

**"THE BEST FIGHT IN TOWN":
CORRESPONDENCE BETWEEN PRISONERS AND
CLAIRE CULHANE, 1975-1995.**

By

Tyler Dean

B.A. Honours, Carleton University, 1994

**THESIS SUBMITTED IN PARTIAL FULFILLMENT OF THE REQUIREMENTS
FOR THE DEGREE OF MASTER OF ARTS (CRIMINOLOGY)**

in the School of Criminology

© Tyler Dean 1996

SIMON FRASER UNIVERSITY

August 1996

**All rights reserved. This work may not be reproduced in whole or in part,
by photocopy or by other means, without permission by the author.**



National Library
of Canada

Acquisitions and
Bibliographic Services Branch

395 Wellington Street
Ottawa, Ontario
K1A 0N4

Bibliothèque nationale
du Canada

Direction des acquisitions et
des services bibliographiques

395, rue Wellington
Ottawa (Ontario)
K1A 0N4

Your file *Votre référence*

Our file *Notre référence*

The author has granted an irrevocable non-exclusive licence allowing the National Library of Canada to reproduce, loan, distribute or sell copies of his/her thesis by any means and in any form or format, making this thesis available to interested persons.

L'auteur a accordé une licence irrévocable et non exclusive permettant à la Bibliothèque nationale du Canada de reproduire, prêter, distribuer ou vendre des copies de sa thèse de quelque manière et sous quelque forme que ce soit pour mettre des exemplaires de cette thèse à la disposition des personnes intéressées.

The author retains ownership of the copyright in his/her thesis. Neither the thesis nor substantial extracts from it may be printed or otherwise reproduced without his/her permission.

L'auteur conserve la propriété du droit d'auteur qui protège sa thèse. Ni la thèse ni des extraits substantiels de celle-ci ne doivent être imprimés ou autrement reproduits sans son autorisation.

ISBN 0-612-16855-7

Canada

APPROVAL

Name: Tyler Dean

Degree: Master of Arts

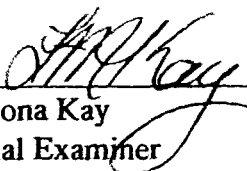
Title of thesis: "THE BEST FIGHT IN TOWN": CORRESPONDENCE BETWEEN
PRISONERS AND CLAIRE CULHANE, 1975-1995.

Examining Committee:

Chair: Professor Joan Brockman

Dr. Brian Burtch
Senior Supervisor

Dr. Rob Gordon
Supervisor


Dr. Fiona Kay
External Examiner

Date Approved: August 1, 1996

PARTIAL COPYRIGHT LICENSE

I hereby grant to Simon Fraser University the right to lend my thesis, project or extended essay (the title of which is shown below) to users of the Simon Fraser University Library, and to make partial or single copies only for such users or in response to a request from the library of any other university, or other educational institution, on its own behalf or for one of its users. I further agree that permission for multiple copying of this work for scholarly purposes may be granted by me or the Dean of Graduate Studies. It is understood that copying or publication of this work for financial gain shall not be allowed without my written permission.

Title of Thesis/~~Project/Extended Essay~~

"The Best Fight in Town": Correspondence Between

Prisoners and Claire Culhane, 1975-1995.

Author: _____

(signature)

(name)

Tyler-Dean

(date)

Aug 9/96

ABSTRACT

Stereotypes of prisoners are reinforced by media, with victims of crime and government officials/law enforcement agents dominating discourse over protection, justice and punishment. There is an ongoing debate over the use of prisons world-wide. Proponents of prison argue that prisons are vital for the public order. Prisons are humane Institutions that facilitate the rehabilitation of prisoners. Conversely, critics of prison argue that prisons are a political creation which sustains social injustice. The irony here is that prisoners' experiences of imprisonment and release are by and large absent in this debate.

This thesis consists of three key parts. First, a selected literature review of State theory, prison abolition, and the prison industry is presented. Second, findings from in-depth interviews with eight prisoners all serving life sentences are discussed.

The third aspect is a content analysis of correspondence between prison abolitionist Claire Culhane and 1,035 prisoners. This is divided into two parts. Part (a) involved coding 23 descriptive variables (e.g., gender, institution) for all 1,035 cases. The contributions were from Canadian prisoners predominantly, with 74 contributions from outside Canada. Part (b) involved a detailed content analysis of every tenth case. Wrongful convictions, forced involuntary transfers, personal security, and rehabilitative programmes were focal concerns identified by prisoners.

This thesis provides unique findings from the life work of Canada's foremost prison abolitionist and her correspondence with prisoners. These findings delineate the experiences of imprisonment, challenge existing stereotypes of prisoners, and question the overly punitive State sanctioned response to these individuals.

DEDICATION

Dedicated to the men and women locked away and forgotten by many who have the means to change the punishment practices currently embodied in the State discourse and rhetoric concerning Corrections in Canada.

Most importantly, I dedicate this thesis to the memory of Claire Culhane (1918-1996). Without Claire, none of this research would have been possible.

ACKNOWLEDGEMENTS

I would like to thank Claire Culhane who provided her collected correspondence to me, and who has been helpful in interpreting information. I am also grateful for the research assistance of Tamara Brash and Erin Blades, who made the data set a manageable one-year project, rather than a two-year endeavour. I wish to extend my heartfelt gratitude to Dr. Brian Burtch for his direction, mentorship, and friendship. His mentorship meant more to me than I can express. A hearty thank you to Dr. Rob Gordon for asking me the “so what” questions.

I would like to thank the members of the Lifers group at Mission Institution, and specifically the interview participants for their first-hand knowledge of the system and their patience in bringing me “up to speed” on the prison situation. I would also like to thank Karen Maxwell – Social Development Officer, Mission Institution – for all her help in making possible the interviews with the “lifers.”

I would like to thank Randy Schmidt for his help on the aeroplane, and for using his red pen. His copy editing skill proved an invaluable resource during the “crunch” period. An immense thank you goes out to all of the unnamed individuals who have contributed or influenced the ideas that are contained in these pages.

Finally, I wish to extend my gratitude and admiration to my parents for their unending support, in all of my pursuits – academic and social alike.

The research was sponsored in part by a Social Sciences and Humanities Research Council of Canada Small Grant # 631268, and a work-study grant from Simon Fraser University.

TABLE OF CONTENTS

APPROVAL	ii
ABSTRACT	iii
DEDICATION	iv
ACKNOWLEDGMENTS	v
TABLE OF CONTENTS	vi
LIST OF TABLES	ix
CHAPTER 1. STATE CONTROL AND PUNISHMENT	1
Introduction	1
Social Control and Societal Ordering	3
The State and State Control	5
The Canadian State	8
The Right to Punishment	12
CHAPTER 2. PRISON AND THE ABOLITION MOVEMENT	15
The Prison	15
The Prison as Social Defence	16
The Prison as Social Control	24
The Prison Industry	26
The Unjust Prison	28
Prison Correspondence	31
Claire Culhane	32
Prison Abolition	36
Theoretical Implications of Prison Abolition	44

CHAPTER 3. METHOD AND DATA COLLECTION	47
Introduction	47
A Vignette: Claire's Correspondence	48
The Research Study	50
Coding the Entire Collection	51
Detailed Content Analysis – 100 Files	52
The Interviews	52
Ethical Considerations	55
Strengths and Limitations of the Research	55
CHAPTER 4. FINDINGS	58
Profile of Prisoners	58
Prisoners' concerns	68
Content Analysis of 100 Files	76
General Correspondence	77
Institutional Grievance	80
Legal Issues	89
Requests	94
Interviews with Prisoners	97
Summary	101
CHAPTER 5. CONCLUSION	103
What Is the Answer?	103
Realizing Prison Abolition	105
Future Research	108
REFERENCES	110

APPENDICES	114
APPENDIX A: RESEARCH INSTRUMENT	114
APPENDIX B: CONSENT FORM FOR SUBJECTS	115
APPENDIX C: INFORMATION SHEET FOR SUBJECTS	116
APPENDIX D: CONSENT FORM FOR APPROPRIATE AUTHORITY	117
APPENDIX E: CODE BOOK	118
APPENDIX F: CODE SHEET	123
APPENDIX G: CSC RESEARCH APPLICATION	124

