated by the subsequent Platt report (1985) on prison design informed by the New Generation Architectures emergent in the US Correctional system¹². King’s (1991) comparative study of Gartree (England) and Oak Park Heights (US) provided a credible evidential base to these penal stirrings. There were, however, certain challenges related to the liberal regime of BSU, which went some way to de-lionizing what had been in its heyday a cause celebre.

In terms of the effects of penal isolation, Shalev (2008) makes the point that no studies exist showing any positive effects of prolonged solitary confinement, but there are plenty that connect SC to mental disorder, feelings of distress, aggression, despair, hallucinations, and vaguer but equally intense feelings of

¹² Norval Morris’ (1974) work on prison design and regimes signaled the formal beginnings of this new architectural emphasis.

hopelessness. Research has demonstrated these harms as experienced by prisoners in a range of specialist segregation sites, including: ‘supermax’ facilities (Haney, 2003); protective segregation environments (Brodsky & Scoring, 1988); and, special units (Hodgins & Cote, 1991). How are these sites spatially different, how might this affect the psychological impact of SC within them, what are the spatial uniformities that intensify harm and how do they manifest through the use of SC within segregation sites in Scottish prisons? Posing these kinds of questions reflects my attachment to the idea that there is something about the spatiality of SC segregation (according to Lefebvre’s three spatial components), which prohibits the genuine fulfilment of individual wellbeing, the realization of dignity through autonomy in particular (see Chapter Four), thus exacting serious harm. Something that exacerbates the very tendencies it is intended to mitigate: difficult and/or distressed behaviour.¹³ And this ‘something’ may not be the obvious and extreme privations of social isolation but rather the more subtle “environmental stressors”, e.g. heat, noise (or lack of), boredom, unpredictability (or lack of), etc. (Hancock & Jewkes, 2011:623). Features that are not attended to in rights documents with nearly the same robustness as with other concerns.

Territoriality and Security in Small Units

Newman’s (1972; 1990) Defensible Space Theory is particularly instructive on the role and value of exerting personal autonomy within and over our environments – it provides a framework for understanding both the harms of segregation sites (those which do not allow for the expression of autonomy) and the advantages of other kinds of sites (those which do). Grounded by the concept of territoriality, Newman (1972: 197) defines a defensible space (DS) community as "a residential environment whose physical characteristics—building layout and site plan—function to allow inhabitants themselves to become key agents in ensuring their security." Fostering a sense of spatial ownership through enhanced choice-power over collectively agreed norms of behaviour within that space creates, argues Newman, ‘zones of felt responsibility’. Members of DS

¹³ In England and Wales there is some evidence that suicide occurs disproportionately in segregation units (Liebling, 2007:432). A meta-analysis of suicide studies in Scotland would be a useful exercise for this project.

communities are therefore sufficiently invested so as to effectively police themselves as well as providing informal surveillance which serves to effectively police outsiders. The general outcome, this theory asserts, is a safer and more ordered urban environment. There are particularly significant resonances on this point with the prisoner-centered approach to conflict resolution that was adopted in the Barlinnie Special Unit (see Chapter Six). While defensible space theory is open to challenge primarily on the basis of its nebulous, somewhat ambiguous concepts and consequently the lack of strong, consistent empirical support (Hillier, 1973; Mayhew, 1977; Taylor et al. 1980; Hillier & Shu, 2000), it does prove conceptually fruitful in terms of providing a clear framework for thinking spatially, for expanding fields of vision by developing what Soja calls a 'spatial consciousness', and most especially for stressing the importance of personal autonomy in how individuals inhabit and engage with their environments. This way of approaching prison worlds has been somewhat neglected in the prison sociology literature – though more recently it is being pursued with interesting results within the emerging sub-discipline of carceral geography (for a comprehensive overview, see especially Moran, 2015)

The crucial agency component as it relates to order in space has two essential elements: (1) the power to choose how collective space is used, how it functions and is organised; and relatedly, (2) the power of ownership over personal space, where individuals may assert some autonomy over their degree of privacy and/or association. In this way the spatial and social boundaries that might be instituted are chosen or at least collectively agreed upon; particular areas and people are voluntarily separated rather than coercively segregated. How might this relate to order and security maintenance in prison settings?

In the Scottish context, one discrete example of these principles in practice is the Barlinnie Special Unit (BSU). This small, self-contained unit – housed in an adjacent block of Glasgow's Victorian colossus, Barlinnie prison – operated according to a democratic, participatory model of management. Prisoners not only had a stake in deciding who would be admitted to the community and the regime within it, but also, and connected, in how the space would function, what kinds of activities would occur within them, what kinds of provisions the space facilitated

and how prisoners might use them. Additionally, each prisoner had control over access to their own cells, they were given choice over who could be admitted and for how long. A seemingly small though powerful detail, they were also given the freedom to decorate and manipulate the aesthetics of space in their own ways (for example, prisoners with an artistic bent could – and did – paint murals on their walls). These environmental freedoms might be termed, I suggest, spatial autonomy, the praxis of which enables a rebuilding of the dignity some prisoners felt had been dismantled in typically restrictive segregation settings (see Chapter Six).

Newman's concept of territoriality has clear resonances here. While the BSU was not purpose-built – its physical design a relic of Victorian penal architecture – the relevant point is how the space was actually engaged with in the context of its prefixed material structure. This illustrates that it is not (only) the physical design of an environment that determines the stability of a community but the broader social interactions that are made possible through particular approaches to that space. It should be noted, however, that as an especially innovative, experimental special handling setting, housing repeatedly disruptive prisoners, this unit is not representative of Scottish segregation sites more generally. Yet the very fact it housed this type of prisoner, who were in other contexts demonstrably violent, but in this setting interacted with one another and with staff with very low levels of disorder and a negligible number of assaultive incidences, says something about the importance of the management of and approach to space for how ordered a community might be – it also serves to undermine arguments that reductively link disorder to personal pathology.

Weakening Authority Structures, the Decline of the Conformist Prisoner, and the Rise of Prison Disorder

Early twentieth century prisons in Britain were uniformly inflexible, grueling places. Regimes were arduous, often crushingly monotonous (for both prisoners and staff), accommodation was basic, standards of personalised care were negligible, and if not quite actual violence then certainly the threat of it simmered beneath most surfaces. Scotland's prisons were no exception. In places such as

these where authoritarianism was the guiding management philosophy, and thus where hierarchies between prisoners and staff were sharply defined, tensions and conflicts may have been omnipresent but large-scale disturbances were far from commonplace. Even localised violence was mostly containable – responded to with the firmest grip of control tactics. Individual isolation (aka solitary confinement) remained a primary “award” in the disciplinary toolbox, ubiquitous in use and a source of dread amongst prisoners. However, as the century wore on, a confluence of factors in the post-war period gave rise to problems of disorder that were different in kind from previous eras; a more rebellious type of prisoner was entering the system (sentenced to increasingly longer periods) with a less submissive attitude towards authority.

By the 1960s the authority of the prison system, and those who administered it, was challenged with growing brio by a prisoner population that was ever more emboldened. To an extent this reflected attitudinal shifts to establishment authority in wider society. The culture of deference and conformity to tradition began to wane, leading to a more energised demos, which manifested across political, social, and industrial spheres

In the political sphere, for example, a Labour government won power in the 1964 general election on a popular platform of increased workers’ rights and union representation. Under the leadership of Harold Wilson – a man described in a BBC news report as ‘the embodiment of meritocracy’ - this Labour win ended a thirteen year stretch of Conservative Party rule – only the second Labour government since 1935. Extracts from the Labour manifesto of that year, titled “A New Britain”, capture the mood of the time:

The starting point is our belief that the community must equip itself to take charge of its own destiny...It is within the personal power of every man and woman with a vote to guarantee that the British again become the go-ahead people with a sense of national purpose, thriving in an expanding community where social justice is seen to prevail.

This rhetoric proved appealing to the electorate partly to the extent that its emphasis on communities ‘taking charge’ and on ‘personal power’ mirrored a cultural shift in relations between the rulers and the ruled in society.

In the legislative arena, a number of new laws had the effect of liberalising social relations particularly with respect to gender and sexual politics e.g. the decriminalization of both abortion and homosexuality in 1967. Regarding industrial relations, efforts to curtail the growing power of the Trade Union Congress (TUC) were now met with successful resistance, e.g. the defeat in 1968 of measures to restrict industrial strikes, proposed by Labour's Employment Minister, Barbara Castle, largely as a result of powerful union pressure. Further, ideological tensions on matters of social and economic (in)equality were intensifying, best exemplified during this period by the strong Conservative challenges to the anti-discrimination Race Relations Bill 1968 proposed by Labour. This was most starkly contested by Enoch Powell in his popularized and divisive 'Rivers of Blood' address to the Conservative Party conference that same year. Together these shifts in power relations ushered in a period of social and political instability, leading to mass strikes in the 1970s (including strikes by coal miners, health professionals, teachers, and local government civil servants) and riots in the late 1970s and early 1980s, of which the Notting Hill Carnival Riots 1976 and the Brixton Riots 1981 were the most significant.

Such far-reaching and substantial upheavals in British society led to open challenge of structures of power across many governmental institutions, including the prison system. Indeed, it was during this period that the problem of disorder in prison intensified (see Fig Five) and thus became a principal priority of penal policy-makers and administrators. By way of response, in 1966 the government commissioned Lord Mountbatten to conduct a review of prison security (ostensibly to examine the systemic weaknesses that were exposed by a series of high profile escapes, especially that of former Soviet spy, George Blake). This report made comprehensive recommendations about the management of problem prisoners that centered on a concentration policy. Following two years later, the Radzinowicz Report (1968) was published, which advocated a, alternative dispersal policy (this was favoured and subsequently implemented across the UK prison estate). Figure Five gives a sense of the variety of incidences that occurred across prisons in England and Scotland during this period of strife:

Figure Five: Major escapes and prison disturbances in England and Wales and throughout the prison estate in Scotland (1964-1990)

Date	Prison	Duration	Key Features
1968	Durham		Successful escape
1969	Parkhurst	Oct 24 th	Barricades, hostage-taking, numerous staff and prisoner injuries
1972	Albany	Aug 26 th -29 th	Fires, extensive damage to prison property (limited injuries)
	Peterhead (Scotland)	Aug 30 th -31 st	Rooftop protest
	Aberdeen (Scotland)	Aug 31 st -Sep 1 st	Rooftop protest
	Albany	Nov ??	The prisoners involved in the August riot barricaded themselves in the segregation unit
	Gartree	Nov 26 th -27 th	Violence on two wings, rooftop protests, damage to property (numerous injured)
	Inverness (Scotland)	Dec 28 th	Violence in segregation unit (several officers stabbed and one lost an eye)
1976	Hull	Aug 31 st -Sep 3 rd	Barricades, damage to property (11 injured)
1978	Gartree	Oct 5 th -6 th	Violence – missiles launched, hostages-taken, damage to property
1979	Parkhurst	March 22 nd	Roof-top protest
	Hull	April 11 th	Damage to property
	Wormwood Scrubs	Aug 31 st	Extensive violence and damage to property involving nearly 200 prisoners – MUFTI squads brought in
1982	Peterhead (Scotland)		
	Edinburgh (Scotland)		

	Perth (Scotland)		
1983	Peterhead (Scotland)		
	Albany	May 20 th -25 th	Roof-top protest, property damage, MUFTI squads brought in
	Wormwood Scrubs	June 16 th	
1984	Peterhead (Scotland)	Jan 9 th -10 th	
	Gartree	Feb 3 rd -4 th	
1985	Peterhead (Scotland)	March 14 th	
	Albany	March 16 th	
	Gartree	April 19 th	
	Peterhead (Scotland)	Nov 2 nd	
1986	Multiple, worst affected: Wymott, Bristol, Gloucester, Leves, Northeye	April 29 th -May 2 nd	Riots in 40 prisons led to 45 prisoner escapes, mass violence and property damage. Situation occurred against background of industrial action by POA
	Peterhead (Scotland)	Oct 9 th -13 th	
	Edinburgh (Scotland)	Oct 27 th -30 th	
1987	Barlinnie (Scotland)	Jan 5 th -10 th	
	Peterhead (Scotland)	Sep 28 th -Oct 3 rd	
	Perth (Scotland)	Oct 4 th -6 th	

A more refractory prisoner population and a general weakening of legitimacy around state authority, coupled with cultural and legislative amendments to the treatment of prisoners meant that the SPS was ill-equipped to manage the age old problem of disorder without recourse to the age old methods of force that it had

once relied upon. This explains in part both the over-reliance of segregation sites such as the Peterhead Digger, but also the evolution of additional, less authoritarian sites such as the Barlinnie Special Unit. Joy Cameron, in her study of Scottish prisons (the last sweeping penal history published in Scotland), describes the disconnect between shifting cultures (both inside and outside of the prison) and the ways prison function internally:

Penal practice and attitudes tend to develop by way of haphazard reaction to particular problems which may persist indefinitely, or become either more or less demanding, or later disappear altogether to be replaced by new ones. Neither practice nor attitudes will necessarily keep abreast of these changing considerations, and indeed some time lag is usually inevitable so that, more particularly in a rapidly changing society, the penal system may be said to be continually out of date. (Cameron, 1983:184)

There was a sense that while the attitude of prisoners towards prison authority was changing, the practices of prison management remained stuck in older, more traditional patterns. An extract from an interview transcript crystallises this point:

Participant: in the 80s prisoners started to say this is not acceptable. My own view is that we were still trying to manage prisoners based on 1950s philosophies with an emphasis on deference and discipline but it didn't fare so well in the late 70s and 80s. The prisoners were reacted badly to this. They were rebelling [...] Nobody was really interested in looking ahead, we're a demand led service, our job was just to manage prisoners on a day to day basis and younger governors were starting to challenge that, which was another pressure, they didn't want to do things in the same tired ways as before. it was a perfect storm.

These frustrations and attitudinal shifts (of both prisoners and the younger generation of prison managers), contributed to growing hostilities across the prison estate, but especially within Peterhead prison. To offer some sense of how these tensions manifested, the following list presents a far from exhaustive snapshot of the serious and varied nature of incidents that occurred in Peterhead during the 1970s. Details and quotes are taken from private letters (mainly between the Governor or Deputy Governor and the Director of prisons), as well as from prisoners' files:

- **August 1972.** A rooftop, sit-down protest was staged on the hospital block by 171 prisoners. It lasted two days (30th-31st). It was “non-aggressive” – prisoners “sang and chanted” - and therefore, “owing to the fact that no trouble was being caused by the prisoners, and that such a large number were involved, it was decided not to use force to remove them from the roof.” No injuries were sustained by either prisoners or officers. The only structural damage consisted of a few slates being removed from a section of the roof.
- **September 1972.** An escape attempt was made by two prisoners via the roof of the tailors shed, which had not been correctly reinforced with wire.
- **October 1972.** A mass if temporary hunger strike was organised beginning on the 2nd, which involved all prisoners refusing breakfast and lunch. In a letter to the Director at the end of the first day, the Governor states: “It is thought the hunger strike is intended to be a gesture of contempt against authority and some information has been received from prisoners to the effect that this will probably be a two day event.”
- **February 1973.** During a confrontation between two prisoners, a (one sided) physical fight broke-out that left one prisoner, along with one officer, badly injured – both required urgent medical attention. According to the records, the perpetrator “has committed 77 breaches of the Rules [including nine serious assaults on staff] since he first came to Peterhead [in 1969] and has forfeited a total of 475 days remission.”
- **March 1973.** An officer was violently assaulted by a prisoner causing permanent facial disfigurement. There are few details surrounding the precise nature and context of this incident which makes it all the more intriguing. An almost quaint sign of the times: in a letter to the Director, the Deputy Governor writes of this incident, “One other point I would make. In view of the evidence to be given by officer X,

it would probably be better that no ladies be members of the sub-committee on this occasion.”

- **March 1973.** A prisoner in the punishment block started a fire in his cell. He was removed from the cell, seen by a medical officer and a psychiatrist, then following their instruction he was placed on strict suicide observation in the hospital wing. It is noted that “outside treatment was not considered necessary”.
- **August 1973.** Letters were intercepted from one prisoner to an ex-prisoner containing information regarding a location in Scotland of a store of explosives which, the prisoner claimed, was property of the IRA. There was also reference to a ‘det’, of which the prisoner was requesting access to. He later claimed this meant ‘detector’, which referred to an aluminum paste used to block the electronic geophone system. Staff were concerned this in fact meant ‘detonator’. A full search of the prison was duly undertaken – as far as the records show, no evidence of this was found.

As well as these incidents, particularly concerning to the SPS and especially to the Scottish Prison Officers’ Association (SPOA), was the steadily rising number of assaults on prison officers (see Fig Six). By the 1980s, as one officer I spoke with put it “the SPS was on its knees”, but the metaphor did not exaggerate for in some cases the roof really did come off (see Gateway Exchange, 1987, for a prisoner-centered analysis of the prison riots). It was not the fact of such turbulent incidences nor even their frequency which is important here, but the extremity of them together with the apparent inability of the SPS to quell the rising tides of revolt in a meaningful and sustainable way. The Baguio of disorder during the latter half of the Twentieth Century, culminating in the chaos of the late 1980s is suggestive of the basic reality that something was very wrong not merely in but *with* Scottish prisons.

Fig Six: Assaults on Staff (Scottish Home and Health Department)

Year	Total no. assaults on	With a sharp weapon
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	officers (adult and under 21s)	
1961	36	6
1962	46	6
1963	26	3
1964	36	2
1965	38	3
1966	35	1
1967	30	2
1968	38	3
1969	44	8
1970	46	6
1971	48	3
1972	46	8
1973	40	-
1974	62	3
1975	51	-
1976	53	3
1977	51	3

Staff Brutality

Allegations of staff brutality during the period between 1960 -1990 are recorded in often intense detail within prisoners' autobiographies. There is reason to be cautious about accepting wholesale the accounts offered in these testimonies given the range of (legitimate) complaints these men had of the prison system more generally, as well as the inevitable problems with memory (see Chapter One). Such allegations, however, are also documented in a number of inquiries, reports, and academic studies, specifically those investigating the circumstances around the protests and riots in the 1970s and 1980s (e.g. McMillan, 1971; Gateway Exchange, 1987). Several reports published by the Scottish Inspectorate also make reference to abuses, though they do so in a more circumscribed

manner, stressing the unconfirmed status of many of the prisoners' complaints. The Independent Committee of Inquiry into the Peterhead protests note that 71% of the prisoners who responded to their questionnaires reported direct experience of physical brutality (Gateway Exchange, 1987:102), with many suggesting that abuse occurs primarily in the separate cells (i.e. the segregation unit – the Digger). The report documents prisoners' frustration that such abuses are collectively justified by officers as last-resort and fair responses to excessively violent prisoners. Whilst cognizant of the grounds for skepticism, the Committee do note the following:

The sheer volume of instances recounted to us (of brutality) are such that they cannot all be liars. Indeed, we find it incredulous that over the years, politicians, prison officials, and Governor/Prison Officer Associations have consistently denied any brutality whatsoever. (Gateway Exchange, 1987: 92)

Several of the individuals I interviewed for this research made mention of isolated cases of staff abuse against prisoners. I was surprised by the candour of some of their recollections. Included below is an extended extract from one such interview transcript:

JB: During that time [1988] were the staff still wearing protective gear on the mainstream halls?

P: Yes, we were still on lockdown. It was a very very controlled environment. The problem was convincing staff they were safe. They hadn't forgotten.

JB: How did you persuade staff to trust prisoners without wearing protective gear?

P: By being there. By being at the front when the doors were opened. By honestly leading from the front. I wasn't that old then, and privately they're thinking 'well if she can do it, so can I.'

JB: What was the situation like for staff managing the segregation unit [in Barlinnie prison]? Was it similarly fraught between staff and prisoners?

P: It was completely barren. If I'm being completely honest...it was shocking. We didn't go into the orderly room. One day a guy came in to talk to the governor. I was doing an observation because I was still quite new, and he was covered in black and blue marks on his face, and the

Governor said ‘what happened to you?’ ‘I fell against a wall.’ Now he knew damn fine well he’d been assaulted by staff, he knew that, and the feeling was ‘oh alright then’. I was shocked. This wannae even one of the most difficult prisoners. This was somebody one of the officers decided to give it to that day. I did nae know everything that went on in there. I was shocked.

The evolution of small units network in Scotland must be seen against the backdrop of these noxious internal relations and incendiary disturbances, though it is too much of a stretch to label the introduction of the first small units as only reactionary, or more generously as solely pragmatic responses, as if they were intended as merely quick-fix solutions to the immediate management problems that, nevertheless, preceded them. The notion of small, specialist units to manage both recalcitrant and especially vulnerable prisoners had been experimented with in Scotland at least as early as the 1950s. However, it was not until the rhetorically significant though never fully translated ‘Opportunity and Responsibility’ policy report in 1990 that a theoretically coherent strategy for small units was compiled. Before that point, the special handling measures of segregation were somewhat extemporaneous; uneven in concept, design, practice and consequences, but not in every case without sound, sometimes innovative justification (or effect).

‘Personality Politics’

The variations between how each site “worked”, and many did so simultaneously with multiple sites operating within the same prison (Peterhead is the singular example of this), may also be attributable to the size and nature of the Scottish penal estate. Scotland is a small, contained country and whilst its proportional prison population rate is relatively high (measured against European standards), the actual number of people in prison is low (ranging from around 4000 to 8000 people in the post war period). The number of separate penal institutions has also, therefore, remained small (between 14 and 17 during the). With a relatively limited number of individual prisons across the estate, along with the propensity of the SPS to transfer senior prison managers between establishments over the course of their careers (see Sparks, 2002), key placed individuals were able to exert increased influence in realising their personal agendas, despite being

potentially at odds with the general direction of the SPS. This might be termed ‘personality politics’. Part of the explanation for the influence individual players had was the chaotic context of the period. The middle part of the middle decades of the twentieth century was ‘a very dynamic period’ as stated by one interview participant. He goes on:

Sometimes conflict can be constructive, it did blow the system apart and we did have a lot of casualties and not just physical casualties but casualties of staff including senior management. People left the service, new people came in with new ideas. There was a sense of a lot of change at the top. A new director came in with tremendous enthusiasm and personality which none of his predecessors had. He was able to make significant changes.

The organisational structure of the SPS may also have contributed to this phenomenon since, until it came under the auspices of the Scottish Government, it was managed by a separate faction of the UK Government’s Scottish Home and Health Department headed by the Secretary of State for Scotland. As well as a lack of geographical proximity (this department was largely based in Westminster), the job of overseeing Scottish prisons was one of “low prestige...nobody in English politics really wanted to do it” (retired Scottish Governor - interview data). This lack of status often translated into a lack of committed leadership and coherent policy from Westminster, which in turn allowed more scope for individual prison officials in Scotland to take the reins and to lead the horses in their own direction.

A particularly striking example of this – personality policies – is the processes by which Barlinnie Special Unit came into being and evolved. This was an entirely innovative site governed by a participatory model of internal relations whereby prisoners had an active stake in decision-making and in how the space itself was used (see Chapter Six). Not a therapeutic community as such, in the way we might typically understand that concept (e.g. in the mode of Grendon Underwood Prison in England), but still, the BSU contained several features more closely allied with rehabilitative rather than with strictly punitive or control-based philosophies. This highly unusual site - where prisoners were allowed to paint murals on *their* walls, where internal doors were unlocked (except at night),

where prisoners cooked and played table tennis according to their own fancy, where at one time the outside courtyard was used as an open-air sculpture studio, and (most controversially of all) where visiting relatives and friends were permitted longer periods of association including (the real rub) access to prisoners' cells (see Sparks, 2002) – was extravagantly unusual, not just to Scottish imprisonment trends but also peculiar to international prison norms. As an aside, for all its enlightened practices and genuinely progressive outcomes for its inhabitants (and we ought to feel deeply encouraged and very much proud of what was achieved there), the positive effect of the BSU on other parts of the prison estate was hardly evident, if discernible at all. Refer to Figure Six: the actual number of assault incidences runs counter to comments made by the Director of Scottish prisons at the time, who claimed in a 'meet the press' day in 1974 that assaults across the Scottish prison estate had decreased noticeably since the opening of the BSU.

Returning to the previous point, it is instructive that such an oddity was brought into being and to a large degree was retained precisely because of the resolute, persistent and inspiring passions of only two or three central players.

Participant (P): Enormous amount of complacency when I arrived in the 70s. As a new recruit, an enormous amount of deference [...] 1975 was a dramatic year, there was no co-ordinating vision, it was left very much to the governors of individual establishments to decide policy and philosophy.

Jessica Bird (JB): So the BSU came about because of the commitment of certain key individuals?

P: That was a factor, yes. At that time there was room for innovation and a certain amount of freedom if you were prepared to take a risk.

It could perhaps only have been that way given the initial and very much lasting reluctance of many SPS officials and grade staff to accept the BSU. The uncomfortable, byzantine politics involved in maintaining the situation is a recurrent theme within the BSU records. Personal and private correspondence between SPS managers, for example, are quite clear in expressing downright

resentment towards this unit – a feeling also vociferously articulated in many of the interviews I conducted.

It [the BSU] was seen as just pandering to bad behaviour appeasing prisoners and that would extend right through the unit from the visitors coming in to all interactions. It was just seen as an absolute disgrace particularly after what the staff had been through. It was just not condoned. I mean there was all this stuff about visits all day long and nobody knew what was going on. There were artists and all that. At the time it was absolutely....I wouldn't use the word 'despised' but it was just frowned upon.

The power of the 'Big Personality' related to prisoners as much as it did to certain SPS officials. Aspects of the evolution of the small units network – the kinds of spaces that were envisioned as well as the ways those environments were managed and responded to – were significantly affected by the actions, but more especially by the swollen reputations of individual prisoners. These were prisoners who demonstrated exorbitant violence (Jimmy Boyle, Johnny Steele, Hugh Collins, Tommy Campbell – whose published autobiographies are engaged with in Chapters Five and Six), or prisoners who later 'made [some form of] good', producing artworks and poetry, for example, that received considerable public attention (Jimmy Boyle, Larry Winters), or prisoners who seemed to perpetually and publicly challenge the system, most successfully by mounting high-profile legal contests against the SPS (notably, Ricardo Blanco and Andrew Somerville). About such prisoners, numerous and often sensationalist media narratives abounded. The public loves drama, and these men whether cast as anti/heroes or villains certainly provided that. Within the prison system itself such personalities were mythologised, celebrated (by some prisoners), feared and loathed (by some officers), and above all *known* – which was a product of the size of the prison estate as well as an effect of personal charisma. Without wishing to overplay the impact of specific individuals (this is not a Great Man version of history), it is pertinent that many of the internal documents that helped shape the nature and development of special handling measures refer to a handful of particular prisoners and the problems they present. The policies and practices that sometimes emanated from such documents outlasted the prison lifespan of the

prisoners for whom they seemed originally intended and, subsequently, were applied to many more prisoners for whom such arrangements were perhaps inappropriate.

The BSU was a clear anomaly but it was not the only one. There were enough seemingly aberrant units to support an assessment of the small units network as characteristically experimental – a series of separate experiments within a larger special handling framework. Paradoxically, the BSU's uniqueness in design, regime and reputation, is what makes it similar to other sites in the small units network. The 'range of graduations in terms of 'enriched' segregation [forms]' (retired Scottish prison officer, interview data), actually meant in practice that the different ways discrete units operated was not the product, not initially at least, of each unit serving a different purpose yet, crucially, positioned at one or other graded level of the same coherent policy, but more a case of multiple units (some serving the exact same stated purpose and, pertinently, accommodating the exact same profiled prisoners), operating different regimes according to their own quite sealed, often inward looking rationales. The overall pattern that emerges of the Scottish approach to special handling measures is of a jerry-built patchwork of small units, each piece loosely stitched together but ultimately incongruous with each other.

On what grounds were some problem prisoners transferred to the BSU while other very similar types of prisoners were transferred to the Inverness Unit? What considerations factored into decisions to reconstitute the Peterhead 10 Cell Unit in the late 1980s when the intended scope of the Shotts Unit, plans for which were well under way by then, was so strikingly similar? Why was it thought necessary to establish a further unit at Perth prison, intended to function as a 'time-out' facility (i.e. for short burst of respite) when that appears to have been one of the key internally legitimizing arguments for the administrative use of routine segregation units (especially the Peterhead Digger). Most importantly, how did prisoners experience these units, especially those positioned at either end of the dignity-degradation spectrum? The next three chapters address these questions.

FOUR

Segregation and In/Dignity; The Moral Implications of Segregation

Where Chapters Two and Three discussed the broad outlines and procedural details of segregation in prisons, as well as provided historical context for the evolution of specialist measures in Scotland, particularly with respect to the network of small units, this chapter offers a more philosophical discussion of the concept of dignity. This is a necessary precursor for exploring (in Chapters Five and Six) the phenomenological elements of discrete segregation units in Scotland, especially the Peterhead Digger, the Inverness Cages, and the Barlinnie Special Unit. This chapter has two principal objectives: (1) to establish the connection between segregated confinement (not merely *solitary* confinement) and indignity; and (2) to present a conceptual framework for understanding the meanings of human dignity more generally.

Dignity is ambiguous and difficult to define. It represents a profound moral greyness when thinking about what it means, what has to happen in order to have it, to be denied it, and what the struggle involves to live up to its seemingly impossible demands. Dignity features within various discourses (notably, rights) in largely abstract terms; it is metaphysical, associated with and bound by a further set of abstract ideas e.g. personal autonomy, individual identity, self/respect, and moral value. Its imported nature becomes something “almost mystical” (Oliver, 2011:95). Within the conceptual dignity-mix, several sub-concepts merge: a conviction in the *innateness* of human worth, linked to both notions of self-esteem and also used to justify the inclusion of all human beings within a single moral community; our capacity for self-control and self-destruction, often understood in terms of Stoic-like countenance in the face of suffering; the reality of shame (and shaming); our primal instinct for freedom; and,

the grail of psychological and bodily integrity. These same ideas permeate the stories prisoners tell when they talk about and justify their violent, subversive behaviour in segregation sites (particularly regarding dirty protests – see Chapter Five). Indeed, the struggle for self-ownership, the desire to express identity in concrete ways, or what Scarry (1985) terms “material self-extension”; the authentic valuing of oneself (and being valued by others); and, the ability to retain self-possession in spite of and especially within conditions that threaten these powerful human cravings, together run like arteries through prisoners’ testimonies.

Nevertheless, the various ideas that inform particular conceptions of dignity are so intimately connected to experiences of segregated confinement (both for the keepers and the kept) that any analysis of this form of imprisonment must also include discussion of it. The next section outlines various attempts to incorporate a dignity frame into investigations of deep incarceration, including but not limited to segregation. In the later sections, I sketch the specific parameters of dignity that are applied in the final two chapters.

The Moral Harms of Segregation

Cohen (2006) identifies two distinct ways of assessing the effects of what he terms ‘penal isolation’: the human rights approach, and the empirical approach. The first deals with questions that intersect at the point of what is legal and what is moral, while the latter is more psychologically oriented, rooted in the observable consequences of this form of incarceration on the bodies and minds of those who suffer it. This second approach also has purchase within a more pragmatic, security-oriented approach since the individual behavioural outcomes of segregation have implications for questions of prison order and security maintenance. This thesis incorporates elements of both approaches: Chapters Two and Three address the more practical, procedural, and administrative elements of segregation, and suggest some of the hostilities and tensions that have arisen as a result – though more at an institutional rather than an individual level. By contrast, Chapters Five and Six adopt a distinctly ethical framework for

understanding the experiential dimensions of segregation and does so through a dignity frame.

Cohen understands penal isolation as a matter of degrees, with ‘first degree’ isolation involving total solitary confinement (conditions in supermax prisons for example) while ‘second degree’ isolation ‘conveys a set of circumstances beyond life in a single, quiet cell’ (297). This definitionally looser category of segregation includes:

deprivations of many of life’s most basic components that link one to social intercourse, the rudimentary sights and sounds of life, and basic decision-making in life’s most mundane choices. As one moves from such isolation to the still deprived world of ordinary prison conditions, we pass an uncertain line that divides isolation from the mere harsh conditions of penal confinement. The critical factors in this divide would be out-of-cell time, congregate activity, exercise or “yard time”, and access to work and available programs. Put another way, the greater the social isolation and sensory deprivation, the more eligible the unit is to be labeled as penal isolation. (Cohen, 2006:297-298)

The small units that operated in Scotland in the period under investigation all conform to one or other of Cohen’s isolation categories – even the Barlinnie Special Unit, which may have involved collective and participatory segregation but remained very much isolated from the main prison and from the mainstream methods of management. The argument presented in relation to it (in Chapter Six) slightly deviates from Cohen’s position cited above in that it is not so much the degree of stimulation and variety of resources offered to prisoners which amounts to the ‘critical factors’ (or ethical content) of isolation environments, and much more a matter of who has control over those environmental conditions. The power to decide one’s engagement with various stimuli and activities is arguably of greater importance from a dignity perspective than the range and quality of those stimuli, as will be demonstrated below. Notwithstanding this foundational point, there remain important moral distinctions between the different levels of access to resources, social stimuli, programmes and activities. In his ethical analysis of ‘first degree’ isolation (i.e. solitary confinement), Jeffreys (2013) argues that there are two main harms exacted by segregation, both of which relate to necessary

elements of spiritual wellbeing and to that extent constitute *moral* suffering: distorted experiences of the temporal sphere, and limited channels for creative expression.

On the former: the excessive social and spatial restrictions of solitary conditions, he argues, serve to deform prisoners' relationship to time, resulting in feelings of apathy or hopelessness. Without a clear sense of time, captured through our acknowledgment of the passing moments of the present, 'time becomes a hostile force destroying our identities' (Jeffreys, 2013:17). This process is compounded when prisoners have few means to capture and acknowledge temporal units i.e. the minutes, hours, days and weeks. In the absence of clocks, calendars, evidence of the movements between day and night (often segregated cells are bathed in artificial lights for 24 hours a day, or shrouded in darkness, or they are windowless), the succession of time is lost. Individuals in these circumstances are forced to exist in a perpetual present but since it is an impoverished and literally empty present over which the prisoner has little control, he becomes hopeless there, hopelessly unable to imagine a future or through his own effort to actually realise an alternative future beyond the box within which he is now trapped. Jeffreys connection between this frozen temporality on the one hand and identity construction on the other is rooted in the assumption that human beings require a bank of past associations as well as an image of future possibilities in order to create a meaningful present; a meaningful self. In more practical terms, without the ability to 'count the days' (before release, for example, or family visits, or parole hearings, etc.) this temporal confusion may result in a feeling of unbounded, limitless abjection. The capacity to chart when something began and when it will end through temporal measures, provides boundaries to experiences which are all the more crucial when the nature of that experience is or feels damaging. According to Jeffreys argument, then, extreme segregation environments are morally harmful because they remove these temporal signifiers so that the negative experience of segregation begins to seem endless just as the self begins to feel formless. This in turn has consequences for the exercise of personal dignity insofar as one is no longer recognised by others (and by oneself) as a person.

Human dignity is in some sense a generalization from the egocentric predicament: human beings have ontological heft because each of us is an 'I', and I have ontological heft. For others to treat me as though I have none fundamentally denigrates my status in the world. It amounts to a form of humiliation that violates my human dignity. (Luban, 2007:71, quoted in Simon, 2012:288)

On Jeffrey's second point (relating to creativity): the ontological 'I' is similarly threatened within segregated environments through the dearth of expressive channels through which the prisoner is able to create. The human need to creatively engage with the world in concert with others as part of a social community is impeded, Jeffrey suggests, by the almost total social isolation characteristic of such diminishing penal environments. This is a fundamental deprivation since creative products 'illustrate the person's capacity to unite physical and spiritual realities' (2013:11), the absence of which, therefore, leads to a fracturing of self since a person's 'spiritual transcendence and self-possession' (2013:12) are profoundly undermined. Interestingly, Jeffrey develops this analysis by linking creativity to power; it 'becomes the locus of a power struggle between inmates and their captors' (2013:7). In Chapter Five of this thesis I explore a similar argument in relation to the methods of resistance Scottish prisoners deployed and how they themselves interpreted them. Dirty protests in particular were understood by these men as not merely violent means of reasserting their dignity but as a channel for creativity itself (e.g. murals were painted on walls in faeces, games were played with 'shit bombs' between the bars of cell windows, poems were written in blood on cell walls). In lieu of other means for creative expression, the body – its physical waste products – were used, which once analysed through a dignity frame appear rather less perverse and extreme than such otherwise debasing action might seem in less restricted settings.

Together, the temporal dislocation and prohibitions on creative expression that are experienced within segregation sites constitute, for Jeffrey (2013:6), 'spiritual damage as distinct from psychological harm', rendering these incarceration forms ethically problematic. The ways in which both these elements relate specifically to conceptions of dignity are explained in more detail in the following sections

and exemplified through the personal testimonies of Scottish prisoners in the next chapter. One final point Jeffreys makes well is his stated commitment to engaging the accounts of prisoners, arguing that it is “baffling” when social scientists fail to take such testimonies seriously. Sharing that view, I have chosen to draw heavily on prisoners’ autobiographies in Chapters Five and Six, and since they offer a very particular phenomenological interpretation of their experiences within small units – one that is coloured by conceptions of in/dignity – including this more philosophical discussion seemed not only appropriate but conceptually necessary.

In/Dignity, Risk, and Otherization

In his critique of Life Without Parole (LWOP) in the U.S., Simon (2012:296) argues for a reintroduction of ‘a discourse of morality and justice into talk about punishment’. Such efforts, he argues,

will have their greatest effect when they can draw parallels with developments in our social and legal culture in which risk and dignity are being reconfigured to place fear under a stronger value than dignity’ (296).

In the context of imprisonment specifically, he goes on to advocate that ‘for prisons to embrace this goal it is necessary to make explicit and reject the view of prisons aimed at degrading the dignity of the individual’ (298). Simon’s concern with these parallel concepts of dignity and degradation stems from a particular reading of LWOP – one that identifies this practice as the epitome of punitiveness in American penalty. While Simon’s analysis does not provide an in-depth study of the dignity concept itself, it does offer a useful basis of comparison between elements of the driving forces behind LWOP and those related to some of the more authoritarian small units in the Scottish network. These forces relate to risk, institutional insecurity, fears surrounding ‘contagion’ and its connection to processes of otherization – all of which in various ways produce levels of indignity for prisoners held in segregated environments.

According to Simon, LWOP is ‘a punishment that offers no promise of letup, regardless of how much the prisoner repents or is rehabilitated’, and compared with the ultimate sanction of capital punishment, this sentence more generally

amounts to ‘a totalizing promise of prison incapacitation extended to the very limits of life, and unmediated by further consideration of the prisoner as a *distinct human being*’ (italics added, 2012:282). Applied to the Silent Cell in the Peterhead Digger, or to the Inverness Cages, this description would be similarly apt.

If incapacitation generally is the idea that the distribution and length of imprisonment should represent, at least in part, the degree of risk that the particular offender or class of offenders pose to the community, total incapacitation could be defined as the idea that imprisonment is appropriate whenever an offender poses any degree of risk to the community (Simon, 2012:293)

Apparently devoid of moral considerations, decisions to place Scottish prisoners in the Digger or the Cages during the 1960s and 1970s were rationalized according to this same incapacitation argument. Such was the risk to the prison community that problem prisoners were thought to pose, these specialist segregation sites – involving total incapacitation (in their conditions if not the time frame of use) – were viewed as justified. It mattered little what particular rationale or set of discourses one is marshalling to legitimize or even to determine procedural nuances of either punitive or administrative segregation; as long as prisoners were held in broadly the same conditions, and in some cases within the same physical sites, the experience was, for them, harmful (or helpful) in both cases. In other words, ‘the harm of extended isolation does not correlate with intent to punish versus intent to preserve security’ (Cohen, 2006:300

LWOP as an ‘extreme variant of incapacitation’, as Simon argues,

goes beyond exploiting the crime prevention capacity of imprisonment to a notion of contamination, one anchored in the distinctive historical patterns of the 1970s and the fear of violent crime in the new suburbs [...] The absence of dignity and logic of incapacitation play into each other’ (304).

He was referring specifically to the cultural and legal history of California, but connections can be made here to the situation in Scotland during this same period, given the anxiety surrounding penalty in the wake of the riots, protests and general disorder that characterised Scottish prisons at this time, and thus the

presumed need to isolate this small group of extremely violent men. The ‘extreme risk rationality about crime’ ascribed to the practice of LWOP by Simon is equally applicable to the invention of the small units network in Scotland.

While Simon suggests that in the U.S. case the degradation of LWOP was rendered possible (and indeed tolerated) because of ‘the absence historically of a strong conception of dignity in our public law’ (2012:282), the same argument cannot be made with respect to Scotland – if one accepts Simon’s analysis at least. Simon (2012:289) identifies a ‘dignity difference’ between European and American legal and political systems, where the former included a concept of dignity in public law and manifested in public services, in a way the latter does not. Drawing heavily on Whitman’s (2005) comparative study of punishment in America and Europe, Simon concludes that the reasons the dignity concept has not embedded within US public law are constitutional and historical. The lack of aristocratic status structures (those which formerly defined the criteria for dignity assignments), coupled with the system of slavery upon which the country was built contributed to a failure to recognise the dignity concept, and as a corollary, a higher acceptance of if not quite appetite for degrading practices, especially within the penal sphere. Whilst this might certainly be a valid assessment of the US, it implies a greater degree of attachment to dignity with penal law and practice in the UK, specifically the Scottish context, than has been the case. There is a rights tradition dating back to the Magna Carta and more recently expressed in the Human Rights Act 1998, but the extent to which this has at its core dignity as a moral concept (rather than political and legal concepts related to liberty and equality for example) is questionable. Certainly it is difficult to make the case that Scottish approaches to risk and security in prisons (in the middle part of the twentieth century) – even factoring in the tradition of welfarism – were based on discourses that incorporated a dignity frame. In fact, this alliance between risk and a tolerance of degradation far better represents the situation.

Further, the reference to fears surrounding ‘contamination’, cited in Simon’s above quote, those which helped to legitimize LWOP, also feature in the archival record relating to the early development of the small units network (see Chapter Three). There is a sense that prison officials were able to justify brutalizing places

such as the Digger and the Cages, as well as expand the network more generally (even if that evolution occurred in ways that were sometimes far more progressive and dignity-promoting than many were comfortable with, i.e. the BSU) precisely because they connected danger with contagion. Consequently, a process of dehumanization was required to support this set of beliefs. In other words, to justify segregation as a means of mitigating risk, there must also be a diminishing of moral respect for the people who cause the violence – those who provoke the fear. This dehumanization is partly ensured linguistically i.e. via the language of ‘the worst of the worst’, which very definitely sets apart these prisoners first from other prisoners and secondly from the larger moral community of human beings. They are made distinctly ‘other’.

In her study of cruelty, Kathleen Taylor (2009:7-8) examines what she terms the ‘continuum of otherization’, which ‘expresses the sense of creating an increasingly impassable social gulf between Us and Them’. It becomes easier to otherize the prisoners against whom we impose excessively restrictive segregation measures if we view their violent recalcitrance not only through a pragmatic security lens but also through a moral lens. In other words, when we understand their behaviour – and by extension *them* – as deliberately immoral rather than simply administratively disruptive, our fearful and hostile responses to them become more seemingly legitimate. We can then rationalize almost any treatment. If we infuse the violence of some prisoners with the motive of cruelty, as we appear to do when we considering ‘the worst of the worst’, we may ourselves fall into spirals of callousness entirely of our making.

The essence trap is psychologically satisfying. It keeps out the dirt and the danger, preserving our pleasant self-image as justified people who act from reasonable motives. The downside, of course, is that the dirt and the danger are conceptualized as a malevolent, unchangeable agent: a devil whose only purpose is to destroy. This shuts down any attempt at understanding, presenting cruelty as something other than human, an essentially evil force on which our explanations can get no purchase. Viewing cruelty as part of an unchangeable human nature leaves us with only two options: put up with cruel people or remove them. (Taylor, 2009:11)

In the Scottish context (as well as in the case of LWOP), the removal of ‘problem’ prisoners from general circulation (or the permanent incapacitation of offenders from public circulation) by way of segregated housing is in part justified through a similar ‘bad apple’ thesis, one that essentialises such prisoners as morally bad, as human abnormalities requiring specialist management, which often amounted to inhuman treatment. This thesis, argues King (1985), is ‘partial and self-defeating’; it fosters the resentments that may, in some cases, generate more violence, more resistance, more disorder.

The partiality of the ‘essence trap’ was especially well examined in a report by the Gateway exchange (1987)¹⁴ examining the causes of the late 1980s roof-top protests at Peterhead prison. The authors of that report made the case that this series of extreme disruption was a product of a particular environmental and relational culture, rather than a question of personal pathology.

Violence in regimes such as Peterhead is not an irrational response to a peaceful and calm situation or an aberration in an otherwise smooth-running system. It is an inevitable and rational reaction to a violent and repressive regime. (p.30)

Whilst a welcome counterpunch to the more hostile and essentialising analyses offered by some commentators, especially within the media, there are grounds to question the inevitability of such a response to the extent that such an idea fundamentally destroys any notion of human autonomy. If external forces and conditions can wholly determine a person’s behaviour, in spite of himself, this is incompatible with self-possession, much less the notion of the spirit, as conceptualised by Jeffreys. In any case, the material fact that not all prisoners kept in these repressive conditions rebelled is evidence enough that human will is more complicated than the inevitability argument maintains. The rational component of Gateway Exchange’s analyses is, by contrast, persuasive. It accords with how prisoners themselves understand and interpret their subversive actions (see Chapter 4). Moreover, the process of otherization is equally evident regarding how prisoners view their captors and, connected, in how they justify

¹⁴ A Glasgow-based project set up by former Scottish prison Jimmy Boyle and his wife Sarah, aimed primarily at supporting people away from drug addiction.

their often violent behaviour towards them. As quoted in the Gateway Exchange report, taken from prisoners' questionnaires, "some [officers] are just pure dogs" (p.74). Revealingly, another prisoner wrote in a letter after he had been informed that his sanction of reduced privileges had been extended due to an administrative error, "I just decided to go on a [dirty] protest as I'd been treated like excreta so that's what I'd given them" (p.83).

Since isolated prisoners have little interaction with others, their deterioration may go unobserved. Even when prisoners 'act-out' or completely shut off psychologically, they are more likely to be viewed by guards and, more worrying, by prison medical professionals, as malingering, or being 'bad' rather than 'mad'. (Shalev, 2011:198)

An Attempt at Defining Dignity

While dignity is marshalled widely in academic, public and legal arenas, its precise, substantive content and scope are rarely identified much less examined (beyond the world of academic philosophy), which in turn undermines its credibility in the face of the challenges that might be made against it, and also creates a sort of conceptual vacuum. It is not enough to merely name dignity when interrogating questionable practices or interpreting particular perspectives without also identifying and, crucially, justifying its parameters. Such a task is necessary not least because specific formulations of dignity – and, despite the appearance of consensus there remain important distinctions – contain their own ideological assumptions with attending and differentiated implications for policy and practice. Further, given the many critiques and variations throughout history and into the present, spanning religious, political and philosophical terrains, dignity ought to be more fully articulated in each case where it is used.

The underlying premise of dignity which my analysis assumes is that it is something that must be self-realised rather than simply possessed by default. This is a challenge to codified and internationally recognised conceptions of it, which uniformly emphasize the foundational aspects of dignity – the bedrock upon which all rights are grounded, etc. – and also, crucially, frame it as something intrinsic to the human condition. This conception is best illustrated in the opening

lines of the Preamble to the Universal Declaration of Human Rights (1945), which states, “Whereas the recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice, and peace in the world...” An obvious problem here is one of facts: material realities across time and space stand as testament to the repeated, quotidian and ruthless manner in which the dignity of individuals (and often whole communities too) is not only minimally disrespected but brutally violated. That human beings can have their dignity violated at all should alert us to the fact that our dignity is itself conditional, thus undermining the “inalienability” argument. Pollmann (2005; 2011) asserts that it is precisely because human beings do not have equal human dignity (understood as an inviolable value) that necessitates a framework of equal human rights. This argument is persuasive and one that my analysis conforms to.

Within the European rights tradition in particular the dignity concept has come to assume a central position. Dignity is culturally potent and ubiquitous: it is codified by international and regional human rights instruments as well as in national case law; it is employed in legal judgements; it features in political speeches and people’s movements; it is mobilised in myriad discourses as a barometer-value, a sovereign concept against which action is measured; it is a cultural motif for caring, progressive institutions and societies. In such ways, dignity is variously understood and applied as a legal principle, a rhetorical device, a morally charged crowd-pleaser, a conceptual bulwark against powers that are perceived as unjust, illegitimate or degrading, and, as a core value underlying ‘best practice’ models.

With reference to key philosophical versions of dignity, charting its foremost determinants of Attribute, Status and Behaviour, my aim here is to settle on a relatively sealed and derivative understanding of the dignity concept, that which counters each of the three concerns above. Dignity is defined here as 1. the realisation of the autonomy potential, 2. the expression of identity, and 3. the experience of (self)respect i.e. the mutually determining dynamic between our sense of moral worth and the moral worth conferred by others through their treatment of us. On this basis, the seemingly nebulous concept becomes precise.

Each component part is shown to be necessary but insufficient – if dignity means autonomy alone then we would have to limit, or deny altogether, the dignity of individuals’ whose agency is impaired – and, each feeds into and is a reflection of the core idea of human freedom. Freedom is not reductively understood as merely choice-between-options but rather it is understood in the Hegelian sense of a shading together of choice, moral will *and* the required external conditions within which such freedom may be realised. With respect to moral will, there are also clear parallels with the Kantian conception of internal moral law or ‘conscience’. Finally, the extent to which dignity may be re-appropriated is rendered negligible; it would have to be rejected out of hand in favour of another concept entirely.

In deciding what we do (autonomy), who we are (identity), and the moral worth we attach to ourselves and that which is ascribed to us by others (self-respect and respect from others), we have dignity. Outside coercion and constraints, at both individual and institutional levels, bear down on dignity, limiting the circumstances for its free expression in ways that may be beyond our control. However, according to radical existentialism, our particular state of mind is always and necessarily our own. Yet, if the fullness of dignity is self-realised then it is fragile because human beings are fragile. We are vulnerable to every kind of harm, self-inflicted and externally imposed, we have a unique weakness to suffer (and commit) acts of humiliation (Rorty, 1989), our bodies are frail and our minds even more so. In the face of all this potential suffering, we are susceptible to Sartre’s dreaded state of ‘bad faith’ – a denial of our ability to choose how we respond to it. The burden of responsibility is heavy and would seem to suggest a troubling blame-element, that a stripping of one’s dignity is attributable to one’s own failures. To avoid the full and dubious implications of this, a qualified form of existentialism is required here since might there be some experiences, which, given their qualitative intensity, overpower the will and thus absolve us of total blame in situations of dignity violation? The Norwegian philosopher Vetlesen contends that there is. Considering pain, he asserts, “when we are really seized by something, this means that we are moved, not that we move” (2009:48). His argument is that in situations of physical and psychic pain, particularly when they are *in extremis* and enduring, the experience is immersive, “characterized by its

lack of distance, by its directness: my pain fills me, marks me, with an immediacy that is in stark contrast to Sartre's analysis (of choice and freedom)" (Vetlesen, 2009:73). This is important because if pain is affective, and if impediments to the freedom of realising dignity are most pronounced in situations of pain, then in the short term at least we are controlled by pain, to a greater or lesser extent. Total self-determination in terms of our attitudes and responses (and thus complete blame) is thereby restricted. Given that experiences of dirty protests tend to occur in contexts of pain, Vetlesen's insights become relevant.

However, while his argument is convincing the second premise here is more open to question than the first since not all pain may be considered harmful and therefore not all pain may be considered a threat against dignity. Within a specifically phenomenological frame, certain kinds of pain, namely anxiety (*Angst*) as distinct from fear, are considered generative of authenticity (*Eigentlichkeit*) – a quality of experience that characterises dignity. In *Being and Time*, for instance, Heidegger (1962) maintains that reflecting earnestly on mortality in a detached manner – an activity bound to produce the fundamental 'attunement' of anxiety, although also a mood of calm - breaks us from the habit of unthinking conformity (a blindness to consciousness), from living un-free, and does so by creating the very entry point we require in order to achieve a more authentic engagement with our being-in-the-world (and our inevitable not-being). Interpreting Heidegger, McKenzie calls this "an ontological emancipation from the ideologies of finitude's forgetting of itself" (2008:573).

To qualify Vetlesen's position then we might follow insights from Mill's *On Liberty*, by marking a distinction between pain and harm. The latter category he considers an obstruction to self-development and therefore 'individuality' – a concept Mill considered a primary good, imagined in terms not dissimilar to the Aristotelian notion of *eudemonia*. Therefore, we might agree that not all pain constitutes harm but still assert that all harm constitutes pain. The significance of this point is that the dignity concept (as a lived experience and as a topic for intellectual debate) dominates the scene only in situations where it is most

vulnerable to violation. And, in such cases, including for instance, rape, torture, forced labour, certain forms of imprisonment, etc. the harms exacted are always associated with pain, of one sort or another. So, while we may hold that dignity is a universal human potential, an intrinsic possibility, we must also acknowledge that it is not an inevitable reality. Not only does this undermine arguments of inviolability, but it also releases the harmed from the total weight of blame when their dignity is felt to be lost. This is not to say that removing blame diminishes all responsibility for what happens next. Blame is a blunt and malignant concept; it's a stop-sign, an end-point, an immobilising state that at its worst prevents change. But, if dignity is self-realised then after the fact of its violation it may be reclaimed from within. That individuals have the potential to do so may bestow upon them the responsibility for actually doing so, which signifies empowerment as much as it implies burden. Demanding though this is, it is an essential ingredient of freedom and dignity. What is really interesting here, for the purpose of exploring dirty protests in particular, is how people who are in pain, those who have been harmed, attempt to reassert their dignity. The manner of those attempts reveals something about what dignity is, the myriad ways its abuse may be countered, and the curious distance that is sometimes evident between acts that are dignified and the struggle to attain dignity. In other words, not all dignity struggles may be considered dignified. The following sections explore in more detail the three aforementioned dignity components. This constitutes the prelude to a discussion of the precise ways that dignity may (and may not) manifest through dirty protests, or more precisely, through the stories people tell about them.

Dignity as Attribute (the Autonomy Potential)

At its most basic autonomy means self-authorship. It means thinking, feeling and, of most significance, *acting* in ways that are self-determined. It means choosing to perform a particular action when one could have chosen otherwise. This is the simplest basis of free agency, which, in a rather reductive and superficial manner, Sartre considers inescapable: "What is not possible is not to choose. I can always choose, but ought to know that if I do not choose, I am still choosing."

(E&HE:41). Professions of this sort imply total, absolute freedom and, therefore,

full autonomy in every instance of human experience. Hence, the extent to which the autonomy-potential is realised (or accepted) is entirely dependent on the individual. I am choosing to adapt this position and to embrace instead more nuanced and layered interpretations of autonomy. The first and undisputed premise of it is that the processes by which we are able to think and act for ourselves emerge from, and are embedded in, rational subjective consciousness. Autonomy, therefore, is a power as much as an attribute: the attribute of Reason; the power to exercise it. Pascal put it like this:

Thought constitutes the greatness of man (346)...Man is but a reed, the most feeble thing in nature, but he is a thinking reed...All our dignity consists then in thought. By it we must elevate ourselves, and not by space and time which we cannot fill (347)...It is not by space that I must seek my dignity, but from the government of my thought (348). (Pascal, trans. by Trotter, 1909, Section VI)

Lingering on this passage at least two questions present themselves: first, if reason is an intrinsic and necessary condition of being human – and it matters little whether it is understood as gifted from God (Aquinas) or merely a prerequisite of existence (Sartre) - then in what sense can autonomy be understood as a potentiality as opposed to a reality-by-default? Secondly, the reference to ‘elevating oneself’ seems to suggest a moral component, that it is good and right to exercise free thought, that autonomy is morally valuable. The question is, how exactly is morality connected to agency? In addressing the first of these problems, we could look to Hegel, who offers a useful qualification by separating out the form and content of reason. Form, he argues, “is reason as speculative knowing, and content is reason as the substantial essence of actuality, whether ethical or natural” (PR Preface). This follows Hegel’s suggestion that “every individual is a child of his time” - we are situated in the present so that what fills our thought (reason’s content) is produced by the objective world, shaped by external variables and made subjective through the form of reasoning. The implication of this, which Hegel precedes to examine, is that self-will alone, or the basic formulation of freedom-to-choose, is an arbitrary freedom. Rather, thinking (and acting) autonomously in the fullest sense, i.e. in the freest sense, requires a “(release) from every relation of dependence on anything else” (PR,

S.23), that is to say, thinking independently of the particulars of objective nature that constitute reason's content.

Thus, the movement from the *potential* for autonomy to its fullest *actual* expression is the difference between having a capability to think, in the first instance, and, in the second, both thinking in a particular way – i.e. independently of nature's variables – whilst also having the capacity to act accordingly. Here questions of morality and ethics surface. Hegel takes us from the simple will-to-choose to the more superior moral will, which entails exercising will with a conception of its own 'Right' in so doing. Hegel calls this, "free will which wills the free will" (PR S.23), meaning that moral will is a profound recognition of one's own subjectivity so that I can be held explicitly responsible for my actions only when they are deliberate and accord to my own self-acknowledged intentions. There are echoes of Kantian thought in this analysis insofar as 'intention' may be allied with the notion of 'conscience', which in turn may be understood as internal 'moral law'. In this way, according to Kant, rational consciousness and the attending "autonomy of the will", is both the foundation of moral law itself and the means by which we are able to enact it as a duty. It reveals the Categorical Imperative because, whilst knowledge of duty is accessed internally, that duty can be universalized – I need not burrow too far into this aspect of Kantian philosophy. Kant says this of autonomy (the 'law' he speaks of is that which is internal):

Nothing can have a worth other than that which the law determines for it. But the law giving itself, which determines all worth, must for that reason have a dignity, that is, an unconditional, incomparable worth; and the word *respect* alone provides a becoming expression for the estimate of it that a rational being must give. Autonomy is therefore the ground of the dignity of human nature and of every rational nature (Ak 4:436).

Autonomy is thus bound to moral agency, the dignity of which, as an "inner value", is not merely about making choices but about making the *right* choices. Such choices are determined by adherence to internal moral law as an expression of the moral will. This is a duty. "In duty" writes Hegel, "the individual finds his liberation...In duty the individual acquires his substantive freedom" (PR, III:149).

Hegel more than Kant extends this point further by introducing the concept of an ‘ethical life’, the leading of which requires particular kinds of social and political institutions in order to ensure the full exercise of freedom. This he calls the ‘system of right’...“the realm of freedom made actual” (PR). Simply following the laws or customs of a particular society, without question, may constitute *rectitude*, but crucially for Hegel this concept is distinguishable from *morality*, indeed it is “something comparatively inferior, something beyond which still higher demands must be made on oneself and others” (PR, III:150). In addressing how to live an ethical life through the exercise of autonomy Hegel quotes Pythagoras: “Make him a citizen of a state with good laws” (PR, III:153). An inevitable dilemma here relates to how one should live an ethical life in a state with *bad* laws, or those which are perceived to be so.

How might these insights about autonomy be applied to a study of dignity and prisoner resistance? One response is that by understanding the distinction between autonomy-potential and autonomy-capacity (i.e. the realisation of it) questions subsequently emerge regarding the legitimacy of external arrangements, those which might be considered illegitimate insofar as they restrict the capacity for autonomous action. Following this, we might consider forms of resistance against such arrangements as a pursuit of dignity and not merely a reactionary product of frustration or bitterness. In his slim but valuable survey of dignity, Rosen (2012:101) asks, “what does it mean to deprive someone of dignity?...What might it mean to “exercise” (or be prevented from exercising)” our dignity? A pertinent question when reflecting on the objectively degrading penal environments that often contextualise dirty protests. Contained in segregated spaces and in pain, prisoner X might refuse to relinquish his power for autonomy (as a Hegelian Right), he might insist upon exerting it against the prohibitions that seem to limit it, even perhaps with violent force and, moreover, he may do so in ways that contravene not just the system in which he is kept but also his own moral law. The fight is dirty. But, in failing to exercise moral will in favour of the inferior will-to-choose, as in, choosing action precisely because it violates that which is allowed (throwing shit bombs for instance), does this automatically negate the dignity aspect of his action? Another question from Rosen worth considering:

“Does the state’s duty to protect ‘the dignity of the human person’ entail that it has the right to prohibit people from choosing to behave in undignified ways?” (2011:69).

Suppose the same prisoner passively accepts the arrangements that he maintains are illegitimate. What if he chooses to ‘not choose’ autonomous resistance? Is it possible this would be experienced as a dignity waiver, as a self-created un-freedom? Yes. Commenting on instances of staff brutality Campbell says this:

The pain, the physical pain is intense sure enough, constant and seeming to go for all eternity but the emotional pain of life in the acceptance of the alternative is by far more the greater. I would rather die a thousand deaths than live one single day without protest. Suppression of the outrage I feel brings pain in equal measure. Constant exposure to such pain of such a life threatening quality brings its own kind of insanity to survive in an environment where one has to go half mad to stay half sane. (Campbell, 2002:49-50)

However, is it not also possible that prisoner X might choose to reject both positions above and instead express his full autonomy by refusing to internalize the indignities heaped upon him whilst at the same time refusing to hurl indignities at those who shame him? The fight may be clean. Would this be a different kind of resistance, one that is not merely acting *for* dignity but also acting *in* dignity? The sense of authentic, fully realised self and the moral clarity that might be achieved in that case is staggering, yet by insisting that this and only this may constitute a dignity struggle are we asking too much of people, particularly given what has been said above regarding the dynamic between human vulnerability and the immersive quality of pain?

Autonomy may be considered the principal component of dignity since it functions to enable its two other parts, at least minimally: identity and (self)respect. As such it is owed the greatest emphasis. But this is not to suggest that autonomy alone is sufficient for dignity for if it can be held that the exercise of autonomy is in some ways contingent on unchosen factors, both external and internal, and I maintain that it can, then the importance of other values are vital if dignity is to be truly realised. It is not only how we project into the world through

action which secures our dignity but also how we are treated by others, and indeed how we understand ourselves. These elements are necessarily linked.

Dignity as Status (Identity)

Personal identity represents self-hood, the criterion of which seems to amount to individual permutations of: bodily recognition; exposure to particular social worlds; membership among the places and people of our lives; the bank of memories from which we draw, sometimes subconsciously; and, awareness of (and how we project) our internal emotional landscapes. The variables that help to shape personal identity are many: There is a physical aspect, i.e. physiological signifiers of *who* we are, our genes, our brains, the colour of our skin, etc. – some reductionists would argue that this is all identity really means (see Parfit, 1971); there is a socio-cultural aspect i.e. alignment to sets of values and attitudes entrenched in particular political/social/economic contexts and at every level of ‘community’ (family, workplace, city, state, etc.); intimately linked, there is also a behavioural aspect, i.e. how we choose to *perform* our identity given our material and cultural situation. Our sense of self-hood may be internally constructed via each of these variables but the manner in which identity is formed, enacted, and bestowed, is not independent of them. Rather, identity is contingent upon, and manifests through, recognizable characteristics and external factors, only some of which are self-determined. Yet dependence on these variables may not preclude the possibility of expressing personal identity, elements of it at least, in ways that we ourselves choose. This is important when thinking about how we fully realise dignity and indeed about how it may be denied to us.

If our sense of identity is rooted in a notion of self-hood, however that may be constructed, then how important is the relationship between *my* identity and *your* identity? Is there a relationship insofar as one serves to inform the other?

Referencing Robert Kegan’s (1982) ideas in *The Evolving Self*, Donna Hicks, a practitioner in conflict resolution with a particular interest in the dignity concept, suggests that,

Throughout our lives, our inner worlds are dominated by a struggle between the ontological drives to individuate, to become who we are,

separate from all others, and to integrate, to remain connected, to belong, to be a part of something greater than ourselves. (2011:35)

This modern and now commonplace view has its roots in Hegel's work *Phenomenology of the Spirit*, where, and perhaps for the first time, individual self-consciousness was understood in terms of an encounter between the I and the self-consciousness of the Other. On Hegel's reading, initially this encounter collapses into a relationship of 'Lordship and Bondage' (the title of the section exploring these ideas), or what is more popularly referred to as the Master/Slave dialectic. Without going into detail, the relevant point here is that self-consciousness, and the connotative sense of self-hood (identity at its most fundamental), is relational. Owing much to this idea, Heidegger develops the ontological concept of Dasein – the Being of Persons as opposed to the Being of Objects – and maintains that Dasein exists in relation to, and through interaction with, others. Sartre too, with his focus on 'intersubjectivity', pursues this idea, though in a different way. We might then consider identity formation and its performance as a sort of feedback loop, absorbing and reacting back onto the identity of others - both the projection of their own identities and the projection of how they understand ours. A hall of mirrors. With respect to dirty protests this claim has a bearing when considering how prisoners and those who guard them seem to create each other, how they seem to construct the identity of the other and how this then shapes their own. Often this dynamic is fueled by mis-perceptions and faulty assumptions nurturing repetitive and cancerous hostilities, each party fighting to be Master not Slave. A shame dimension might also be introduced here via Sartre's concept of 'the look', whereby a sense of one's own self-hood and identity may inspire shame through others' perception of it: "The other is the indispensable mediator between myself and me. I am ashamed of myself as I appear to the other" (EHE:246).

If dignity entails being true to who you understand yourself as being, not acquiescing to how others identify you, then trapped within an identity not entirely chosen and one that may engender shame, the violence committed by both prisoners and prison officers might be understood as an ignorance of self, an alienated self where identity is realised only partially – the part that does not

accord to one's own moral will. Winning looks a lot like losing, self-harm by another name, call it strength, honour, respect, a distinct brand of muscular, masculine heroism, but we'll come to that.

In terms of identity as a status, it seems that an important facet of personal identity is its insistence on the apparent uniqueness of human beings - our difference in relation to other individuals and in relation to all other species. Cicero believed that our distinction in the animal world is one basis of our dignity and, therefore, in the broadest possible sense identity may be taken as the status of being human. Here we might re-introduce the idea of rational self-consciousness and from there draw a link between human identity and personhood. In Hegel's words:

‘Person’ is essentially different from ‘subject’, since ‘subject’ is only the possibility of personality; every living thing of any sort is a subject. A person, then, is a subject aware of this subjectivity, since in personality it is of myself alone that I am aware” (PR, I:35).

In contemporary societies this larger notion of species-order is translated into social hierarchies, very much based on public and personal identities and largely a product of erroneous and bigoted reasoning. Waldron (2013:27) defines status, albeit as it manifests within law, as “a particular package of rights, powers, disabilities, duties, privileges, immunities, and liabilities accruing to a person by virtue of the condition or situation they are in” (see also Waldron 2012). The positioning of particular identities within structures of power is time and context specific yet in every case there is a formula of Identity-Status-Dignity. That to say, certain identities are assigned a particular status, they are subsequently invested with varying degrees of social value (and dignity), and often with a disturbing if not moronic arbitrary logic. At a broader and more formal level, the historically eminent status of particular *social* identities (that of being wealthy, aristocratic, occupationally successful, etc.), has been the fundamental grounds of dignity. The very language is telling; that such persons are labelled ‘dignitaries’ symbolises a much deeper historical connection between social identity status and dignity. Status then was the first premise of dignity so that however such people

acted their behaviour might be deemed dignified simply by reference to the authority that their raised social position (and identity) bestowed.

In summary, the dignity aspect of identity is having both the means to create individuality and also to express difference. In this sense then identity, or personhood, entails the *exercise* of autonomy – the realisation of the reason-giving autonomy potential – since “reason is purposive activity” (Hegel, PR). But it also requires enabling external conditions. Namely, that we are free to be who we understand ourselves as being (and to perform acts to express this), and that we are protected from the imposition of hierarchical social ordering, that which values the dignity of specific identities in ways that are discriminatory. Dignity-as-Status in the sense of social/class distinctions has become redundant, at least comparatively, but assignments of status more broadly defined in terms of physical, cultural and behavioural identities remain apparent. Linking the points made above regarding identity as relational and identity as deserving (or not) of dignity, Pinker says this:

Dignity is a phenomenon of human perception. Certain signals from the world trigger an attribution in the mind of a perceiver...Certain features in another human being trigger ascriptions of worth. These features include signs of composure, cleanliness, maturity, attractiveness and control of the body. The perception of dignity in turn elicits a response in the perceiver...the appearance of dignity triggers a desire to esteem and respect the dignified person. (2008:5)

Neatly, this takes us to the final dignity component, that of (self)respect.

Dignity as Behaviour (Self/Respect)

Self-respect is another name for self-love, a deep-rooted sense of personal moral worth, its physical expression is a standing tall in the world as opposed to a shrinking posture, cowering apologetically. It is reminiscent of Kant’s notion of pride, distinct from egotism or vanity, explained in the following terms,

(Arrogance) differs from pride proper...which is love of honour that is a concern to yield nothing of one’s dignity in comparison with others (so that the adjective ‘noble’ is usually added to ‘pride’); for arrogance demands from others a respect it denies them. (AK 6:465)

To experience (self)respect, two core dynamics are operative: the first is between the interior and exterior self, bringing to mind the question of whether self-respect is constituted by our thinking and feeling in particular ways subsequently translated into behaviour, or by our behaviour translated into how we think and feel. It has been argued that this dynamic is the foundation of dignity (see Margalit, 1996). The second is the relationship between self-respect and the respect we both receive and offer to others, which Kant's above quote makes plain. With regard to the former, Kant has more to say:

From our capacity for internal law-giving and from the (natural) man feeling himself compelled to revere the (moral) man within his own person, at the same time there comes exaltation and the highest self-esteem, the feeling of his inner worth...in terms of which he is above any price...and possesses an inalienable dignity...which instils in him respect for himself. (AK 6:436)

Following Pollmann (2005), I would challenge this last claim, asserting instead that (wo)man possesses inherent *potential* for dignity. Maintaining that something is inherent is not the same as claiming its inviolability for dignity can be taken away from and given away by the possessor without necessarily undermining claims of its innateness. In any case, this movement from self-respect in the first instance to respect received and offered to others in the second is perhaps a more convincing position. Kuch frames it like this:

While self-respect refers to an internal relation of a person to herself, dignity is the external "lived" embodiment of self-respect. Respect for others is the necessary source of the possibility to gain a normative relation towards oneself, not just in the sense of a feeling of self-worth but also in the sense of self-respect. (2011:42-43)

According to this reading, humiliation (and the dignity violation it entails) is, argues Kuch (2011:44), a "radical loss of recognition that may be effected through practices of exclusion". Such practices may amount to feelings of shame, that one's honour and thus one's self-respect is threatened. Where the lack of recognition is most pronounced, the disrespect most extreme, and the shame of this most fully internalised, a person's sense of self-worth and honour hangs perilously. A series of choices must be made. How can and do people react in this

situation? Lynd (1958) considers that death may be preferable to a life of shame, which, in the penal context, has particular resonances in relation to deaths in custody. But for those who choose life – and from prisoners’ testimonies the struggle is often perceived in life and death terms, bodily and psychically, however melodramatic that might appear from the outside – what does it mean to reassert one’s honour and by extension one’s dignity? An entire discussion could be had about the nature of this honour concept, specifically within penal settings. Here it is enough to say that honour is often a primary concern amongst prisoners, one that is emphasised through various rituals of behaviour linked to risk-taking and demonstrations of defiance, especially violence. It is also a concept that is tightly-bound to individual self-worth and therefore self-respect. For some prisoners (certainly those whose testimonies I am using here), “proving” oneself as honourable, as self-respecting, often involves behaving as the Hardman – an identity profoundly entrenched within certain prison cultures and within the places from which many prisoners come. In this sense claiming (self)respect conforms to the formulation of dignity as Behaviour. Reflecting on past research in certain spaces of Scottish penal segregation Sparks offers some foundational insights that are valuable here and worth quoting in full. What is ironic, he asserts, is,

the fact that that those who undertake some of the most extreme forms of violence (as in hostage taking for example) or of apparent self-abasement (‘dirty protests’, hunger strikes) are precisely those most likely to see their own actions in a chivalric language of honour and integrity. It is very difficult for us (and how much more so for the guards who can actually smell the consequences of their own regimes and who, moreover, know that it is an act of hostility *against them*) to contemplate the prospect of a man smeared in his own faeces as an assertion of self-esteem. But I think it can only be really so understood. It is perhaps simply this which makes cycles of opposition so intractable, namely that the prisoner regards himself – his self – as under attack. (2002:561)

This assault against the person threatens to cast a veil of powerlessness over him, rendering the self invisible to others, or worse, obstructing *self*-access. As we shall see, prisoners who use DPs make themselves utterly, shockingly visible and

in the most visceral of way. In so doing some prisoners who use DPs create a version of themselves of which they feel they can be proud. The attainment of moral worth – or “self-esteem” – is far more complex than it might appear and the root of contradiction is captured uniquely well in Sparks’ above quote. Deploying one’s bodily substances as a method of resistance communicates, amongst other things, “This is me! I am present...all over the walls, all over you!” Bodily excretions demand total attention: sensory attention, emotional attention, cognitive attention. *My* body is *your* focus. “I” am your focus. Behaviour of this kind commands a particular kind of recognition from others; it’s a performance requiring an audience, provoking a reaction. Yet in addition to the relational dynamic between the I and the Other in securing this recognition, there is also an internal relationship of self-recognition, whereby *my* behaviour is rendered visible and valuable to *me*. As a counterpoint to narratives of honour in suffering (self-attached to dirty actions) there is also the Stoic belief in the dignity of suffering with countenance, that ‘still, small voice’ within enabling fortitude under attack and so reinforcing the integrity of the self to the self in triumph over one’s attacker and over one’s own weakness. This may constitute a morally superior experience which provides a fuller and more sustaining realisation of dignity. That we have an internal moral will and that our capacity to adhere to its precepts allows us to withstand certain impulses without surrendering to them, exposes where (and how) dignity as an attribute operates in tandem with dignity as both status and behaviour. To respect a person, including oneself, means to recognise as valuable individual capacity to choose (autonomy), individual qualities of self-hood (identity) and the concrete means that individuals employ to make them real, i.e. how they behave.