LIST OF TABLES AND BOXES

Table		Page
1	Correspondence by Province	58
2	Years of Corresponding	59
3	Nature of Correspondence	60
4	Number of Submissions per Prisoner	61
5	Age Range of Prisoner at First Point of Contact	61
6	Marital Status	62
7	Type of Offence	63
8	Unique Submissions	64
9	Special Needs of the Prisoner	66
10	Nature of Concern	69
11	Type of Correspondence by Gender	69
12	Issues of Concern by Security Level	71
13	Secure Custody and Issues of Concern	74
Box		Page
1	General Correspondence	78
2-8	Institutional Grievance	
2	Personal Treatment	82
3	Personal Effects	83
4	Health	85
5	Transfers	85
6	Special Handling Units (SHUs)	87
7	Hunger-strike	89
8	Religion	89
9-15	Legal Issues	
9	Parole	90
10	Habitual Offender	91
11	Inquest	92
12	Criminal Sentence	93
13	Death Penalty	93
14	Wrongful Conviction	94
15	Criminal Charges	94
16	Requests	95

CHAPTER 1

STATE CONTROL AND PUNISHMENT

Nelson Mandela, the greatest prisoner of all time, maintained for twenty-seven years that 'Your freedom and mine cannot be separated.' I conclude with a reminder that: The human rights of prisoners and ours, dare not be separated. (Culhane 1991, 250)

Introduction

The prison is an unnecessary social evil that society can ill-afford. The prison does, however, serve to control both the "lawless" and the law abiding (Cohen 1985; Foucault 1977). This issue of social control is very important in understanding why prisons exist, why they have been maintained in light of their failings, and why there is so much resistance to prison abolition. Prison will never achieve all of the justifications that it is based on – specific deterrence, rehabilitation, incapacitation, and stigma. These different justifications are invoked at different periods of time, by different groups, in order to divert attention from the failure of prison and to maintain its existence. Unfortunately, these justifications are part of the social control objectives of the State which are informed by rhetorical discourses of corrections, protection, and punishment.

Prison will not change if the present situation is not altered radically. In terms of the rhetoric surrounding punishment and the corrections discourse, the *behaviour* of individuals deemed criminal is targeted for change, but the *attitude* of mainstream society is not a focal concern. When prisoners are considered rehabilitated – that is, their behaviour has changed – they are placed back into society where attitudes have become more narrow and less humanistic. The social attitudes toward crime and prisoners are harsh and unforgiving. Few sustained attempts are made at structural change, with the

main emphasis on changing individual behaviour. In this sense, the prison will continue to exist because the public demands change and reform with the individual, rather than in the social fabric of society (Kwartler 1977).

In this thesis I examine key themes surrounding issues of social control, state theory, punishment, and the prison abolition movement. In chapter 1, the focus is on the social control of the State and the State's hegemonic control of punishment practices and the correctional discourse. Chapter 2 details the State rhetoric justifying prison, the prison industry in Canada, and examines criticisms levelled against the use of prison as punishment. The work of Claire Culhane, Canada's foremost prisoners' rights activist and prison abolitionist, is central to the prison abolition platform. For over 20 years, until her death in 1996, Claire corresponded with prisoners in an effort to alleviate the injustices in what she saw as an inhumane and demeaning system. Her collection of correspondence provides "voice" for prisoners in an area that they have been typically excluded. In chapters 3 and 4, the correspondence between Claire Culhane, prisoners, and third-party individuals is investigated in an effort to determine the issues of concern for individuals subjected to imprisonment. In-depth interviews were also conducted with 8 "lifers" from Mission Institution – Pacific Region – to compare documented experiences of imprisonment (the correspondence) with current experiences (the "lifers").

Chapter 5 summarizes the arguments against prison as an effective method of social control. Furthermore, the prison abolition platform is stressed as an appropriate alternative to the use of prison. Hard choices must be undertaken in order to reform the current system of punishment, rather than incremental changes that maintain the status quo and provide a quick cure or easy answer.

Social Control and Societal Ordering

Crime control policies, law and order campaigns, punishment practices, and the discursive debate over retribution and rehabilitation have featured prominently in the rhetorical objectives of the State concerning crime, criminals, societal protection, and social order. These rhetorical objectives of what can be considered contemporary criminological discourses appear to offer solutions or remedies to apparent problems. Yet when these “solutions” and “problems” are deconstructed, it becomes clear that they are difficult to differentiate because both involve some form of social creation and validation on the part of the State. I have termed the objectives of criminological discourse “rhetorical” because the problems and solutions are merely different expressions of the same ideological endeavour: namely societal ordering and social control. Control presupposes a need for order. The focus is on the impetus for State involvement, and what form that involvement should take contextualized within the State-constructed “problem/solution” vortex.

Resistance and the role of human agency feature prominently in this thesis. Opponents to the rhetorical social control policies and instances of societal ordering have worked at many different levels to rectify injustices in the system. Some have attempted to change the system – macrostructural reform – while others have looked for change at a grass-roots level. The debate over incarceration in Canada is exemplified best through the action and writing of the late Claire Culhane, Canada’s foremost prison abolitionist. Fighting against injustices in the prison system for over two decades, Claire was both reviled, and honoured by the State. Validation of Claire’s work occurred late in her struggle against prisons, and seemed ill placed as the very structure Claire had fought

against for over 20 years celebrated her unending resolve to rights the wrongs in an unjust system. For Claire, it was the recognition of the prison abolition cause that was important, not the gratification of the advocates working toward it. And while recognition of the prison abolition cause was identified through Claire's work, little has actually changed with respect to carceral practices in Canada.

Critics of the current punishment paradigms that inform correctional policy in Canada and elsewhere, and advocates of prison abolition point to the failure (Foucault, 1977) or fiasco (Mathiesen 1990) of prison. Yet prisons still exist. Individuals are still sent to prison even though the prison has failed. Through myth and manipulation of information, the State has been able to justify the continued existence of prison in light of its obvious failure. This thesis explores State control policies, focussing on imprisonment and especially the nature of confinement as experienced by prisoners. Human agency and resistance against injustice are explored in terms of the actions of Claire Culhane and individuals directly under the influence of the monolithic State control apparatus.

According to Claire Culhane:

People must know what is happening. They must care about what is happening. They must begin to do whatever they are capable of doing, individually and collectively. Somewhere in the human organism there is an ear that will listen, a mind that will open, a heart beat that will quicken and a voice that will clamour for the conversion of an order which exalts 'Business as usual' over one which honours concern for others. And when enough people realize this and organize themselves to act upon their convictions, it will change. (Claire Culhane, 1972)

The State and State Control

There are more instances of the abridgement of the freedom of the people by the gradual and silent encroachment of those in power, than by violent and sudden usurpation. (James Madison)

In *Theories of the State* (1987) Vincent sets out several concerns in conceptualizing and analyzing the modern State. At a specific micro-interpretive level he proposes that to think about society or “life” is to implicate State involvement. Our lives are spent within the confines of the State. According to Vincent, “statehood not only represents a set of institutions but also a body of attitudes, practices and codes of behaviour, in short civility, which we associate correctly with civilization” (Vincent 1987, 4). He proposes that to “speculate about our relation to the State we need to know something of the theory of states” (Vincent 1987, 3). Central to this conceptualization concerning our relation to the State is the notion of reflexivity: that individuals are at once shaped by the superstructure of the State, while at the same time are active participants structuring its organization and functioning.

Vincent cautions that “the State is neither a neutral institution which we can afford to ignore nor has it arisen out of pure chance or accident” (Vincent 1987, 3). State theorizing in terms of the form and structure of the State can be understood in a contextualization of the particular underlying political and legal tenets operating to develop and organize the State apparatus. For Vincent “it is [the] ideas of the State which often determine both the form of the State and our attitude to it” (Vincent 1987, 3).

State conceptualizations are often hindered by unclear terminology. Vincent claims that “there is often considerable conceptual puzzlement surrounding the idea of the

State, specifically in relation to other concepts such as society, community, nation, government, crown [and] sovereignty" (Vincent 1987, 3). These concepts are often confused with or substituted for the notion of the State. To confuse these concepts with the State is to miss nuances as they relate to the State within the diverse and divergent theoretical contexts.

The state – or apparatus of "government" – appears to be everywhere, regulating the conditions of our lives from birth registration to death certification. Yet, the nature of the State is hard to grasp. This may seem peculiar for something so pervasive in public and private life, but it is precisely this pervasiveness which makes it difficult to understand. There is nothing more central to political and social theory than the nature of the State, and nothing more contested. (Held 1983, 1)

The concept of "the State" can be misleading, as the singular noun implies personification. According to Miliband in *The State in Capitalist Society* (1973) "the state is not a thing," and he suggests that "what the state stands for is a number of particular institutions which, together, constitute its reality, and which interact as parts of what may be called the state system" (Miliband 1973, 49). The State is comprised of the government, the administration, the military and the police, the judicial branch, sub-central government and parliamentary assemblies (Miliband, 1973, 50). The "state system" is reflective of the interrelationships among these component parts (Miliband 1973, 50).

Vincent proposes that a State has a monopoly of control over a population or citizenry in a geographically defined region (Vincent 1987). He adds that the State exhibits a particular hegemonic arrangement based on a legal predominance or domination over all aspects of civil society within the region (Vincent 1987, 20-21). Maximum control of natural and public resources and force rests with the State. The

State and law become synonymous with one another as “law originates with the State” (Vincent, 1987: 20). Furthermore, this monopoly is recognized as necessary. For Vincent, the State is sovereign: within a particular region the State has no major rivals, and “it is recognized by other States as a separate unit” (Vincent 1987, 20). The most compelling feature of the State is that it is a “continuous public power ... distinct from both ruler and ruled” (Vincent 1987, 21). This autonomous feature of the State is often why it is credited with a personality.

Central to an ideology of the State is the conceptualization of hegemony. In accordance with Gramsci, hegemony involves the dominance attained by consent, rather than by force, of a particular group or class over others. It is attained through the abundance of ways in which “social institutions shape directly or indirectly the cognitive and/or affective structures whereby individuals in society perceive social reality” (Pellicani, 1981) and problematic considerations. Hegemony cannot simply be reduced to a relationship consisting of only coercion, but in actuality, involves consent by the subordinate classes.

In terms of State hegemony, Gramsci proposes that the State is not mere force, but involves a system made up of rules, procedures, norms and mores shared by all social classes (Pellicani, 1981). The State's construction of hegemony begins with management. This management focusses on solutions to social problems and struggles effectively for their solution. Management enables control. Gramsci suggests that instability exists when the problem-solving capacities of the “rulers” begin to fail and State hegemony enters a crisis. During this crisis, control keeps the threatened social and political forces in power for only a short period of time (Gramsci, 1971).

Insight into Canadian strategies for hegemonic maintenance has been provided by Hatt et al. Using the foundation provided by Gramsci, they propose a "managing consent" approach that emphasizes the "generation of public [acquiescence], while avoiding [overt] ... confrontation" (Hatt et al. 1991, 63). In the managing consent approach, conflict is institutionalized and "political problems are turned into technical ... ones" (Hatt et al. 1991, 64). "Problems are defined as procedural abnormalities in the actions of individuals or bureaucracies," and solutions to these problems tend not to focus on the "underlying structural causes" (Hatt et al. 1991, 64). Furthermore, when problems have been acknowledged by State officials, blame has been attributed to: "mismanagement of previous administrations"; the "existence of disruptive elements in society"; or "international factors and pressures" (Hatt et al. 1991, 64). Overall, when problems have been identified, solutions have focused on incremental "fixes" or adjustments rather than attempts at structural change.

The management and development of solutions in the maintenance of State hegemony is very problematic. With the "managing consent" approach, the impending collapse of Canadian social and political control has been avoided by the State. This has been accomplished through processes of marginalizing and individualizing problems, and diffusion and displacement of responsibility.

The Canadian State

As the end of the twentieth century approaches, the dominant political theorizing on the State has become increasingly neo-conservative. Attacks on the Liberal and Pluralist perspectives have become commonplace, and Marxism as well as Neo-Marxist

perspectives have been further marginalized as a result of radical political changes in the global order (Marchak 1993).

In direct opposition to the radical leftist ideology of the mid-nineteenth to mid-twentieth century, and Liberal democratic ideology of the early eighteenth century and its re-emergence in the mid-twentieth century, the "new right" or "neo-conservatism" has re-emerged as a dominant political force. There is nothing really new about the re-emergence of the "new right" – it is "only the most repressive and exploitative face of capital" (Horton 1981, 8). A fundamental departure point concerning the political agenda of the new right from that of liberal ideology is the rejection of the Keynesian consensus of the post-war era (Horton 1981; Marchak 1993).

The Canadian neo-conservative experience differs from many other western nations. The differences become evident from the lack of an overt government shift to the political right. The political ideologies of the Canadian State involve a search for "national consensus" – to achieve and maintain legitimacy through consensus, not conflict. Central to the uniqueness of the Canadian neo-conservative experience is the hegemonic power of the State. Hatt et al. propose that the Canadian neo-conservative experience has been characterized by "... a preoccupation with monetary as opposed to social policy" and "... by a practical administrative approach rather than by an ideological or moralistic one" (Hatt et al. 1990). They suggest that the Canadian hegemonic order is embodied in the "managing consent" model, which takes into consideration the historical and cultural realities of Canada's political economy (Hatt et al. 1991). The Canadian political economy is central to the unique Canadian neo-conservative experience (Hatt et al. 1991). A distinguishing feature of neo-conservatism experienced in Canada from that

of other western cultures is the concept of *protective justice* (public protection). This is a major conceptual departure from the traditional neo-conservative ideology of the law and order campaigns, and it provides a unique slant to the neo-conservative experience in Canada. *Protective justice* refers to the government's commitment to protect the public through the effective use of the criminal justice system. The primary purpose of criminal justice policy is to protect people "within a tradition of principled and just measures of control" (Hatt et al. 1990). The protective justice strategy of the Canadian government attempts to provide a sense of protection by the State (as opposed to "from the State" as is the case in a traditional law and order strategy). Inherently problematic to this strategy is that while attempting to provide a sense of protection or security, the State simultaneously contributes to the public's fear of crime and its perception that Canadian society is violent and dangerous.

Fear of crime and perception of a violent and dangerous society are informed by the State and mass media. The State's contribution to public perception is an inherent part of the protective justice approach; however, the mass media's coverage of crime and criminality in Canada (and imported from the United States) typically portrays the State in a negative or at least ambiguous light, specifically with respect to how the State fails to protect people. This portrayal by the media is a necessary component of the protective justice approach as it reinforces the need for greater protection by the State. As a desire for change and greater protection are called for, the State has traditionally used this as a justification for increasingly punitive measures.

Traditional law and order and crime-control campaigns are subject to this potential for failure and collapse of the hegemonic order due largely to the public's

perception that the State is unable to eradicate the crime problem. In Canada, criminal justice policy has not been influenced entirely by traditional law and order campaigns, but rather focusses on public protection and protective justice. This protective justice approach provides a safeguard against the collapse of State hegemony. State hegemony is maintained, and even strengthened because of the distinct differences compared to a law and order hegemonic arrangement. Fundamental to protective justice, the State is perceived by the public to be the protector of society against crime and criminality. When policies fail or the public perceives an increased threat, State hegemony is not threatened, but actually strengthened as consent is given freely and unconditionally to the State by the public to do what is necessary to reinforce the perception of protection and safety. Interestingly, as criminal justice policy is typically reactive and responds to crime and criminality after the fact, the assurances of State protection becomes a point of secondary concern. Specifically for maintaining and strengthening State hegemony it is the *perception* of protection that is relevant to the protective justice approach. With failing criminal justice policies and the public's demand for more protection, the State's monopoly of power/force increases.

The prevalence of incarceration, specifically in the use of prisons as a method of social control, has risen dramatically since the end of the nineteenth century. The questions that are raised with respect to the rhetoric of social defence/control and the use of prison as a means to achieve this end focus on issues of power relations (hegemony) and on social perceptions concerning crime, the criminal and the purpose of punishment.

The Right to Punish

Theories of crime and punishment span time and cultures. They are tied to the state of human development in terms of intellectual, cultural, and moral growth. The evolution of intellectual history has influenced the conceptualization of crime and the subsequent objectives and/or modes of punishment. These crime and punishment paradigms have met with widespread acceptance and disapproval both at the time of their inception and in their rediscovery by contemporary criminological theorists.

With the advent of modern science, particularly biology, the free will of the species was gradually replaced with theories of the criminal as a biological entity. Contemporary theories have shifted away from a focus on physical characteristics as a cause of criminality (but not altogether) to interdisciplinary theories (a blending of sociological, psychological, political, and economic considerations) premised on an interplay of free will, constructionism, power/knowledge, and determinism.

Modes of punishment have emerged from the objectives of social ordering based on particular crime and punishment paradigms. While punishment was typically inflicted upon the “body” – exorcism, stoning, public torture, and death – contemporary punishment practices shifted to the “soul” – incarceration and surveillance (Foucault 1977). During earlier times punishment was cruel, brutal, and coercive. Modern punishment practices have been subjugated by the power/knowledge relationship; no longer is the practice of punishment overtly based on pain and suffering, but on normalizing deviancy (Foucault 1977). Corrective sanctions are employed in an effort to induce conformity, based upon notions of normal behaviour (Garland 1990, 145).