Of course it is possible to reject and reprimand certain kinds of choices, identities and behaviours, on the grounds of harmfulness for instance, and to do so within a context of respect as well as of legitimacy. It is in this vein that justifications are deployed by penal authorities for the repression of rebellious behaviour and for subsequent punishment of prisoners. From a Hegelian perspective that containment (and the censure it occasions) represents a return to moral good for “to penalise the criminal is to annul the crime and to restore the right” (PR, I:99).

From a dignity perspective – and Hegel does connect dignity to the Right – such censure acknowledges a person’s failure to claim their own dignity to the possible detriment of others’ and thus formal reprimand re-establishes something of what was lost, it is intended as the first premise of dignity-reclamation. While Hegel maintains that “the state is the actuality of the ethical Idea” (PR, III:257), i.e. the structure within which an ethical life is made possible, this does not necessarily mean that all practices of state censure or repression conform to the Law of Right. Hegel concedes that “there may be a discrepancy between the content of the law and the principle of rightness” (PR, III:212). Indeed, the evidence of history illustrates just how far and how low state force has been exercised, so undermining the ‘respect’ element in particular, and the Right more generally, of the control exerted over others. More broadly, it should be noted as a point of repeated concern that criminal justice systems in the real world rarely meet their own aspirations in this regard; in fact, more commonly they do the reverse, and how could they not given what we task them with? But that is a much larger question.

To end this brief dignity tour, the central argument I am proposing - that which underpins the final chapters of this work - is that morally inferior behaviour does not exclude all possibility of that behaviour containing dignity, nor is it necessarily associated with regressive moral development. Dignity is not an inviolable possession-by-default and therefore we need not consider it a binary state; rather, it might manifest in degrees in the same way that all ideal values do¹⁵. Secondly, the mere fact of striving for a value represents a personal commitment to it. The individual believes in the worth of his own dignity, he fights against what he perceives as the efforts of others to violate it. He might do so in ways that both fail to reclaim it absolutely and serve to infringe the dignity of others (his perceived attacker). But this may speak to the extent of suffering that he understands himself as inhabiting (and his human fragility in the face of it) and also it might say something about the intractability of the conflict to which Sparks refers; both sides trapped in an intense battle, both arguably seeking the

¹⁵ I use the term ‘value’ instead of ‘virtue’ (though the two share important constitutive features) in order to avoid questions relating to Aristotle’s doctrine of the Mean, e.g. if dignity is a virtue, at what point does an individual have too much dignity?

same value, both ultimately failing to “win”. Far from being ‘animalistic’, which is really just another word for amoral behaviour fueled by instinct alone, this un-won struggle represents a rational desire for personal moral development. And, far from being ‘heroic’, meaning selfless, self-sacrificing mastery over fear, the very fact that this struggle is un-won represents the all too human propensity to reach for what seems beyond our grasp. Continuing the effort albeit with other and better methods is the only direction of moral development

Autonomy and Desistance

Whilst dignity contains the three connected components described above, it is autonomy which should be considered the master concept such that it enables the full expression of both self/respect and identity. Just as a denial of autonomy equates to an often crippling indignity (examples of which the next chapter discusses in detail), a full recognition of autonomy allows for the positive realisation of dignity. This reverse dynamic is especially pertinent when exploring the small units in Scotland which approached the autonomy of prisoners in such a way (i.e. within the BSU). What then becomes relevant is the precise ways in which autonomy has been respected within segregation sites, and the effects this has had. The argument advanced in Chapter Six in relation the BSU consider how autonomy was manifested spatially, and identifies this as the central explanation for the unit’s success at engendering positive change. To the extent that this segregation environment instigated a process of desistance from prison-based offending, an introduction to the relationship between autonomy and desistance is offered here.

Within desistance research the concept of agency (rather than autonomy) is routinely employed to describe the extent to which individuals feel in control of and, therefore, both responsible for past actions and hopeful for future prospects. Indeed, to ‘engage agentially’ (Paternoster & Pogarsky, 2009) is increasingly understood as a significant factor for desistance processes. There are, however, at least two central theoretical divides within the literature: (1) theories that primarily stress the importance of agency independent of external variables (Paternoster & Bushway, 2009), versus those which stress pro-social structural

factors, what Sampson & Laub (1993: 2003) label ‘turning points’, with a modified version integrating the two - the ‘subjective-social’ model (LeBel et al, 2008). (2) For those theorists who place a clear value on individual agency, the divide is between whether it is changing social contexts and processes that trigger desistance-enabling changes to subjectivity - see for example the ‘theory of cognitive transformations’ (Giordano et al, 2002) which depends on external ‘hooks for change’ - or whether, as Paternoster et al (2015:215) maintain ‘identity change comes first in the causal sequence’. Drawing on research within the wider field of social theory, what each of these positions appear to share is a general definition of agency – in some cases implied rather than stated explicitly – which considers agentic action to contain some combination of ‘selfhood, motivation, will, purposiveness, intentionality, choice, initiative, freedom, and creativity’ (Emirbayer & Mische, 1998:962). In essence, human agency is understood as action which is deliberate, of which the individual is at least minimally self-aware. Beyond that there tends to be less conceptual precision.

By contrast, philosophical inquiry attends more closely to the ontological dimensions of the human will and, by extension, to the moral implications of exercising it (or not). The focus is shifted away from untangling the causal relationships between purposive human action, along with how it is socially situated, and changed behaviour (in this instance with respect to desistance from crime), and instead is directed towards what it means for human dignity, authenticity and integrity to both express and be denied one’s autonomy. In philosophical terms, a person may not be held morally accountable for actions that are heteronomous even if they are, in practical terms, agentic; the extent of moral (if not legal) culpability is linked to the degree of autonomy a person has when acting. Autonomy is distinct from merely deliberate human action, choice-power, or what social scientists call *agency*, since a person may voluntarily relinquish this power, accept certain restrictions to it, and thereby autonomously consent to diminished choice if not responsibility. Put another way, we may choose to allow others to limit our choices, but in order for that forfeiture to be morally justifiable, it meets the demands of autonomy only when our externally determined actions are (a) consented to, albeit minimally, and (b) accord with

either our own internal values, or ‘conscience’ as Kant might frame it. Dworkin (1981:211) offers the example of Odysseus to illustrate this point:

Not wanting to be lured by the sirens onto the rocks, he commands his men to tie him to the mast and refuse his anticipated later order to be set free. He wants to have his freedom limited so that he can survive. Under these circumstances why should we regard his autonomy as violated?

Incorporating Dworkin’s theory, it is possible to hold that a person may have his agency restricted, in the sense that his capacity to make decisions is constrained by external forces, yet still maintain that he is autonomous if he ‘identifies with the influences that motivate him, assimilates them to himself, views himself as the kind of person who wishes to be moved in particular ways’ (1981:211). Applied in penal contexts, this arrangement is vital if prisons are to operate as safe, efficient and morally justifiable environments. To avoid internal tumult as well as external challenge, prisons require the daily consent of their captives to conform to the systems of the institution (See Sparks, Bottoms & Hay, 1996). Most prisoners forfeit their agency on a quotidian basis, ceding control to the authorities of a range of minute-by-minute decisions regarding routine matters such as food, clothing, timetables, daily activities, and interactions. Individuals may waive their power to determine these matters because it is in their self-interest to do so, or because to resist them would mean acting in ways that do not accord with their own values, goals or motivations. In this way surrendering to the system of rules and regulations the prison system imposes may limit their agency but does not undermine their autonomy.

If, on the contrary, a person resents being motivated in certain ways, is alienated from these influences, would prefer to be the kind of person who is motivated in different ways, then these influences, which may be causally effective are not viewed by him as ‘his’. (Dworkin, 1981:211).

Within philosophical debates, contests over the source of the moral norms which motivate human action are grounded by a dualism between *a priori autonomy*, where judgments are independent from all external considerations and instead rely on principles that are internally dictated, by, for instance, pure moral reasoning (the Kantian view), and *a posteriori autonomy*, which situates deliberate action within larger political, social and legal structures, to which

individual decision-making is responsive, though emphatically not merely reactive (the Aristotelian view). The contemporary philosopher, May (1994), refers to this conceptual split in terms of autonomy as ‘self-sufficiency’ (or *autarkeia*) and autonomy as ‘self-rule’. This division may appear similar to, but it remains distinct from, the problem of ‘the “chicken and egg” of subjective and social factors in desistance from crime’ (Lebel et al, 2008), since, as May (1994:141) clarifies, evoking Aristotle’s famous metaphor, even in the more flexible case of autonomy as self-rule, ‘external influences do not *cause* action, but rather provide information that the agent, as “helmsmen” then steers according to’. This stands in direct opposition to certain strands of desistance theory, those which either consider behaviour to be almost entirely the product of external forces, whereby subjective changes occur almost by default (Sampson & Laub, 1993:2003), or those which consider agentic action to be ‘highly contextualised by structure’ (King, 2012:232), that is, not only responsive to certain external social forces but in some ways dependent on them (Giodarno et al, 2003).

The starkest parallel between philosophical readings of autonomy and criminological readings of agency can be found within Paternoster and Bushway’s (2009) ‘Identity Theory of Desistance’. They argue that the ‘act of intentional self-change’ prefigures any positive benefits that may be derived from changed social circumstances, therefore offenders ‘*must first decide to change*’ (2009:1105-06), or in Aristotelian terms, the individual must be the helmsman. Yet, this deviates from philosophical accounts in important respects, chiefly by the particular formulation of rational choice theory it adopts, that which is underpinned by an explicitly consequentialist rather than a deontological ethic. Paternoster & Bushway (2009) argue that offenders are motivated to change via a cost-benefit analysis whereby the disadvantages of their past behaviour, along with anxieties about the person they would become if they continued on their present path (the “feared self”), begin to outweigh the advantages they at one time presumably felt. According to this account, agency is very much associated with identity, which stands as a secondary deviation from philosophical conceptions of autonomy. This coupling of identity and agency is a common feature within the

desistance literature, whether informed by rational choice theory, or the ‘replacement self’ constructed through symbolic interaction (Giordano et al, 2002), or the ‘rewritten self’ understood in the context of narrative theories (Maruna, 2001). This latter version, however, does not necessarily involve the substitution of one identity for another; it may instead allow for a ‘continuation’ of self, albeit reimagined in a different way. In any case, what is absent from most agency accounts, but fundamental to autonomy accounts, is the interweaving of free will with human dignity. On questions of the self, the focus is not so much oriented towards the subjective and social phenomenon of personal identity, but is instead focused on universalized notions of personhood. As intimately bound concepts, the practical exercise of free will involves the realisation of human dignity. They are mutually determining so that the latter may not be experienced in the absence of the former. By this association, the rational mind is not merely the source and means of forward (or backward) looking calculation in the manner Paternoster & Bushway (2009) suggest but rather it is in rational thought.

In *Pains of Confinement*, Sykes (1968) identified the ‘loss of autonomy’ as one of the most significant privations suffered by prisoners. He suggested that this loss ‘does not represent a grant or power freely given by the ruled to the rulers for a limited and specific end.’ This formulation of autonomy assumes that when individual action is constrained by external structures of power it is the imposition of those structures *without consent* which threatens personal autonomy, as opposed to the constraints in themselves. In this way autonomy and authority are not necessarily incompatible; rather, it is *illegitimate* power structures, defined by lack of consent (see Sparks et al, 1996), that undermine autonomy. In a similar vein, Young (1987:111) argues, ‘The most effective form of control is that which facilitates the voluntary and rational recognition of rules...not ones in which conformity to rules is imposed by pressures external to them’. Further, Sykes argues that ‘the nominal objectives of the custodians are not, in general, the objectives of the prisoners’ (1958:68), which implies that action may only be autonomous when it accords to an individual’s internal goals and motivations. This chimes with Dworkin’s account, cited above. From an ontological standpoint, then, autonomy may be considered intrinsically right, to the extent its

expression is the central pillar of human dignity, whilst at the same time and in certain circumstances it may be instrumentally problematic, potentially leading to negative outcomes.

Prisoners' subjective notions of honour and integrity are linked to their exercise of autonomy in the sense that they considered their resistance to the prison regime as a reassertion of their personhood, that which the system, as they viewed it, sought to infantilise if not wholly to destroy. Given this denial of autonomy, prisoners were able to justify their often excessively violent defiance. Prior to being transferred to the BSU, their deviancy represented not merely agentic action, but rather autonomous action from which they felt profoundly gratified. As referenced above, according to Paternoster and Bushway (2009), the first step towards desistance is a powerful fear of who a person may become if they continue offending – the “feared self”. In the case of the first cohort of BSU prisoners, however, there is an inversion of this logic. The stories these prisoners tell suggest that part of why they understood rule-breaking as necessary was because they feared who they would become, they feared what it would mean for their own dignity, if they *stopped* offending.

FIVE

Segregation and Prisoner Resistance: Dirty Protests in the Peterhead ‘Digger and the Inverness ‘Cages’

This is both a descriptive and an interpretive account of dirty protests in prisons drawn from a range of testimonies written by Scottish prisoners in the 1960s, 1970s and 1980s. While dirty protests in mainstream prison locations were and remain relatively rare occurrences within mainstream locations, this type of behaviour was a persistent and common feature of certain segregation units within the Scottish prison estate. Dirty protests are discussed (often in numerous passages) in all five of the autobiographical testimonies of Scottish prisoners engaged with in this thesis, as well as points of discussion in the interview data. The decision to offer a detailed analysis of DPs was made on the following grounds:

- Dirty protests tended to occur in the most repressive segregation sites. They were, it is argued in prisoners’ testimonies, partly a response to the spatial and social deprivations experienced as unjust by prisoners in such environments, and partly a default method of resistance given the lack of options in impoverished environments. (It is revealing that dirty protests were virtually non-existent in other, more liberal small units during this same period). Therefore, as a way to discuss the phenomenological aspects of these sites, as well as the ways violence and disobedience are spatially situated, dirty protests provide a useful entry-point.
- Dirty protests as an extreme and otherwise *extremely* undignified form of behavior speak to the degree of indignity prisoners testify as having suffered. On that basis, in seeking to examine how the concepts of dignity and autonomy manifest in segregation settings, dirty protests offer a concentrated example of what these concepts mean in experiential terms.

- Statistical data on dirty protests for the post-war period is scant, but there has been an observable decline of dirty protests in the last decade of the twentieth century across the Scottish prison estate, including within segregation sites. Compared with their former prevalence, this decline is arguably one consequence of the spatial improvements and management reforms made to special handling units. In terms of the basic material conditions of segregation sites, the period between the early 1960s and the late 1990 saw steady and reasonably linear progress. Examining the spatial, social and administrative context of dirty protests in earlier decades helps to explain some of the reasons for their increasing rarity in later decades and up to the present.
- From a more theoretical stance, since dirty protests in prison are typically associated with political action in the Northern Irish context, the inclusion of a chapter in this thesis specifically dealing with the Scottish context and with a conceptually nuanced discussion of this type of behaviour serves to expand the topic beyond those boundaries.

The texts engaged with in this chapter include autobiographies, diary extracts, poetry and other kinds of personal writing. From these sources two central analytical threads emerge: First, dirty protests are a broad and complex phenomenon made up of multiple behavioural forms, serving myriad purposes. Therefore, examining in isolation the factors that might be said to stimulate dirty protests – typically understood as either political dissent, mental illness or basic intransigence - is conceptually inadequate and also neglects the material distinctions of such acts. Instead a more nuanced mapping exercise is required. Secondly, the intersecting point between different narratives of dirty protests, those which ascribe a reductive ‘animal’, ‘hero’ and/or ‘victim’ status to the prisoners who use them (either self- or externally-imposed), is the concept of dignity: dignity struggled for, dignity realised, dignity lost. By way of interrogating the dignity concept through a phenomenological lens, this analysis explores how, whether and on what basis certain forms of dirty protest manifest aspects of dignity.

Introduction

Analyses about dirty protests (DPs) have tended towards the narrow. The focus is often limited and in a number of respects, including: to singular forms of DPs, particularly those which have incendiary political implications and/or represent an immediate and acute management problem i.e. those which are explicitly violent; to DPs that are motivated by overt ideological dissent and are restricted to particular geographical settings, namely DPs conducted in Northern Ireland by Republican prisoners in the H Block at Long Kesh/Maze prison¹⁶ (see Coogan, 1980; Lyons, 1996; O’Keefe, 2012; Yuill, 2007; McKeown, 2001); and, to DPs that are viewed through the specific lens of sanitation, where analysis seeks to explore the nexus of cleanliness, order and power (see Benjamin, 1999; Feldman, 1991; Inglis, 2002). Such analyses, often synthesising these three components, are over-represented and consequently particular forms of DPs receive disproportionate scrutiny at the expense of critical engagement with others. The danger being that more obscure forms, along with other ways of seeing, evade inspection. One of the reasons for this silo-approach beyond the obvious issues of political expediency and popular appetites is, I think, definitional. I am defining DPs in an expanded and loose fashion as *the strategic use of bodily fluids and other organic substances in subversive ways within penal settings*. This stands in contrast to the comparatively closed official definitions, which rely on a protest-illness binary, focus solely on the misuse of faeces and urine, and tend to regard such acts as a demonstration of either violence, vandalism or simple madness. Exemplifying this approach is the definition provided in a recent policy document concerning segregation at HMP Wormwood Scrubs.

A dirty protest is where a prisoner has chosen to either defecate or urinate in a cell or a room without using the facilities provided. In virtually all cases the walls, floor or ceiling are affected. Some prisoners may choose to cover their clothing and their body with faecal waste. Although these actions may be undertaken as a protest, they may also be as a result of mental health problems. (HM Prison Service, May 2011)

¹⁶ Long Kesh was the name previously used for what became HMP, the Maze, marking the change in practical usage (and ideology) from an internment camp to a ‘criminal’ prison in the more traditional sense. Predictably the former term is often preferred by prisoners while the latter term tends to be adopted by the authorities. (McAtackney, 2006)

However, it is not only faecal matter and urine that are utilized in DPs, but also food slops (often left to mould), vomit, blood (including menstrual) and drain water. These substances are employed in numerous ways: they can be smeared on bodies like armour, or on walls, they can be used to transmit written messages to future cell incumbents or as means of personal expression, they can be weaponized - thrown at others or made into ‘bombs’, they can be used in game-playing, they can be used to flood cells and halls, or they can be used in more prosaic ways to cover window grilles and block light or, in rare instances, to keep warm. With respect to the Prison Service definition, two further points are worth highlighting. First, in some instances the provision of particular “facilities”, however inadequate they might prove to be, is precisely the means through which DPs are enacted i.e. slop-buckets are used for their intended purpose before being put to work for another. In others, DPs are conducted precisely because the required facilities *have not* been provided.¹⁷ Secondly, and this point is made with some caution, there is an embedded relational aspect of DPs which official definitions conceal via their singular emphasis on prisoners. This extends not only to the general dynamic between prisoners and prison officers, and the battle psychology that both appear to inhabit, but also to a more direct form of reciprocity whereby officers’ themselves use waste substances in subversive ways. Within prisoners’ testimonies repeated examples are offered of staff misuse of organic substances, e.g. contaminating prisoners’ food, defecating in cells before they are occupied by prisoners, throwing the contents of slop-buckets at prisoners, spitting at prisoners etc. There may be good reason to doubt the full veracity of these claims, or at least to question the extremity and frequency of them, and certainly they cannot be verified in official documentation. But the fact that similar descriptions of these practices feature in numerous testimonies does at least suggest an element of truth and one therefore that is worth some attention. Additionally, of course, these allegations might represent a kind of truth-claim irrespective of whether they happened exactly in the way, or to the extent, they

¹⁷ We see this in the case of prisoners kept in certain kinds of segregation sites – both in Scotland, where appropriate access to sanitary facilities was often restricted, and in the case of Northern Ireland after the political status of Republican prisoners was rescinded, precipitating near total solitary confinement in response to prisoners who refused to wear prison uniforms.

are described; they offer an insight into how prisoners understand the power dynamics in which they are participating.

What remains the case in every DP is the literal embodiment of the act: the body is not just the source or site of particular action but it becomes the object of action itself (shit bomb, shit game, shit message, etc.). The multiplicity of DP forms, only some of which are identified above, reflects the diversity of intents and purposes that animate DPs, embodying at different moments and in different circumstances examples of resistance, identity reclamation, self-defence, play, group solidarity, boredom, communication, imaginary escape and, of course, violence. To some degree this belies the term dirty 'protest' since not all forms of DP assume a clear political character. DPs are not merely a reaction against something; they can be a creative action *for* something. Part of this project therefore involves identifying different types of DPs, the forms they take, the factors that motivate them, and teasing out the discrepancies and commonalities between them. (see Part Two)

DPs occur relatively infrequently and are used by very few prisoners in proportion to the general population. The known rate of incidence appears to have declined in the last few decades, at least as an organised, ongoing and collective form of activity. However, on a practical level, documentation of DPs is scant – comprehensive statistical data have not been published consistently and where DPs are noted in official records they tend to feature peripherally in discussions of other kinds e.g. where the emphasis is on mental illness, incidences of assaults and riots or disorder more generally. In effect, DPs are subsumed within these categories and often without much qualification. Together these factors give the impression that DPs, as a stand-alone form of behaviour, have been conceptually de-problematized both at the level of penal management and at the level of academic discourse. While I am concentrating on DPs experienced during the 1960s, 70s and 80s (and in Scottish prison), this present lack of overt attention suggests a longer lineage of disregard for the sheer complexity of what DPs are and for what they might represent. But there is also a paradox in play since throughout the recent past, where DPs have been discussed the talk is often loud. Disgust is a common theme, expressed noisily and evidenced particularly within

media-led discourses, of which certain influential sections serve to exacerbate a fundamental empathy-gap. Other, more sympathetic though equally emotive, counter-narratives offer a similarly distorting view. Films and literature in particular tend to valorise DP prisoners, casting them in the role of dramatic hero (e.g. *Hunger*, 2008; *A Sense of Freedom*, 1979), whilst there is tendency amongst activist commentators to locate DP prisoners within a context of victimhood set against unremitting and illegitimate domination (see *Gateway Exchange*, 1987). The tone is frequently crude and characterised by a combination of outrage and pity. These strong, emotive and sometimes prejudiced responses are perhaps inevitable given the extreme nature of DPs and the extent to which they transgress social and cultural norms surrounding human waste. Nevertheless, cumulatively these factors render analyses of DPs few in numbers and for those that do exist the focus tends to be targeted and in that sense limited.

In terms of analysis, it is true that DPs are discrete, unrepresentative and anomalous phenomena, yet caution is required since it is these novel aspects which serve to generate a number of analytical hazards, including: an unmitigated 'othering' of DP prisoners; a conceptual reductionism whereby the nuances of DPs and DP prisoners in terms of forms, circumstances and intentions are ignored; a failure to recognise the processes involved and the spatial contexts in which DPs occur; and, an inability or unwillingness to take DP prisoners' own accounts seriously and to integrate them into analyses.

Key distinctions should be made at the outset regarding the relationship between mental illness and rational intent. That is to say, in some instances DPs are unambiguously the product of severe mental illness (Hail, 1997) - disorders which either manifest prior to extreme confinement, although likely to be exacerbated by it, or those which are solely connected to the conditions of imprisonment (for studies on the psychological impact of segregation see Scharff-Smith, 2004; Benjamin & Lux, 1977; Grassian, 1983; Brodsky & Scogin, 1988; Haney 1993). In such cases, there is a somewhat banal though no less disturbing core element of irrationality to the subversive use of bodily fluids. This account is not a psychological assessment of prisoners who fall into this category and those who, as a direct and uncontested symptom of illness, engage in DPs. Rather, I am

concerned with forms of DPs that involve a predominant element of rational motivation. I am interested to explore the intentions that underpin DPs when they are employed self-consciously, the ways in which they are understood by those who engage in them, and to consider seriously what ‘reasons’ prisoners might have to subvert behavioural conventions in relation to human waste. Separating out these two kinds of DPs on the basis of rational agency is not to deny the role that degrees of mental distress might play in the exercise of all DPs, almost by definition. But, from prisoners’ testimonies it is clear that recognition is being sought not only for the physical and mental harms exacted by certain forms of containment, but also that this should not be cause enough to dismiss the deliberate calculations that some DP prisoners understand themselves as making when they act. To do so would amount to secondary indignity; it would undermine what power they feel they have as autonomous beings. However, there are difficulties with the concept of ‘mental illness’ and the extent to which rational intention may be skewed as a result. As well as being vague and highly contestable in any arena, what it means to be mentally healthy is rendered even less clear when thinking about people who exist in often abject conditions of imprisonment – and, it is within these kinds of spatial and psycho-social settings that the DPs I am chiefly concerned with typically occur. Notwithstanding this difficulty, I am choosing to leave unexamined both the clear and the boundary cases of DPs which adhere to mono-aetiological explanations on the basis of mental illness alone, which as it happens appears to represent a minority of cases of DPs.

As indicated above, there are understandable reasons why DPs inspire general repulsion based not only on the taboo status of human waste but also on the challenge it presents to deeply entrenched behavioural norms. Human waste is shrouded in secrecy, both in practice and in common and intellectual discourses. Bodily fluids are secret substances; defecating is a secretive activity - we do it in private, we build walls around cubicles to render it invisible to others and we construct increasingly sophisticated devices to render it invisible to ourselves. Yuill (2007:5.10) argues that this removal from public view is a distinct feature of modernity, requiring as a condition of ‘civilised society’ that excrement be

“consigned into a strict toiletry habitus”. (Although, I am not entirely convinced that toiletry seclusion is necessarily a ‘modern’ phenomenon.) Exceptions to this silent treatment involve children, the elderly and the mentally ill. Thus, human waste is associated with the infantile; it is connected to vulnerability, irrationality, illness and to the ridiculous. For those who do not fit easily into these categories a distance gathers between Us and Them. They are not weak but feral; they are not vulnerable but dangerous. The ‘Dangerousness of Dirt’ to use Mary Douglas’ famous phrase, is not so much a biological fact but rather a sociological construction: dirt, and especially shit as its most potent manifestation, has artificial not essential meanings, those which are associated with shame (see Inglis & Holmes, 2000; Inglis, 2002). Moreover, supported by powerful religious and cultural traditions, the objective filth of dirt becomes synonymous with impurity so that shit is not just physically unhygienic but the people who cover themselves in it are morally unclean too. On this basis, it is difficult to accept (though we no doubt should) the assertion made by the Greek poet Terrence that “anything humans do is not alien to me.”

This connection between human waste and (moral) disease, and the assumptions made that those who engage in deviant activity involving waste are not just inherently uncivilised, undignified and/or animalistic but also, that they are dangerously anarchic too, is partly rooted in a cultural attachment to sanitary order. As Mary Douglas argued, “...dirt is essentially disorder. Dirt offends against order. Eliminating it is not a negative movement, but a positive effort to organize the environment” (Douglas, 1966). At the level of the individual prisoner, this same impulse to exert control through sanitary order is arguably one method by which autonomy and identity may be demonstrated in otherwise highly restricted environments (Sloan, 2012). An interesting question is whether and how this same impulse might be satisfied through the deliberate manipulation of dirt. Not merely as a means of resistance, as an “effective oppositional force” (Benjamin, 1999:78), but also, at a deeper level, as an attempt to reclaim aspects of one’s own dignity. Engaging the dignity concept enriches analysis of DPs insofar as the focus shifts from the relationship between sanitary conditions and power to that between dirt and moral development – a puzzling and at times

paradoxical conceptual manoeuvre which I hope to make clear as we go along. At the level of penal authority, however, manufacturing sanitary order is clearly a response to the managerial (as well as primitive) desire for protection, of which disgust is a powerful signifier. Together, these assumptions and attitudes establish a compelling and flawed impression of what DPs must mean and what kind of people DP prisoners must be.

In addition, these connections and attitudes are no less potent in more sensitive readings since the apparently uncivilised and wretched nature of DPs is reinforced albeit explained in terms of desperation: their thesis proposes that dehumanizing conditions create dehumanized persons; brutalising conditions create brutal human beings. While there may be some truth in this there is reason to suggest that it is not the whole story. Nevertheless, the living reality of shit always stinks and therefore it may appear an implausible approach, perverse even, to locate DPs within a dignity framework, as I intend to do here. One might ask, incredulously, dignity through dirty protests? The question mark is significant, and so too is the precise wording. It is dignity *through* dirty protests and not the dignity *of* dirty protests in order to denote the processes of expressing, maintaining or acquiring whatever components may be said to constitute the 'having' of dignity, rather than making claims about whether dirty acts are in themselves dignified. That DPs may not be dignified does not preclude the possibility that such acts might both represent the desire for dignity and signify the struggle to actually attain it. By way of response to the original question I mean to offer a series of inconclusive reflections based primarily on prisoners' own accounts in order to explore how or whether dignity features as part of this dirty story.

Superficially, these two subjects (dignity and dirty protests) seem incompatible such is the apparent nobility of the former and the unquestionable grimness of the latter. Dignity feels grand and pure, whereas DPs are filthy, they pollute, they smell. Yet even a cursory reading of prisoners' testimonies reveals the connections between the two, if only because the issues at stake are the same as those which have preoccupied historical and contemporary debates surrounding the meanings of dignity. It is amidst experiences of suffering that questions of dignity and its opposite assume a greater sense of urgency. What it means to

suffer and how people retain self-worth in the face of it is at the core of the dignity struggle and peppered throughout prisoners' testimonies are common descriptions of this struggle. In turn this provokes fundamental dignity-questions: is dignity something we have by default or is it something we must acquire? Is it how we act or don't act? Is it the way we are treated or perceived by others? Or, is it some combination of all these elements?

Within the context of shame scenarios there might be a distinction between possessing (by default) and expressing (by intention) human dignity. On this basis, it may not be just that DPs manifest shame in the negative sense, that they are reactionary and are representative of indignity, but also perhaps DPs might be considered as proactive means through which the goal of dignity might be positively achieved or at least struggled for. In essence this line of thought is a distillation of what this entire project is seeking to explore. Unlike the historical trajectory of dignity where the concept itself has been disembodied from the subject (Oliver, 2011:95), by contrast prisoners' testimonies of their DP experiences register a profound sense of the physicality of imprisonment and, by the same token, they set their action to it within an intensely visceral context. Prison has been (and is still in certain regions and respects) an appallingly intimate physical experience, one in which strip and cavity searches were ordered, where ablutions were monitored and worse, actively watched, where bodies were beaten, and where cells were stinking (even before DPs occurred). Feldman not so flippantly terms this body colonization as "colon-ization" (1991:174). It is a grim and perhaps inevitable irony that within such conditions it is the body's rejected substances (those which it literally ejects) that are actively mobilised in response. Integrating prisoners' accounts into analysis as a way to make sense of dignity and how/whether it might be expressed through DPs, must therefore entail explicit bodily recognition.

If dignity is embodied, then it is inclusive of pleasure and suffering, beauty and disease, strength and vulnerability, life and death. If dignity is embodied, then it is local as well as universal; always situated, it cannot be understood as distinct from the individual who carries it, and any defence of dignity must acknowledge and recognise the specificity of its circumstance. To respect the embodied dignity of a person, therefore, is

first and foremost an act of recognition: to recognise as human every aspect of their experience, however abject or foreign it may seem, to acknowledge the specificity of their person, and by doing so to affirm the place of the other alongside the self within the human community. (Oliver, 2011: 95-96)

Exploring whether dignity might be embodied through DPs necessitates a close reading of prisoners' subjectivity. It also requires contextual background regarding the precise spatial and psycho-social settings that these prisoners inhabit. To this end, I have relied heavily on prisoners' own descriptions of their environments, augmented by additional information about relevant penal policies and management frameworks where useful. However, in terms of evidential validity there are several difficulties here. First, the gap between how things are in objective reality and how things both appear to be and are remembered by prisoners sometimes swallows whole important details: the facts of space and time are not always accurately remembered or articulated. In other words, there is a difference between testimonial and documentary evidence. Secondly, given the tiny proportion of prisoners who actually use DPs and the smaller number still who go on to write about it, the sample size is unavoidably limited and self-selecting. It might be the case that those people who have the inclination and aptitude to write about their experiences of DPs are also those who are well-equipped to rationalise their experiences after the fact, thus conferring an illusion of authority. Finally, given my interpretative approach, this account does not apply a rigid method of linguistic or literary analysis. It is an exploratory, prisoner-centred narrative which attempts to describe and make sense of prisoners' memories of their DP experiences.

"Memory mediums" writes Tumblety (2013:11) have the ability to "convey the emotional rawness and humanity of lived experience in the past." It is this aspect of prisoners' testimonies – this *rawness* - which I am most interested in. But sometimes the stories prisoners tell are fragmented and messy. Like every story each one is always and must be partial. Often they are contradictory and display varying degrees of self-awareness. In places the emotional charge is intense, penetrating and distressing. In others, and more disconcerting still, there is a cool sense of detachment to the clinical descriptions of violence committed by and

against prisoners. These stories are sometimes self-congratulatory which comes across as performative as if the author is affecting convictions not entirely his own - the 'con' in self-confidence. Some are difficult to like, others are impossible not to admire. All their stories are rich, vivid and moving in spite of disparities in fluency. Most of these men had life sentences to contend with - an unimaginable period of time. Most had histories of routine crime and everyday experiences of standard violence. These are men with complex interior lives and rich literary and cultural tastes – Jimmy Boyle, for example, embraced the Russian Masters¹⁸, Larry Winters was a voracious reader of Edgar Allen Poe, Nietzsche and the beat poets¹⁹, Hugh Collins absorbed sepia Westerns, littering his prose with references to *High Noon* and Robin Hood inspired tales, Tommy Campbell weaves the lyrics of Pink Floyd into his account. This is more significant than it may appear; it helps to paint over the easy animal caricatures lazily drawn of so-called “problem” prisoners. Almost without exception these men come from variations of the old, creaking tenements of Victorian inner cities, especially Glasgow - areas of economic deprivation surrounded by walls literally crumbling (many of the prisoners’ childhood homes and neighbourhoods have since been demolished)... “Where the grease-stained paper blows/Where the filthy gutters flow/Hear a police-whistle blow/In an ally” (Winters, 1979)²⁰. Slum-dwellings followed by Approved Schools followed by Borstal followed by Adult Prison....a tragedy of predictability. Into the “deepest places – ends-of-the-lines; holes; *termini*” (Sparks, 2002:559) their lives form cracks, slowly gathering weeds like abandoned buildings. Men, still boys, in ‘iron lungs’, ‘dungeons’, ‘cages’, ‘tombs’, ‘the land of the lost’, ‘coffins’, ‘the void’²¹, imagery of death within life where they rage and fight and sing and shit....*The Silent Scream*. This

¹⁸ In *Sense of Freedom* (1977:171), Boyle recounts his particular attachment to Dostoyevsky’s descriptions of pain.

¹⁹ Daphne Brooke, a friend of and frequent visitor to Larry Winters during his time in the Barlinnie Special Unit, offers a wonderful portrait of the range of authors and artists that he read and absorbed, detailed in the introduction to *The Silent Scream* (1979).

²⁰ Lines from Winters’ poem ‘A Nod Aloud & Keep Moving’ – part of his collected works in *The Silent Scream*

²¹ These are only some of the terms prisoners use to describe certain penal environments in which they live. It is less important whether these colloquialisms represent distorted spatial perceptions; what is important is how prisoners’ experience and understand their environments, how they construct their realities. The precise words they choose to use are windows into their interior worlds.

is what the authors of these stories demand their readers know and it's not easy to forget. Johnny Steel, a Scottish prisoner in the 1980s noted in his autobiography, rather poignantly, "I always seemed to see the best in life through a window" (Steele, 1992:255). This sense of being trapped, being locked-in, literally and metaphorically, unable to reach the 'best' of life and condemned to experience its 'worst', blows like a storm across all the testimonies I have used here. It is an atmosphere that should contextualize any interpretation of DPs since how and why people act in this kind of climate - and that they act at all instead of simply collapsing under the pressure - is indicative of the sheer force of the human will. Whatever the consequences, there is perhaps an irrefutable albeit very basic kind of dignity in that.

Situating these personal stories within a dignity-framework does, to some extent, impose meaning onto them. 'It is more of a job to interpret the interpretations than to interpret the things', cautioned Montaigne, 'and there are more books about books than about any other subject.' Yet, prisoners' books are generally given less critical attention than official discourses (Sparks, 2001) – or, sometimes ignored altogether - and, this is doubly the case with respect to DPs which tend to be viewed from the perspectives of either the psych-disciplines or through security/disorder lenses. This dignity concept is, I think, a useful framework for taking seriously prisoners' testimonies without collapsing analysis into simplistic scripts of debasement, heroism or victimhood.