Knowledge of normal behaviour results from surveillance and examination (Garland 1990, 145).

Normalization (Foucault 1977) is the process of "assessing the individual in relation to a desired standard of conduct: a means of knowing how the individual performs, watching his movements, assessing his behaviour, and measuring it against the rule" (Garland 1990, 145). Having moved to a power/knowledge formulation of punishment, Garland (1990) suggests that "the process of punishing is not essentially different from that of educating or curing and it tends to be represented as merely an extension of these less coercive processes" (151). Current notions of punishment are informed by the corrections and corrective discourse (treatment). Pain and suffering are no longer rational justifications for punishment practices; however, "the punitive spirit has survived unscathed behind the mask" of treatment (American Friends Service Committee 1971, 26).

Punishment does not flow from a single meaning or purpose. It must be viewed as "a social artefact serving a variety of purposes and premised upon an ensemble of social forces" (Garland 1990, 20). Objectively, punishment is a means of addressing criminal and deviant behaviour. Subjectively, punishment is an "expression of state power, a statement of collective morality, a vehicle for emotional expression, an economically conditioned social policy, an embodiment of current sensibilities, and a set of symbols which display a cultural ethos and help create a social identity" (Garland 1990, 287).

For Foucault, Garland, Christie, Mathiesen, and Faith, the application of punishment is important, and especially in the "carceral" powers of detention and

incarceration. In the next chapter, I set out some of the arguments taken by prison abolitionists. Abolitionists do not see the prison as a necessary evil, but as an Institution that disguises social oppression, and which ultimately acts to demean prisoners and those responsible for their captivity.

CHAPTER 2

PRISON AND THE ABOLITION MOVEMENT

The Prison

Contemporary penology has allowed for the manifestation of “social revenge and securing social protection, and as an ‘elegant’ method of expressing collective sadism” (Barnes 1972, 187). The prison has also served as a “social catharsis” whereby individual guilt and social ills were scapegoated on a particular “criminal” group and imprisonment symbolized the causes of disharmony in the social structure (Barnes 1972, 187). There are two damaging aspects of the penal system. First, wanton cruelty realized in the treatment of prisoners under the auspices of social control. And second, damage to the public welfare in general. In terms of the first damaging aspect, the harms inflicted upon the individual within the penal system are hard to miss. The second aspect, the harm to society, is much more difficult to ascertain. According to Barnes (1972) “[t]he savagery of contemporary imprisonment offers a vicarious release of ... sadistic traits under respectable and approved circumstances, whereas relatively few individuals would personally and individually find themselves able to carry out, or to admit themselves subject to, such obviously sadistic impulses” (186).

Themes of revenge, retribution, and protection underlie the arguments for prisons. As a social institution the penal discourse has veiled this social rhetoric in terms of a correctional philosophy (Kwartler 1977). This has served to legitimize the vengeful spirit of society, as well as the excessive use of force, coercion, and violations of human rights on the part of the State. The application of punishment has shifted symbolically from the more primitive form of “mob vengeance” (Barnes 1972, 186) to socially legitimate

practices based on a bureaucratic process and custodial restraint (American Friends Service Committee 1971, 33).

The Prison as Social Defence

The great enemy of clear language is insincerity. When there is a gap between one's real and one's declared aims, one turns as it were instinctively to long words and exhausted idioms, like a cuttlefish squirting out ink. (George Orwell "Politics and the English Language")

Much of the correctional literature has focused on the utility of prison rather than on normative issues arising out of a consideration of imprisonment. Criticisms of the utility of contemporary penal systems are not new. The ability of the prison to address issues of crime and criminality have been questioned since about the mid-eighteenth century (Rutherford 1986; Foucault 1977). Essentially, there have been four driving ideologies behind the prison effectiveness debate: *Rehabilitation*, *Specific deterrence*, *Incapacitation*, and *Stigmatization* (McMahon 1992; Mathiesen 1990; Rutherford 1986). These four purposes have informed the ideological discourses within the criminal justice system and have typically been espoused in order to justify the continuation of an inherently flawed punishment practice.

Rehabilitation is the foremost philosophy in contemporary penal practice. Without the rhetoric of rehabilitation – the corrective aspect of incarceration – the practice of confinement is nothing more than cruel and unusual punishment. The corrective nature of the prison discourse was the turning point in punishment practices (Foucault 1977). The ideology of rehabilitation – the “return to competence” (Mathiesen 1990, 22) or normalizing deviancy (Foucault 1977; Garland 1990) – is as “old as the

prison itself" (Mathiesen 1990, 22). Time becomes the central feature in the contemporary prison system, time presumably used to rehabilitate.

Since the end of the Second World War, the effectiveness of rehabilitation has been called into question (McMahon 1992, 13). In 1974, Martinson's claim that "nothing works" heralded in a new era of criticism of prison rehabilitation programmes. The effectiveness of these programmes was based on recidivism rates, and this was the only criterion for ascertaining the effectiveness of rehabilitation (McMahon 1992). The rehabilitation ideal has never been realized. The prison has "never rehabilitated people in practice" (Mathiesen 1990, 40). Thus, rehabilitation has never completely normalized the deviant, nor has it led to the "return to competence" (Mathiesen 1990, 40).

There are key reasons for the failure of the prison system to rehabilitate. Some are based on individual desire and responsibility for change, others on the prison environment and structure. For any change to occur, it first must be desired. To be "cured" is to acknowledge a sickness or problem. The "coercive cure" is the imposition of treatment upon individual offenders who typically do not want what they may need (Morris 1974). Treatment and rehabilitation programmes focus primarily on the individual and do not make any attempts to integrate the individual into the social structure. Social ills and problems have been negated either as a correlation to criminal behaviour, or contributor to future criminality. The individual desire to rehabilitate is blunted by the coercive nature of the prison structure: "[t]he prison today is inherently coercive in all its aspects. A movement from coerced change to the facilitation of self-change will require the design both of a substantially new model of prison and of a substantially different system of criminal justice" (Morris 1974, 26).

According to the “lifers” I interviewed at Mission Institution, prison treatment programmes are accepted by prisoners, not as a means to better themselves, but as a means to attain privileges, parole being the most sought after. This is not to suggest that all prisoners view treatment *per se* in this way, only that the coercive nature of the prison does not allow for the infusion of the individual prisoner’s determination in rehabilitative programming. The desire to change is displaced by the need to progress through the penal system with as little confrontation as possible. Prisoners are assessed psychologically when they first enter an Institution and a correctional plan is developed that includes the rehabilitative programmes that Institutional authorities deem necessary for the prisoner. The coercive element of both the prison and treatment programmes is evident in that Case Management workers determine what programmes are needed for each prisoner, and when they are to take them. In this way prisoners must take the programmes they have been assessed in need of to maintain their current security level rating, pay level, job placement, and family visitation. To resist is to suffer particular infringements at the discretion of prison officials. If a prisoner chooses to not participate in prison programmes, that individual is labelled unremorseful and “in denial.” Prison transfers to less secure facilities will rarely be accepted if prisoners’ correctional plans are not followed, or if programmes have not been completed. Also, prisoners can be sent to higher security prisons as a result of “failure” to participate in correctional programmes.

Types of prison programming also relate to the rehabilitative ideal. Living Skill Programming (Cognitive Skills, Living without Violence, Parenting Skills, Anger and Emotion Management, and Leisure Education and Community Integration), Cognitive Skills Training Programme, Substance Abuse Intervention, The Offender Substance

Abuse Pre-Release Programme (OSAPP), Sex Offender Treatment Programmes, and Family Violence Programmes are supported by Corrections Canada (Correctional Service of Canada 1994, 40-43). These programmes do not focus on the individual as a social entity who is part of a larger social structure. The contemporary focus of rehabilitation is on individual assessments and rehabilitative programming, whereby the problem is located within the individual, not society. By locating the problem within the individual, recidivism is not a failure of rehabilitation, but a wilful failure of the individual to take to the rehabilitative process. Thus punishment is revisited on the prisoner. In this way criticism can be deflected from the failure of the rehabilitative ideal to the incorrigible criminal. Rothman (1971) has termed this process the "noble lie"; i.e. that prison serves the rehabilitative ideal. Instead, the rehabilitative ideal serves the prison specifically, and the punishment ideal in general.