Interpreting Dirty Protests

Each author I have engaged with here was considered by the penal authority as a problem prisoner. Underpinned by systems of classification and buttressed by a variety of formal rules and procedures, an extensive web of segregation sites was instituted. Operating simultaneously, such arrangements were used for the purpose of containing problem-prisoners in ways that were intended to control and mitigate the risks that they were perceived as carrying. In the Scottish context many of these segregation sites have since become infamous owing to their distinct spatial characteristics, the regimes adopted therein and the significant legal, managerial, political and humanitarian implications that, in most cases,

ultimately led to their closure. Before exploring how, why and when DPs are exercised by prisoners, it is first necessary to examine *where* they were conducted and, most especially, the manner in which prisoners themselves understood those environments. The discussion then moves forward to reflect on the violent, defensive and creative aspects of DPs. Along with the battle psychology that both prisoners and officers seem to inhabit, there are also more playful and communitive elements to DPs whereby such actions are used as a means of expression, a way to stem boredom (both situative and the more profound existential kind) as well as a mechanism for solidarity. Given the general nature of this thesis, however, which, based on prisoners' testimonies, tends towards the more overtly resistance-oriented behaviours, these last two aspects are not, in this work, given the critical attention they warrant.²²

The Wasteland: Segregated spaces in Scottish prisons

Prior to the late 1960s, the segregation unit at Peterhead prison was a primary site for the containment of problem prisoners, although sites in Perth and Barlinnie prisons were also used routinely. Throughout the 1970s and 1980s a number of building projects were undertaken, establishing additional segregation arrangements at Peterhead, both purpose built sites and adaptations to existing structures. Projects included the construction of an Individual Cell unit (1976), an extra 10-cell unit (1982), and what was known as B-hall unit (1984). The proliferation of segregation sites at Peterhead alone indicates that during this time there was considerable anxiety about how to manage problem-prisoners, against whom increasingly extreme forms of containment appeared to be the most suitable, or at least the most popular, response. Such fear and the need to "do something" was perhaps inevitable given the seemingly perpetual explosions of internal disturbances, riots, assaults and 'protests' that scarred the penal landscape at this time. A period described to me by one long-serving officer as "basically carnage". In any case, it was to Peterhead prison, and most especially to the

²² This chapter is a considerably abridged version of a much more detailed and comprehensive study of dirty protests, which I am currently developing with future publication in mind (possibly as a monograph).

Digger, that many problem-prisoners were sent. Campbell calls it ‘Hell Block Sol Con’ and ‘the arsehole of the universe’. Collins calls it ‘the dungeon’. Boyle calls it ‘the land of the lost’, signifying perhaps not merely the internal spatial and social isolation experienced within its depths, and indeed the lengthy period of time that this often entailed, but also the geographical isolation of the prison itself – stranded on the edge of land, facing the fierce elements of the North Sea and miles away from the places (and people) prisoners were familiar with. It is no coincidence that there were virtually no successful escape attempts from Peterhead prison. Steele offers this description of the Digger:

The cellblock was their pride and joy, and if anyone stepped out of line they were sent there. Some guys were terrified because of its reputation. It stood on its own, a two-storey granite building with cells on only one side, eight cells on each floor. Prisoners weren’t allowed to mix with anyone – solitary confinement was the main part of the punishment. It was a prison within a prison. It was rumoured that blood was coated on the walls from the beatings handed out there. (1992:211-212)

On arrival into the system and after initial classification procedures, prisoners considered high-risk and those who lacked ‘trainability’ potential, on account of perceived recalcitrance, were sent to Peterhead. (Older prisoners who were similarly categorised were sent to Aberdeen). From prisoners’ perspectives (at least those whose testimonies I am using here) conforming to the trainability criteria had serious implications for their sense of self and thus, their capacity to claim dignity. Boyle’s comments make this explicit:

The only alternative [to violent defiance] was to be an arse-licker to the screws, losing my own personality and individuality, and being their pet lion. The one they had tamed. The rewards being the occasional pat on the head...The one thing that I could hold onto is the fact that I was me. I felt that I mustn’t give this up or all would be lost. (1977:191)

Hegelian echoes sound here: “I possess my life and my body, like other things, only in so far as my will is in them” (PR, I:47). Many of the prisoners who were kept in the Digger, particularly those who were transferred from other prisons, were contained under the procedural auspices of ‘administrative’ segregation,

which was framed as a necessary measure for the maintenance of security rather than for strictly punitive purposes following a disciplinary breach. However, as prisoners saw it this distinction was largely worthless; instead many viewed the Digger as the very apex of punishment and, moreover, they understood themselves not merely as ‘security-risk’ prisoners (as the system marked them) but as something akin to crusaders. Campbell puts it like this with not a little swagger:

Peterhell is where they send the men deemed to be the most dangerous, the rebels, the ones too bright and spirited to accept a soul destroying regime...The men who invented the dirty protest stripping themselves naked and smearing themselves in their shit. The men who wouldn't lie down to the boot but fought back. The men who took over the jails and protested from the rooftops. The men the system feared and wanted to bury. Peterhell – that's where they sent TC Campbell. (2002:21-22)

Though a single entity, the Digger allowed for a plurality of containment ‘options’: cells with different spatial features; cells for different kinds of prisoners; cells within which different regimes and conditions applied. The ‘iron lung’ is one cell of note which Steele describes as “only seven foot long and if you stood in the middle of the floor you could touch the walls on either side, and the ceiling” (1992:203). Its name a product of the cloying heat resulting from a lack of ventilation, which some prisoners came to almost enjoy as a respite from the arctic conditions of most other Peterhead cells. For security-risk prisoners (those who were deemed potential ‘escapees’) dim lights might be kept on in the cell throughout the night all the better to monitor its inhabitant, while his clothes and shoes were required to be taken off before lock-up and left outside the cell door. This may have aided the night staff in identifying members of the ‘security party’; it may also have mitigated the risk of such items being used in harmful ways. A reasonable measure then. Still, there is something profoundly sad about that detail.

In 1966 an additional segregation site was opened at Porterfield prison, Inverness, subsequently named ‘the Cages’ on account of its aesthetics: a series of large steel cages within individual prison cells. Following the abolition of the death penalty

in 1965 (though the legislation did not come into force until 1969), the Cages assumed greater importance and were used more frequently by penal managers. Questions of accountability, the treatment of prisoners and the working conditions for staff slowly gathered pace (see Wozniak, 1989), though initially at least the Cages appeared to function without much in the way of rigorous external monitoring. “They were thought of” writes Steels (1992:272) “as a miniature Carstairs for crazy prisoners, a place for degrading men the system couldn’t control.” Once safely out of the Cages, Ben Conroy, another prisoner, recorded in the Glasgow Herald (November 10th 1978) that returning there would have “destroyed” him. In the same paper Paddy Meehan described his experience in this environment as “a totally de-humanising ordeal”. Quite apart from the psychological impact of living behind bars (quite literally) the spatial dimensions of the Cages involved significant physical restriction (the inner caged area was about 7 sq. meters) and even greater restrictions of privacy than were experienced in the Digger – in fact after a spell in the Cages some prisoners recount their time in Peterhead almost wistfully. Steele offers a particularly detailed description of this environment:

The Cages are in a separate block, away from the other halls and fenced off by a twenty-foot fence, topped with razor-wire. Six warders were waiting for me – the ratio per prisoner in the Cages. The main corridor was L-shaped – the long part having three cages and a silent cell, and the smaller part two cages facing one another.

[...]

I was stripped of all my clothes, and then taken inside a brilliantly lit ‘cage’. It was a cell that had been divided into two with steel bars so as to make a cage within the cell. The wooden bed had been bolted to the concrete floor; the window had a frosted glass sheet over it to stop me looking out and others looking in, and it couldn’t be opened. The ventilation system was a metal grille on the wall below the window. The walls were painted pink, the heavy bars a dark green, and the bed a mustardy brown. (1992:280)

The emptiness of this sparsely designed environment was reinforced by certain management practices that involved further constraints e.g. mattresses and bedding were allowed only in the evenings; light, heat and ventilation were

controlled via mechanisms in the service area, which staff could (and according to prisoners did) manipulate in a malicious, off-the-record manner. In 1968, or thereabouts (precise details regarding dates are not always clearly stated in prisoners testimonies or easily verified) Boyle began a nineteen month stretch in the Cages, which he remembers made him feel like “one of the living dead as I had been there three times longer than the maximum period stated in the rules. It looked as though they would keep me here forever” (1977:185). Later, after a series of disturbances and one particularly violent encounter with officers of which Boyle played a leading role he was returned to the Cages for a six month confinement. Cumulatively, this was enough for him to conclude that, “Inverness was the prison that I felt most helpless in...Being inside a cage, inside a cell in the solitary block which was only part of the prison as a whole, made me feel that I was at the very core of isolation” (1977:220). This chimes with his designation of Inverness as a ‘Siberia Prison’.

Another site forming the backdrop of DPs is the iniquitous Silent Cell, distributed across the penal estate but typically housed within those segregation units that were specifically reserved for the most troublesome prisoners. Though it hardly seems possible that spaces can be even more barren than those previously described, the Silent Cell might win that ignoble honour. Descriptions of it vary across prisoners’ testimonies and, curiously, it receives less attention than other segregation sites – possibly a consequence of the comparatively shorter periods of time spent in such cells, or perhaps due to a more general tendency amongst these authors to take for granted how complex segregation arrangements appear to outsiders and how unfamiliar they are with them. However, where Silent Cells are mentioned what is uniformly emphasized is the additional level of isolation to which the prisoner descends. Spatially, these cells tend to be located at a distance from other cells in the unit, thus limiting the possibility of communication between prisoners (via the many ingenious methods they cultivate), they tend to have virtually nothing in them, except perhaps a wooden or concrete plinth intended for sleeping, and they tend to restrict prisoners’ visual world in that they are often kept in semi-darkness and where there is a window at all it is usually built high into the wall so inhibiting any access to it. The regime is meagre with

little or no variation to a routine of nothing. Exceptions include very limited access to washing facilities and to the exercise “pens”, although from prisoners’ accounts this is by no means assured. Ostensibly such cells are used to provide a space for ‘cooling-off’ following aggressive or disruptive behaviour by individual prisoners – the timeframe of use is more proscribed compared to other sites. And, to that end, they are sometimes effective; a number of prisoners relay how, within the Silent Cell, the drama of rage does indeed dissipate; it turns inward instead, morphing into something darker, more insidious and itself silent, buried deep within and mounting like trapped toxins waiting to explode. As prisoners see it, this appears to be the better case scenario; the other involves a retreat into depression leading to various dependencies and at worst a final withdrawal. In these whitewashed, tiny spaces there is fear too, the kind that persists in memory, remnants of which linger long after the location changes. Nightmares of the Silent Cell returned to Steele while he was ensconced in a safe house during one of his successful escape attempts. Surrounded by the newly emulsioned gleam of a stranger’s living room in daylight, he panicked, paranoid he was back in that special cell. His recollection of this experience (see Steele, 1992:265) suggests both the power of spatial memory to provide an immediate opening into the presence of the past – it is transportive rather than a process of retrieval – and also the degree of anguish that could be experienced within this kind of space. The first of these points has implications when considering the long and growing roll of penal memories that most of these prisoners have from years of imprisonment. Left in solitary conditions for long periods at a time, with an absence of meaningful activities, memory performs a vital function - it becomes an overt part of daily living and this works both ways: memories of life before prison are often romanticised, memories of life after prison often take on an additional severity. (This is explored in more detail in a later section).

A number of other sites and practices are referenced in prisoners’ testimonies that have an indirect bearing on DPs to the extent that they create the texture of imprisonment, weaving impressions in prisoners’ minds about what this life involves, how ‘the system’ views them, and what strategies might be deployed for coping. Issues relating to food, family visits, medical facilities, complaints

procedures, etc. are documented repeatedly as points of frustration, feeding resentments and serving as further self-justifications for transgressive behaviour. Of particular significance is the movement dimension within prison, the standardised as well as “special” processes of transfer within individual prisons as well as across the penal estate. The penal practice of “ghosting” is worth mentioning, which involved the quasi-official passage of problem-prisoners from one segregation site to another on the basis of informal agreements between prison governors. In effect this allowed for circumvention of the official rules and legal parameters regarding the timeframes for length of stay in segregated environments. As well as the Ghost Train (sometimes referred to by prisoners as the ‘magic roundabout’) a more general and standardised progression mechanism was operative, whereby all prisoners within the system were shuffled, in stages, through the penal estate according to their completion of certain work targets and behavioural expectations. Predictably, this became a source of much antipathy between prisoners, along with their families, and the penal authorities. Often there is a jagged and irregular flow to prisoners’ narratives where the story darts from one site to another and where the chronology is sometimes disjointed. This creates a sense of spatial insecurity, of rootlessness, reflecting the continual movement of prisoners often at short notice and in ways that are apparently not always made clear to them. It is as if the authors are constantly honing in and out of particular sections of a canvas, the whole image made intelligible as the details mount up.

A striking feature of every account I have studied is that all contain a detailed description of the so-called Dog Box - a temporary holding space in the reception area of prisons with wire mesh walls where prisoners would wait often in twos or threes for their turn to be ‘processed’. “There was a piece of wood nailed to the wall meant for us to sit on but there was only room enough for one”, writes Boyle (1977:85), “(t)he box was about three feet by three feet in size and about eight feet in height. These are what are known as the “dog boxes” and that’s just what they’re like.” Collins offers this description:

I was put into a tiny room the size of a cupboard, which they call the Dog Box, and told to strip off all my clothes...I read all the names scratched on the walls and then the door swung back and the warder in a white medical coat told me to go and see the doctor. ‘Name? Religion? Ever had crabs?’

Okay, bend over.’ I felt like a slave on auction with this bastard poking and prodding, but I kept my face expressionless, so already I was winning. (1997:36)

Introductions are clearly important. As an entry point to the prison environment containment in the Dog Box sets a tone, one that defines the nature of many prisoners’ subsequent experiences.

Stench warfare: A battle psychology

Perhaps the most overt, certainly the most analytically uncomplicated, form of DPs are those which contain an explicit violent component. Not just the Body as Weapon (Feldman, 1991) but the body’s *waste* as weapon. The assaultive use of bodily substances as a means of direct attack feeds into a narrative of prisoners and officers ‘at war’ - a story that undergrids most prisoners’ memories of DPs. And this is unsurprising given that penal segregation environments in Scotland during the 1960s 70s and 80s were very much like battlegrounds. Indeed, at a structural level the war analogy was semi-literal on account of the quasi-military hierarchies operative in the prison, and additionally, the fact that up until the middle of the Twentieth Century many officers were ex-military, drawn from the ranks of local troops (see Cameron, 1983). Metaphorically, the war analogy referenced in numerous testimonies is apt; the parallels are stark. Clear divisions between enemy camps - prisoners versus officers, Hardmen versus snitches, and to a lesser extent, ‘custodial’ versus ‘reformatory’ officers; territories marked for combat; camaraderie; strategizing; stores of weaponry; short sharp spells of fighting followed by long empty periods where wounds were laid bare; a siege mentality; distance from family; small victories and immense defeats; plans made, tears shed, blood, ‘the fear’; a sense of purpose and a sense of futility.

Boyle describes one incidence of rioting in the Digger, where DPs accompanied tactics of considerable property damage, as “an Alamo”, a battle he remembers experiencing as “a proud achievement”. The self-righteousness of these small triumphs stems, I think, from a belief that the war is justified, one in which the enemy is made monster and the self is cast as a valiant soldier, a Freedom Fighter. This identity is literally the case with respect to the Republican ‘no wash’ prisoners in the H Block of Northern Ireland. Their war was public, political,

rooted in historical antecedents of civil strife; it was a situation of dirty politics as well as a dirty war. Imagery within Bobby Sands' verse speaks of the storming of the "old Bastille", of the noble "Fenian dead", of "hunted rebels", of "The blood! and death!", of 'Bold MacKillen' who knew "Tis the time to fight or the time to die."²³ But, there are also echoes of this feeling of struggle against oppression in the way Scottish prisoners understood their worlds and their (dirty) actions in it: struggle or surrender. What kind of freedom did they think they were fighting for and how did they justify the violence? "I was always revolted by violence when the recipient collapsed in on himself" writes Collins, but he goes on:

It was different when a guy was ready and wanted to challenge me. Then I felt victorious when I beat him, and no remorse. I've got to equate that with the reaction in war: after a battle, a man doesn't suddenly turn around and say. 'Oh, I took a liberty there'. He feels that same sense of victory I felt when someone was tooled up to meet me and I made a worse mess of him than he made of me." (1997:59)

In prisoners' accounts bodily substances are used as missiles, sometimes faecal matter is fashioned into bombs using rags from bedding and hurled at officers in large amounts for maximum impact; sometimes the contents of pissposts are thrown at officers; sometimes prisoners attempt to smear handfuls of raw waste over officer's exposed skin - no simple task given that many staff-prisoner encounters in segregation sites involved both a ratio of staff to prisoners stacked in favour of the former and staff in heavy riot gear, including helmets. Between two enemy camps, sometimes shit was the weapon of choice for both.

There was shit in my cage and I knew it wasn't mine...I knew that one of the bastards outside had done it. I picked it up intending to rub it on to the bars and walls along with my own shit – it would help stink out the cage even more badly since it was fresh, and as long as those bastards suffered I didn't care. I had in my hand when [the officer] opened the door, and the grin on his face made me sicker than the shit in my hand...I wanted to grab hold of him and ram the shit down his throat, but the way he was standing suggested that he'd be able to close the door rather too quickly. I could feel the hate surging up inside me. I asked him which one of them had shat in my cage...I halved the shit with my bare hands...threw half of it at him...I don't know if it hit him, but he was screaming at me from outside the cell door. (Steele, 1992:325)

²³ From the poems "The Rhythm of Time" (p.177), "The Union Man" (p.179), and "The Bold MacKillen" (p.189) collected in Bobby Sands' prison writings (1998).

These acts are explicitly offensive but there is also a defensive element too: waste substances are sometimes 'worn' by prisoners as armour, a deliberate and quite rational calculation to protect the body from physical beating. The aesthetics (and the smell!) of a naked man covered in shit serves as an effective shield against enemy advances. Sometimes this was an unintended but welcome consequence.

We were concerned what to do when the screws came back, and we felt pretty helpless. I did a shit in the middle of the floor and started rubbing it all over my arms and body and face. I thought that if they were going to come in then I was going to jump on them and grab them so that they would get shit all over them. They did come back and saw what I had done and backed out as I positioned myself to throw my whole body amongst them...The screws obviously thought I was insane but I wasn't going to lie there naked and helpless while they beat me up...I didn't want the authorities to start doing what they wanted with me. I was prepared to go to certain lengths to combat this. (Boyle, 1977:134)

What is apparent here is that the war being waged is experienced as existential, recognised in binary terms of struggle or surrender; claim power or be rendered helpless. "I knew that the shit and the slops were necessary weapons, the only weapons at my disposal and an important part of my survival", remembers Boyle (1977: 183). Imagining the sparseness of the spaces these men lived in and the critical lack of ammunition at their disposal (as they saw it, the fight was certainly not fair), it seems more rational, not to say reasonable, rather than merely transgressive that waste substances formed a key part of their *arsenal*. Moreover, in a life lived according to the daily routines specified by anyone but oneself, DPs might be understood, in this sense, as an elemental expression of a man's capacity for basic autonomy, along with perhaps his apparently inexhaustible creative resources for ingenuity. When everything else is unchosen, DPs are a choice. Yet, an associative degree of cognitive dissonance is often present in that choice, evident too in the shifting sands of responsibility bound up in all war scenarios; a feeling that the use of certain methods and certain tools and rules of engagement are necessary to win the noble fight, but that they cause such damage to others' (and to oneself), and that they may exceed the bounds of personal moral justification, is viewed as the fault of the enemy against whom they are deployed. 'He made me do it, he deserved it, and I hate him for it.' Indeed, however comfortable, relatively speaking, prisoners became with using and being in close

contact with waste substances, they remained attached to the cultural (and instinctive?) value of cleanliness. We see this in the way Boyle kept parts of his cell un-soiled, spaces in which he exercised and slept, we see this in the way Steele created stepping-stones in his cell to navigate a comparatively clean passage through, and we see this in the way many of the prisoners took pride in painting their cell walls (when given the opportunity) even while, at the same time, they continued to smear shit, blood and piss on others. That these men retained a commitment to order through cleanliness, that they were not impervious to the civilising desire for hygiene demonstrates their belief that a dirty world is not an ideal environment; these men never became mere animals. Clearly then, DPs were deliberate, well-thought out acts with contingency plans built into the calculation. That being the case, what should we make of prisoners' decisions to engage in DPs? Might they represent a despair-tactic, a last ditch attempt at struggle when all other options have failed?

It is tempting to inhabit a simplistic, undemanding discourse of desperation here but I don't think we should, not least because that is not the story many prisoners tell. Rather, DPs are sometimes deployed proactively, rather than with reactionary finality, precisely because of their instrumental function to bolster the status of the prisoner, to embolden him against his opponents and to distinguish him amongst his peers. "There's a certain power attached to all this", writes Collins (1997:109), "the more security, the more powerful I become. I'm being treated as someone who needs to be chained, watched, guarded, as the most dangerous man in the prison, as the most dangerous prisoner in Scotland." This strikes me as an example of deep self-awareness and speaks to questions of honour and power and what one feels they have to do in order to achieve that status, what one feels is necessary in order to create a self-identity one can be proud of. Revealingly, in virtually all prisoners' testimonies this same 'most dangerous...' label is claimed and embodied and usually with heady bravado. It stands as one of the most intriguing contradictions of DPs (and for that matter of war too): to be understood by others as the "worst" - and engaging in DPs certainly aids this process - is to understand oneself as the "best", yet at the same time this is experienced as a shattering human indignity insofar as it creates an external identity that is not

internally authentic. In other words, for all the opportunities for autonomy, the construction of identity and for recognition by others that the Hardman - “most dangerous” - identity facilitates, it also blocks access to the deeper caverns of moral will; it traps people in the one-dimensional Master/Slave fight to which the Hardman cannot easily escape with pride intact. Perhaps the most moving, heart-breaking and hopeful extract from any of the testimonies I have engaged with comes from Steele, who exposes what lies beneath the Hardman exterior and what is possible between two enemy combatants when the carapace is removed.

A warder came into my cell to try to persuade me to stop my rebellion. He said I was only degrading myself living this way. He stood in the cell among all the shit: he didn't even bother to use the stepping-stones I had made from some granite bricks I'd removed from the wall. He was crying as he told me that when he went home he had to change his clothes in the garage, and that his family could smell the shit, which humiliated him. I cried as well, not because of what he'd told me, but because I saw him for a brief moment as a fellow human being, and I began to feel that I'd taken a liberty with him. I promised him that I wouldn't throw my shit at him and he thanked me. (1992: 329-330)

Encounters of this kind are depressingly rare within the pages of prisoners' testimonies. More commonly descriptions of how prisoners view officers, along with the kinds of treatment they remember experiencing at their hands, follow this pattern:

...still I live here in this box on the dark side of the moon with only my torturers clunk-clicking in their armour beyond the double-barrelled caged gate and steel door of my vault. I could hear the furnaces of Hell Block in constant roar amid the clunk-clicking of cockroaches. I could smell the decaying flesh of corpses. So powerful the stench that I could picture the teeming maggots...Am I imagining this? No! The creepy crawlies are real, teeming over my battered body like the minions of hell arisen...[officers] gassed my chamber with poisonous insecticides, blasting billows of toxic gas with their pump guns. Cockroaches revenge...They know I am paralysed. Spine broken in two places under their jack boots and zipped from dick to navel from ruptured gut. They know it's toxic gas. They wore masks as they filled the chamber with it as they backed out the door. So what next?...Will I be found hanged like so many lost and forgotten souls before me...No matter what you do to me ya bastards, I shall live and I shall stand to fight again. (Campbell, 2002:27-28)

This is an important passage, representative of a number of features that appear in most prisoners' testimonies: it exposes the extent and intensity of 'othering' that

is going on - officers as ‘cockroaches’; it evokes the sensory experience of filth – even prisoners who did not participate directly in DPs were subject to their lingering effects since remnants of years of dirt encrusted the space; it identifies the ‘creepy crawlies’ that were inevitable companions in such polluted environments – maggots are referenced in every account; it reveals the tactics deployed by the authorities to mitigate the filth, and not unreasonably some might argue (fumigation and water jets) and how prisoners experienced these measures (gas chamber); and finally, it demonstrates the very stark choice that many prisoners understand themselves as faced with – death by hanging or life by fighting. A passage from Collins reinforces these impressions:

The screws on the ground floor are very menacing; they spit in my face, growling, ‘You fucking scum! You’re a fucking animal! But no one physically assaults me. The escort rushes me down the spiral staircase and into the dungeon. I’m in the hole in the ground, totally breathless but somehow relieved. The cell looks worse than before; there is shit all over the floor and the smell is terrible. Images of people and events are flashing through my brain: a screw on his knees pissing on the polished floor, his whimpers as I stab him again and again...Have I killed him? Should I feel some sort of remorse? The fact is that I have enjoyed stabbing him, every blow sheer pleasure. (1997:190)

This also feeds into notions of the Hardman identity and its perceived opposite. There is honour and self-respect (and thus dignity) bestowed to those who fight, attached to the thick childhood mythologies that permeate into adulthood. The heroism of battle. In so many prisoners’ accounts the opening chapters, describing life before prison in tenement neighbourhoods, reference and celebrate local, notorious Hardmen: the boxers, the safe-blowers, the gang-leaders, the men who run the rackets, the men who square-up, tool-up to the ‘Polis’. By contrast, for those who ‘take it’, for those who withdraw altogether (not necessarily via suicide but via incapacitating drug dependencies) and worst of all for those who work both sides (the ‘grasses’, the ‘snitches’), a special kind of contempt is reserved. They are, writes Boyle (1977:197), the “lowest of the low...they are treated like shit by all of us, screws and prisoners alike”. With these kinds of cultural associations many prisoners understand the inaction of those who withdraw (*non-choice*), along with the misdeeds of those who fight for the other side (*wrong choice*), as indicative of self-relinquished dignity much more than their own DPs

signify, however apparently debased or extreme the latter may appear from the outside.

A horrible irony here is that for the most part men from both sides (prisoners and officers) belong to the same cultural milieu, which may be a core reason explaining the markedly similar notions of masculine honour, along with the types of behaviour that manifest this, which both groups embody. And yet, both groups employ what Taylor (2009:11), in her review of cruelty, calls “the tools of otherizing foes”, namely: “generalization, misdirection and obfuscation”. Further, both groups fall prey to the ‘fundamental attribution error’ whereby the questionable acts of the other (despite being analogous to one’s own) are understood as characteristic of essentially ‘evil’, ‘hateful’, ‘corrupted’ people rather than as situated responses to a given set of circumstances. In this way my side, my action, “me”, are worthy and necessary in this situation while your side, your action, “you”, are innately bad to the core. That prisoners and officers often share cultural and behavioural traditions might explain their identity-insecurity, their lack of solidity in differentiating themselves from the other. Consequently, as attackers they tend to over-compensate through extreme forms of violence, whilst also at the same time they tend to profoundly internalise shame when they are the recipients *under* attack. In her section on Twentieth Century Scottish prisons, Cameron’s analysis is suggestive of these points:

Basic-grade prison officers and their charges are almost always of working-class background and probably with some experience of poverty, and both are of limited education. But the former represent the law, the latter the opposite, and the officers therefore instinctively try to stress their superiority, reinforced by the knowledge that they are members, however lowly, of the uniformed hierarchy, and attitude which must intensify the prisoners’ sense of humiliation and personal insignificance. (1983:194)

Final remarks

Descriptions of prisoners’ DP memories are upsetting and challenging; they expose how stressful and appalling the reality of such acts can be. Extreme imprisonment – barren, segregated spaces, long periods in solitary confinement, routine body searches, violence, etc. – is harmful for all concerned. Everyone’s

dignity is compromised, everyone puts up a fight. This may be the most important aspect of dignity; it always involves a struggle, both to claim and to violate it. That struggle is rarely clean and it is mostly with oneself. As with all obvious truths, this one is sometimes overlooked. What I have attempted to demonstrate here is first, dirty protests are complex forms of human behaviour, they are often hard to read; they mean different things according to one's gaze. Identifying the many ways in which dirty protests are deployed and the variety of intentions that seem to underpin them highlights this ambiguity. Secondly, the gaze of prisoners, its own web of complexity and contradictions, is the lesser known. Focusing on how prisoners understand dirty protests, what kinds of stories they tell about them, serves to enrich the discussion and to widen the view. Finally, exploring the fullness of the dignity concept and subsequently applying it to interpretations of dirty protests not only moves the concept from mighty abstraction to embodied experience, but also reveals a striking and I think crucial paradox: sometimes the dignity struggle manifests through undignified means. This does not necessarily negate the dignity aspect; rather, it highlights both the fragility of it and the perilous nature of its realisation. The actions of both prisoners and prison officers attest to this.

I have interpreted DPs as part of a deliberate and rational exercise to reclaim dignity lost; to assert one's autonomy, to shape one's identity and to experience (self)respect. As indicated above, within some prisoner cultures (and indeed some prison-officer cultures too), it is acts of suicide and other less final acts of withdrawal (e.g. the descent into drug-dependence as an escape route) that amount to dignity self-relinquished much more than DPs do, however apparently debased or extreme the latter may appear from the outside. Yet, despite the many horrors of extreme imprisonment, for all the courage (if not heroism) required to resist its deadening effects, dirty protests make people sick. Trapped and defiant Jimmy Boyle shits in the middle of a cell he is sharing temporarily with Ben Conroy. "At first Ben was reluctant (to follow suit)" but "he did so after vomiting" (Boyle, 1977:134). I have tried to avoid the scatological romanticism that is a danger here, strange and perverse such as it is, but I have also tried to convey the extent to which dignity is being sought through the filth. Nevertheless

dirty protests remain a method and a choice that damage people and by their own accounts. Freedom's force to smash through the unbearable constraints of confinement can make a man wild. Learning (under duress) to live without others can turn a man into an impenetrable island, suspicious of all invaders. Mastering the art of war leaves the skill of peace un-practiced. Talking shit fluently makes it harder to speak other languages. The prisoner might feel the victory of battle, he might claim authentically "in a strange sort of way we had been set free", that there was "an unpretentious naked truth and dignity in that cage" (Boyle, 1977:8), and further he might recognise, "there is no doubt about it that I owed a lot to shit" (Boyle, 1977:161). He might be right in all these assertions – he survived the experience and there is dignity in that, but at what cost?

When Jimmy Boyle left the noxious atmosphere of the Digger for comparatively safer space of the Barlinnie Special Unit, he wrote a book and titled it revealingly *The Pain of Confinement*. When viewed from this unfamiliar vantage point, the *Sense of Freedom* felt in the bowels of Peterhead and Inverness prisons diminished as the distance to real liberty, to full dignity, suddenly grew. All his work was still ahead of him. Shedding the ugly parts, un-soiling himself of the filth of former cells, of the stench of warfare, to a state in which he could rebuild himself post-conflict was, he writes, "the period of torment and discovery" (Boyle, 1977:146). Only within the conditions of the BSU where the harmful effects of violence, isolation, brutality and waste were, in part, mitigated by the lived principles of personal autonomy (and thus responsibility), positive sense of self and a valuing of oneself and others could dignity be reclaimed, not merely strived for. The fight could be clean. But it remained a struggle, and a bitter one. (He who increases [self]knowledge increases sorrow).²⁴ In Hugh Collins' words:

I did try to change but it was a long, painful process. My emotions were like monsters ripping me apart; everything was always so confusing. At times I didn't know if I could get through it all or if I really wanted to. What would I have left if I didn't have my feelings, whether they were rage or hatred? The pressure was always with me: the hopelessness of my situation. The life sentence – it was a nightmare. (1997:122)

²⁴ Ecclesiastes 1:18

This place [BSU] is my life now. I'll paint, draw and write, write about everything – Jimmy's right. I have to fight back this way. (1997:132)

A perspective most famously brought to fruition by Jimmy Boyle, who remembers: "Rather than lie passively and wish my life away, I decided that I would continue the fight to stay alive; this time, my tools would be used in a creative and constructive manner" (Boyle, 1984:22). This was a struggle both *for* dignity and *in* dignity.

I think of the sky and the bird, symbols of my future...Unlike the past, that dark menacing shadow, I take responsibility for creating the future from this moment onwards. I look at the wispy cloud as it fades in the distance – going in my direction. I want to follow it, to run on air and see the height and breadth of land, to look as far as the eye can see without walls restricting. (Boyle, 1984:146-147)

SIX

Segregation and Prisoner Transformations; Spatial Autonomy and Desistance in the Barlinnie Special Unit

I would take the very strong view that one of the major priorities of the prison system should be based on the whole question of adapting into a situation where staff right from the top to the bottom should be in the business of trying to change folks behaviour. That's a key fact.

(Ken Murray – one of the architects of the BSU – speaking on The Saturday Connection, BBC Radio Scotland, 10th October 1987)

We seem divided between an urge to override our senses and numb ourselves to our settings and a contradictory impulse to acknowledge the extent to which our identities are indelibly connected to, and will shift along with, our locations.

(Alain de Botton in *The Architecture of Happiness*, 2006:12)

Introduction

Beyond the straightforward incapacitation objective, some small units across the SPS estate have been invested with a longer-term corrective function. Whether as a stated goal or as more of an implicit intention, certain specialist units carry with it the hope of behavioural adjustment²⁵. The units so far examined attempted to do this chiefly by restricting prisoners' autonomy through increasingly tight spatial and social controls. Chapter Five discussed the dirty methods some segregated men have utilised in response to such measures, i.e. by way of regaining the dignity they perceived was under threat, prisoners demonstrated autonomous action through the often violent subversion of rule-based norms, thus representing a dangerous challenge to authority. Such actions might be understood as the 'dark side of agency' (Lindegaard & Jacques, 2014: 86) though as suggested in Chapter Five, those cases are perhaps more nuanced given the positive - albeit unsustainable (and often unsavoury) - benefits of pursuing such avenues to which some prisoners have testified. In a similar vein, this chapter explores individual autonomy in the context of the spatial constraints and possibilities of a closed

²⁵ This is not to suggest necessarily that individuals modify their behaviour in line with a behaviourist agenda.

segregation environment. However, unlike other small units (as opposed to all other ‘therapeutic communities’), the nature of the Barlinnie Special Unit - its underlying ethos as well as the manner of its operative regimes - both supported and encouraged the responsabilisation of prisoners by recognising their full autonomy, and it did so to an extraordinary degree. It is this pre-requisite autonomy component, rather than its more explicitly 'therapeutic' elements, which stands as the Unit's defining and differentiating characteristic.

This chapter provides a general biography of the BSU but does so specifically through a close reading of this autonomy component, demonstrating how it was this fundamental lynch-pin concept which made possible the many other aspects of the Unit, those which are commonly counted amongst its unique features, including the unstructured regime; the personalisation of individual and collective space; the community spirit; a seemingly modest though extremely powerful commitment to oral communication, to ‘talking things through’; and, the high levels of trust which served to create a more humane, horizontal relational dynamic between staff and prisoners. Further, it is suggested that the Unit’s agency-promoting desistance potential was influenced in part by the uses and approaches to the spatial environment itself. The precise ways in which prisoners were granted the freedom to exert agency in and through the space are documented, so too are the implications this had for positive, in some cases astonishing, attitudinal shifts if not quite transformations. Questions are posed as to whether and to what extent individuals might begin to adjust their self-image specifically within carceral settings, particularly exploring the under-theorised role of spatial factors in that process. The value of a spatial analysis of change processes derives from the contention that by paying closer attention to the precise design and uses of carceral space, our understanding of how the ‘subjective-social’ model of desistance (LeBel et al, 2008) spatially manifests within prisonscapes might be enriched. The central argument running through this chapter has two core threads:

1. Positive attitudinal shifts, those which are necessary for sustainable desistance processes (in this case from rule-breaking within the prison as opposed to criminal activities within the community - though the two are

linked) require as a first premise the exercise of individual autonomy. Environments that restrict this potential tend to be counterproductive (and somewhat counterintuitive). Innumerable past examples show that far from rendering prisoners passive and/or compliant, heavily controlled environments that impede personal autonomy tend to provoke, almost proportional to levels of restriction, higher incidences of, and certainly more extreme, rule-breaking. This is particularly the case in relation to problem prisoners who, for various though often unclear reasons, tend to place a high value on their own choice-power, and conversely tend to forcefully resist any attempts that undermine it (questions of perceived emasculation, honour narratives, and attachments to the 'Hardman' identity are pertinent here). By contrast, environments that allow increased personal autonomy, those which place greater levels of trust in prisoners to make their own decisions, are more likely to produce better outcomes for both individual prisoners and staff.

2. Self-determination is expressed through how individuals engage with the spaces in which they live. Since we are fundamentally and temporally fixed in physical environments, the extent to which we determine those environments is not only the means by which we exercise our practical agency but becomes paramount to how (and whether) we make healthy, positive and morally defensible choices.

Why a Special Unit?

As quoted (in conversation) by a former Unit Governor, the BSU was established “in response to a set of problems”, chief among them, “the abolition of the death penalty and fears around the consequences of that, and at the same time there were lots of men serving very long sentences – it was a combination of factors.” The confluence of these and other anxieties (discussed comprehensively in Chapter Two) may have contextualised the BSU, providing the necessary and more general conditions for alternative approaches to develop. But the Unit should not be regarded as merely reactive, as only a hurried, knee-jerk response to a broad range of problems and predicaments evident within the penal system

during that time. Rather, there appears to be two more specific reasons which fed into decisions not just to open an alternative unit but to create an environment which came to operate in such distinctive and divergent ways. These were: (1) the perceived character and specific behaviours of no more than a handful of Scottish prisoners who were understood as the very ‘worst of the worst’, and in some undiscernible way *different* from earlier problem prisoners, and (2) the passion, commitment and foresight of certain key individuals who had sufficient influence and opportunity so as to bring the Unit into being. The same former governor cited above expresses these points:

You had two prisoners, Jimmy Boyle and Larry Winters, who were feared up and down the country. Something had to be done with them and the old approach wasn’t working. The driving force was a few pioneering guys, visionary guys on the Working Committee who had the ability to get things done. Not just a talking-vision, but a doing-vision. That’s how things started.

It is not clear what exactly marked this crop of problem prisoners as essentially distinct from the scores of others who had come before - who similarly demonstrated violent and repeated intransigence - but what is apparent, and seems especially pertinent, is that these prisoners shared an almost pathological desire for self-determination – the personal often blazing testimonies examined in Chapter Three offer concrete evidence of this. The human need for autonomy (at some level and to some extent) is an intrinsic and universal aspect of the human condition, yet an inexorable meta-feature of imprisonment is the restricting of a person’s capacity for autonomy, the limiting of their choice-power, which permeates every aspect of prison life so that what happens in the course of daily prison life, happens *to* but rarely *with* and (less common still), *because of* prisoners themselves. For a number of reasons, not all of them easy to unpack²⁶, there were a number of men in Scottish prisons during the late 60s early 70s and right up until the early 90s who manifestly could not or would not accept that state of affairs. Their defiant retaliations attest to this. That being the case it is reasonable they were viewed with deep caution. Given the almost complete

²⁶ Untangling the complex and distinct psychological profiles of the most problematic of Scottish prisoners, and indeed exploring the intersections between personal psychology and structural factors, is beyond the purview of this work, however.

reversal in attitudes towards prisoners in the BSU (and mindful of the serious threat many of these prisoners posed to SPS staff) we learn a great deal about the insight, courage and humility of the BSU's staff and of its primary architects – those who advanced both a “talking-vision *and* a doing-vision” - that they would interact with such prisoners in the ways they did. In this light, and given the criticisms which dogged the Unit throughout its lifespan, it is remarkable the BSU remained “non-punitive and based on a presumption of enhanced levels of trust and internal self-government” (Sparks, 2002:562).

Spatial Autonomy and Personal Change

What I am concerned with here is the ways some of these previously highly dangerous prisoners underwent significant changes once transferred to the Unit, not only in terms of their approaches to imprisonment but also related to how they understood themselves, their talents, their capacities, and their expectations for the future. This, I argue, was facilitated primarily by the considerable value that was placed on their individual autonomy – a source of power they did not need to battle the system in order to gain. From the moment of their arrival in the Unit, prisoners were given a meaningful stake in how the unit functioned, how the space was ordered, the kinds of activities that would be engaged with, what behaviours would be accepted (along with how unacceptable behaviours would be managed), how they could dress, what and where they would eat, who could visit and for how long, and they even had input, though to a lesser degree, into decisions concerning security and admissions. In a ‘meet the press’ day eighteen months after the Unit opened (a relatively common occurrence in the Unit's early life and itself another departure from typical SPS practice) the Director of Prisons made this surprisingly candid comment:

The men [in the BSU] are once more controlling their own destiny. Normal prison life can dehumanise a man and will eventually turn him into a vegetable. But we are now returning the decision-making processes to these men, and they are being made to face-up to themselves again.
(*Evening Times*, 25th August 1974)

Operating on that basis, daily life in the Unit conferred obvious privileges and opportunities to prisoners. This fuelled interior tensions within the SPS grounded

ostensibly in versions of the less eligibility argument – as if it was quite absurd to assume that prisoners either deserved or were equipped to manage the responsibilities they were entrusted with as key decision-makers. The Unit culture was certainly demanding, and it is this very fact which should (but didn't) undermine any notion that it was a 'soft option'. A member of the first prisoner cohort made that point well in a press interview:

In many ways it's harder in the unit than it is in ordinary prison life. There you don't have to think for yourself. You obey orders and that's it. You don't have to consider anyone else or how they think, or feel, or regard you. Here you soon learn there's much more responsibility thrust on you. You've got to take decisions. You've got to get on with your fellow prisoners and with staff. If you don't your mates will soon let you know you've stepped out of line. (*Courier*, 25th July 1974)

Acclimatising to those conditions, where certain freedoms were granted at the outset, was unlike the circumstances of any other custody arrangement in the SPS. The emphasis on the consequences of one's free choices, particularly the effect it had on others, was also perhaps unlike the ways of life within the communities from which many men had come prior to their imprisonment. Not all prisoners could cope in this climate. Some voluntarily elected to be transferred out of the Unit, others were moved on disciplinary grounds, and in one especially tragic case, a prisoner took his own life while in the Unit. In spite of the persistent hostilities directed at the Unit concerning its role as a reward for bad behaviour, the struggle involved to actually flourish within it given the pains (as well as pleasures) of living-out the autonomy principle, proved insurmountable for some. This fact alone should eliminate any sense that the Unit was an easy place to live, much less an environment in which to work towards change. It is revealing that Jimmy Boyle (the BSU's most famous inhabitant) chose to call the second instalment of his autobiography, which focused on his experiences in the Unit, *The Pain of Confinement* (1984). More telling still is the title he gave to the first of his books, *A Sense of Freedom* (1977), since this work documented his often harrowing experiences in more typically authoritarian segregation spaces (e.g. the Peterhead Digger and the Inverness Cages). This hints at a larger point about (1) the paradoxical if only quasi liberation prisoners felt in highly restrictive environments where the battle lines were clearly drawn and therefore places

where they could fight the familiar fight, thereby deriving power from it, and (2) how perilous it seemed to some prisoners, and how raw the psychological vulnerabilities were, of living within an entirely alien environment where a richer, more authentic and healthier concept of autonomy was practiced. This was no less arduous. With respect to one of the Unit's most troubled and fragile men - who died in the Unit in 1977 from a drug overdose and who, from the files, seemed to oscillate between fraught bouts of rage and, more worrying, dense blankets of melancholy - Jimmy Boyle writes:

He often made it clear than what he didn't like about it [the BSU] was that it took away the only weapon he had had in the old system, the power that he could wield through the use of fear...The difficulty was in getting Larry to have some belief in his own talents as he was an exceptionally intelligent man and a gifted poet and musician. (1984:40)

What became central to the Unit's early philosophy, crucial to its ongoing success, and one of its proudest testaments to the value of humane penal management, was its commitment to raising prisoners' self-esteem. At the very heart of this, without which nothing significant could have been achieved, was the autonomy principle. It was by allowing prisoners to make decisions about their environment, what they would do within it, and about who they were and wanted to be, that confidence was both built and sustained. Indeed, this sense of hopefulness fostered within the BSU was made possible by creating an environment that allowed prisoners to *choose* change. During its twenty-one year lifespan (1973-1994), both operational and relational changes occurred within the BSU, some unwelcome admittedly, but this principle of self-determination, a recognition that it is prisoners themselves who must make decisions on their own behalf remained constant in spite of myriad external and internal shifts.

This Unit was revolutionary not because it was a purpose-designed space (it patently was not, as described below), or because it offered particularly radical programmes and/or activities, nor even or solely because it created a palpable sense of community, a feeling of togetherness best illustrated by the regular group meetings; rather, it was revolutionary in its desistance-promoting effects primarily because the management approach to who controlled the environment (and how) was a significant departure from typical modes of prison administration elsewhere

in the system. Crucially, it mattered less what the BSU actually looked like, how it was arranged and what was contained within it; what mattered much more was the degree of personal control prisoners had over it.

‘Forward to the Past’ or ‘Back to the Future’?

By firmly embedding the autonomy principle into all aspects of Unit life and operation, the BSU is rightly understood as innovative, as representative of a “new” approach. But there is also something more nuanced going on. The BSU appears to have incorporated and redefined elements of each historical movement in rehabilitation trends that were responsive to ‘problem’ prisoners. From early penal traditions, the BSU embraced the notion of spiritual rather than merely the more narrow understanding of behavioural reformation. It did so by detaching this idea from its original roots in religious doctrine and instead applying it in a distinctly secular context (the commitment to art therapy, for example, was one method through which prisoners explored themes such as guilt, redemption, forgiveness, and raising questions of the still loftier ‘higher purpose’ order). “In the classic manner of liberal reformist penology” writes Sparks (2002:563), “the Special Unit’s small history of hard won and fragile successes, had been elevated to the status of magic. There was something numinous there - something about sculpture, something about psychiatry.” From the interwar period before the collapse of the rehabilitative ideal, this second element – though rapidly becoming less significant – inspired the original treatment-oriented agenda. And from the future, the BSU promoted a set of principles that have in very recent years been explicated by desistance theorists, and consequently have been partially realised through prison (and probation) praxis.

By re-appropriating early penal trends and by anticipating those that were to come, we might consider the Unit to have travelled both ‘forward to the past’ and ‘back to the future’. The BSU is reasonably understood, then, as if not quite timeless then certainly out of sequence with the dominant rehabilitation narrative of its time. It was not only countercultural in the context of contemporaneous penal management norms but also, more interestingly, it both reimagined outdated ideas about spiritual change and, with extraordinary prescience, it

cultivated a set of practices underpinned by a general ethos which has subsequently become highly fashionable within SPS policy circles, i.e. the lauded Desistance Agenda. Intriguingly, it appears to have done so largely by accident. The BSU functioned without a prescriptive set of operating procedures; it adopted no singular model of practice; and, its underlying principles were sufficiently loose so as to allow the unit the freedom to evolve naturally rather than by rigid design. In other words, it was truly experimental and not merely because it was an innovative approach, but because its rehabilitative outcomes were unpredictable. As much as this was an ongoing source of unease and scepticism (to some degree justifiably), it also seemed to be a crucial part of its success.

The BSU advanced a primarily idealistic rather than a consequentialist approach – for that reason it was closer to traditional rather than contemporary modes of penal management; it pursued certain ideals as ends in themselves, rather than simply pragmatic tools to achieve desirable outcomes. And yet, those outcomes proved more common within the BSU compared to other small units, those which were by contrast far more formulaic and systematically focused on planned and measurable ‘effectiveness’ (e.g. the Shotts unit). If that was the central story of the BSU in its halcyon period (probably only lasting the first 10 years), then the narrative changed towards the end of its operation. The buoyancy of promise on which it previously sailed high began to deflate, it lost the glamour of its youth so that media interest in it faded (except when allegations occasionally surfaced regarding conjugal visits, that is), key individuals (both influential prisoners and staff) were transferred, reassigned or simply left, contributing to the growing sense of lethargy that replaced the dynamism the Unit had once thrived on, and ultimately, its uniqueness became at best nostalgic and at worst irrelevant. The Inspectorate commented in its last formal report on the Unit that,

The Barlinnie Special Unit has increasingly run the risk, which it has not altogether avoided, of becoming fossilised, a victim of its own impressive mythology and thus apparently unable to move forward in ways which might seem appropriate to the 1990s because it is still embalmed in the successful developments which it pioneered in the 1970s. (HMIPS, 1993:para.10.2)

The Unit initially represented an isolated, virtuous paradigm of alternative penal management inside a mostly failing and muscularly austere prison system. After the wider prison experience became itself increasingly virtuous (and it did, especially following the reforms of the 1990s), the BSU was rendered superfluous. It was an irritant, a reminder of how badly wrong the system had been (that a Unit such as this was required at all). It appeared now as a dull if still unusually rare “fossil” rather than the shiny diamond it had once seemed.

Closure

At its inception, throughout its middle period and during its dying days, the BSU was anomalous to other small units in the wider specialist network. It was always different and it was always special. Where its specialness - even given the opprobrium this sometimes inspired - had once been a source of pride to the SPS (albeit qualified), as something of a *cause celebre*, it was this special quality that eventually proved part of its undoing. By the 1990s, a range of organisational and philosophical shifts occurred in penal along with wider criminal justice arenas. The professionalization ushered in by managerialism including the requirements of performance indicators, regular evaluative systems, standardisation of practices and procedures, and in general a risk-oriented mentality applied to all aspects of prison administration, together almost entirely negated the possibility for original or divergent approaches to any one part of the prison system. The concept much less the reality of "experiments" was then reframed as either something overly risky, unprofessional in its inevitable haphazardness, naive, or as simply embarrassing. Such narratives were applied to the BSU long before its final closure, with all manner of political machinations feeding into the particular versions discrete actors adopted. Whilst stated openly in private correspondence between SPS policy makers, the clear movement towards Unit shut-down remained largely concealed from public view, often in ways that were disingenuous, sometimes with flagrant denials of what insiders knew to be the case - this had the effect of creating unnecessary resentments amongst prisoners and staff when the decision was finally made public to close the Unit. The record shows that unlike the fanfare surrounding its opening, the BSU ended exactly as Eliot's perfect cliché dictates: with a whimper not a bang – though for those who

were most affected by this decision (the present Unit prisoners especially) confusions, disappointments, and fears were felt keenly.

The BSU's legacy tends to be framed as merely a colourful quirk interrupting the chronology of contemporary Scottish penal history, as if it were a freakish operational blip, as if its successes in reforming otherwise unmanageable men was somehow a fluke, or if not that then imbued with a certain fuzziness in which the potential risks far outweighed the demonstrable benefits. This chapter attempts to re-state the lessons this "blip" teaches us about what operationally effective and ethically sound prison management has looked like, i.e. it is *more* not less autonomy, particularly granted to prisoners who are considered the most problematic, which produces the desired effect. And moreover, it is *less* not more institutional structure that best enables this.

Structure & Sources

At a broad, theoretical level, Part One explores the relationship between autonomy and behavioural change, or what is now more fashionably termed 'personal development'. Providing a compelling case study in which to root these ideas, Parts Two and Three demonstrate how the autonomy concept manifested in the BSU. First a discussion is offered as to the circumstances surrounding the Unit's establishment - its initial aims and tensions, issues regarding its placement and internal design, along with how it was publicly framed and responded to by policy makers, SPS administrators, grade-level staff and prisoners. Secondly, a more micro analysis is presented documenting how the Unit actually "worked", what it entailed as a lived experience, and how it evolved. Two central categories are discussed in detail: (1) *the personalisation of space*, exploring how spatial agency informed the routines, regimes, and the aesthetics of the Unit, and (2) *the community component*, generating a range of questions regarding: the role of group decision-making especially on matters of internal order; the recruitment and eligibility of staff; and, the increasingly insulated position the BSU assumed within the wider SPS estate, which while originally advantageous in terms of crafting a unique group identity, became a detrimental factor to its continued operation.

Material for this chapter is drawn from a range of archival sources including SPS policy documents, internal Instructions, Inspectorate Reports, minutes from relevant Parliamentary debates, and commentary from other external sources (media archives for example). To capture the lived experience of prisoners and staff, I have selectively engaged with the body of published prisoner testimonies, augmented by interview data from conversations with SPS staff. In the course of the fieldwork I was encouraged to find that records relating to the BSU were significantly more extensive than those pertaining to other small units. This was especially the case in relation to prisoners' personal files, of which many from the early period have been retained. I was also able to access other kinds of internal SPS documentation, particularly private correspondence – confidential letters between key individuals, many offering personal responses to the five BSU inspection reports, and later documents surrounding the Unit's closure. For the most part I have identified people only by their position and status rather than by name. Despite the significantly more abundant store of data relating to this unit compared to others in Scottish penal history, the archives are still rather patchy; many have been preserved by individuals in their personal collections, which I was fortunate to stumble upon (and be given permission to document). At an institutional level, however, the general lack of comprehensive archiving meant that in piecing together how the Unit came into being, how it operated throughout its lifespan, how it was perceived and experienced, and explanations for its closure, certain crucial moments in (and aspects of) the Unit's story are left unrecorded. To fill the gaps, I relied on inferences, personal recollections, and a degree of creative interpretation that is both an inevitable hazard and a potentially fertile advantage of historical analysis.

Part One

The Role of Autonomy in Processes of Behavioural Change: Lessons from Desistance Theory

The preceding chapters explored the potential effects of hopelessness in prison through the lens of dirty protests, riots and other violent activities. In terms of management responses, descriptions of the old style methods of close control and

constraint, manifested spatially through isolating, austere environments, were offered, supported by often painful prisoner testimonies. Conversely, here I am concerned with the theme of hope. What might that mean for prisoners? How might it be fostered and sustained at an institutional level by way of creating certain kinds of environments? And, where that is possible, what might be the implications for behaviour in the context of individual desistance from disruptive, violent and other subversive activities? The following sections introduce a set of themes central to desistance theory, those which underpinned much of the Unit's success - remarkably, before the language or literature of desistance had emerged (we might speculate that had the Unit been supported by an accepted and admired theoretical framework, it may have been more difficult close it.)

Mobilising the rubric of desistance is useful here for a number of reasons. Within prison communities, the complex process of moving away from rebellious and damaging behaviours - often involving high levels of violence and interpersonal conflict - to some degree mirrors that of broader processes of moving away from a criminal lifestyle once liberated from prison, those which are the primary concern of desistance research. For some individuals, these two processes are quite often intimately linked, part of the same larger shift in attitude, self-identification, and lifestyle. Moreover, by way of exploring these processes desistance theory offers rich and diverse accounts of agency and structure, along with descriptions (more than complete explanations) of the possible interactions between the two. It provides a theoretical basis for understanding how personal autonomy is expressed through and supported by strong community bonds; in this way it helps to reconcile the often opposing concepts of the individual versus the collective. These strands of desistance theory are useful when scrutinising the role that spatial factors might play. Before exploring these ideas, here follows a very brief summary of the penal approaches to prisoner management that preceded, and informed, the arrival of the desistance agenda.

Approaches to Personal Change: Reformation, Rehabilitation, and Desistance

In penal management terms (but also reflecting practice norms across the wider criminal justice sphere) traditional approaches to personal change have typically advanced a backward-looking, correction-based strategy where the objective has been to address the personal defects of individuals based on their past behaviours and attitudes. This kind of approach manifested first through a religious agenda of reformation which required prisoners to reflect on their past sins. The processes of atonement involved extreme forms of segregation (i.e. solitary confinement) so as to ensure the silence and solitude necessary for establishing proximity to God; educative provisions strictly limited to bible readings; human contact limited to interactions with chaplains and custody officers; and, work regimes consisting of hard, menial labour. Punitive practices such as these were fuelled by the hope of reformation on the grounds that there is an inherent connection between the retributive and restorative functions of prisons. In other words, where brutal practices enable brutal confrontations with one's own spiritual failures, the possibility of repentance, and therefore spiritual change, is increased. While this approach was eventually supplanted by a treatment-based agenda, the view of human nature was no less suspicious and the strategy no less backward-looking. The movement was from ridding the prisoner of spiritual evil to curing him of mental sickness; from the reformation of afflicted souls to the rehabilitation of troubled minds. The more explicitly punitive dimensions of prison were eventually abandoned (though never entirely), replaced by a range of targeted interventions, including the proliferation of behavioural programmes, intended to isolate the causes and triggers of deviant activity, but mostly to mitigate the psychological deficiencies of prisoners themselves.

Broadly speaking, von Hirsch (1998:1) helpfully defines rehabilitation as, "the idea of 'curing' an offender of his or her criminal tendencies. It consists, more precisely, of changing an offender's personality, outlook, habits, or opportunities so as to make him or her less inclined to commit crimes." In brief, the development of rehabilitation theories has included several shifts, first in the 1970s from a psycho-medical approach focused on abnormal somatic features, i.e. pathological psychology, to a behaviourist model in the 1980s with a strong focus on CBT in the 1990s (Barker & Morgan, 1993). This was followed by an era of

accreditation in the wake of the influential Woolf Report in 1991, which recommended the standardization of treatment programmes based on robust principles of “what works” (Maguire & Priestley, 1995). Underpinning these models is the assumption that “if we can fix the person, we have fixed the problem”.

More recently, another crucial development has occurred influenced by the growing body of desistance research. In programmatic terms, a desistance approach asks: what resources does this person have which might lead them towards non-criminality? What are their strengths? How might we facilitate the building of those capacities? The larger question is not ‘what works?’ but ‘how does it work?’ (see, Maruna & Immarigeon, 2004; Maruna & LeBel, 2010), with a more concentrated focus on differing learning styles (Day & Howles, 2002). In terms of practice, the re-framing of these questions has informed the development of new treatment models including, most notably, the Risk-Need-Responsivity model (see Andrews & Bonta, 2003) and later by the Good Lives model (see Ward & Stewart). Such models represent a movement, albeit slow, from a sole emphasis on individual offenders, which has been challenged on the basis that it fails to account for the importance of social and relational contexts that both shape individual lives and facilitate change (Magnani and Wray, 2006:159). Rather, desistance theory has insisted on the important role families can play in the rehabilitative process (Ward & Marshall, 2004; Shapiro and DiZerega, 2010). As Maruna and Lebel (2010:720) argue, change does not begin “with existing expert models of crime reduction, but rather should begin with an understanding of the organic or normative processes that seem to impact offending patterns over the life course.” Typically, desistance is understood as a process of self-change informed by the multifarious factors that influence the choices and opportunities that individuals encounter. It is argued, therefore, that effective rehabilitation happens in the context of wider societal relationships (Raynor & Robinson, 2005).

Desistance research has shown that successful change processes occur outside the interventions of the criminal justice system (Farrall, 1995:56) and, therefore, desistance models are positioned apart from, yet operate in relation to,

professional interventionist models (McNeill, 2006). Yet desistance theory has exerted significant influence over both probationary practice and, pertinently, if more surprisingly, prison practice. Indeed, desistance theory has become increasingly popular amongst penal managers, particularly in Scotland where the SPS' most recent Organisational Review (published in 2013) presented a vision of practice explicitly underpinned by the findings of desistance theory. The title of the review demonstrates how central a strengths-based model of offender management has become, rhetorically at least: *Unlocking Potential; Transforming Lives*. This evolution in rehabilitative penal trends has led to a more positive reading of human nature, a more future-oriented approach to personal development, and a recognition of the relationship between internal and external factors in processes of change. If this is the current institutional position in the second decade of the twenty first century, then we begin to see how progressive the BSU was in 1973 (and therefore how threatening to the Old Guard it must have seemed) since, as examined below, each of these elements infused the way the Unit operated.

In summary, then, and defined in the most basic terms, desistance is the study of the processes that allow people to move away from criminal activity; it is a theoretical framework within which explanations are offered as to how and why people begin and maintain the process of ceasing to live in one way in order to live successfully in another. The focus is on the ways people stop, rather than the reasons people start, committing crime. By emphasising what has to happen to, for and, crucially, *by* a person enabling positive change to occur, theories of desistance are inherently forward-looking; they are inherently hopeful.

Desistance and Hope

The 'having' of hope consists of two vital ingredients: (1) a deep desire for change, and; (2) a recognition that, given certain conditions, change is possible. Hope is not synonymous with the concept of faith since blind belief in an imagined future tends to limit our capacity to bring about that future; it obscures the personal effort required to effect change by propagating the faulty assumption that change is somehow pre-ordained. In this sense, uncritical faith in a particular

end-point shuts down the positive action necessary to take steps towards that larger goal. Hope is hard work precisely because the longed-for change we desire is in no way inevitable, and in many cases it is highly improbable hence the often extraordinary degree of effort required to achieve it. If hope means more than merely wishful thinking, then realism is the only hopeful position – a position that holds the following:

I want things to change and given X, Y, and Z that might actually be possible.

The relationship between this position and desistance is rooted first in correct determinations of what constitutes those X's Y's Z's (structure) and secondly, in personal actions that bring them into being (agency). The work of desistance theory is to unmask those variables and to provide analysis of the myriad resources that might best serve them, the avenues one would have to take in order to do so, and how one might mitigate the various barriers encountered along the way.

At the unofficial public launch of the BSU eighteen months after it first opened, the Controller of Operations was right to select his words carefully; he was perceptive in expressing both the realism of hope, and its future-orientation:

I don't think this unit is going to give us all the answers to prison treatment but it might help us formulate the right questions. We tend to ask why a prisoner is violent. Should we not be looking for the situation that avoids violence altogether? (*The Guardian*, 25th July, 1974)

Structure and Agency

Desistance processes rely on interactions between subjective factors (i.e. motivation, attitudes, self-discipline, personal beliefs, etc.) and structural factors (i.e., social contexts, opportunities, material conditions, etc.) - although the mechanisms underlying that precise interaction remain contested. In spite of the prominence of interactionist theories, a dichotomy is still often presented between these elements of structure and agency, as if the influence of one negates the importance of the other. It is possible, however, to maintain this essential relationship whilst at the time asserting the centrality of individual autonomy.

That is the position I take here informed by the actual practices, ethos and effects of the BSU.

Autonomy is our conduit of choice-power, sometimes a dangerous power especially when used defensively as a weapon. When deviant choices are made, it is circumstance that load the gun but it is agency which pulls the trigger. To argue otherwise would be to critically disempower individuals, and in terms of interventions, it would mean pursuing a one-way pedagogical exercise, where external control is assumed over an individual's choices and, importantly, their self-defined life-narratives – this is often where rehabilitative programmes have gone wrong. Indeed, rehabilitative approaches have tended to adopt what Zimbardo calls a 'dispositional bias', where the subject (the offender) is being taught something of supposed value by the professional statutory agent that they are compelled to engage with, as a way to facilitate 'change'. Conversely, a relational, desistance-inspired approach is a two-way learning process where the experiences, capabilities and resources of all those involved are exchanged on an equal footing. As Freedom argues, "intervention in others need not be an intrusion; it can contribute to their capacity to function physically, mentally, emotionally and morally" (1991:71). But that dynamic can only work if the centrality of individual autonomy to action is recognised. This, however, does not neglect the power of circumstances to affect choices since in cases where troubled circumstances are compound, we are not only more likely to shoot but the damage caused is likely to be greater. Yet choosing to fire is not inevitable - if it were then every marginalised person would be a career criminal (and every privileged person would be a model citizen). When the odds are stacked so heavily against so many, it is less notable that some are criminally deviant and significantly more surprising that it is so few. And moreover, once locked into a deviant cycle (which contact with the criminal justice system tends to consolidate) it is impressive that anyone manages to desist at all. The fact that some do is testament to the power of autonomy.

Personal autonomy is, then, both the beginning and the end point of action. The structures that define the conditions in which we live form the layers (or barriers) in between. In certain respects (choosing to get married for example) "subjective

changes may precede life-changing structural events and, to that extent, individuals can act as agents of their own change” (LeBel et al, 2008:155), yet in others, societal meta-structures (economic disenfranchisement for example) may be pre-determined by forces beyond our individual control. But agency remains both the “upfront work” (Pashnoster and Bushway, 2009:1152, borrowed from Giordano et al, 2001:992), and also the ‘backstage work’ since the choices we make not only, at times, partially create the circumstances we are in, but more commonly they are responsive to the stage that has already been set.

Confronting honestly the self-evident centrality of autonomy to human action is politically problematic (for those on the Left in particular) because if we have the autonomy to transcend poor circumstances and thereby to act in ways that defy probabilities then what follows is the tendency to connect agency with responsibility through a reductive manoeuvre of blame-apportioning. This seems to be the irresistible conclusion arrived at by some (especially those on the Right). However, when autonomy is not placed at the heart of change processes, there is danger of descending into an authoritarian logic of ‘we, the experts, know what is best for you, the offender’. Desistance theory helps to close that gap partly by insisting that change is a non-linear *process* rather than a singular event – thus allowing for the near inevitability of set-backs (which are understood as learning curves more than condemnation end-points) – and partly because it places the individual at the centre of their own lives. This does not, however, negate the importance of others, particularly families, friends and wider social communities, in the successful desistance of the individual. In fact a crucial contribution desistance theory has made is its reconciling of the power (and attending responsibility) of the individual and that of the collective. Indeed, the literature identifies social capital, support networks, and positive, pro-social activities and relationships as key features to the desistance process (see, O’Connor & Bogue, 2010; Stenson & Watt, 1999). If positive behavioural change requires some degree of (re)integration into law-abiding communities then, it is worth remembering, as Weaver and McNeill (2010:7-8) put it, that “no one can integrate themselves into a community or social group; integration necessarily involves the receiving community as much as the offender.”

Desistance theories in general are underscored by a liberal communitarian perspective which understands individuals as “essentially interacting rather than atomistically discrete” (Freedon, 1991:69-70). In this way, the contractual arrangement of state interventions (prior, post and during punishment processes) is replaced by the more nuanced practice of ‘mutual cooperation’ and ‘interdependence’. But the stability and health of that interdependence relies on according each individual within the communities he/she lives sufficient autonomy so as to avoid hierarchical relationships where one group imposes onto another. The most valuable feature of desistance theory is, then, its promotion of a shift from formal, structured interventions to an emphasis on allowing individuals much more autonomy within a democratic community structure - to (1) define their own self-narratives, and (2) make their own choices about how best to pursue their personal goals. In order to create the kinds of relationships and conditions that make pro-social choices possible, the work of external others (state agencies, voluntary organisations, business leaders, families, and wider communities) is re-framed as a bundle of negative duties, i.e. to *not* penalise disenfranchised groups, to *not* erect social, political and, crucially, economic barriers that restrict the choices individuals are able to make, to *not* withhold support from certain people or to deny their entry into particular social groupings, and especially to *not* stigmatise ex/offenders by perpetuating fixed images of the wrong-doer that serve only to cage people in a criminal identity that makes it very difficult to choose alternative pathways. One of the primary reasons the BSU proved to be an effective desistance-promoting environment is not that it introduced new rehabilitative provisions but that it removed old criminogenic barriers, and it did so by establishing a strong sense of community sustained by a consensus model of democratic participation.

Identity

Scholars argue that part of this process of choosing change requires a series of ‘cognitive shifts’ (Giordano et al, 2002), if not a wholesale identity shift. This involves a re-scripting of one's personal narrative whereby former negative labels and the attending self-images they contain might be shed, replaced by positive, pro-social and non-offending self-constructions (see especially Maruna's notion of

the 'redemption script', 2001). Re-imagining personal identity might be positive to the extent it diffuses the shame of one's past self (Maruna, 2001) as well as negating the fear of one's future self if the individual continues on his/her current trajectory (Paternoster & Bushway, 2009). Yet both these apparent benefits are predicated on the tacit assumption that the advantages of an individual's past and future criminal identities are outweighed by the costs. From the perspective of problem prisoners, however, a dilemma arises since there is, as they might view it, concrete value attached to maintaining their deviant identities in prisons (in terms of their status amongst peers, and their own sense of personal dignity), whereas becoming more compliant to a system they understand as illegitimate potentially incurs an unacceptable personal cost given the simpering almost robotic passivity that such a position would involve. It is on that basis that many prisoners experienced an often considerable struggle when first entering the BSU. From their initial difficulties, and later their means of overcoming them, we are given clear examples of the complexities of identity work, but also of how important that work is for desistance.

They collectively hint at the habituated nature of identity and of the routines of behaviour that support it. Put another way, identities that are considered institutionally deviant and experienced as personally damaging, might still be perversely comforting in their constancy – engendering feelings contributing to what Giddens (1984; 1991) frames as 'ontological security'. By contrast, penal environments that disrupt norms of behaviour (prisoners' own and those of the people guarding them) can be frightening in their unfamiliarity. (This is also the case in community settings.) In every environmental and relational context, a different set of associations must be made and altered identities must be forged. The default emotional responses with which a person (inhabiting a particular identity) might have become comfortable may no longer apply.

With savage specificity, prisoners have documented what this has meant for them. After transferral to the Unit – a place where the power dynamics were more subtle and ambiguous than in other penal settings, where hierarchies were for the most part diffused on horizontal rather than vertical lines, where the same rules simply

did not apply - one prisoner describes the tectonic struggle he experienced when he could no longer fall-back on more familiar identity terrain:

I did try to change but it was a long, painful process. My emotions were like monsters ripping me apart; everything was always so confusing. At times I didn't know if I could get through it all or if I really wanted to. What would I have left if I didn't have my feelings, whether they were rage or hatred? The pressure was always with me: the hopelessness of my situation. The life sentence – it was a nightmare. (Collins, 1997:122)

The confusion here lies partly in the inner turmoil created when there are two (or more) opposing identities, each positioned in their own emotional landscapes with the self, the “I”, somehow navigating between them. That the BSU granted prisoners significant freedoms and did so by establishing a relationship of astonishing trust was often, initially at least, experienced by prisoners as a terrible burden, as a threat to the violent, raging ‘problem’ identity they had in many cases spent years honing. By allowing prisoners to literally shape how the Unit was run, and how they would live within it, an environment and community was created in which each individual was expected to (re)create their own self-image. The unravelling of prior identities was the necessary first step and a turbulent one, as the Hugh Collins’ quote makes clear. This is perhaps why the word ‘transformation’ (often used to describe the effect of the BSU) feels inappropriate; not only is it suggestive of an extremity of turn, but it also smacks of its suddenness, as if identity shifts result from some crystal-sharp epiphany of self-aware vision. To understand the extent to which any degree of cognitive or identity shift is possible, or at least rendered more likely, we return again to the structure-agency relationship since a synergy between the myriad external factors that determine the scope of a person's material reality and the individual choices they feel able to make within that reality, affect how (and whether) identity can be re-imagined.

If criminogenic structures impede positive identity shifts, thus making it more difficult for individuals to desist from crime - in spite of whether they have the pre-requisite motivation to do so (see Farrall, 2002) – then similarly, life circumstances (or events) with fewer criminogenic forces and more protective factors facilitate processes of change. Desistance research has identified many of

the elements that constitute both these environmental contexts. What has been less well examined is the role of spatial factors in that process, i.e. the effect of the exigencies of particular physical environments on the ways people construct their personal narratives and make choices accordingly. How might spatial factors, those which are explicitly related to the design, function, features and ideational aspects of physical environments, inform, enable and/or preclude internal identity or attitudinal shifts? This is to ask more than merely what an environment looks like, feels like, what the space does or does not contain, who it is shared with, and whether it is suitable to meet its functional objectives (though all those questions are relevant). It is also to ask who makes those decisions and how?

Pertinently, in all prisoners' autobiographical accounts frequent and detailed descriptions are offered of the prison spaces in which they lived. They write of the fabric of the building (often disdainfully), of the severity and sparseness of their visual environments, they chronicle the lack of light or its surfeit, as well as both the freezing cold winds which the inadequate heating systems could not mitigate and, in the summer months, the heavy, sweltering heat the ventilation systems could not militate against. They document the dirt and the insalubrious odours of the prison, along with the sensations created by the din of men crying-out or banging on cell doors. In this way prisoners' testimonies are often powerfully visceral, a sensuality that is very much rooted in the physical conditions of their imprisonment. Since certain spatial features provide cues to behaviour (Rapoport, 1976), the connections made between that spatial reality and who prisoners understand themselves as being is informed by what those spaces represent about how others view them. What do we keep in small, guarded cages but animals? Who do we permit to live in squalor but the despised poor? What category of person do we shut-away without possessions in over (or under) lit spaces where they cannot hurt themselves but lunatics? Attempting to escape the negative connotations of those kinds of externally imposed identities becomes a mammoth task when a person lives in physical environments replete with spatial cues that support them.

Material comfort, however, is only one aspect of the struggle – a beautifully gilded cage is still a prison if one has not chosen it just as the shabbiest home is still a sanctuary if one has. *Which group of people do we routinely (by default) regiment in space, denying full spatial ownership to, but children?* If, then, the meanings and impact of spatial cues is the first issue, the second more pressing issue is how they are controlled and by whom. There is a correlative link between institutional environments that permit greater spatialized agency and those which provide the conditions for more successful behavioural outcomes. In other words, positive change is rendered more likely when individuals are afforded increased decision-making power over the spaces in which they live – a power that extends to ownership of the seemingly inconsequential and therefore often overlooked, spatial features that help define our experiences in given environments. As a subsidiary argument, it might also be the case that in some sense exercising choice-power is like stretching a bodily muscle; the more it is practiced the better it functions. Qualities of repetition and incrementalism are important here. With respect to spatial autonomy in particular, and following that reasoning, we might draw a link between quotidian expressions of everyday autonomy in space (e.g. the seeming minutiae of what colour to paint a wall, what uses discrete spaces would be put to, where visits would be conducted, etc.) and deeper expressions of moral autonomy, those which concern decisions about the proper treatment of others, the construction and practice of personal values, and not least, the way personal identity is understood and embodied.

You cannot ask a person to make grand decisions about things of considerable importance and expect them to make responsible choices if at the same time and in every other circumstance you limit a person's capacity to make even minor choices. In many segregation spaces throughout Scottish penal history, prisoners were unable to control the temperature of their cells. They could not decide when to be shrouded in dark, when to be visible and under what conditions. They were unable to determine the contours of their own privacy, when and for how long they would be with others, and where. They could not decorate walls or choose the personal possession with which to surround themselves. They could not decide when to listen to music, or watch television, and when to enjoy silence.

And yet prisoners chose to make decisions about all those aspects but they did so without institutional authority. They did so in ways that proved progressively more (morally) untenable, compounding the offending identities that were already (spatially) assumed of them, thereby presenting increased security risks to management. John Steele writes of his time in the Inverness Cages:

Because there was no heating in the cells I had to light fires to keep me warm (p.299)...a huge steel sheet covered the entire window, blocking out the daylight (p.304)...In front of the light bulb was a sheet of Perspex to stop me from getting at the bulb. Some tiny holes had been drilled in the steel grille, but I covered them with food slops and shit till no light got in at all...I was in one helluva mess, and in my 'cave' I could shed tears without fear of being seen (p.305)."

This was hardly the worst of it. Officers also had to contend with the smashing of windows, the scratching and smearing of walls with human waste and blood, fixtures ripped from walls and made into weapons, the organised cacophony of barks and insults. Consequently, more spatial constraints were imposed and fewer freedoms granted, and by way of counter-response, more excessive deviance was the result. In that kind of negative cyclical arrangement, there could be very little possibility of establishing trust between prisoners and officers – which spatialized agency both depends on and (re)produces. In these circumstances, spatial restrictions did not serve to dampen spatialized agency; they limited the choices through which it could be expressed leading to destructive rather than creative environmental impulses.