Specific deterrence implies the elimination of future criminality for a particular offender. Specific deterrence is included under the umbrella of the rehabilitative ideal. While recidivism rates are linked to the effectiveness of rehabilitative programmes, the potential for institutional crime is not a factor in the determination of future criminality, as the "out of sight, out of mind" attitude is evoked by society. Institutional crime is a serious consideration when examining the specific deterrent justification. While society at large is not subject to repetitive victimization by an incarcerated individual (but only during the period of imprisonment) – thereby fulfilling the objective of social defence and incarceration – prisoners are wards of the State and as such should have the protection from harm that is espoused by the State to the larger non-criminal society. "Penal institutions are a microcosm of the violent world which generates them. Attempts to

separate the violence of the prison system from this reality is a political naiveté which Canadians can ill-afford" (Culhane 1985, 148). Specific deterrence will only be effective if individuals are incarcerated for life, with no possibility of parole. Since only a small minority will serve true life sentences and die in prison, and thus parole is a viable attainment for virtually every offender, specific deterrence is not applicable as a justification for social defence.

Imprisonment is usually the manifestation of *incapacitation*; however, capital punishment is also a technique. Imprisonment is unlike any other type of non-custodial punishment. Imprisonment can be characterized by four distinct characteristics. Imprisonment describes the process of "doing time," involves the denial of basic freedom of choice, affects the prisoner's family, and creates a "convict" stigma for the prisoner.

"Imprisonment is irrevocable" (Rutherford 1986, 13). Time spent in prison can never be restored. This presents a highly problematic issue for those individuals wrongly convicted as time cannot be repaid (Rutherford 1986, 13). The denial of basic freedom of choice is central to the notion of imprisonment. Basic choices of everyday life are limited; individuality is reduced. Not only is the prisoner denied the ability to make such basic choices, but he or she is also separated from loved ones and placed into close proximity with often disliked individuals. Conjugal and family visits, while allowing for some outside contact, are no substitute for a social and family life:

Living in a prison is living in a small, closely-defined world in which everything is exaggerated: rumors, tensions, the power of one individual over others who cannot get away. There is the huge contrast between space and time, space being confined and time seeming endless. There is the inability to make a choice or decide for yourself, there is the compliance with orders, rules and regulations. There is rage and resentment and rebellion; and there is the boredom, the lying on the bed

and staring at the wall. There is the lack of identity, being a number, one amongst hundreds of other prisoners, all dressed the same. Klare (1973: 46-47).

Gramsci was imprisoned by Mussolini during World War II, when the Communist party was outlawed. He remained in prison until his death. In *Letters from Prison* (1973), describing his prison experience, Gramsci states "I turn and turn in my cell like a fly that doesn't know where to die" (199). Oscar Wilde (1854-1900), the Anglo-Irish playwright, was imprisoned for two years and in *De Profundis* (1905) wrote: "[w]e who live in prison, and in whose lives there is no event but sorrow, have to measure time by throbs of pain, and the record of bitter moments."

The issue of imprisonment has received criticisms that it is too soft on the offender. Prisoners' personal belongings in the form of televisions, video cassette recorders, computers, and stereos have come under attack, as certain Institutions – Ferndale and William Head, for example – are also decried for being unprison like. It has been suggested that prisoners' cells or "houses" (prison slang for cell) are more than adequate. However, no matter how cells are decorated, and what the contents of the cell may be, the fact is that they are approximately 6 foot by 9 foot boxes, they have bars on the windows, and prisoners are locked down for certain periods of time. Violations of liberties and human rights in the name of prison justice are also problematic in a consideration of imprisonment (von Hirsh 1976). In increasing numbers, many prisoners are being double bunked: two individuals are now in the space that was previously occupied by one prisoner. The issue of personal security, be it physical, sexual, psychological, and/or emotional, becomes central to the problem of double bunking, and overcrowding in general.

Double bunking has already been identified as a problem. Solitary confinement/secure custody, Special Handling Units (SHUs), forced involuntary transfers, search and seizures, physical and psychological abuse, and discrimination are other issues that have warranted concern by reformists (Lowe 1992, 280) as well as correctional personnel. Claire Culhane fiercely opposed SHUs. Claire was also concerned with the issue of prison overcrowding: personal security for prisoners and privacy featured prominently in her concerns. Unfortunately, reform has often been used as a justification for more punitive sanctions rather than minimizing the already existing ones; "much that passes for reform is a facade or serves strictly institutional ends" (American Friends Committee 1971, 33). The practice of such punitive violations is legitimated in the name of justice (American Friends Committee, 1971). The law, as it applies to all citizens, appears to limit its scope to those not incarcerated, thereby virtually ignoring those imprisoned. Prisoners are left to the exclusive and arbitrary control of the prison administration and are subject to the equally arbitrary institutional rules (Cohen et al. 1979, 19).

Incapacitation is also tied to the notion of specific deterrence. The objectives of specific deterrence are similar to those of rehabilitation – the attempt to eradicate undesirable behaviour through a process of normalization and corrective programming. Incapacitation also shares with specific deterrence "the notion that by applying a penal sanction the offender is prevented from committing further offences" (Rutherford 1986, 9). Imprisonment as incapacitation will only serve to "shift the location of some crime from the general community to prison", and "the criminogenic influences of the prison may increase the likelihood of further offending" (Rutherford 1986,11).

Stigma is the fourth purpose in the justification of prison. There are sociological and psychological impacts resulting from the stigmatization of convicts. The psychological effect "induces dependency on institutional life, providing a more predictable environment than the outside world" (Rutherford 1986, 14). The denial of personal choice as a function of the prison experience renders the prisoner incapable of surviving in the outside world. This is particularly true for prisoners serving long sentences (Zubricky 1984). Not only do these individuals become dependent on the Institution, but the world they left is by no means the world into which they will be released. The changing nature of society coupled with the process of becoming institutionalized serves to debilitate the individual, sometimes to the extent that prison is the only place the ex-convict feels any sense of belonging and/or is comfortable. Institutionalization provides identity, it creates and maintains the only identity to which an individual can relate.

The sociological impact of stigmatization results from non-imprisoned society (Braithwaite 1989). Having served their time, prisoners are released supposedly having paid their debt to society. Once prisoners are released the real punishment begins: the citizenry are able to punish the offender regardless of prison time served. The punitive nature of society becomes evident in limited access for the ex-prisoner to "social, educational, and employment opportunities" (Rutherford 1986, 14). Also, calls for offender registries (predominantly for sex offenders), national tracking systems, and information to communities concerning residency status of ex-prisoners are some of the recent proposals in the name of increased accountability on the part of the criminal justice system. At no time does reintegration, social harmony, restitution, and/or reparation

enter into the community equation. It could be argued that by removing the victim (symbolically society) from the process of justice, the State has in effect created two systems of justice/punishment: one official system based on legal sanctions, and an informal system based on social pressure and social sanctions.

The Prison as Social Control

For some critics imprisonment is the process of warehousing problems. It means “being shut away – out of sight, out of mind” (Cohen et al. 1978, 1). The prison functions not merely to enclose those unlucky or evil enough to be caught up in the machinery of the criminal justice system, but also bars the rest of society from the knowledge of what actually occurs in penal institutions. The prison “not only encloses prisoners, but also prevents those on the outside from knowing anything about what is done to prisoners in their name” (Cohen et al. 1978, 1). The duality of prison as a form of social control – the control of the criminal classes and the control of society – is crucial for social ordering. The State “needs us to know that people are being sent to prison and it needs to know everything about its prisoners ... But neither we nor the prisoners must know what is really happening to them” (Cohen et al. 1978, 1).

Rehabilitation, deterrence, and public protection are social creations. The power/knowledge dimension of penal practices demonstrates the futility of the prison as an institution, and points to the social control of non-imprisoned society as a latent function of punishment. If you commit a crime you will go to jail. This assertion is the basis for the continuation the prison system. It is the threat of prison as an ideal that may work as a deterrent, not the day-to-day operations of prison. What happens once incarcerated is a moot point for it is not the corrective aspect of prison that acts as the

social control function, but the idea of the prison as punishment. "The penitentiary system ... [is a] key element in the web of coercion. The role of the penitentiary is to provide a means by which the established order may maintain physical and psychological control, and/or the threat of such control ..." (Gosselin 1982, 97). When day-to-day events of prison life become general information, society gains knowledge and the power of the State is diminished. If members of society were to gain the knowledge that prison simply shifts problems from one period in time to another, then the conceptualization of the prison as punishment begins to be called into question.