The BSU was a radically different proposition despite being environmentally comparable, even worse in some respects, to other penal spaces. It was small, cold in the winter, claustrophobic in the summer. The fabric of the building was similar to the rest of Barlinnie prison, the same grey stone, the same narrow corridors, the same locks and steel doors. And yet it became a home and a sanctuary to some of the prisoners who lived there because through its gated entrance, inside its barbed walls, prisoners decided what the Unit looked like, what the space contained and how it was used. These choices represented who they were or wanted to be no more or less than the vandalised cells of other more spatially constricted sites represented the identities of those who inhabited them.

Compare the two pictures below, one is of the mural painted by prisoners in the BSU's communal hallway, the other is of one of Barlinnie prison's communal halls during the fraught 1980s when bouts of rioting following (and followed by) periods of total lock-down became the disturbing norm.

'The Wall of Despair' – Barlinnie Special Unit, circa 1975



Hall Damage - Barlinnie Prison, 1987



The final point to make here before moving on to the chronology of the Unit's story, concerns the relationship between spatialized and other kinds of agency. Very rarely is it possible to exert ownership of a space and to express autonomy within it, if at the same time we do not also have the power to determine the routines and regimes of our daily lives. The BSU gave prisoners the freedom to decide what to do *with* the space because they were also given the freedom to choose what to do *in* it. Part Three offers a detailed account of what that actually meant in practice. By way of introduction Fig Five below identifies the specific categories of everyday experience that prisoners had direct decision-making powers in shaping. It illustrates the range and extent of control prisoners had over their environment and the degree to which that was (and remained) spectacularly unusual. As stated in the first of the Unit's inspection reports, "Compared with remand, short-term and other long-term inmates those in the Unit have a quality of life and opportunities for decision making which are quite remarkable within a penal environment" (HMIPS, 1982: para. 2.3.).

It was this aspect of the Unit, this valuing of personal autonomy (made possible by trusting relationships) that served to both promote individual wellbeing, and to facilitate the construction of positive identities. Given the extent this approach operated from what is now understood as a strengths-based model, the BSU might be viewed as an early prototype for desistance oriented penal practice.

Fig Seven: Prisoners' Control in the BSU

Spatial Control	Control over Routines & Procedures	Other
<u>The uses of space</u> The functional designation of particular areas, and the ways they would be shared	<u>Personal time management</u> How much or how little time would be spent alone or associating with others.	<u>Clothing</u> Prisoners were permitted to wear their own attire, brought-in by relatives and friend).
<u>The contents of communal spaces</u> What kinds of material provisions spaces would	<u>Meaningful activities</u> Individually-defined work, education, creative and exercise activities.	<u>Food</u> Provisions could be brought in by relatives and friends to supplement

contain (though not all requests were met), along with how they would be decorated.		standard prison rations.
<u>Cells</u> The layout, aesthetics and contents of cells. Prisoners could decorate their personal space; they could bring furniture and other personal items from home.	<u>Kitchen facilities</u> Prisoners could cook and eat at their preferred time in their cells or in communal areas.	<u>Correspondence</u> With the exception of the initial induction period, all mail was unrestricted and uncensored.
<u>Visits</u> Where they could take place in the unit i.e. in prisoners cells, the meeting room, the outside courtyard or other communal areas.	<u>Visits</u> The community agreed on who could visit, particularly in relation to the media and other interested parties, while individual prisoners had control over frequency and duration of personal visits.	

Part Two

The Barlinnie Special Unit; A Spatial History of Change

In policy terms, the discernible source of the BSU was the set of recommendations made by a Departmental Working Party in a key report published in 1971: *The Treatment of Certain Long Term Prisoners and Potentially Violent Prisoners*. This Working Party was established following discussions in May 1970 between representatives of the SPOA and the Parliamentary Under Secretary of State, in which the issue of staff safety was chief on the agenda. Amongst issues foreshadowing these discussions was a growing anxiety within the SPS regarding the increasing extremity, if not the

frequency, of prison disturbances. 1962 marked the first major prison incident in recent times (at Perth prison), signalling movement towards organised and widespread prisoner rebellion - as opposed to a continuation of more isolated and containable incidences. In conjunction with the changing prisoner demographics, the increase in the length of sentences given to prisoners, and, not least, the 'no hanging' bill introduced in 1965, such movements created an atmosphere of disquiet amongst staff resulting in greater policy (as well as public) attention as to the proper management of long term prisoners. As detailed in Chapter Two, a specialist unit had operated in Peterhead prison during the 1950s, but this was a singular arrangement without clarity or precision in terms of a formally stated objective, and without a set of officially-defined procedures. It was not until the 1960s that a more carefully designed system of alternative custody arrangements was thought necessary, one in which, "it was felt that there was a need for segregation facilities away from the main centres of prison trouble" i.e. Peterhead (Working Party on Alternative Regimes, July 1985, para.1.2). By 1970 the embryonic small units network consisted of the Inverness Unit (opened in 1966) along with a number of routine segregation units (or punishment blocks) scattered across the prison estate and used for administrative as well as short-term punitive purposes.

Prisoner Profiles

BSU prisoners tended to be older than those contained in other small units. At the time of the first inspection report in 1982, the age range was between 28 – 41 years. By 1993, when the first (and only) external evaluation was conducted the present cohort "were on aggregate very slightly older than their predecessors" (Bottomley, Sparks, Liebling, 1993:16). They tended to be serving either life sentences, very long sentences (extended in some cases due to crimes committed whilst in prison), or, later, indeterminate sentences. Most had spent significant periods of time in other segregation spaces, notably in the Peterhead 'Digger' and the Inverness 'Cages'. Regarding personal characteristics, prisoners inevitably displayed a diversity of traits, though certain personality types (or at least the impressions they left) appear typical. Given the historical and general lack of careful archiving within the SPS, it is odd that the personal files of many of the

original BSU prisoners have been comprehensively retained. Files relating to more recent BSU prisoners, however, were completely missing from the archival record (or I was unable to locate them at least).

These stored archives, along with private correspondence between prison governors and the Secretary of State (who was tasked with approving all transfers to the Unit), reveal disturbing details of the sheer magnitude of the management problem the SPS faced. One representative prisoner, for example, had a disciplinary record with 62 separate misconduct reports – including, 11 for assaulting staff, 6 for violent altercations with other prisoners, and 27 reports for property destruction. A serious challenge by any standards. Another prisoner had attempted escape three times and while none of those attempts involved violence they did cause significant ripple effects across the SPS by way of undermining the security systems currently in place - thus making staff understandably nervous and leaving prisoners bolstered. Within the files, common descriptions of personality traits conjure the extent of the psychological strains experienced by these men, and by the officers who were required to control them. Iterations of words such as “paranoid”, “notorious”, “evasive”, “threatening”, “highly intelligent”, “violent”, “volatile”, “disruptive”, and “unpredictable” so routinely feature that it becomes difficult to distinguish one prisoner from another. Indeed, this homogeneity of assessment led to a uniformity of treatment which inevitably negated the importance of the individual. Compounding the tragic impression this leaves (particularly when reading multiple files in succession) such descriptions tend to be accompanied by stark sentences that throb with pathos like a broken heart: “He seems to live a life of permanent misery and is very much a lonely person.” It was these kinds of men for whom hopelessness was a familiar and deeply-felt reality; it was these kinds of prisoners who were transferred to the BSU.

Reading their files leaves one with a slightly jarring feeling of grave, uncomfortable respect. There is qualified respect too for the beleaguered officers who were forced, on a routine basis, to confront the real dangers of that obstinacy, often equally unmoored, unmanned by a petulance matching that of prisoners’, and to do so handcuffed within increasingly tight guidelines, tasked with a job

few people dream of and doing it mostly without public support. The following passages from one prisoner's autobiography gives a sense of what it felt like to make that transition to the Unit, and how stubborn the suspicions were; how wedded to the possibility of violence these men continued to be and consequently how threatening they must have rightfully seemed to those who had to manage them:

The Chief Warden began by telling me that they had read about me in the prison files, but they wanted to hear my side of it. There was a lot of talk of the Special Unit and how it worked, about the trust that would be placed on me and the responsibilities I'd have as an individual and as a member of the community... They told me that I could escape from the Unit but they hoped I wouldn't... There was no brutality, no governor's report, no violence of any kind. For me to be told this was weird – and, even though I thought it might well be true, I wasn't so sure that I wanted the punishments stopped or the violence to end. But I listened to their talking about my stepping into another part of the system which was geared to helping me rather than destroying me. I didn't want to trust them or to like them or to stop rebelling, yet somewhere inside I wanted to do all these things. (Steele, 1992:360)

Ten days passed and I heard nothing... I could only assume they had decided not to take me... How could I have trusted the bastards? How could I have allowed myself to think they wanted to help me?

[...]

On the nineteenth day after their visit the warden in charge of me came into my cell. He stood looking at me for a while, and then he said, 'There's a team coming from Barlinnie in a couple of hours to collect you.' I didn't believe him, and yet I wanted to. I still had a one-inch piece of hacksaw blade hidden up my arse in a small sheath to stop it from cutting me: it was the only comfort I had, and wherever the bastards were taking me, it was coming with me. (Steele, 1992:361-2)

Of the original five men who constituted the first BSU cohort, Graham Maclean, a reporter for *The Sun*, provides caricatures, useful to the extent they tell us something about the ways they were perceived based on the crimes they had committed before entering the Unit. They also suggest something more important about the re-imagined identities that these men assumed after transferral to the Unit:

THE BIRDMAN, who breeds budgerigars. He strangled his girlfriend in a frenzied crime of passion.

THE SCULPTOR, an artist of rare talent, convicted of murder and feared throughout the prison underworld.

THE PAINTER, who deals in landscapes because of his love for wide open spaces. He stabbed a man to death.

THE MUSIC MAN, who strums his beloved guitar hour after hour every day. He is serving a life sentence for murder and other crimes.

THE COOK, an expert at curries and sauces. He qualified for the community by using violence inside and outside prison.

The five are notorious. Noted in jail as “top dogs” and troublemakers. Yet, under the 18 month experiment they now work together, play together and have gradually become better people. (*The Sun*, 25th July 1974)

This final comment makes a bold claim which is hardly possible to quantify. However, it is deeply encouraging that a unit offering extended personal freedoms to men with these kinds of profiles was not only authorised in the first instance but also that its methods proved minimally effective in many cases and close to transformative in others.

N.B. Access to prisoners’ files was granted by the SPS Director of Research. These documents were stored in a SPS HQ and in Peterhead Prison. They were not marked ‘confidential’ (see Chapter One p.28).

Initial Aims & Enduring Tensions

The remit of the Working Party was to examine the operational effectiveness of the Inverness Unit but also to consider wider containment options for difficult prisoners, primarily those serving very long sentences. In the course of this exercise members of the group visited a number of specialist custody sites both in Scotland and south of the border, including the segregated "C" Wing in Parkhurst prison, Grendon Underwood Prison (the first and only prison in England and Wales to operate solely on the basis of a 'therapeutic community' model), and the two secure hospitals, Broadmoor and Carstairs. In addition, the Chairman of the Working Party visited Denmark to report on its divergent approaches to the

management of difficult, long term prisoners. Elements of the philosophies and practices of these alternative arrangements fed into the recommendations the Working Party made regarding the establishment of an additional special unit in Scotland, becoming the basis for how the BSU operated and indeed for aspects of how it continued to be managed throughout its lifespan. From Grendon Underwood lessons were drawn from its explicit therapeutic orientation and its emphasis on discussion between prisoners and staff supported through a variety of regular group meetings. From Parkhurst “C” Unit, the general belief in the efficacy of a self-contained unit was validated since, as the Working Party observed, “An essential feature of the unit is its complete segregation from the rest of the prison” (para.25). And, from Broadmoor and Carstairs, the Working Party imbibed two separate streams of thought which they attempted to channel back into the new Scottish unit:

1. “...the opinion was expressed that over emphasis on physical perimeter security rendered the staff more liable to attack. Where the perimeter appeared impregnable staff were seen as the weak and vulnerable link in the security chain and therefore could become the target” (para.38).
2. “In both hospitals one of the cardinal features in treatment was the provision of abundant and interesting occupation and worthwhile use of leisure” (para.40).

Despite these gestures towards more progressive cultures surrounding, in particular, relationships and communication, the Working Party was nevertheless cautious about the design and internal conditions of the Unit, concerned to limit the perceived (and actual) attractiveness of accommodation:

In providing a new purpose-built unit, especially one which is to be "treatment" oriented, there is always the tendency not only to try new concepts but also to raise the standard of accommodation - and when we consider our present standards it would be impossible not to do this. What we are proposing is a unit within the penal system for treating those inmates who by their behaviour or potential behaviour cannot be contained by traditional methods. The new unit must therefore not be so attractive that inmates will behave badly so that they may be sent to the special unit. While we accept that the standard of accommodation will be

higher we feel that such increase in standard should be kept to a minimum.
(para.59)

This entrenched position is an offshoot of the age old ‘less eligibility argument’ – and argument originally espoused by Bentham in the *Panopticon* (1843) and later engaged with most comprehensively by Rusche & Kirchheimer (1939), and Sieh (1989) - and while initially framed as a matter of material comfort, it quickly expanded to the question of prisoners’ extended freedoms. The autonomous control prisoners had over the Unit was felt by some to be an unjust capitulation to manifestly violent men who were regarded as hardly deserving of such liberties. Almost from the very beginning, there was a feeling amongst some SPS staff that the BSU was a ‘soft option’, a view which appeared to be a response to the liberal ways prisoners were responded to and managed – the nomenclature surrounding the Unit is telling, with ‘Nutmacker Suite’ and ‘The Wendy House’ being among the most popular colloquialisms. Conversations with former grade officers confirmed this position, one of whom commented:

They were treated very well in that place [the BSU] and remember some of those people had caused chaos in the system. They were responsible for spreading violence...we had to deal with that every day. It was seen as a reward...that’s why we weren’t happy with the situation.

More formally, as early as September 1974 the SPOA voiced criticism of the Unit despite initially expressing support for it. The concern was that the Unit “had been allowed to go beyond the recommendations of the Working Party” (quoted in an internal paper at the request of the Working Party on Alternative Regimes, 1985: para.2.4.). Part of that ‘going beyond’ was connected specifically to the expansion of prisoners’ freedoms, another part implied a ‘moving away’ from the Unit’s initial aims as specified in the 1971 report. At its genesis, a psychiatric dimension was considered vital, indeed the BSU was envisioned primarily as a treatment facility, which this Circular Instruction 73/1972 issued prior to the opening of the Unit makes clear:

The purpose of the Unit will be to treat those inmates whose potential for violence stems from some degree of mental instability or whose length of sentence gives rise to difficulties in their being treated and contained within normal institutional routines.

This treatment-oriented agenda was also reflected in the staffing requirements

proposed by the Working Party:

We feel that the role of the officer should be much more involved in the training and treatment of inmates and to this end the appointment of officers on the group system should be extended. (SPS, 1971: para.59)

Instead of the traditional officer/inmate relationship there may well be a therapist/patient relationship. (SPS, 1971: Para. 66)

Further, it was suggested that the Unit Governor should be supported by an in-house consultant psychiatrist (working on a part-time basis), that the senior staff member should be a Chief Nurse Officer, that there should be two additional Principal Officers and Senior Officers “each of whom should be nurse trained”, and lastly, that all staff should receive supplementary training on how to manage mentally disordered prisoners i.e. they should have opportunities to visit Carstairs and possibly Broadmoor and Grendon too. Prison officers were recruited from mainstream locations on a voluntary basis. There were, therefore, a self-selecting group who presumably had either a particular interest in alternative forms of prison management, or who wanted additional experience. Once individuals had elected to move to the Unit they were approved by the Unit Governor in concert with the Governor of their original establishment. I did not find evidence suggesting that any volunteers failed to be approved. Unit Governors similarly volunteered for the position, or were recommended by senior officials. The approval process was decided by senior members of SPS officials, along with input from the outgoing Governor, and members of the BSU staff.

All these recommendations *and yet* prisoners with clinically-assessed disorders and/or those who had acute (or known) drug dependencies were thought unsuitable for the BSU. The lines here are disconcertingly blurry. A few years into the Unit’s operation, however, and this treatment orientation had all but vanished. While a ‘therapeutic’ dimension still directed practice, it became almost entirely disconnected from its former ‘psychological’ or (worse, as prisoners saw it) ‘psychiatric’ element.²⁷ Those working and living in the Unit considered this

²⁷ Despite maintaining a general mistrust for psychiatry (along with the psych disciplines more broadly) BSU prisoners were unusually supportive of the Unit’s resistant psychiatrist, Peter Whatmore, though this favourable response seemed to be a reaction to the man rather than the profession he represented. Additionally, from prisoners’ perspectives, the mental health professionals that worked in the BSU themselves appeared to adapt their practice approach in the

an improvement (and they would since they orchestrated it), but so too did some in the Department. Comments in a private letter written in 1977 from a representative of the Department to the Secretary of the SPOA are suggestive of this point:

In practice the Unit has not turned out exactly as the Working Party envisaged it. It has been smaller and less psychiatrically orientated than was originally foreseen. The number of volunteers with Nurse Officer training who have come forward is very small, and the nursing staff is already lower than was originally expected. Experience does not suggest that this has caused great difficulty.

By the 1980s, this was a point of little contention. Almost as an aside, the Inspectorate notes in its 1986 Report, without further discussion, “the regime has evolved from the original medical/therapeutic ethos towards a more sociological stance” (para.4.5.). If this was the reality on the ground, the miasmatic myth of the Unit as some form of psychiatric facility continued to serve a useful control purpose to frontline officers, and was therefore perpetuated. “The idea it functioned with a psychiatric bent was encouraged by some staff”, commented one retired SPS official in conversation. It was, he said, “used to threaten prisoners in some cases. The message was, ‘misbehave and we’ll send you to the Special Unit, only a skip away from the nuthouse.’”

In retrospect, the adaptive quality of the BSU – its ability to change, to reinvent itself as its inhabitants did – was one aspect that made it “work”. A more prescriptive or rigidly-defined set of standardised procedures would have prevented the full expression of individual choice, a principle which underwrote many of the Unit’s most celebrated success stories. During the years of its operation, however, policy officials (ever susceptible to the public mood) were nervous about the implications of this shape-shifting unit. The idea that it was an evolving entity, resistant to classification or to penal systems that were tried and tested (however defective the result), was viewed with suspicion. Its unpredictability was suggestive of a lack of credibility more than it was considered a necessary requirement for innovation. On these grounds, scepticism

Unit in ways that were consistent with the Unit’s norms and ethos. This had the effect of softening prisoners’ initially hostile impressions of the work they did.

levied against the Unit only increased as the effects of wider shifts in penal management (i.e. bureaucratisation, managerialism, close accounting procedures etc.) began to properly embed. For at least the first few years of the Unit's life, it was publically supported by the Scottish Home and Health Department, but as time passed efforts to champion the Unit (and to provide reassurance of its continued operation) become more noticeably tempered by concern. Consider the chronology of the following public statements:

STATEMENT ONE - January 1975:

...in an *experimental* unit, still subject to change, it is far too early to attempt to draw conclusions from what has been achieved so far. The success of the Unit has still to be fully tested by the behaviour of former inmates on return to other penal establishments and on eventual release. (Departmental Statement, January 1975, quoted by the Working Party on Alternative Regimes, July 1985: para.2.5.)

Not incidentally, the final Inspection Report published in 1993 recommends dispensing with the words 'experimental' and 'special' altogether, not because those terms no longer represented the Unit but precisely because they did. In retaining both those components the Unit had become too much of an outlier, too different from other segregation arrangements in the system, simply *too special*. In the view of the Inspectorate "the Unit must cease living in the past" (HMIPS, 1993: para.10.6).

STATEMENT TWO - December 1979:

Cited in the same internal paper, the Secretary of State gave the following response to a Written Answer:

I have already made it clear on a number of occasions that it is the government's intention that the Special Unit should continue to operate as it has in the past *and in the way that was intended when it was first set up*. (para 2.13. italics added).

With the barely veiled implication that it had deviated from its original aims.

STATEMENT THREE – February 1980

Seven years after the BSU was opened, the Department conceded publically that the Unit "had developed apart from rather than as part of the system", with the in-

built assumption that this must be an undesirable outcome. This statement goes on to define the Unit in more provocative language as “an illegitimate child within the prison system”. The reproaches become progressively unequivocal:

Some of the objectives identified by the Working Party have not been achieved and a number of the original recommendations, which were considered essential at the beginning, have with experience proved to be unnecessary. Notwithstanding the gradually developing and changing concepts of the Unit, many members of staff remain convinced that it is “psychiatrically oriented” – which it is not...The fact that a number of inmates have spent many years in the Unit has not convinced some members of staff of the effectiveness of its treatment and training regimes. In 1973 it was anticipated that a period in the Unit might be in the order of 2-4 years and that a long-term inmate might return to the Unit during his sentence. It was not envisaged that an inmate – reported to be making good progress – should remain in the Unit for as long as 7 years. (para. 2.14)

This brings us neatly to another set of tensions: the more effective the BSU was in facilitating prisoners to transform their attitudes and behaviours, the more attached those prisoners became to remaining in the Unit (not unreasonably), and therefore the further away from achieving a core objective of small units – the impermanence imperative – the Unit moved. In this sense broad-scale and quite profound success (from prisoners’ perspectives) necessarily involved somewhat arbitrary but no less meaningful failure (from an institutional perspective). The next section examines this predicament in more detail.

The Impermanence Imperative

It is certainly the case, as stated in an SPS Occasional Paper (the only external evaluation of the Unit²⁸) that, “by accident or design, BSU has always had more than one kind of aim attributed to it, and which of these is taken to be most important depends on the vantage point from which it is seen” (Bottomley, Liebling & Sparks, 1994:14). Yet one aim that was central, fixed, and appears to have generated unanimity within SPS policy circles, was that all small units were to varying degrees conceived of as stop-gaps; places of short and medium-term

²⁸ This report was comprehensive to the extent it offered a deep assessment of the Unit as it operated in 1993 at the time the study was conducted. However, it was limited to merely a “snapshot”, as the authors of the report themselves concede; its restricted terms of reference precluded discussion of both the historical and comparative dimensions of the Unit, which the authors identified as areas of future research in need of closer attention and documentation.

containment intended to address behavioural problems in order that prisoners could be successfully re-integrated back into mainstream prison communities. This was a key objective of the BSU when it was first opened in 1973, and it remained one of the core aims of all specialist units within the small unit network after attempts were made in the 1990s to draw the disparate parts under one coherent strategic umbrella. The idea of liberating prisoners directly from the BSU (or any other small unit) despite the progress an individual might have made within that environment, was never entertained as a serious proposition. As identified in the *Opportunity and Responsibility* document published in 1990, a goal of specialist units is, “To return prisoners to the mainstream better able to cope and to make progress towards release” (SPS, 1990:59). From the initial Working Party’s 1971 Report and throughout the entirety of the Unit’s lifespan the tension between the efficacy of the Unit, from prisoners’ perspectives, and the institutional imperative to funnel prisoners back into mainstream locations remained unresolved, or perhaps unresolvable, fuelling feelings of insecurity amongst prisoners and uncertainty (the kind that tend to erupt into something more threatening).

A revealing comment was made by one Governor in a letter to the SPS Director, dated 6th December 1972 (a few months prior to the opening of the BSU):

It is understood that there is a possibility that the Special Unit could have an inmate in the Unit for the rest of his natural life. However, it is the Unit’s aim to make the inmate not necessarily a better citizen but a better prisoner and therefore feedback all successful inmates into the prison system.

This unguarded statement, not intended for a public audience, represents a narrow view shared by some SPS officials of the BSU as having a quite limited purpose. The distinction between a model ‘prisoner’ and a model ‘citizen’ is instructive - the fact it was understood by those living and working within the Unit in the exact opposite way is one of the reasons confusions about the central purpose of the Unit, and indeed criticisms about its methods, persisted. In the first issue of the BSU’s in-unit magazine, *The Key*, an unnamed contributor stated: “the aims of the unit follow the official line whereby the inmates are helped to become better CITIZENS and not better PRISONERS. Readers will appreciate the subtle

contrast of these terms” (The Key, 1975). The extent to which that was in fact official practice, rather than merely the ‘official line’, is debatable given the imperative to transfer Unit prisoners to mainstream locations before any parole decisions would be made. Ken Murray, formerly the Chief Nurse Officer of the BSU, explains the model prisoner versus model citizen binary from a contrasting perspective to the above quoted letter-writer:

The former being a fellow who comes in, does his time, yes sir, no sir, and it is fairly easy to work with a fellow like that. But I have known thousands of model prisoners who get liberty from prison and simply explode and they come back very rapidly...they behave terribly to people on the outside. The prison system should be in the business not of identifying those who are model prisoners and live with them but we should be able to try to do something positive to try and change someone’s behaviour to become a model citizen. That distinction has got to be made.” (The Saturday Connection, BBC Radio Scotland, 10th October, 1987).

This exasperated statement was made fifteen years after the BSU was opened, and following a particularly incendiary set of disturbances across Scottish prisons, demonstrates that consensus had yet to be reached as to the question of how to change individual’s destructive behaviours in a genuinely positive and sustainable manner, more than simply how to render those people compliant and manageable. A desistance framework is again useful here since part of successful changes processes, the theory holds, is a commitment to conventional values or goals so that individual behaviour conforms to socially acceptable norms and is exercised within legal boundaries (Serin & Lloyd, 2009). Difficulties sometimes arose for BSU when re-adjusting to mainstream locations. The obvious danger was the potential for prisoners to revert back to their former ‘problem’ personas, if not necessarily demonstrated through the kinds of violent excesses they might have previously extolled.

I think if I had been released straight from the Unit, I wouldn’t have felt as bitter or had so much rage inside. After eight or ten years [in the BSU] I could have been gradually fed back into the world...I wouldn’t have been a threat to the public. The violent part of my life had ended. The next eight years [after leaving the BSU] really twisted me inside. Although I’d mentally accepted that I would serve the next fifteen years to appease society’s need for revenge, those final years actually put society in danger again, creating a time-bomb just waiting to go off. They ruined all the

work that had to be done in the Special Unit, where I'd developed into a reasonable sort of person. (Collins, 1997:171)

There is, argue some, a comfort to sustaining (or in this case returning to) habituated ways of thinking and behaving (Emirbayer & Mische, 1998) even if those habits prove destructive for personal wellbeing. In best case scenarios, prisoners might find ways to adapt their behaviour, moulding their new if fragile identities so they fit within the confines of mainstream prison walls. In that sense they are inhabiting what Turner (1970) calls the 'liminal'; they are positioned (stuck?) between two distinct institutional worlds attempting to balance and maintain the gains they might have made in one social context (the BSU) with the demands and severe limitations of another (mainstream prison locations). The uncertainties of this positioning is not only a liminality of identity – between the 'offender' and the 'non-offender' – or what has been termed 'liminal desistance' (Healy & O'Donnell, 2008), but is also a more literal spatial liminality, whereby a prisoner is compelled to move across the threshold of distinct institutional locations. Moreover, to satisfy the expectations of Parole Boards, for instance, he is required to prove himself rule-abiding in both environments, despite the markedly different parameters within each milieu. Obituarising the BSU, Richard Sparks (author of its only external evaluation in 1993) writes,

(W)hat was also notable and perhaps unrepeatably creative in the Scottish case was that for at least some part of its 21 years of existence (1973-1994), the Special Unit represented a feasible way out, one which enhanced and did not break the honour of the combatant... The genius of the Scottish solution was to have created a place beyond the terminus – a place of resort beyond the last resort of permanent segregation... To move from one to the other [i.e. from the traditional segregation units to the Special Unit] was in some sense to have escaped, yet to remain in prison. (Sparks, 2002:561)

The impermanence of an individual's stay in this 'get out of prison' prison (though many prisoners remained in the Unit far longer than was originally anticipated) must have consolidated the pains of liminality prisoners felt when transferred to other prison locations.²⁹ The Unit may have seemed like a special

²⁹ Of the 35 prisoners who had been through the Unit by 1993, all but three had moved on to other locations: one died, two were liberated, two requested to return to mainstream, 11 were transferred to other establishments as part of planned moves, 10 were downgraded, and one was

“terminus”, a hopeful end-point to the kinds of dejecting, traumatic prison experiences these men had previously endured, an environment that could, however trite we might find the terminology, provide a ‘new beginning’. But this genius stroke was unintended; it was a wonderful accident. The Unit was only ever intended as a resting place. To that extent, and viewed in the longer span of an individual’s imprisonment story, the BSU was another stop on the segregation Ghost Train. On this point the SPS was unambiguous – a view also shared by the Inspectorate:

...it should not be allowed to become a safe haven for long-term prisoners who have encountered serious difficulties in coming to grips with their sentence in the mainstream [why not?]. Permanence, in our view, breeds complacency and lethargy. Almost worse still, it is very discouraging for other prisoners in the system, who might well have benefited from a spell in the Unit, if they became aware that there is little likelihood of a vacancy occurring” (HMIPS, 1993: para. 10.6)

Since the former vitality of the Unit had been sapped to the point of sluggishness (the days of the dazzling art exhibitions and press invitations had long since passed) the second argument here is more persuasive than the first. The issue that gave rise to prisoners’ discernible ennui, however, seemed not to be permanence so much as a lack of clarity relating to the exact parameters of the *impermanence* – a point recognised in Sparks’ 1993 evaluation:

The impending situation, therefore, is one in which a group of men doing, as one prisoner put it, ‘heavy, heavy, heavy porridge find little prospect and few incentives for moving on from the Unit. The implications of this tend to preoccupy all concerned. For managers and staff this is registered as a concern about the felt lack of viable options to offer prisoners. For the prisoners concerned it takes the form of a persistent anxiety about where they might be called upon to move to, when and under what conditions. For some on both sides, its singular effect lies in a growing sense of marking time, standing still, even of ‘stagnation’ within the Unit. (1993: 17)

Despite these uncertainties, and irrespective of the Unit’s increasingly lethargic mood, in the majority of cases, once ensconced in the Unit prisoners were resistant to being transferred out of it. This remained the case right up until the Unit closed. In the final Inspection Report of 1993 it is noted that,

transferred to Carstairs. The other 8 prisoners remained in the Unit until it eventually closed the following year.

...the prisoners unanimously favoured the present unstructured arrangement. They attached great importance to being allowed to do their own thing and were appreciative of the support without coercion which they received both from their peer group, especially through the weekly community meeting, and from uniformed and non-uniformed staff alike, including all those who helped in one way or another with the Unit's regime. Perhaps not surprisingly none of the prisoners showed any enthusiasm for moving elsewhere in the system" (HMIPS, 1993: para.6.12).

A full ten years into its tenure only twenty one prisoners had been though the Unit, by 1986 six of the eight prisoners contained in the Unit had spent between 3-6 years there, and by 1993, after twenty years of operation, a decidedly small total of thirty five prisoners had been housed in the BSU. The mere fact that prisoners tended to spend numerous years in the Unit is a testament to its success as an environment that problem prisoners could cope with and wanted to remain within. But it also denotes its failure as a medium-term, transitory space before re-entry back into mainstream locations. An additional worry for staff was that however stagnant the Unit became it was still preferable (in prisoners' minds) to mainstream locations and to other small units. It was on these grounds that staff claimed "prisoners in other establishments were committing acts of violence in order to gain transfer to the unit", as reported in an internal paper prepared at the request of the Working Party on Alternative Regimes (SPS, 1985: para.2.4). That claim is difficult to assess accurately. Measured narrowly on the number of staff assaults, there was a steady increase in incidents during the late 1970s, though attributing this to the BSU would be highly speculative.

Siting the BSU: The Relationship Between Location, Objectives and Internal Practices

Notably, not all the Working Party's sixteen recommendations were either initially adopted or later retained. This was partly a consequence of prosaic factors, particularly those connected to spatial constraints. Originally the Working Party suggested "E" Hall at Perth prison (part of South Inch House) as a suitable location for the Special Unit, stating that, "we think at that institution the necessary psychiatric services can be provided." (para.59). However, in addition to the treatment aspect, the Working Party still appeared to be attached to the

more traditional management objectives related to discipline and control, which also fed into considerations regarding the siting of the Unit. The Working Party recommended that the Unit should have a maximum capacity of 20 places with a further 4 places for isolation (i.e. punishment cells) and 5 observation (or 'safe') cells. In the event, finding a location that would allow for the combination of both these treatment and control objectives proved difficult. After initial investigations, Perth was found unfeasible due to architectural considerations – although details of what that actually meant are scarce in the archival record. Eventually the former women's block at Barlinnie Prison was settled on as a viable albeit still less than desirable alternative. This was a self-contained, two-storey building completed in 1955 which comprised 10 single cells (5 on each floor), a number of offices, a kitchen, a central reception area, and a small outside courtyard. But in terms of capacity, "because of the limited facilities within the Unit it is necessary to use two of the cells for purposes other than inmate accommodation, thereby reducing the effective maximum population to 8" (HMIPS, 1982: para.5.1.).

Whatever the initial intentions of the Working Party the actual layout and dimensions of this space prohibited the old ways of doing business. The smallness of the Unit – which to an extent facilitated the development of a close community – along with the impossibility of instituting spaces of internal segregation – which necessitated more creative approaches to discipline and protection - was the inadvertent product of spatial limitations rather than the result of intentional design. From the outset, then, the space itself, while perceived as far from ideal given the age of the building and its restricted size therefore precluding the necessary space for suitable provisions, proved far more conducive to the kind of ethos the BSU went on to establish. In spite of these accidental benefits, however, locating the Unit within Barlinnie prison generated some concern amongst unit staff. In an internal paper requested by the Working Party on Alternative Regimes, it was noted that by May 1973,

Unit staff asked that consideration be given to moving the unit to Carrick House at Polmont where there would be more space and where the borstal staff were likely to be more amenable to the concept of the unit (SPS, July 1985: para.2.3.)

More emphatically, this paper went on to document a meeting between Departmental representatives and unit staff in June 1973 where they “were warned that the treatment being received at the hands of Barlinnie staff and criticisms throughout the service had created a crisis within the unit” (para.2.3.). The tone here might be unduly hyperbolic, nevertheless siting the Unit within the boundaries of Barlinnie prison – Scotland’s largest and one of its oldest, most notorious establishments – heightened the sense staff had of being under attack from their colleagues across the SPS estate. A situation that was only aggravated by the incongruity of placing this unusual and innovative unit in such close proximity to a prison which was known at the time for its traditional (some would say brutal) control measures, its poor material conditions, and the incidences of violence and disorder that occasionally erupted. One officer I spoke with, who worked in Barlinnie prison as a new recruit in the early 1980s, commented:

We would walk past it [the BSU] and not know what was going on in there...some people got very angry...we were on different sides and there wasn't much mixing when I was there...we would see reports in the papers and people would be coming in and out of the unit. That was distracting for staff in the prison. It wasn't good for prisoners either.

Another remembered, “people were starry-eyed [about the Special Unit] but some of us knew it was a sham.” In other words, there was a feeling amongst some prison officers in mainstream locations that the positive effects the BSU was assumed as having on otherwise highly violent men, was indicative of a fraudulent arrangement on the part of prisoners, who were playing the system in order to get the maximum freedoms and privileges without deserving them. This was a view that was repeated to me in numerous interviews, as well as documented in the often hostile tone of personal letters from the period. Such tensions may have been the result of a complex array of complaints regarding perceptions of the internal operation of the unit (i.e. that it was overly permissive) some of which were fueled by hearsay more than rooted in fact, but certainly this initial placement decision did nothing to stem those doubts. If there were any welcome consequences of the external antipathy, or at best the neglect, that characterised responses to the BSU (and towards the staff who managed it) it was the internal solidarity it inspired; outside criticism further strengthened the

community spirit that developed between staff and prisoners fostering a sense of ‘all in it together’. In terms of closing this widening gap between staff working outside and those working within the BSU, the SPS made few concerted efforts in mitigation. There seemed to be a sense of merely leaving the Unit to get on with things, which served to consolidate the Unit’s institutionally isolated position despite its geographical location within the belly of Scotland’s central urban prison. Reflecting on early memories, a former governor of the BSU said this:

A lot of people were embarrassed by it. One of the junior ministers would have closed the unit, a Labour minister. There was no love for prisons in those days, from Left or Right, people tried not to talk about it. When I went there in the 1980s I was invited to a meeting with the then Under Secretary and I went along expecting to get a full briefing on the role of the unit, what I was expected to do, the developments of the unit, etc. And nothing like that. I just got told, ‘we wish you well, if you come out of the unit with your reputation intact you’ll have done better than most.

With respect to the Unit’s internal spatial features and the impact they had on the development of both aims and practices, the 1982 Inspection Report observed that, “the limited facilities make it impossible to operate a structured regime and a formal programme would, in the opinion of staff and inmates, be detrimental to the basic concepts of the unit” (HMIPS, 1982 Para. 7.1.). This stands in contrast to the original, official aims of the Unit which, in emphasising the role of treatment and psychiatrically focused programmes, advocated a full and at least semi-structured regime through which that agenda could be achieved. We might conclude, then, that by the early 1980s, what had come to be understood as the Unit’s ‘basic concepts’, those which were considered essential to its success – chief among them being self-determination and democratic participation in decision making - did not exist a priori to the Unit; these principles evolved over time and were to a degree enabled by the specificities of the spatial environment itself. In the absence of designated work sheds and other kinds of programme-related facilities, for example, there was greater latitude to determine the content of meaningful activities based on what the space could facilitate and, crucially, on what prisoners themselves wanted to engage in. Moreover, since the Unit was an adaptation to its earlier function as a women’s unit rather than purpose-built, this meant there was flexibility in terms of modifications to the precise functions of

space – and by extension to operative regimes – that could be responsive to the needs and interests of the prisoners who were contained there at any given time. The small outside courtyard was variously used as an open-air sculpture studio, a gardening space (a greenhouse was subsequently introduced), and to house a pigeon loft. Internally, one of the extra cells used as an additional storage space was re-appropriated first as a make-shift gym and later as a quiet space for reading and study. Another cell was used as a small laundry. And, without a formal visitors centre and given the cramped size of the communal rooms, the highly contentious decision to allow family visits in cells seems rather more like a practical solution to spatial limitations rather than only a radical luxury.

These examples suggest that the progressive agenda advanced in the Unit, underpinned by seemingly extraordinary levels of trust, did not develop in spite of spatial boundaries but rather it was certain spatial factors that actually produced or at least rendered more likely the extended freedoms the BSU community enjoyed, and its propensity for reinvention.. Maturing in tandem, the uses of space and the emerging ethos together contributed to the Unit's attempts to “develop a non-criminal culture in order to enable members of the community to escape from traditional roles and loyalties” (Coyle, Conference Paper New York, 1985 p.5). If the Unit had had clearly delineated zones in the manner of subsequent small units (such as the facility instituted at Shotts prisons) designed with specific activities in mind, this kind of flexibility in determining how the space would be used would have been much more difficult to effect. Ironically, it was the perceived unsuitability of the space – its material constraints – that promoted the autonomy concept, that which would later come to define the Unit, constituting its most basic principle.

Beyond the spatial dimension, the broader operational latitude BSU staff and prisoners were afforded to define routines, regimes and relationships was also partially the result of a lack of close external evaluation and a paucity of comprehensive record-keeping. On this last point, all four of the official inspections conducted by HMIPS during the BSU's tenure identified this as a key concern – and they did so with growing exasperation. These aspects led inevitably to deviations in practice from the Working Party's original recommendations. Of

particular relevance here are (1) the gradual movement away from its treatment-based beginnings to a looser understanding of ‘therapy’, (2) a recalibration of relational dynamics from prisoner/officer to patient/therapist and (3) a more horizontal power structure where prisoners and staff were on something of an equal footing. This parity manifested through group decision making, including on matters of considerable importance i.e. security and control issues, visitation procedures, transfers in and out of the Unit, etc. But again the space itself also contributed to this sense of equality in the Unit. A notable example: the lack of sufficient work, recreation and especially toilet facilities meant that staff, prisoners, and visitors had to share amenities. This was a highly unusual arrangement, a quite radical use of space. We get a sense of how untenable this had become through statements made in an SPS report on small units published in 1994 – a document that was to prefigure the closing of the BSU. The importance of spatial function was stressed with a set of recommendations that were simply irreconcilable with the BSU’s practices: “...certain physical features are essential to any small unit if it is to be run successfully.” This must include, the report states,

Designated staff specific areas to which prisoners have no access, in order that staff can retain their identity as staff members of the community and so that staff training and those meetings which are staff specific can take place without impinging on prisoner activities.

The physical unsuitability of the Unit, particularly its cramped facilities, had been an issue since the Working Party made its initial recommendations in 1971. It was not only the regime or ethos that was considered experimental but the space itself that was similarly cast and continued to be thought of as make-shift, un-tested and temporary. It was not until the mid-1980s, however, that serious consideration was given to transferring the Unit to a more spatially appropriate location. This was partially the result of wider factors affecting Barlinnie prison, and the prison estate more generally. As the prison population continued to expand creating additional stresses on the system, not least overcrowding, the SPS introduced the Fresh Start agenda, which amongst other objectives set-out a strategy of prison building and design modification. In this context the spatial limitations of the BSU were brought into sharper focus. That point was made in a conference paper

presented by the Chairman of the Scottish Prison Governors Committee at the 115th Annual Congress of the American Correctional Association in New York:

Long-term development plans are in the course of being drawn up for Barlinnie. There is a particular need to provide additional visiting facilities and to extend the reception. The Special Unit is situated between these 2 areas. No decision has yet been taken but it may be some thought will have to be given to constructing a purpose-built unit in another location which will both overcome the present problem of restricted facilities in the Unit and will also allow facilities in the prison to expand." (15th August, 1985: para.6.3.)

In retrospect, this public statement is significant. It represents not only the tenuous compartmented position of the BSU - its lack of insulation against broader changes that were occurring within the penal system – but stands as an early portent of things to come. At this point the concept of the Unit may not have been under immediate threat but its physical location certainly was. Given the lack of malleability “purpose-built” units tend to have in bending and evolving to the discrete needs of its changing inhabitants, siting the BSU elsewhere would have inevitably impacted on the nature of the Unit’s operation. The fact that consensus was beginning to form around the wisdom of re-siting the BSU might be viewed, then, as the first step towards dismantling, or at least re-configuring in a fundamental way the nature of the Unit itself.

Evaluation

Yet another incredible feature in the life of the BSU is that until 1993 the SPS had not engaged the services of any external evaluators. Monitoring and oversight were mostly exercised by the independent Inspectorate, which (after its establishment in 1981) conducted five inspections of the Unit during its operation. Whilst regular and insightful (if incomplete) scrutiny of the Unit was submitted by the range of visitors who paraded through the Unit during its early life (e.g. newspaper journalists, film documentarians, artists, administrators from other prison systems, celebrities, politicians, and academics) there was no targeted, comprehensive evaluation in which outside researchers were given full and extended access. Moreover, in terms of having the means to further assess the effectiveness of the Unit, internal systems of monitoring were also curiously

limited. For example, there were few mechanisms to track the progress of BSU prisoners once they had been transferred to other locations. As early as November 1976, the present BSU Governor asked the Department to rectify this but from the records it appears nothing concrete was done by way of response. In our current climate of excessive institutional measurement these evaluative omissions seem astonishing, but even in the context of its time, where the seeds had been sown for what has now become a near obsession with performance indicators and targets, it is difficult to make sense of the reasons why this didn't happen in the case of the BSU. In the same conference paper cited above, Andrew Coyle notes:

What has been absent from all units is any attempt to assess whether they are achieving the purpose for which they were set up or indeed whether that purpose has changed. This lack was first pointed out to the Department with regard to the Barlinnie Unit in 1974. In the early years the Department argued that it was too early to assess the unit. In 1977 it stated that the unit was being reviewed but there is no record of such a review being completed. The Working Party on Alternative Regimes should recommend that a clear statement should be made as to the purpose of each existing and future projected alternative unit and that a continuous and regular assessment of each unit should be built-in to procedures. (15th August, 1985: para.8.5)

In 1975 the Department issued a statement defending its decision to resist calls for external evaluation:

A formal study of the Unit, inevitably involving outside researchers, would however, be premature. The handling of inmates in the Unit still presents delicate problems, and intrusions from outside could have a seriously unsettling effect. Moreover in an experimental unit, still subject to change, it is far too early to attempt to draw conclusions from what has been achieved so far. The success of the Unit has still to be fully tested by the behaviour of former inmates on return to other penal establishments and on eventual release. (Quoted in an internal paper requested by the Working Party on Alternative Regimes, 1985: para. 2.5)

Those two arguments might be generally sound, but in this case the statement was, one suspects, partially disingenuous given the timing of its issue. Two years after the Unit was opened, the Unit may have remained “experimental” but it is hardly reasonable to have understood it as sufficiently undeveloped so as to render any study of it entirely arbitrary or unworkable. On the second point, only six months prior to this utterance a ‘meet the press’ day had been formally

sanctioned – a smart move as it happened owing to the almost unanimously (and breathlessly) positive write-ups. Given this fact, it is difficult to argue convincingly that the effect of a small number of professional academic researchers would have had any more of an “unsettling” effect than a pack of journalists (a profession not immediately associated with unobtrusiveness or temperance).

Towards the end of the 1970s the Department had agreed formally to conduct an internal review of the Unit, thus minimally assuaging the repeated calls for evaluation from the SPOA, the Scottish Prison Governor’s Committee, Unit staff and others. By the early 1980s, however, the Department admitted: “the review of the Unit, being undertaken at the Department, is continuing but it will be some time yet before this is completed, and I am afraid we have nothing in writing, arising out of it”. A comment made by a senior psychologist working in the BSU represents the generous view of this institutional tardiness: “In retrospect one feels that such an important unit...should have had an ongoing research programme...in-built from the start.” (Working Party on Alternative Regimes, internal paper, 1985 para. 2.4). Others were less charitable:

I am concerned there is a lot of evidence to show that the Department in the Scottish Office are reluctant to carry out any form of total research...They refuse point blank to allow independent research to come into the [BS] unit. I think that is unethical. I think it is certainly unprofessional. (Ken Murray, *The Saturday Connection*, BBC Radio Scotland, 10th August 1987)

Clearly this issue stirred passionate emotions. We should be cautious, however, about framing this as a battle between Unit staff (who actively desired external evaluation, as Murray’s comments make plain) and the Departmental overlords (who were apparently resistant to it). Any evaluation would have required access to and careful study of internal records – documents that detailed, for example, property transactions (i.e. items brought in and taken out by visitors), changes to activities, financial records relating to prisoners wages and accounts, internal incidences, etc. The systems of recording such matters, those which Unit staff were themselves responsible for, were scant at best. The first Inspectorate Report flags the poor record-keeping as a key issue, though this is ascribed largely to the

Unit's strong emphasis on oral communication, which inspectors were broadly supportive of. The second of these inspections (published in 1986), however, is particularly emphatic in its criticism both of internal record-keeping and external monitoring, stating that, "an in-house evaluation of the Unit be undertaken as a matter of urgency" (HMIPS, 1986: para. 2.96)

Responding to the publication of this report, the governor of the BSU wrote a private letter to the SPS Director (marked 'confidential' in capital letters), in which he offers a persuasive defence of the Unit's approach to record-keeping – though he does so by deflecting the issue somewhat.

It must be considered in the context of an environment of trust and responsibility. Implicit also in recording and monitoring are searching of prisoners, visitors and their belongings. This is in direct opposition to the philosophy of individual trust and community responsibility. I make no value judgment on the Inspectorate's recommendation in these respects but would emphasise the implications of their implementation. (17th September 1986)

Part Three

The 'Specialness' of the BSU

To further clarify just how different the Special Unit was, comparisons with other contemporaneous small units are apposite. Richard Sparks suggests that,

the [Peterhead] Digger and the Special Unit were probably the two places of greatest symbolic significance in the Scottish Prison Service, as well as in the individual prison biographies of prisoners whom I met in the Barlinnie Special Unit. They were two poles of a single axis. One orbited another, (2002:559).

By the mid-1990s, and in terms of pure symbolism, this may be an accurate assessment. However, whilst the Digger and the BSU are similarly potent in the penal imaginary, it is the Inverness Unit which provides a much more revealing set of contrasts, at least in the early life of the BSU, and for a number of reasons:

- When the Special Unit opened in 1973, the IU was the only other designated small unit in the system - the Digger was used frequently to

contain prisoners on R36 (i.e. administrative segregation) but this was subsidiary to its primary function as a routine isolation block for mainstream prisoners - those who were held punitively for disciplinary infractions along with those who were segregated on protective grounds. The Digger was neither intended nor actually used as a specialist environment for the management of troublesome, long-term prisoners, whereas the IU was. That was its sole purpose in fact.

- Five out of the eight prisoners who constituted the first BSU cohort were transferred directly from the IU. In terms of their lived experience, then, it was between the IU and the Special Unit that initial comparisons were drawn.
- With respect to public perception, it was the image of the Inverness Cages, which had increased in visibility following the particularly violent and widely reported disturbance that occurred there in 1972, which tended to be juxtaposed with the BSU. At this time, before the amphetamine progress of media diversification, newspaper outlets monopolised the flow of public information; the narratives about Scottish small units they propagated and disseminated often contrasted on the page literal images of locks and bars (representing the Cages) with those of colourful murals and jaunty personalised cells (representing the Special Unit).

For these reasons it is the specific divergences from the IU, rather than the Digger, which best illustrate the unique qualities of the BSU. Fig Eight details the contrast.

Fig Eight: Comparison between the Barlinnie Special Unit and the Inverness Unit

	The BSU	The IU
<i>Staff-prisoner relations</i>	Participatory and democratic model of internal relations based on <i>mutual trust</i> .	Authoritarian and hierarchical model of internal relations based on <i>mutual suspicion</i> .
<i>Communication</i>	Regular and diverse kinds of community meetings	Very little communication between

	where open, honest and thorough conversation was supported and expected.	staff and prisoners; severe spatial and social restrictions on communication between prisoners.
<i>Disciplinary measures</i>	No internal isolation or 'punishment' cells; compliance with agreed Unit rules was community-policed.	Additional isolation cells (e.g. Silent Cells) used for punitive as well as administrative purposes.
<i>Personalisation of space</i>	Decorating cells (and communal spaces) with pictures, furniture, personal items, painted walls etc. was encouraged. Materials were provided by the SPS – and brought in by family & friends.	Spartan accommodation; no decoration or personal items permissible.
<i>Control of Spatial Features</i>	Heating, ventilation and light could be controlled by prisoners (as far as possible). Windows and doors could be left open or closed according to prisoners will; portable heaters could be introduced to cells.	Heating, light and ventilation was controlled centrally. In Doors were permanently locked; windows were covered with steel sheets; Perspex covered light sources.
<i>Movement</i>	Freedom of movement within the boundaries of the Unit, and freedom of association amongst prisoners.	Cellular (solitary) confinement for 23 hrs per day*, no interaction between prisoners.
<i>Visits</i>	Extended visiting periods (lasting most of the day). Prisoners could decide who was admitted, for how long, and where visits would take place (i.e. in cells). Visitors were not comprehensively searched on entry or exit.	Heavily restricted visits conducted in designated spaces and closely supervised by officers. Visitors were searched.

<i>Regime & Routines</i>	Unstructured regime; resources for ‘meaningful activities’ was provided on an ad hoc basis according to the needs, interests and desires of individual prisoners. Daily routines were largely decided by prisoners themselves.	Structured regime with fixed daily routines determining eating, sleeping, ablutions, work, exercise periods. Activity provision minimal. Prisoners had no input as to what the content of those activities would be.
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*In the early years of the IU prisoners were unlocked during work periods which were conducted as a collective exercise thereby allowing limited association. By the early 1970s, however, after a violent incident during one period of association, it was decided that all work activities would take place in cells, and the one hour exercise period would be managed on an individual basis (in caged outside pens).

Personalisation of Space: Aesthetics, Regime & Visits

Externally, the Unit was very much like any other prison. The Unit had its own secure perimeter wall and much like every other dividing apparatus it came with the standard set of security accretions. Through the gates, however, “the personalisation went further than is found anywhere in mainstream prisoner accommodation and, but for the lockable doors, it would have been easy to forget that this was a penal establishment” (HMIPS, 1993: para 5.3.). A description supplied by Jim Hewiston, a local reporter evoked this atmospheric juxtaposition:

Stepping through the green door in the thick concrete wall which separates the Unit from the rest of the prison my feeling was very much one of close confinement, doubtless inspired by the 100ft long courtyard with black-brown walls stretching for the sky. An impossible 20ft away, the top of the wall was fringed with barbed wire. Sturdy doors, bars, and the eager eye of the monitor camera sweeping the exercise yard from a high vantage point were ominously apparent. But once inside the building itself preconceived ideas were swept away. Something very unusual was surely happening within these walls. Instead of the tension I expected to feel, a relaxed, hospitable atmosphere dominated. (*Glasgow Herald*, 25th July, 1974)

The next sections explore in more detail what that “something very different” was and how much it meant to the prisoners and staff who created it.

Aesthetics

The BSU was an environment that could be – and was – done up, done over, pygmalioned numerous times to fit the styles and moods of whoever happened to inhabit it. That was the point. The often subtle, slowly remodelling of the Unit's practices was visually mirrored in the less subtle redecorations of the Unit's space. That colourful, surface-level changes to the physical environment were encouraged is suggestive of the Unit's adaptability to deeper-level changes. In terms of pure aesthetics, the Inspectorate noted in their first report:

The basic cellular accommodation is typical of that which exists in most of the older establishments but there the similarity ends. Inmates are free to decorate and furnish their cells as they wish. Individual preferences and interest are reflected in the variety of wall coverings, curtains, carpets, rugs and bed covers in individual cells. (HMIPS, 1982: Para. 7.2.)

How a man chooses to decorate his personal space is always fascinating – part performance (how he wants others to see him) but mostly it reveals who he actually is when no one is looking. What is equally intriguing though more surprising is the prison that allows him the freedom to do so. Below is a photograph of one BSU prisoner in his cell, which he chose to decorate with a colourful mural with paints provided by Unit staff and hanging fishnets brought in by relatives. The image offers a stark illustration of how prisoners were able to interact in and with the space in ways that expressed their individuality. We see a vivid presentation of self, the externalising of inner experience.



In *The Architecture of Happiness*, Alain de Botton writes:

If one room can alter how we feel, if our happiness can hang on the colour of the walls or the shape of a door, what will happen to us in most of the places we are forced to look at and inhabit? What will we experience in a house with prison-like windows, stained carpet tiles and plastic curtains? (2006:13)

There are two issues here, both of which connect to psychological wellbeing: spatial beauty (or otherwise) and spatial ownership (and its opposite). These concepts are inexorably, necessarily bound. Beauty is affective and meaningful because it is experienced subjectively, its specificity for the individual denotes personal possession of it, or at least an appreciation that comes from an autonomous ideal of beauty. Ideals that are generated and imposed externally are always less satisfying because they are not authentically ours. Prison spaces that are intentionally designed with attractiveness in mind might be appealing to the prisoner who is trapped there but they cannot be beautiful (with all the positive experiential effects that implies) unless the space conforms to that prisoner's own beauty ideal.

In the BSU, the self-designed decoration of personal cell space served as a wordless vehicle of communication to declare who one is, how one thinks, and what one considers beautiful. At a basic material level, prisoners enjoyed greater comfort because they lived in attractive spaces where greying walls were replaced by vibrant paintings, and where institutional fittings and features (barred windows, metal locks, heavy steel doors, etc.) were disguised by homely furnishings, fabrics and personal possessions. In this way personal space was rendered subjectively beautiful rather than generically uninviting as most penal environments tend to be. The decorating of cells was an expression of one's identity as well as a promise of one's potential. But it was also a statement of ownership via the literal making of one's mark. It conveyed the explicit message: 'this is *my* space'. With respect to communal spaces these same dimensions of beauty and ownership manifested through the group murals jointly realised in the shared corridor, as well as in the many changeable 'exhibitions' of prisoners artwork which lined the Unit's walls. The valuing of individual personalities demonstrated through these numerous symbols of personal and collective creative flair was paramount to the Unit – to the way it looked and to the ethos it promoted; it was its literal wallpaper. Rather than being "forced to look at and inhabit" the anodyne, soulless, sparse, and in some instances quite brutal places that many of these prisoners had previously been contained in, now in the BSU they could inhabit places they were more comfortable in, places that visually appealed to *them*. Moreover, in terms of identity, this freedom of aesthetic expression and ownership enabled diverse constructions of those identities; prisoners could be more creative in exploring multiple and nuanced aspects of themselves that lay beyond the rigid, masculine ideal of the Hardman, which seemed the only permissible identity in physical environments that restricted spatial expression. In those spaces prisoners still exerted spatialized agency but they did so by personalising the space in largely transgressive ways.

As explored in detail in Chapter Five, such transgressions included: simple vandalism, the smearing of walls with faeces, the smashing of windows, the dismantling of door frames, etc. And while rationalised after the fact as acts of resistance displaying masculine notions of strength, bravery and resilience –

concepts that feed-into the honour discourses that have pervaded prisoner subcultures throughout penal history - these spatially-manifested acts were also framed in terms of individuation. They were actions serving to express the “I” in defiance of an institutional structure and environment that aimed, as they saw it, to homogenise prisoners by regulating behaviour according to a set of highly restrictive and immutable behavioural norms. The imposition of rules required to establish that conformity was experienced by these prisoners as infantilising and to that extent an intolerable offense to their constructions of ‘manhood’. They were also experienced as attempts to purge the individuality of prisoners, which was spatially reflected through the uniform sparseness of many segregation units. Such environments were not only materially empty (in the absence of features, fittings, furniture even) but prisoners were denied all personal possessions; the space they occupied was not only objectively ugly but it was, more importantly, in no sense *theirs*.

In this regard, the BSU was profoundly special by comparison. There was not, however, an underlying psychology of aesthetics in the Unit, much less some grandiose philosophy of beauty informing the practices that enabled such self-expression. As with most aspects of the Unit, the ways prisoners chose to spatially inhabit it (the manner of their aesthetic engagement) evolved naturally rather than predictably. The Unit’s operating model may have been imprecise but the principles upon which it was based were definitive, chief among them the autonomy principle, which necessitated a certain looseness of practice. This value clearly applied to how prisoners exerted themselves *on* the space but it also extended to the activities they pursued *within* it. The next section considers this component of Unit life: its daily rhythms.

Regime

There was no formal employment or programme requirement within the Unit. Prisoners pursued their own interests, which included: woodwork, craft projects (toy-making and chess board-making were popular at one time), gardening, bird-keeping, higher education, and music – provisions of which were agreed upon in community meetings. Other recreational activities included snooker, darts, cards,

the use of a colour television, and weightlifting. Books could be brought in by visitors, or requested from the main prison library. Educational programmes were provided on an individual basis; there was little need for the standardised educative programmes (basic literacy and numeracy for example) that are routinely rolled-out across mainstream prisons since most BSU prisoners were noted as having above average levels of intelligence. The *meaning* in ‘meaningful activities’ – a phrase interchangeable with ‘purposeful activities’ and widely embraced within prison management literatures – was designed, derived and experienced by the individual choices prisoners made about how they would spend their time.

The flexibility of the regime which permits free choice of action throughout the day clearly has many attractions, not least of which is the option of being as active or inactive as one wishes. During the day, when staff is limited to parole, inmates are confined to the secure accommodation area of the Unit but have access to each other’s cells and to the facilities within that area. (HMIPS, 1982: para. 7.14)

There are obvious benefits of this regime approach, which one BSU prisoner makes clear in the following newspaper interview:

In other prisons your life is planned for you, and you are told what to do from the moment you wake up until ‘lock-up’...Here you don’t try to buck the system because the system is of your own making. (*Daily Telegraph*, 25th July 1974)

For at least the first decades of its life, art-related activities, sculpture and painting in particular, played an important role in the Unit.

The relevance of art therapy, in all its forms, within the regime of the Unit, is now recognised and the standard of completed projects on display testifies to the encouraging results which can be achieved by individual inmates. (HMIPS, 1982: para.6.6.)

Evidence of the centrality of art to the lives of individuals as well as to the greater community is provided by the increasingly significant position the part-time art therapist assumed within the Unit. She attended all Tuesday Meetings, she contributed to community decision-making, she wrote articles for the in-unit magazine, and in general she formed close bonds with the prisoners. With respect to the impact of artistic pursuits on individuals, many prisoners have written of its effects, of which Jimmy Boyle’s testimony is perhaps most famous:

I worked hard and thoroughly enjoyed it. This carving really has a hold on me at the moment...Prison ceases to exist and more to the point I become a whole person...All the petty niggles that the mind uses to occupy itself in the fragmented person disappear. I get the most fantastic feeling of being alive. The experience is exactly what I need and want (Boyle, 1984:112-113)

That feeling of being “whole”, of “being alive” – whether demonstrated through creative or any other kind of expression – is predicated on the exercise of free choice. It was not only Boyle who experienced the benefits, however. Hugh Collins, another BSU prisoner writes:

I develop a routine over the next six years that demands sixteen to eighteen hours' work a day. I write diaries, draw and paint. I take-up stone-carving. I explore every aspect of my inner world and my external environment through the eyes of an artist. For once people are quite impressed with my achievements... (Collins, 1997:135)

Both these quotes evoke a sense of the transcendence (if not quite the numinous). The “inner world” being explored through art, the often obscured and incommunicable emotional landscapes within, full of scars and ghosts, were brought to the surface, confronted and turned over in paintings and sculptures. The transcending quality of art is twofold: (1) the things we make we leave behind, they exist apart from us and remain after we go; (2) art's products represent an idealised beauty of our deepest pains and joys and in the process of actually making we paradoxically both escape the world and are brought closer to it through a proximity to our deeper emotional selves. It is not difficult to understand why art is used as therapy even if it is extremely difficult to understand (and especially to quantify) exactly why and how it heals.

In many mainstream locations, along with most other small units – those which operated along more traditional lines - prisoners often talk of losing their personality (more of a theft as some prisoners seemed to understand it) – art, by contrast, allowed them to develop those personalities. But it was not so much a total erasure of self as a gradually enclosing set of walls, pushing the person into a smaller and tighter spot at the centre until, with mounting pressure, invariably the fullness of the man would explode – often in bursts of ultra-violence. That hyperbolic image seems less of an overstatement after reading prisoners' diaries, many of which present almost triumphant descriptions, seething with expletives,

of what they had done or wanted to do to prison officers – people whom they considered more than deserving of their rage. This a way to regain control of both their environments and their selves. It was also a way to be recognised, a way to be The Big Man. The Unit, however, presented an alternative way of achieving all these objectives; a way most of all to renegotiate their relationships (including with themselves) through, amongst other things, the purpose they could derive not only (but chiefly) from art but from each of the daily activities they would chose to engage in. A passage from one BSU prisoner’s autobiography evokes these ideas particularly vividly:

In prison I kidded myself on that I had control of the whole jail. I had to run the hall, know everything that was going on, dominate everything – that was my form of security. Actually the prison was controlling me, determining my daily behaviour. One of my fears was that I’d be lost in the population, a bam pot with no identity, just another daft lifer. I think that same fear drove me to the stone-carving and drawing in the first place. That same violent energy lent itself to that drive that need to be somebody, even in jail. Stone-carving is a macho thing to do.

[...]

In the Unit I had to learn to deal with that fear, and the stone-carving helped in many ways. It gave me the old sense of power, of being macho and all that. I developed a disciplined routine – exercising, working, communicating, educating myself – but there was a falseness in it. Deep inside I was still like a frightened wee boy in a man’s world. (Collins, 1997:173-4)

If art was a central activity in the early life of the Unit, interest in it did wane over time, as one might expect with the changing prisoner demographics. There were other reasons too which contributed to the diminishing of the role of art in the Unit, most notably the period of extended absence taken by the art therapist - another example of the importance of certain individuals to act as change-agents. Later, a Project and Programmes Sub-Group was established in the Unit (composed of prisoners, staff, managers and members of SACRO) to discuss alternative activities, which demonstrates how actively engaged the Unit community was in shaping its own regime agenda. This engagement, however, also waxed and waned. By the time of the final inspection report, there were serious concerns about the lack of activity (rather than the content of them, which

had been a criticism of the Unit in the very early years – not everyone accepted the value of art).

It was clear that prisoners were left very much to do whatever they pleased and that their activities ranged from keeping themselves busy on individual pursuits to hanging around the Unit doing little more than passing the time. In our opinion what is now needed is a more vigorous injection of physical and mental stimuli. (HMIPS, 1993: para. 6.5)

And later in that same report:

In too many respects we were left with the impression that there was insufficient activity and movement...Each of the 8 prisoners does his own thing which many amount to anything from frenzied activity to almost complete lethargy. (HMIPS, 1993: para. 10.5.)

This was a view that had been cooking for a while. Seven years previously, the sense of ennui was flagged in the second of the Unit's formal inspection, which it understood as detrimental to the Unit's community ethos:

We were surprised to find that outwith formal meetings, co-operation between inmates was not very evident...meals are usually prepared and eaten alone, inmates watch television in their cells and creative or craft work is often carried out individually. There is in our view a need to foster community activities if the stated purpose of re-socialisation is to be achieved. (HMIPS, 1986: 5.12)

The specious assumption here is that “re-socialisation” always (& must) mean collectivism, which fails to recognise that the need for privacy, for one's own space, for self-defined boundaries is part of what we all require for personal wellbeing.

The desire for privacy is the desire for obtaining freedom from various stimuli...In the social sphere, various stimuli are apt to involve other persons whose behaviour invades into our psychological or physical activity or who demands responses that are alien to me. (Toch, 1992: 28)

It is not merely the fact of isolation in prison that is important (though as a lived reality it can certainly be damaging enough) but that prisoners have no agency in deciding when, how, why, where, and for how long they are either in company with or apart from others. This is a crucial distinction. In any case, and whilst still accepting the clear stagnancy that had developed compared with the fullness and dynamism of the Unit's early regime (largely sustained through art), community activities did still feature but often on a more ad hoc, less formalised, and

therefore unrecorded basis. Moreover, the number, frequency and quality of visits helped to sustain a unique group identity, though with caveats, as discussed below.

Visits

Within the desistance literature there is a burgeoning sub-field focused on the role of prisoners' families in change processes; it offers robust findings in support of greater contact between those on the inside and the people on the outside who care about them. This, it is argued, mitigates the severing of ties and helps to curtail a more general diminishing of what is popularly, albeit vaguely, termed 'social capital'. Apparently more than any other custody arrangement, the BSU was utterly serious about the importance of this idea (long before there was a strong evidence base to provide formal validation, or institutional cover).

There is no restriction on the number of visits. Visitors must be approved by the community. After the early supervised period visits may be taken in individual cells. Visitors are allowed to bring in small amounts of food, tobacco and cash. (Working Party on Alternative Regimes, internal paper, 1985: para 2.17)

This approach was extremely generous. Visiting periods were between 9 – 11 a.m., 1.45 – 4.30, and 6.45 – 8.30 on weekdays, and the same at weekends with the exception of the evening session. Relevant for our purposes, there was also an important spatial element to how family visits were conducted and managed. Prisoners chose where visits would take place, and naturally many opted for their cells. Although there was a requirement for doors to be left open so that patrolling officers could supervise these encounters, in practice this did not always happen. Predictably, within certain quarters especially within the media, this produced shock, outrage, horror, ridicule, or some combination of all these emotive reactions.

What has been less well documented is the positive implications of this spatialized agency, which speaks most of all to questions of identity. If we accept the premise that the nature of human interactions is in some way influenced by the environments in which those encounters occur, then in a process of reverse-stigmatisation, the fact of hosting family members in places that prisoners had

made home-like, places that were very much *theirs* (filled with their own possessions, walls painted to their own design, etc.) meant that it was the person more than the prisoner who visitors met. This was in stark contrast to the manner of visits conducted in the sterile, heavily supervised and shared spaces of the standard visiting centres. Some prisoners talk about not wanting their families, their children in particular, to see them inside, as if the image of the numbered man in bland prison issue clothing, and perpetually watched by the gaze of uniformed guards, is not only infantilising but somehow de-humanising too. In the BSU a naturalness of contact enabled through the personalisation of space was made possible in a way that no other penal space had managed to achieve before or since (despite the considerable improvements that have since been made to visiting arrangements - the introduction of family rooms for example).

Initially large sections of the media seemed celebratory about these liberal visiting arrangements – and why wouldn't they be they were since they were beneficiaries of it. They were supportive until they weren't. In the late 1970s, reports that sex workers were being brought into the Unit began to surface in local newspapers. Jimmy Boyle records in his diary an occasion when he was informed by the Barlinnie governor that based on such rumours a detective sergeant had made inquiries with the SPOA regarding these allegations (Boyle's recollection of this meeting is beyond verification, however). From this point on the relationship the media had to the Unit was at best ambivalent – supportive or scathing in equal measure. Nowhere is this more apparent than in the media response to the publication of the 1994 external evaluation, which seized on one particular paragraph that appeared to confirm officially, or at least authoritatively, the allegations that one suspects newspaper editors with pound signs flashing in their eyes (and any others with their own separate agendas) were desperate to be true:

Naturally it is an open secret that one aspect of privacy is sex. For some staff and most prisoners this is in any case regarded as a benefit. For others if privacy is itself a value, so be it and since intimate contact is part of the process of reconstructing relationships this is inevitable. Besides, few feel that this alone has the centrality sometimes attributed to it in the prurient maunderings of the tabloid press (who have in all probability now largely lost interest in the unit). The challenge to central decision makers is to determine whether they feel there are really any arguments of

principle against the unit's visiting arrangements which are so important as to cancel their other benefits or to risk jeopardizing other aspects of its work – or else whether the real motor of misgivings has historically been the fear of short-term public embarrassment. (Bottomley et al, 1994: 27)

Reflecting on this nearly a decade after the event, the author of that report writes:

Although accompanied by only a blandly factual press release, the following day every Scottish newspaper had located the one paragraph in a 70-page document that made reference to private nature of visits in the Special Unit. I leave it to the reader to infer how the journalists so rapidly and unanimously found their way to the relevant passage. The headlines were blunt and require little elaboration. (Sparks, 2002: 576)

The most flamboyant of the headlines noted by Sparks came from *The Sun*, which spun in its typical web of alliterative moralising the asinine line: RAGE AS PRISON BARS ALLOW NOOKIE IN THE NICK.

Moving beyond the issue of private visits, there was also a communal aspect to the Unit's visiting arrangement, which is less written about, certainly less sexy, but which was arguably just as important in terms of its impact on individual prisoners. Some visitors became regular fixtures of the Unit (particularly those who were Glasgow-based, as many were), to the extent they were considered part of the Unit community. They were familiar to staff and, on the whole, welcomed by other prisoners. The influence of outside visitors, people who were neither prisoners or staff or indeed one's own family, helped to create a more 'normal' human environment – one which was vastly better suited to promoting the values of active citizenship (as opposed to passive prisonership). The fact that visitors, like prisoners, had relative freedom to wonder the Unit space allowed many more interactions than would otherwise have occurred. In some cases, the impact was significant:

My attitude to women certainly altered in many ways. Once the women in my life had been there to provide sex or carry knives, that sort of thing. Some of the visitors to the Unit challenged that attitude, and for the first time in my life I had friends who were women, people who just happened to be female. The Unit encouraged communication, people talking, having discussions. That was all new to me...My only conversations in prison had been with other criminals, talking about who'd been stabbed or who'd robbed what bank. It was another world. (Collins, 1997:172)

While the Unit's approach to visiting – who could be admitted, for how long and where - established a cordial set of internal relations and, not least, made the experience of prisoners' families far more pleasant than those which most families encountered in the SPS, there were associated challenges. These came to a head (there were many others) following the 1986 Inspection Report. Beyond the allegation of conjugal visits, it was the general matter of security breaches, and the more specific question of smuggling contraband, that generated most anxiety amongst senior managers and policy makers. Inspectors were critical of the lack of robust search and supervision procedures applied to both prisoners and visitors. A letter from the Director of Operations to the SPS Director – marked at the top IN CONFIDENCE – illustrates these anxieties:

The Inspectorate is clearly worried by the attitude of the BSU staff to the existing Instructions. It was described as an example of the “King's invisible clothes” – it was simply assumed that “trust” would ensure that no one would try to escape or to breach security... The vague nature of searches and supervision of visits was stressed.

A representative of the Secretary of State writing to the SPS Director following the publication of the Inspectorate's Report wrote, “He [the Secretary] is concerned that the Governor of the Special Unit has taken such a defensive position in reacting to the HMIPS report.” Regarding the question of search procedures (covered in Circular Instruction 19), the document goes on,

...it is unreasonable to expect any community of people to be entirely self-policing; all groups need some form of rule for smooth running... If there is an erosion of discipline within the Unit, whether self-discipline or imposed from the outside, then there is a danger that embarrassing events might occur in the future. When a calamity happened Ministers would look absurd, since all they would say was that they had Instructions, but that they had condoned the governor's decision not to implement them.

There were other serious challenges to the BSU's visiting arrangements. Not all prisoners enjoyed the number, consistency or diversity of visits that others had. To mitigate feelings of resentment or increased loneliness for those men whose isolation was more pronounced the Inspectorate sensibly recommended in 1993 that visiting hours be reduced (to its credit it made no recommendation regarding the suitability or otherwise regarding in-cell visits). This was not implemented. We see evidence here of the unequal aspects which inevitably stem from the

realisation of the autonomy potential. For every Jimmy Boyle and Johnny Steele there was more than a trickle of others who did not receive lines of visitors, nor capture the imaginations of the art-minded public, nor channel their energy into learning a new craft/skill. Some men lacked specialised talents, others simply lacked motivation. Equality of opportunity is not the same as equality of experience and this was sometimes a source of interior tension within the Unit.

I dread having visits, especially now that I'm not taking any substances to give me confidence. It's a struggle to hold a conversation...He [Collins' father] hates the fact I've become friendly with the staff and involve myself in the progress of the place. Meeting new people is worse: my conversation is limited to talking about my past and internal politics – it's embarrassing. I feel tense and drained after almost every visit. (Collins, 1997:131)

Staffing

Staff were drawn from volunteers. Many who chose to work in the Unit were relatively new to the service (having served fewer than 2 years), which meant many had not yet been inculcated to the norms of traditional penal management styles. But this relative inexperience presented problems too, as outlined by the Inspectorate:

A staff which is comparatively junior in length and restricted in breadth of service....There is a clear need to induct senior staff into the new duties, particularly in those areas with a management and supervisory element which has not been experienced in lower grades. (HMIPS, 1986: para. 4.8.)