Calls for "tougher" punishment policies typify the punitive spirit of society based on the lack of knowledge concerning penal practices. The social control of society by the State is facilitated by this lack of understanding, evident in current societal desire for longer incarceration periods. The private members bill calling for the eradication of s.745 of the Criminal Code – the Judicial Review of life sentences – and petitions calling for tougher sanctions for youths and tightening up the Young Offenders Act epitomize the punitive spirit of society. The failure of prison (Foucault 1977) is itself the impetus for increasing State power. The prison is so entrenched and entwined in the social structure that the failure of the system does not lead to abolition of the prison, but to a continuation of incarceration based on a renewed vigour on the part of both the State and society. In this way society is contributing to its own control based on the State's manipulation of information and power imbalance. This power/knowledge relationship is illustrative of the Gramscian conceptualization of hegemony. The State maintains hegemonic control of the populous – criminal and non-criminal alike – through the manipulation of information, whereby the non-criminal component of society actively

contributes to its own suppression. And force is used against the criminal component of society, but it is justified and legitimized by the non-criminal component.

To assert in any case that a man must be absolutely cut off from society because he is absolutely evil amounts to saying that society is absolutely good, and no-one in his right mind will believe this today. (Albert Camus, *Resistance, Rebellion and Death: Reflections on the Guillotine*)

The Prison Industry

The Correctional Service of Canada (CSC) consists of forty-one Federal Institutions (increasing to forty-five with the closure of the Kingston Prison for Women and the opening of five regional women's facilities), sixteen Community Correctional Centres, and sixty-five parole offices (Correctional Service of Canada 1994, 10). The mission statement of the CSC is:

The Correctional Service of Canada, as part of the criminal justice system, contributes to the protection of society by actively encouraging and assisting offenders to become law-abiding citizens, while exercising reasonable, safe, secure and humane control. (Correctional Service of Canada 1994, X)

There are also 161 Provincial and Territorial Correctional Facilities operating in Canada. Approximately 31,700 people were confined in Canadian penal institutions in 1992-1993. Of these, 14,000 thousand were held in federal institutions. About 98% of Canadian prisoners are men. There are 323 "On-register" female prisoners in both federal and provincial custody. "On-register" offenders include "federal prisoners incarcerated in provincial institutions, and provincial offenders incarcerated in federal institutions under federal/provincial exchange-of-service agreements. It also includes offenders on federal day parole, temporary absence, or work release" (Correctional Service of Canada 1994, xvi). The small percentage of female federal prisoners is often overlooked in Canada,

although female prisoners are now attracting more serious research and advocacy work (Faith 1993; Adelberg and Currie 1993; Carlen 1988). The prison population does not fluctuate significantly year by year, so over 30,000 people are incarcerated or under release-conditions in Canada on a given day.

Crime is big business. Over 10,000 people are employed by the CSC. The 1992-1993 federal budget for corrections was just over \$1 billion (Correctional Service of Canada 1994, 46-50). This does not include policing costs, courts, aftercare, or other aspects of criminal justice. Add in these costs, and the crime control industry involves more than \$70 billion (Culhane 1991, 5). It costs \$91,000 annually to incarcerate each female prisoner (prison for women). The average annual cost for a male prisoner is between \$36,000 to \$70,000, with costs increasing as security classification increases (Correctional Service of Canada 1994, 49). Average annual cost per incarcerated offender is \$48,000. In contrast, it only costs \$9,422 per year to supervise a released offender.

Despite these massive monetary expenditures, few can argue that imprisonment is effective in terms of recidivism. Recidivism is the major concern for the National Parole Board. The mission statement of the National Parole Board states:

The National Parole Board, as part of the criminal justice system, makes independent, quality conditional release and pardon decisions and clemency recommendations. The Board, by facilitating the timely reintegrating of offenders as law-abiding citizens, contributes to the protection of society (Correction Service of Canada 1994, XI).

The Board makes all determinations concerning the six types of conditional release: escorted temporary absences (ETAs), unescorted temporary absences (UTAs), work release, day parole, full parole, and statutory release. ETAs and UTAs are

considered the first step in the conditional release process. These absences may be granted by the National Parole Board for “medical, administrative, community service, family contact, and personal development for rehabilitative reasons” (Correctional Service of Canada 1994, XV). In 1992-1993 there were 41,489 ETAs granted. Only 26 were not completed successfully; 99.94% of the ETAs granted during this same time period were completed successfully. In this same time period, there were 5,432 UTAs granted. Only 42 were unsuccessful while 99.23% were completed successfully (Correctional Service of Canada 1994, 32).

As of March 31, 1993, of the nearly 18,000 people released on full parole (the lesser of one-third of the sentence or seven years, excluding life sentences) between 1978-1988, 73.6% successfully completed the term of supervision. Parole was revoked because of violations of parole conditions in 14.3% of the cases, and only 12.1% were returned to prison for commission of a new offence (Correctional Service of Canada 1994, 60). Of the nearly 30,000 people released under mandatory supervision (offenders could be released after serving two-thirds of their sentence with earned remission – time off for good behaviour) between 1978-1988, only 53.6% successfully completed the term of supervision (which amounts to one-third of their original sentence). The remainder were either returned for commission of a new criminal offence (17.1%) or violation of release conditions (29.3%) (Correctional Service of Canada 1994, 60-61).

The Unjust Prison

For some, the prison is the end-point of a criminal justice system that must remove evil individuals from society. For others, imprisonment itself is a social evil (Culhane 1985; Christie 1993; Mathiesen 1990; Hawkins 1976; Klare 1973; Toch 1973).

In *Struggle for Justice* (1971) the American Friends Service Committee argued that imprisonment “denies autonomy, degrades dignity, impairs or destroys self-reliance, inculcates authoritarian values, minimizes the likelihood of beneficial interaction with one’s peers, fractures family ties, destroys the family’s economic stability, and prejudices the prisoner’s future prospects for any improvement in his /[her] economic and social status” (33). The specific pains inflicted on the individual prisoner involve “the basic deprivation of liberty itself, the deprivation of goods and services, the deprivation of heterosexual relations, the deprivation of autonomy, and the deprivation of security in relation to other inmates ...” (Mathiesen 1990, 43).

Resistance by prisoners to violations of rights and liberties is fraught with the potential for reprisal by prison authorities. Prisoners may file grievances against the prison for any suspected violations, and are on occasion successful. “The Offender Complaint and Grievance Procedure provides opportunity for offenders to complain informally and in writing” (Correctional Service of Canada 1994, 46). There are three administrative levels to the grievance procedure: the warden at the institution, Regional Headquarters, and the Commissioner of Corrections (Correctional Service of Canada 1994, 46). Prisoners may also write to elected and appointed officials (sealed envelopes – CSC may not monitor or censor this type of correspondence) and to the Correctional Investigator, who is independent from CSC and reports to the Solicitor General (Correctional Service of Canada 1994, 46).

In light of this formal grievance procedure, I have characterized this process as “to win is to lose.” If a prisoner wins a grievance, the Institution does not want to appear to be losing control and may exert control over the individual prisoner with legitimate

methods but based on illegitimate principles. For example, a prisoner may win a grievance concerning a forced involuntary transfer to a higher security prison, be returned to the original prison, and then subsequently have a reduction in their pay level due to a "rule infraction," be placed in the "hole" on suspicion, or have their "house tossed" routinely in search of contraband.

Power outside of the use of violence does not typically reside with the prisoners. They do form alliances and associations – Lifers Groups, Inmate Committees, etc. – and these associations have the potential to inform the prison administration of matters affecting prisoners (Kwartler 1977). The power of these groups is limited by the discretion of the Institution. It is not mandated that the concerns of these groups be considered. When these groups are not heard, conflict and unrest is hastened.

Prison authorities have the power to create and manipulate information to which the prisoner is subject. Cohen and Taylor (1979) suggest that the "very structure of the rules and the way the individual cases have to be referred to the centralized bureaucracy ensures that prisoners can never win the elaborate intelligence game which they are trying to play" (19). With violence being a viable option available to the prisoner, coupled with the frustration of playing the loser role for the duration of their sentence, the potential for violent eruptions in the form of riots, hostage taking, and institutional abuse is very real. When non-violent means have been undertaken by prisoners to initiate change and/or divert the potential for violent outbursts, the response by prison authorities has typically been one of ambivalence. Reactions by prison authorities to institutional violence on a large scale (work stoppages, riots and hostage takings), or more specifically to the potential for violence by prisoners usually take the form of covert retaliation. On many

occasions, the Warden of a prison in Canada has responded to claims from prisoners concerning the potential for outbursts of violence by stating, essentially, "who cares, I have the guards, the guns, and the bullets." This power relationship is captured by George Orwell:

Power is not a means, it is an end. One does not establish a dictatorship in order to safeguard a revolution; one makes the revolution in order to establish the dictatorship. (George Orwell, *Nineteen Eighty-Four*)

Prison Correspondence

I try to do everything I can for myself while I am in here ... But there are times when an inmate has to reach out for outside help and when he does there are no one reaching back to give him that help he needs. (*Prisoner, writing from Ontario in the 1980s*)¹

The hidden nature of imprisonment is such that experiences of prison are often lost. Certainly, there are prominent accounts of imprisonment in borstals and prisons: Brendan Behan (England), Jean Genet (France), Roger Caron, Andreas Shroeder, Marlene Moore (Canada), and Jack Henry Abbott (United States). Yet for thousands of men and women, their incarceration passes without others, except friends and immediate family, hearing of their experiences. With very few exceptions, there is little discussion about imprisonment within left-progressive circles. In *Writers in Prison* (1990) Ioan Davies examines the nature of prison writing and provides insight into the literature produced by individuals who do not "exist" in mainstream society. Active in prisoner assistance groups, Ethel Shapiro-Betolini received numerous notes and letters from over 300 State and federal prisoners from 1972-1976. In *Through the Wall: Prison*

¹ The quotations are left as they were found. I have not corrected spelling or edited them.