By this time there was not an additional training programme for BSU staff (as there had been at the very beginning), so throughout an individual's Unit service, he was essentially 'learning on the job'. A seemingly undesirable situation given the specialist nature of the Unit but it did at least require staff to shift their own attitudes, and adjust to working in more instinctive ways. The fact that staff were given the freedom to use their professional initiative³⁰ carried many advantages in terms of cementing trusting relationships and in advancing particular projects that staff/prisoners were interested in. Moreover, by virtue of this voluntary

³⁰ I might have used the word 'discretion' here but in the world of prisons that word is overloaded with negative connotations, more associated with the personal abuses, rather than with the collective benefits, sometimes resulting from the exercise of individual power.

component those who worked in the BSU were necessarily a self-selecting group – the kind composed of confident men who were modest enough to be amenable to ideas that might radically challenge them, those which “fall beyond or outside the routines and expectations of the negotiated order of penal normality” (Sparks, 2002:561), and bold enough to face the hostility from colleagues (and within the Unit) they must have known they would meet. In other words, many BSU staff proved to be extraordinary men. About one prominent Unit staff member (who untypically was of long-standing service) prisoners said this: “He’d been a bastard in the traditional system, but he was brilliant in the Special Unit; he got really caught up in it” (Collins, 1997:12), and, “most of us had known him for years in Peterhead Prison where he was looked on as an old traditionalist. It was interesting to watch a man of his service and rigidity try to break into the way of the Unit” (Boyle, 1984:21). That process of ‘breaking-in’ was not instant, however. The Director of Operations admitted in an early press interview:

(B)ringing together the most dangerous prisoners in the system would, we thought, take time before the men adjusted themselves to the working of the Unit. They have, in fact, adapted more quickly than the staff. (*Daily Telegraph*, 25th July 1974).

The autonomy of staff, as much as that of prisoners’ (and equally restricted in typical prison settings) was extended, tested, and had consequences. In community meetings, for example, officers could face “violent verbal confrontation”.

...an officer can on occasion be confronted with verbal abuse which, in the mainstream situation would lead to the inmates being placed on report. That facility is not available to an officer in the Special Unit but has to be dealt with in the meeting. An officer who has volunteered for service in the Unit is much more likely to accept this situation than an officer who has found himself in the Unit as a result of compulsory transfer. (Letter from the BSU Governor to the Director, 17th September 1986)

Given these kinds of confrontations, “the cramped rather limited accommodation in the Special Unit, together with the introspective nature of the regime, tends to create a rather claustrophobic atmosphere” (HMIPS, 1986: para.4.18). For all the benefits of (brutally) honest and regular community, and of the trusting staff/prisoner relationships that made such interactions possible, the demands on

staff were great. They might expect and would certainly require time *and space* to decompress, neither of which they got in the Unit. The Inspectorate report continues: “Staff have no appropriate area within the Unit where they can withdraw to have their meals, to do administrative work or to merely gather their thoughts as events unfold around them (HMIPS, 1986: para.4.18). This spatial constraint had its advantageous as previously suggested but clearly it was problematic too.

A broader challenge of recruiting staff from a pool of volunteers, granting them an increased degree of autonomy and thereby creating the conditions for change-agents – individuals whose personal influence in and on the Unit was great – was that once those people left the Unit, the impact on the community was equally pronounced. For example, there was a period in the early 1980s when by coincidence the Unit governor was absent (on extended sick leave) at the same time the Chief Officer post became vacant. The effect of losing these two key individuals meant, as the 1986 Inspectorate Report notes, “morale was at a low ebb” (HMIPS, 1986: para.4.22). This was one of the reasons it was suggested in the 1971 Report that continuity of staff should be the norm. To that end the Working Party recommended that on the matter of staff replacements there should be no more than two transfers at any one time.

Community Spirit and Group Decision-Making

The term ‘community’ is an appealing buzzword. It denotes inclusion, participation, a degree of shared identity (necessary to foster group loyalty and a real sense of belonging), and a minimal commitment from all members to advancing the interests of the whole. The demographic complexity and sheer numerical and/or geographical size of many communities means other terms have been considered more appropriate, e.g. ‘social networks’ (Kemshall, 2003). With respect to the BSU, however, it was not just a ‘community’ but, as the Director of Operations defined it in a 1974 press interview, it was “a *total community*, where everyone has an equal say and involvement in its running” (italics added. Director of Operations, quoted in *The Evening News*, 25th July 1974). There are uncomfortable resonances here with Goffman’s notion of the ‘total institution’,

which evokes images of an insulated, regimented and homogenised organisation ruled by officialdom; a place defined by its inescapability. The BSU may have shared this sealed component, but the community that evolved within it was ‘total’ in the sense that it relied on absolute consensus rather than absolute compliance. In cases of dissent from agreed norms (which there was, inevitably) it was the community itself that determined the response rather than a system of punitive rules dictated by one group of people within the community (i.e. the keepers) and imposed onto another (i.e. the kept). In this way the lines of power were horizontally structured creating a communitarian rather than an authoritarian (or even representative) process of democratic decision-making. Unlike in typical prisons, generally prisoner subcultures did not emerge in the Unit, which was partially a consequence of its size but mostly a product of this communitarian aspect. This should not indicate an altogether harmonious environment; disagreements were not uncommon, there was a times a volatile and pressurised atmosphere – an unavoidable and, in part, generative consequence of full and frank dialogue. This deeper level of community engagement created a more secure set of internal relations, akin to Kemshall’s (2003), ‘safe cities’ model, which stresses active citizenship as a key ingredient for success.

Strong, stable communities depend upon the positive relationships that exist between its members. The development of such relationships is particularly important with respect to those people who are typically subject to the greatest degree of social isolation and who pose singular or especially pronounced risks. Given that “a community consists of and is nothing apart from its members” (Milne, 1986:39), what a community is (and what it is not) is taken as context specific. The form, nature, structure and actions of a specific community, therefore, are dependent upon the types of relationships and interactions that exist between and within it. The profile of many BSU prisoners, and the roll of negative past penal experiences, meant that some were highly suspicious of this community concept on entry into the Unit. John Kerr reported this initial scepticism in an article for *The Guardian*:

The Chef thought when he arrived that the others were “nuts”, that they had been taken in by staff. In eight years at Peterhead prison he had never

spoken to an officer. Now he would be prepared to call some of the Special Unit staff his friends. The Sculptor was suspicious about his move from Inverness in case it might be 'a stepping stone to the state hospital at Carstairs'...He said, 'the point about this community is they treat you like a human being. In the jungle I was living in it was soon going to be the case that I would be dead or somebody else would be dead.' (*The Guardian*, 25th July 1974)

“(A)ny notion of community” writes Freedman (1991:76) “must come to be adopted by the individuals who constitute it”. Here there is a reconciling of the individual and the collective, between personal autonomy and group participation since the community is at its strongest and healthiest when the needs, interests and capabilities of its individuals are realised. Expressions of individual autonomy – upon which personhood relies - are universally located within the context of relationships. Tutu (2000) says it best, “I am a person because I belong”. Indeed, belonging is a core determinant of personhood, to the extent that we seek inclusion as a vital source of identity construction and an enabling means of co-operation and moral conformity (Hirschi, 1969). Where we don’t belong - in relationships and situations of exclusion - not only do we lose the support frameworks necessary to fulfil our promise as human beings but, crucially, we lose the means by which we can be held accountable to others. Consequently, the capacity to make healthy choices as well as to enable and respect the choices of others is significantly diminished. “One is constantly challenged by others, practically, to achieve self-fulfilment through a set of collective social ideals.” (Mokgoro, 1998:21)

The community feeling that was created within the Unit was sustained precisely because of the paradoxical weight given to individual agency. That prisoners chose to be a part of the community (a choice that had to be perpetually reasserted via daily adherence to group-agreed rules and standards) fomented group solidarity. It is not, then, the community spirit itself that distinguished the BSU from other small units since prisoners in highly controlled and restrictive segregation environments shared a similar sense of collectivism, possibly even greater - bound in resistance against a perceived common enemy - but the strength of the community voice that was established through the legitimating of each individual voice within it. This was sustained by the norms of active participation

in group decision-making, relationships of trust between all members of the community (thus enabling robust forms of communication) and, in more prosaic terms, the frequent and diverse range of community meetings, borrowed from the ‘therapeutic community’ model but adapted to fit the needs of the Unit.

Community Meetings

Once a week the community gathered for its so-called Tuesday Meeting, chaired by a member of the community (appointed from either the prisoner or staff contingents). Such meetings were semi-formal - minutes were taken³¹ - and attendance was compulsory. Discussions primarily revolved around domestic matters and general management issues, where “the decisions reached are implemented even if the Governor does not share the view of the majority” (HMIPS, 1982 para. 2.10). Although, there were two central issues where, while prisoners’ views were sought, final authority remained with senior administrators: (1) serious security-related questions, and (2) admissions. On this second matter, rumours persisted within the SPS (seized on by certain sections of the media) that prisoners had undue control over such decisions. This was essentially fallacious although discussions were had between the Unit Selection Team and the Unit community regarding potential new entrants. In some cases, where prisoners expressed particular concern – usually regarding past ‘beefs’ – these issues were taken seriously by managers, as evidenced in several of the early prisoner profiles sent to the Secretary of State for Unit consideration, in which the intelligence gathered in community meetings was highlighted. Among the first decisions reached by the community in the Tuesday Meeting related to the function of the additional cell accommodation. Contra to the Working Party’s initial recommendation, the community voted to remove the door from what might have served as a ‘Silent Cell’ and instead it was decided that the space would be used as a weights room. This example of spatial re-appropriation demonstrates the wider shift away from punitiveness that characterised many other secure segregation environments.

³¹ Despite significant digging through various archival sources, I was unable to find any record of these minutes apart from a few scraps of faded handwritten notes that were difficult to decipher.

In addition to these formal weekly meetings, which remained central to supporting the community's ethos and interests, there were a number of other kinds of meetings in the Unit, including:

- Special or "crisis" meetings if and when a particular issue arises requiring immediate attention (these were group occasions and could be called by anyone)
- Informal group meetings, where participation was voluntary.
- Four-Group meetings in which two staff members and two prisoners would meet more intimately (these were intended for new BSU transfers to help familiarise them with the Unit's culture in a less intimidating setting).
- One-on-one meetings, which could be either formal or informal depending on the nature of what was being discussed.

This variety illustrates first the status afforded to discussion and dialogue and secondly, the attention paid to accommodating different styles of personal communication. The point was to create the conditions whereby BSU prisoners became accustomed to talking things through, to sharing their concerns and finding ways to address them through negotiations (rather than violence) at a group level as well as on an individual basis. The dialogic nature of the Unit also served another function:

To the extent this discursivity was by design, its genius lay in the Unit's mimicry of the mundane gossipiness of everyday life and its studied avoidance of the more obvious trappings and routines that are customary in prisons. (Sparks, 2002:567)

As discussed above, it was not only the normalising of space (through personal ownership) that helped to create better citizens, or at least more pro-social identities, but the normalising of human interactions. However, while this manner of engagement fostered improved internal relations and problem-solving, it was not without difficulties, as observed in the first inspection report:

A considerable part of each day is taken up by visits, meetings of one kind or another and informal but constructive discussions with individual

members of staff and inmates. *The constant questioning of personal opinions and attitudes create pressures with which some inmates find difficulty in the early stages.* (italics added, HMIPS, 1982: para.7.15)

A passage from Hugh Collins' autobiography expresses these struggles:

I don't like the place one bit; it drives me mad with its community meetings, crisis meetings, discussion groups, visitors and more visitors. I have no say here, no real power. Jimmy keeps telling me to confront situation, find out what happened, rebuild relationships. People talk about the healing power of community. Just let go of negativity, be constructive, be positive. Sounds great doesn't it? Wave the wand! The prisoner is transformed; he's totally reformed, a new man, no problem. What's to be changed? I ask. What's there to heal? What's the point – to prove to a society that I'm not an animal? I don't care what society thinks: I am a fucking animal. I enjoy violence, don't I? I liked stabbing screws, every moment of it. Who wouldn't? (Collins, 1997:19)

Not all prisoners were necessarily comfortable with articulating their views in the context of the formal weekly meeting since it could be a highly intimidating experience, particularly given the fact they often involved intense scrutiny of one another's behaviour. This also extended to staff and, at times, to outside visitors who could be subjected to similar personal examinations. For example, during the fieldwork process for the external Unit evaluation, Sparks remembers the Tuesday Meeting as the "longest and most rigorous interview I have had" (2002:565). Levels of scrutiny became profoundly daunting in cases where group censure of unwelcome behaviour was more pronounced. Without a formal punishment system, extreme breaches of discipline tended to result in prisoners being transferred out of the Unit, but for lower-level breaches, the offending prisoner would face the community in the Tuesday Meeting, and the group would agree on how the offence would be responded to. As one prisoner commented:

If someone does something detrimental to the community, he has to answer to the community. It is no secret that the 'hot seat' can be, and is, a harrowing experience, and is much more effective than any Governor's punishment (a BSU prisoner quoted in *The Guardian*, 25th July 1974).

The lack of traditional disciplinary measures did not altogether eradicate serious incidences in the Unit, some of which had a deeply destabilising effect. In March 1976, for example, one prisoner stabbed another thirteen times – the offender was later transferred to another location and sentenced to a further six years

imprisonment. The next serious incident occurred on September 11th 1977, when Larry Winters died after a drug overdose (the substances were brought into the Unit as contraband). There was also a host of less serious though still disturbing (and potentially very dangerous) incidences as one might expect given the propensities and former behavioural habits of BSU prisoners. What is interesting here is the input prisoners had in diffusing such confrontations, which illustrates not only the trust placed in prisoners but also the efficacy of developing and actually practicing personal negotiation skills, even in hot-blooded and extremely precarious situations. Jimmy Boyle describes one such occasion (only a few months after the Unit opened) that might, in another unit, have rapidly descended into ultra-violence:

We all ran through to the cell to find Larry standing with a pair of scissors at the throat of a member of staff... There was a whole series of on-the-spot decisions taken here that resolved the matter without physical injury. On seeing Larry threatening a colleague, the staff didn't go for their batons and rush in, but stopped, and allowed Ben and me to handle it. Had they drawn their batons then we would have turned on them as a group. By doing what they did, they brought out the best in us. (Boyle, 1984: 13)

This example illustrates the volatility of relations within the Unit. What happened in the aftermath is even more instructive first, in demonstrating how central a role community meetings played, and secondly, the manner in which the participatory model of democratic penal management was a 'lived' model - how it evolved through circumstance rather than something which was a priori imposed.

In another prison Larry would have been locked up. It was decided that a staff/prisoner meeting should be held immediately, so everyone assembled in the meeting room. The atmosphere was very heated... He admitted that he shouldn't have gone for the staff member and apologised. There followed from this a general discussion on staff/prisoner relationships and it was agreed by everyone that there should be no restrictions placed on disagreements being aired verbally but that physical violence must be forbidden in this Unit... We had redefined 'punishment' as we knew it... The very fact that we had to sit with Larry, expressing our views on what he did, meant that we were committing ourselves to the Unit and, beyond this, accepting responsibility for our own and other people's behaviour. (Boyle, 1984;13-14)

Often elevated to the uncomfortable and unhelpful point of sainthood, Jimmy Boyle himself testifies to the terrible struggle of living within (much less

changing *because of*) the Unit. That he succeeded was never inevitable. In a series of miscommunications, misinterpretations and what appears to be the bungled management response of SPS managers working outside the Unit, Boyle was accused of a low-level breach of prison regulations, involving a piqued letter he was thought to have sent to the editor of the *Sunday Mail*. His response tells us something of the demons he continued to face long after he entered the Unit (and the sheer strength of will it must have taken to resist reverting to assumed type, to avoid acting in ways that would have jeopardised his place amongst the Unit's community):

There is no doubt about it, these bastards are trying to destroy me mentally...Retaliation is called for. This violent typewriter shouts bloody anger. Punching holes in the fucking enemy with each tap of the key. Fingers filled with fire and vengeance as they press each lettered key – hatehatehatehate. Fuckers causing mental anguish. I HATE YOU. They would like to see it. Oh God, they would like to see it. If I were to strike out and hit one of them. 'See!' They would say. 'Look the bastard is an animal.'...What the fucking hell am I doing sitting here suppressing all this natural anger and keeping it under the surface. Does this make me any more civilised? I'm supposed to sit here like some vegetable with a mandarin smile accepting it all. (Boyle, 1984:103)

Given these kinds of interior monologues, along with the numerous set-backs individuals and the community as a whole experienced (through continued if less extreme forms of deviancy), it is extraordinary that the Unit had the institutional freedom to remain committed to the community meeting model and to the principle of deep communication. If this was how the Unit operated for the first decade or so of its existence, as time passed the degree of community spirit maintained through the particular nature and diversity of meetings began to diminish. The Tuesday Meeting remained but other kinds of meetings became less common, which together with the growing regime inertia (i.e. the lower levels of engagement with group and individual activities) undermined the community concept. This was a concern identified in the 1986 Inspection; it was understood as an impediment to effective processes of re-socialisation. This, however, may be too reductive a conclusion since for (re)socialisation to be meaningful it must involve not only harmonious social relations but, perhaps even

more significantly, conformity to agreed social norms that prevail outside the prison community.

Here then is my one great revelatory finding about the Special Unit. There was nothing really special about the Special Unit except talk. *It was a place where people talked so much that they nearly sometimes forgot they were in prison.* It was there that people who had been denied talk or forgone it in the uncanny, hostile silence of the Digger and other termini talked...By the time I came there the Unit collectively was a tired place – tired but still talkative. With rare exceptions, such as my interview, the community meeting was no longer the crucible of ideological debate and crackling personal tensions it reputedly once had been (italics added, Sparks, 2002:567).

It is this aspect of *forgetting* that one is a prisoner – made possible by ordinary forms of interaction (and spatial contexts) redolent of dynamics on the ‘outside’ (though highly abnormal on the ‘inside’) – which allowed prisoners to shed former offending identities. The fact the Unit had become a “tired place” by the mid-1990s certainly suggested the need for an injection of renewed attention and investment (in terms of its regime in particular) but it also indicates its success as a secure, comfortable and, crucially, a normalised social environment; a place where communication is taken for granted, where the norms of everyday interactions are simply commonplace rather than understood as something revolutionary (as had once been the case).

Closure

Given the illustrious reputation of the Unit (within certain quarters and at certain moments), given its unmatched achievements at tempering the otherwise violent impulses of a highly problematic prisoner population, and not least, given the high-profile, often high-drama success stories of some of its most famous inhabitants (type 'Jimmy Boyle' into any search engine and you'll see what I mean), how are we to explain the Unit's closure? One generous explanation would be that the decision to close the BSU may have been the product of a well-intentioned effort to create a more coherent system of small units. This point is nuanced, however, since both the BSU and the Shotts Unit were closed in the 1990s, and the operation of the latter was far more consistent with the general aims and approaches of the SPS during that time. But in the mid-1980s, when

closure conversations were beginning to proliferate within policy circles, the record shows that the BSU was unfavourably compared to the Shotts Unit precisely because of its extraordinary deviation from standard methods of penal management. Another generous interpretation might be that “modernisers thought they had changed things sufficiently to be able to get along without it [the BSU]”.³² Certainly improvements were made within and to the SPS, particularly following the *Opportunity and Responsibility* report in the early 1990s – both in terms of organisational reform and in terms of the treatment of prisoners. But there might still be an element of cognitive dissonance here since (1) conditions had not improved that much (the archaic practice of ‘slopping out’, for example, with all its associated health and human rights concerns, remained the norm in Scottish prisons until the early 2000s), and (2) other progressive modernisers took the public view that there was a continued need for small units, the BSU most especially (see exchanges from parliamentary debates below).

Alternatively, the closure of the BSU may have been in large part a response to the apparent and undesirable stagnancy the BSU had come to represent - by the early 1990s a sense of stasis had certainly set in evidenced by the lack of formal progression of many of its inhabitants (many of whom had remained in the Unit for many years), and in the increasing lack of so-defined 'purposeful' activities prisoners were engaged with. Both these interpretations are accurate, yet the closure of the BSU also signals a failure of imagination and, less charitably, it might be understood as a reactionary and cynical response to ongoing public criticism. This was a moment in time when the tone of public debate had become significantly less receptive to liberal penal approaches, and thus approaches that were likely to (and did) receive allegations of leniency incurred reputational costs to the SPS.

Mining the archives for clues, one gets the impression that the hegemonic institutional position towards the BSU encompassed, at various moments, the whole gamut of emotional responses, eliciting degrees of hopefulness, hostility and fear (at the beginning), pride, confusion and more hostility (during its middle

³² This point was made to me by Richard Sparks in response to a draft of this chapter.

period), neglect and/or avoidance along with returning anxieties (towards its later stages), and finally arriving at embarrassment - in the end, mostly at the exorbitant costs and distinctly unsystematic (and un-bureaucratic) nature of the Unit set against what came to be perceived as very little tangible return. The sense of attachment and some degree of historical idealism, that which might have ensured continued support for the Unit, was less apparent in the mid-1990s since many individuals composing the SPS' top management brass were people who did not have a personal connection to the Unit. They had risen the ranks after the Unit's glory days and were therefore more likely to take adopt a more detached, cost-benefit analysis.

The record shows that the existence of the BSU was never assured. Almost from its very beginning the wisdom of maintaining it was questioned. It is difficult to establish the exact point at which a concrete decision was made (and by whom) to close the Unit, but by the mid-1980s that idea that it would be at some near-future point relocated, re-imagined or simply shut altogether, was accepted. In a Parliamentary debate of the Scottish Grand Committee on 5th July 1988, convened ostensibly to discuss the implications of the series of disturbances that had occurred throughout the SPS in the preceding years, Menzies Campbell (for Fife, North-East) stated:

Whatever may have been the total outcome of the Special Unit at Barlinnie, it enjoyed spectacular success in some individual cases. I wish to be assured that the Government are committed to special arrangements, facilities, or units and are prepared to persevere with them so that even if they are not 100 per cent successful, they can be successful enough to justify their continued existence.

This view was shared by many in opposition parties, including Alex Salmond (for Banff and Buchan), who commented, "There is substantial argument for increasing the availability of places for difficult prisoners." The fact assurances were being sought suggests there was already deep unease that the Unit was under threat of closure. During this debate, where considerable and intense criticism was made of the government in its response to the Peterhead riots in 1987 (particularly regarding the use of SAS units to quell the disturbance), calls were made for the Government to provide a comprehensive statement of policy objectives and

priorities - not only in relation to small units but to the criminal justice system as a whole. After all, by the late 1980s reform if not a wholesale re-imagining of the justice system appeared well over due – at this time the Prison Rules and the Criminal Justice Act were nearly forty years old. Tony Worthington (for Clydebank and Milngavie) said:

We shall never get on top of the problem until the supply side is tackled. If we simply keep feeding people into the system, the roof goes off eventually. It has proved over and over again...Last year's Scottish all-party penal affairs group was told:

The lack of a coherent strategy at central government level with respect to both the prison system and the criminal justice process as a whole means that strenuous efforts being made by the prison service can never be sufficient.

The Opposition are not after a soft prison system, but an effective one. We have no effective criminal justice system now, and we are asking the Minister to provide one.

With respect to a small units strategy, ironically it was the development of a more coherent systems approach that spelled the death of the Special Unit; its accomplishments were largely dependent upon its individuality, its freedom to operate in a somewhat sealed manner according to a model of self-government. In this way, the Unit proved simply too special to be incorporated within a more unified institutional structure – even if that structure was, in many respects, a practical and ethical improvement to what had gone before. Prior to the troubled years of the 1980s (though organised disturbances started to become more common in the late 1970s), there was certainly a lack of strategic unity and strong, clear leadership. One retired governor remembered:

There was an enormous amount of complacency when I arrived in the 70s, as a new recruit I was coming into a culture of deference. There was no co-ordinating vision, it was left very much to the governors of individual establishments to decide policy and philosophy.

This situation had its advantages; it would have been significantly more difficult to establish the Unit in the first place if there had been a more uniform penal culture, which by definition would have been less conducive to divergent approaches (and less likely to produce individual change-agents). But it was also a state of affairs that was more open to abuses in the worst cases and basic

sloppiness or mismanagement in the best. Precipitated by the violent events of the 1980s, the conditions were therefore created for a fundamental re-think of at least aspects of the SPS (particularly with regard to problem prisoners), which eventually rendered the Special Unit unsustainable, or considered in that way.

Pertinent and largely interconnected factors included:

- Increased public and political attention.
- Greater institutional introspection about the SPS' operating philosophies and practices.
- The strengthening of central leadership, which resulted in fewer examples of (destructive) 'dead wood' even while it also removed the (generative) possibility of mavericks.
- A prisoner population that was less creatively oriented coupled with a general decline in the artistic bent of the Unit, which had formerly contributed to its popular appeal.
- The development of a more coherent strategic approach, especially but not only in relation to the small units policy.
- Concerted attempts to properly address the specific needs and risks of the long term prisoner population, evidenced by the establishment of Standing Committee and more investment in targeted regimes and living arrangements to accommodate this group.
- The professionalism of the SPS, manifested through standardization and a generally more rigorous approach to monitoring and performance-related evaluation.

The confluence of these factors served to highlight how far removed the BSU was – as it had always been only now its difference was cast as less positively 'special' and more incompatibly abnormal. Other small units, either in development or already established (i.e. the Shotts Units), conformed much more obviously to the changing style and approach of the SPS, and appeared to provide mostly effective alternative arrangements for those prisoners who could not be

suitably managed in the mainstream. This of course had the effect of further consolidating the view that the Unit had become surplus to requirement. Additionally, in the context of more meticulous accounting procedures (set against the ever booming total population size) it became increasingly difficult to justify the high financial cost of the Unit (the staff/prisoner ratio remained higher than in other specialist arrangements). And, as had been a persistent bone of contention, the Unit continued to generate if only sporadically unwelcome media attention regarding in particular its visitation policy. While the sex allegations were always distasteful, unwelcome and embarrassing for the SPS, by the 1990s, they were an irreconcilable nuisance to the sleeker, more professional and arguably more humane outfit that the SPS had, by that time, become. Publicly at least, SPS management along with the political leadership did not ever support or even enter into discussion surrounding the possible benefits of conjugal visits and the principle of privacy more generally. Equally, however, throughout the Unit's twenty-three year lifespan no clear policy regarding this was formally presented. Somewhat surprisingly, the view adopted internally appears to be rather more nuanced than public statement would suggest. In a draft copy of a review of the Unit in 1994 (conducted by a special Working Party set-up for this sole purpose), we read: "Even conjugal visits and the development of family ties might be considered although there are problems with this." This is something of an understatement.

If the Unit came to be viewed broadly as the old man redundant (rather than the dynamic, slightly wild and, to some, threatening firebrand it was initially perceived as) this is not to suggest that indifference or something approaching it was how the Unit was generally regarded; there still remained amongst certain factions within the SPS a passionate hostility towards it. In the summer of 1994 the Working Party set up to review the Barlinnie Special Unit elicited the views of a range of interested parties, including grade officers across the system. Within its paper archives I came across several vehement submissions which express a strength of feeling indicative of the active opposition to the Unit that still persisted. Extracts from a hand-written submission by one Governor in August 1994 to the secretary of the Working Party exemplifies this:

The concept is seriously flawed. If you were to remove a child every time he misbehaved where would he end up – the Special Unit. This facility has achieved nothing other than to keep a few prisoner quiet at considerable cost. The fact that they do behave has nothing to do with a unique treatment programme. It is quite simply that they have manipulated the system to get exactly what they want and they are not going to give that up easily....It is pure fantasy to suggest that agreement can be reached with these people as to the length of time they should remain in the Unit before returning to the mainstream, or what they should do in the Unit. They would of course agree to anything before going but once there any deals would be quietly forgotten. I am not speculating over this. The proof lies with Shotts Unit where this method has been tried and has failed miserably.

The Working Party's draft report produced at the end of this review process essentially argues for the continued existence of the Unit, it identifies its achievements whilst also making quite significant recommendations for adaptations to its regime, ethos and, especially its entry criteria. These two elements jostle somewhat and are not altogether compatible. Consider these two competing statements:

STATEMENT ONE:

In our view the strength of the Barlinnie Special Unit was its ability to secure conformity by disruptive prisoners through a radically different approach to their treatment. By giving them a degree of freedom from "petty" restrictions; by encouraging them to take responsibility for decision-making in a group; by offering opportunities for self-expression through art, education, writing, etc., the Unit challenged these prisoners to respond in a different way to their sentence. (para. 6)

STATEMENT TWO:

There is no reason why these prisoner should expect a highly participative style of management. There is no reason why they should be excused from compulsory work. What they require is something a bit more luxurious than the normal long term hall where they can come to terms with the likely length of their incarceration....The prisoners would have to contract in to such a regime with the promise of good behaviour in return for the privileges. But there would also have to be realism on both sides that the focus of the regime was not on preparation for release but on humane containment. It would require a change of attitude to set up such a facility, namely an acknowledgement that some lifers are in effect hopeless cases.

This suggests a depressing return to a more cynical, if more pragmatic, approach to problem prisoners where the "good" citizen/prisoner debate is reengaged with

the latter taking precedent. It also articulates a view that is logically incoherent, as in: ‘the things the BSU has done well with proven success are the things we ought to eradicate because without hope for release change is hardly possible, or even worth it.’ Suffice to say, these two statements were altered, with certain passages deleted altogether (the hand-written notes on the draft copy are revealing - the word “luxurious” is circled with the comment: “WHY? So if you are really bad you get the rewards but if you conform, tough!”) Essentially, however, the Working Party does not advocate for closure per se although the adjustments it recommends are substantial to the extent that the Unit it would be replaced by would be basically unrecognisable. This tension between the desire to keep the Unit but the impulse to radically alter it is also a prominent feature of what was in the end the Unit’s final inspection in 1993:

We do not recommend closure. But we do recommend that a firm decision is taken as soon as possible about the future nature of the Unit at Barlinnie in order to establish a clearer purpose for it within the SPS – particularly with regard to a policy to create movement in and out – so that it can be properly aligned with other aspects of the system. (HMIPS, 1993: para. 10.5)

Nevertheless, in spite of the reports issued by the Working Party, the Inspectorate and the external evaluators (none of which argued for the Unit’s ultimate closure), the decision was made public in 1994 to transfer the final prisoners out of the Unit and to effectively abandon the experiment. In a statement to the *Evening Times*, the SPS Chief Executive said this of the Unit: “It no longer meets our needs and cannot easily be fitted into the new structure in which personal responsibility within a suitably structured framework will be a guiding principle” (The *Evening Times*, 1994). Notice it is personal *responsibility* not autonomy or agency that is identified here, which demonstrates a fundamental de-coupling of the responsibility concept from that of freedom, a faulty premise which negates the fullness of both parts of these intrinsically bound ideas. Moreover, the emphasis on “structured framework” necessarily undermines the agency component upon which healthy expressions of responsibility are based. This represents something of a regression back to the more interventionist rehabilitative models that were formerly popular, albeit couched in the modern rubric of ‘responsibility’. Given the timing of this statement only a few months after the publication the Working

Part's review and the external evaluation, we might conclude that the resolve to close the Unit was entrenched prior to these reports. The fact that the least flattering elements of these various reports found their way most rapidly to the public arena (as observed by Sparks, cited above) indicates that perhaps one crucial function of them, from institutional perspective, was to provide validation for a decision that had already been made.

Final Remarks

In this chapter I have attempted to chart the peculiar life of the Barlinnie Special Unit, specifically focusing on its accomplishments as an environment of change – both in the sense of the Unit's malleability and the attending attitudinal and behavioural shifts experienced by many of the prisoner who lived within it. Space was the lens through which these external and internal movements were largely viewed but it was also shown to be a key correlative determinant for generating personal change. It is in this sense that the BSU literally *shaped* hope (upon which transformation of any kind is predicated). The consequences of granting prisoners fundamental ownership of the Unit by extending the level of choice-power they had to personalise that space and to act in and on the environment in ways they had actively chosen, enabled some prisoners to experience quite remarkable behavioural transformations. Part of the explanation for this is based on the simple and powerful effect of having one's autonomy respected in a continual and pervasive sense (i.e. the more it is practiced the better it functions – which is to say, the healthier and more responsible one's choices become) but equally, another part is what this indicates about the innate value others are ascribing to a person, particularly by those who are positioned as superior in a given hierarchical order. In other words, the high levels of environmental agency guaranteed to BSU prisoners established a dynamic that was grounded by trust - a rare enough commodity in relations between problem prisoners and the staff who manage them, and one that clearly had a profound effect on prisoners who were otherwise treated with heightened suspicion.

The protracted movement towards the Unit's closure is documented here with the somewhat despondent conclusion that by viewing the whole history of the BSU -

its remarkable achievements, its flaws, its tragedies, and especially its idealism - one is left with a palpable sense of waste. Not (only) that the Unit itself ceased to be but that its most valuable lessons were all but un-learned once this unique arrangement was finally discarded. Despite laudable improvements across the SPS in terms of the treatment of staff and prisoners, in management approaches more generally, and in the concerted efforts to incorporate aspects of a desistance framework into standard practices and procedures, no part of the prison system (perhaps with the partial exception of the open estate) grants prisoners a degree of autonomy, thereby fostering deeper social as well as personal responsibility, comparable to what the BSU did.

In the final chapter of John Steele's autobiography, *The Bird that Never Flew*, he tells the story of how he came to the Unit, of how uncertain and suspicious he was during the selection process, and about how ambivalent he felt "leaving what seemed to be the worst behind" (1992:362). The title he began that chapter with is a fitting way to end this one: A Hope in Hell.

CONCLUSION

Segregation: between Scylla and Charybdis?

This thesis began by offering an expanded portrait of segregation, demonstrating the ways in which it has become a fundamental feature of modern prison administration. By definition, prisons are restrictive places which practices such as classification, spatial zoning and situational controls compound, with the aim of producing minimally well ordered, safe and secure institutions. Inevitably some prisoners will resist those strictures, while others will find they simply cannot cope with the burdens imprisonment imposes. It is those prisoners who are routinely considered especially problematic, and to whom, as a consequence, special handling measures are typically applied. The demands of maintaining security and order, as well as protecting both prisoners and staff, set against the individual rights of especially troublesome and/or vulnerable prisoners presents deep challenges of an operational, political, legal and, most pertinently, ethical nature. Charting an effective, efficient and morally legitimate course represents, at times, if not quite a choice between two evils, then a perpetual and possibly irreconcilable dilemma for past, present and future generations of penal managers.

Drawing on archival records, personal testimonies and original interview data, this research has explored Scottish approaches to such prisoners in the context of a number of specific, particularly unusual and revealing segregation arrangements. I have identified a range of variables that have contributed to how exactly the ‘problem’ prisoner category has been understood, the precise management techniques used in response to those belonging within it, and the physical sites that have been considered most suitable for their containment. Adopting a deliberate ‘spatial consciousness’ was one means by which these matters, as well as questions of personal experience, could be engaged with, hopefully with the effect of adding nuance to the topic, along with additional layers of thought that otherwise often go unnoticed.

What I wanted to do most of all in the project was represent the history of segregation truthfully, which meant more than offering a comprehensive policy account, or a evaluative analysis with a set of neat conclusions from which recommendations for future directions might be drawn. It also meant finding ways to describe the complexity and the mess. In addition, but actually the principal concern, I wanted to see, turn over and then portray the emotional resonances of segregation. Where one set of people are enclosed – whether struggling in holes, silenced in grave-like spaces, sheltered in sanctuaries, or ensconced in colourful places of hope - and another set of people do the enclosing (all the while themselves in various ways cornered), the emotional content is, for those people, central to the experience. Alison Liebling (2015:17-18) stated the case perfectly in a recent article when she argued that “our main *moral* purpose [as researchers] is ‘getting the description right’” – a way of working (and being) that requires us to both “lower our sights and raise our standards of research integrity.” A high aspiration but one I have strived for in this research.

When considering aspects of segregation from the various viewpoints of prisoners, prison officers, managers, policy-makers, and the public at large, it is clear there were, amongst each group at different penal moments and in different ways, both winners and losers. The originality, innovation and, regrettably, the brutality of certain segregation arrangements in Scottish prisons offers instructive examples of what it means both to impose walls and to build bridges. Whether and how one approach assumes greater dominance over the other remains a constant negotiation.

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APPENDIX

Poem by John Steele

(1992)

Untitled

There's a beggar in the heart of me
 And he pleads for not a lot,
 But he'll be the death of me
 For the things he hasn't got –
 And what the hell he's got in mind
 Can never be as such
 Because to ask for a little freedom
 Is to ask for far far too much –
 But he'll be the bleeding death of me,
 Of that there is no doubt,
 For its hard being on the inside
 With the beggar wanting *out*.

There's a beggar in the heat of me
 And he's got a lot to say,
 And its 'Aww, hey!' this and 'Aww, hey!' that
 And 'Aww hey, come away!'
 But he'll be the bleedin' death of me
 Because of that and this
 And it's this and that and other things
 The beggar seems to miss.

There's a beggar shares my eyes each day
 And he looks beyond the pale

But he drops more than he ever drinks in
And its seldom he sets sail.
He'll be the bleedin' death of me –
(Or maybe my rise and fall)
Still, I'll spare a smile, for one so vile
And the beggar in us all.