Correspondence (1976) the experiences of prisoners are identified. The work makes visible knowledge about American prisons.

In the remaining sections of this chapter, drawing on works of Foucault (1977), Garland (1990), Vass (1990), and Mathiesen (1990), some theories of penality are examined. The focus is on prison reduction, or prison abolition, and how culture plays a large part in how prisoners are conceptualized and treated. In Chapters 3 and 4 the findings from the research project centred on correspondence to and from prisoners' rights advocate Claire Culhane are presented. This correspondence was typically addressed to Claire herself, but in many cases it would be sent to the Prisoners' Rights Group.

Claire Culhane

How is Claire Culhane? I describe her as fibre: plain, simple, straightforward, solid and good for you. (Nancy Poon, personal correspondence, January 29, 1996).

Born in 1918 in Montréal, Claire Culhane was a social activist for all her adult life. She was outspoken in condemning Canada's involvement in the Vietnam War, as she had worked at a tuberculosis hospital in South Vietnam in 1967. In 1968, disgusted with the war and Canada's collaboration in it, she returned to Montréal to organize against the war. Her book *Why Is Canada in Vietnam?* was one of the few that tore apart Canada's image of arms-length involvement from that of the United States.

Claire's passionate desire to relieve human suffering dictated the tough choices she made throughout her life. Her personal experiences and knowledge of anti-Semitism: in Quebec, throughout WWII and later in Ireland; her struggles against sexism: at home, with religions' dominating paternalism and in the very political organization which professed equality for all – the Communist Party of Canada; her knowledge and empathy for the political struggles: of workers in Spain and their eventual defeat by

fascists, of the long lines of the unemployed during the depression years and of the labour movements, had all been deeply assimilated by this remarkable woman who decided that she must speak out and she must actively crusade against bigots and against despots. (Horii 1996: 1-2)

Claire is best remembered for her work as a prison abolitionist. For over 20 years (1975 -1996), Claire worked for prisoners' rights and improvements in prison conditions, with a longer-term view of prison abolition. She hosted a cable television programme called *Instead of Prisons*, wrote widely on prisons, and corresponded with over a thousand prisoners. Her work was not officially honoured until very late in her life. In 1995, she received the *Marlene Moore Award* for outstanding service to the community, the *Canada Volunteer Award Medal and Certificate of Honour*, and the *Order of Canada*. Claire was self-effacing, devoted to direct work with prisoners and their families. She died in Vancouver on April 28, 1996 at the age of 77. Approximately 300 people attended her memorial service in Vancouver in May 1996, and many sent letters of condolences.

Her life has been the subject of a biography, *One Woman Army* (Lowe 1992). In 1976 Claire became a member of the B.C. Penitentiary Citizens' Advisory Committee (Culhane 1991, 18). She was the principal person for the Prisoner's Rights Group (PRG) for over 21 years (Lowe 1992). The three goals of the PRG were:

- "To help prisoners help themselves when requested to find the best possible medical, legal and professional assistance"
- "To help educate the public as to the true nature of the Canadian prison system"
- "To join with the growing movement to abolish the present prison system which is recognized as expensive, counter-productive and in many instances, brutal and inhumane; and to support instead community-supervised programs, a moratorium on new prison construction, and other viable alternatives."

Claire was taken with a statement from the Coalition for Prisoners' Rights Newsletter (New Mexico) in 1980, and this became the motto for the PRG:

We can't change prisons without changing society. We know that this is a long and dangerous struggle. The more who are involved in it the less dangerous and the more possible it will be.

In the initial stages of corresponding, Claire advised strongly for any interested party to consider the PRG's three "don'ts":

- (1) "Don't B.S. us – so we don't get left with egg on our face if and when we are able to take the particular grievance to the top."
- (2) "Don't expect anything – as, after all we have no clout (power) other than our promise to stay with whatever we promise to undertake, and will always maintain contact as long as requested."
- (3) "Don't even call on us if you can't take the extra heat that will probably come down on you for having contacted us, again for the obvious reason that we are hardly the most popular people with the authorities."

Claire Culhane had to contend with this "lack of popularity," including having requests to visit prisoners turned down, often for spurious reasons. The following is an excerpt from a Director's decision given to a prisoner who had requested a visit from Claire:

While it is not essential in responding to a grievance that I provide you with detailed reasons for refusing a visit, I will briefly tell you why Claire Culhane has not been placed on your visiting list. It is our considered opinion that there is no relationship of lasting consequence between yourself and Ms. Culhane which would be enhanced if she visited you. Visits have to have some purpose related to your ultimate resocialization and return to society. I have no evidence that Ms. Culhane would contribute to this. Therefore she has not been approved for placement on your visiting list.

Claire's twenty-plus-year struggle against injustices in the penitentiaries provided a multitude of individuals with a window of hope. Some changes in the operating policies and procedures of the Correctional Service of Canada have

occurred as a direct result of her active activism. However, Claire often questioned her impact on the vast bureaucratic superstructure. While the penal structure over all has been maintained, many small "wins" can be attributed to Claire's direct (and sometimes indirect) involvement. The following quote epitomizes Claire's feelings concerning her prison battle:

Progress is not an illusion, it happens, but it is slow and invariably disappointing. (George Orwell, "Inside the Whale and Other Essays")

Wary and often critical of academia, Claire felt strongly about her causes and wrote a few books to get the message out to the larger society. *In Barred From Prison* (1980), *Still Barred from Prison* (1985), and *No Longer Barred From Prison* (1991) Claire chronicles her battles against injustices experienced by prisoners in the prison industry. She presents an abolitionist platform which promotes reform to the system of punishment in Canada as plausible and attainable. Claire's work is not without criticism. In recent years, high profile murder and sexual assault cases have spawned victims' rights groups: CAVEAT, Victims Against Violence International, and the Melanie Carpenter Fund. Support for these groups is growing. Support for prisoners however does not appear to be growing. In the many conversations that I have had about prisoners' rights during the writing of this thesis, individuals would invariably state that "they have too many rights." Support for the victims' rights movement detracted from Claire's work and cast her in an awkward, if not negative position. While Claire was aware of these victims' rights groups, and was supportive of the reasons for their creation, she saw the victimization of both the criminal and non-criminal populations and thus a need to help those individuals who were susceptible to further victimization, both by the system and

the general public. In this capacity, Claire acknowledged past harms (victimization) to individuals as part of the process of rectifying injustices as they occurred in prison, in order to reduce the potential for future harm to the individual and society in general. This is not to suggest that Claire was oblivious to the situation for victims, but that prison as a punishment practice was harmful to the prisoner and provided no reparation or restitution to the victim specifically, or society in general. Prison abolition does not mean simply letting everyone out of prison, but changing the circumstances that contribute to criminality (proactive measures) and involving the community in the realizing justice rather than revenge (reactive measures).

Prison Abolition

Morris (1974, 59) questions why an individual should be imprisoned. This question leads to a critical assessment of the justifications for the continuation of an inherently flawed prison system. Insight into this question ultimately undermines the rhetoric of rehabilitation, specific deterrence, incapacitation, and stigmatization, and presents a forum whereby the tenets of the prison abolition movement are examined. Morris (1974) has suggested that the principles guiding the decision to imprison be based on parsimony, dangerousness, and desert.

Parsimony is based on utilitarian and humanitarian principles and refers to the “least restrictive – least punitive – sanction necessary to achieve defined social purposes” (Morris, 1974, 61). Any type of sanction beyond the least necessary restrictive or punitive sanction is by definition cruelty.

The issue of dangerousness, while highly contentious, remains ambiguous and elusive. Essentially thought of as the probability of future criminal behaviour,

“dangerousness” has been used as a focal point in the justifications for incarceration: namely deterrence and rehabilitation. The ambiguity in the definition of dangerousness provides for widespread application and social acceptance. Whether harm is personal, physical, emotional, economical, or political, the label “dangerous” can be misapplied to many offenders. Treatment features prominently in the rhetoric of dangerousness and subsequent responses by the State to correct criminal behaviour.

Dangerousness has been reduced to the claim of certainty of recidivism by convicted criminals and used as the justification for incarceration. Incarceration has therefore been premised on the notion of “once a criminal, always a criminal.” While this premise may have some semblance of truth, no facts have “proven” this causal relationship. In fact incarceration itself may be the impetus for future criminal behaviour rather than prior criminal behaviour. Confinement should only apply to those individuals who would be a danger to society were they not confined in the first place. This is a key distinction for the advocates of prison abolition (Culhane 1985; Mathiesen, 1990; De Folter 1986).

Desert refers to the maximum sanction limited by what is deserved with reference to the crime or crimes committed. This principle is based fundamentally on the notion of retribution. According to Morris (1974) “as a matter of justice, the maximum of punishment should never exceed the punishment “deserved,” either to cure the criminal or to protect the citizenry” (73). The ambiguity of what is deserved as a necessary component of punishment is quite problematic. Because punishment is deserved on the part of a criminal offender is not to suggest that it need be employed by society (or the State). The determination of what is deserved as punishment varies across time and

space. Punishment is culturally, socially, economically, and politically specific. Those in positions of power, involved in knowledge creation and accumulation, influence and manipulate punishment practices that are legitimized under the auspices of State control. The determination of “deserved punishment” rests with those in power, and is applied to those with the least power (Ericson and Baranek 1982, 49).

A determination of “deserved punishment” is ambiguous, political, and artificial. Once the social structural dimensions are analyzed and the contradictions, ambiguities, and power differentials realized, the fact that punishment is deserved does not mean that it should be imposed in the current mode of imprisonment.

Historically, critiques of punishment have been presented by both the theoretical “right” and the “left”. The critics and their critiques of past and contemporary punishment paradigms presented in this thesis are typically informed by leftist theory and is directed at right wing theorizing. The “left” have and may continue to benefit from left realism and history as potential sources of knowledge for the attack on the prison.

Left realism emerged as a major school of criminology during the 1980s. In response to the criticisms levelled at Marxism and left idealism, left realists adopted the “good parts” of radical criminology and employed a realist orientation as an alternative paradigm (Mathiesen 1990; Bierne and Messerschmidt 1991; Taylor 1981). “Dedicated to the cause of socialism” (Mathiesen 1990, 143-144), and contrary to the left idealist supposition that working-class crime is an illusion, left realists “argue that conventional crime is a real problem for the working class” (Bierne and Messerschmidt 1991, 499). Crime control measures are paramount to left realists. A reorganized police force – moving away from the military patrol type of policing to community based minimal

policing (Mathiesen 1990, 145) – is at the core of a socialist criminal policy. Resulting from the continuity from radical criminology through left idealism and into left realism, left realists anticipate the evolution of a realist paradigm.

For left realists, the creation of a concrete crime control platform involves a number of concepts: “demarginalization,” “preemptive deterrence,” a “minimal use of prisons”, an examination of the circumstances of both victim and offender, realistic policing and a realistic examination of the current crime problem (Bierne and Messerschmidt 1991, 499-500). Community service orders, victim restitution programmes, decarceration, and rehabilitation feature prominently in this platform.

While seemingly a concrete crime control platform with tangible tenets, critics of left realism have three major objections. *First*, the apparent limitations of left idealism are “either untrue or grossly exaggerated” (Mathiesen 1990, 146). While the underestimation of the impact of traditional crime may have been the case at one time, critical criminology has evolved and addressed this shortcoming. While left realists are critical of the “glossing over” effect of idealists, opponents suggest that left realists have ignored “the complexity, diversity, and insights of the critical criminologies” (McMahon 1988, 113). *Second*, many of the propositions of the left realists are idealistic. This seems especially true with respect to the reorganization of the police. Rather than delineating a strategy for the reorganization, there appears to be an “outline of the ideal of it” (Mathiesen 1990, 148). Also, rather than focussing on social remedies, left realists focus on increased policing; the promotion of more formal social control by the State (McMahon 1988). *Third*, while mention is made to prison, there is “hardly any [extended] discussion of the sanctioning system, and little or no discussion of the prison” (Mathiesen 1990, 149).

Policing is seen as the solution to the crime problem, and prison is left out of the equation.

History may provide evidence that changes are possible. While in the present, penal policy may seem unchangeable and permanent, events from the past have shown that “major penal systems have been *frozen* in size, *reduced* in size, *partially abolished*, and *fully abolished*” (Mathiesen 1990, 152 [italics in original]).

Prison abolitionists do not seek simply to denounce or eliminate prison in its entirety, but to move to a state where conditions lending themselves to the creation of crime and criminals are eradicated (Culhane 1990; Mathiesen 1990; McMahon 1992; Rutherford 1986). Due to the vastness of such a task, the limitations imposed by fiscal restraint, public opinion, and government downsizing, there have been proposals for privatization within the criminal justice system. Privatization has already occurred in policing, the courts (ADR – alternative dispute resolution), and after care (fee for service arrangements with the John Howard Society, Elizabeth Fry Society, Seventh Step, St. Leonard’s Society, and the Salvation Army to name a few), and it seems to be an inevitable situation for prisons (Christie, 1993; McMahon, 1992). For Nils Christie (1993), the crime control industry is “in a most privileged position” compared to other industries. He adds that “there is no lack of raw-material, crime seems to be in endless supply” (Christie 1993, 11). Demand for service or product, as in any industry, is central to survival. Christie (1993) suggests that “the demands for service, as well as the willingness to pay for what is seen as security” are limitless (11).

In moving towards prison abolition, abolitionists question the assumptions that have provided justifications for what appears to be irrational crime control policies.

Steinert (1986) suggests that there are “three assumptions that are all patently wrong” (21). The first assumption is that “by doing something to and about individuals who have committed and/or may commit” criminal acts, crime can be reduced (Steinert 1986, 21). The second is that the “criminal law is a suitable and effective instrument to do this. This also implies that the State – or more generally: some central authority – is mainly or even exclusively responsible for crime policy” (Steinert 1986, 21). And third, that “punishment ... is the appropriate and effective means to be used” (Steinert 1986, 21). Currently, within criminological theory the abolitionist movement is the most radical challenge to the criminal justice system (Steinert 1986).

With diversity in other criminological theories, this is also the case for abolitionism. Hulsman, Mathiesen, and Foucault provide the three most prominent accounts of abolitionism (De Folter 1986). I have termed the three accounts structural abolition (Hulsman), reductionist abolition (Mathiesen), and idealistic abolition (Foucault).

Hulsman calls for the “abolition of the penal system as a whole” (De Folter 1986, 41). He suggests that “abolition of the penal system as a whole is not a utopia, but rather a logical necessity, a realist démarche, and a demand of fairness” (De Folter 1986, 42). The penal structure is not to be abolished and replaced by “a structure of medical or pedagogical treatment” (De Folter 1986, 42). The “state level of conflict regulation” needs to be replaced with “the face-to face level of more autonomous conflict regulation” (De Folter 1986, 42). Unfortunately, Hulsman does not provide a concrete plan to accomplish these goals (De Folter 1986).

In 1968, Mathiesen was responsible for the formation of KROM – the Norwegian Association for Penal Reform. There were two main objectives for this reductionist abolition association: first, “to change general thinking concerning punishment” (De Folter 1986, 47); and second, “to replace the prison system by up-to-date and adequate measures. In the long run to tear down all walls which are not strictly speaking necessary: to humanise the various forms of imprisonment, and to soften the suffering which society inflicts on its prisoners” (De Folter 1986, 47-48). According to Mathiesen, “abolition of the repressive social system or part of it will be attained by radical action” (De Folter 1986, 48). Claire Culhane’s work and beliefs would place her into this mode of abolitionism.

Foucault provides an analysis of power that is central to the abolition debate. I have termed the abolition of Foucault “idealistic” because rather than providing a concrete theory of abolition, he seeks to “abolish all those limits which fix asymmetric, oppositional relationships like those between innocence and culpability, reason and madness, the good and the bad, and the normal and the pathological” (De Folter 1986, 53). Unfortunately, Foucault does not provide any concrete proposals for abolition action.

Mathiesen’s work, and more recent work of Claire Culhane, provides the most insight into realist abolition. Hulsman’s theme of community involvement has been adopted into the realist abolition platform. There are three modes for the reductionist abolition agenda: *reductionism, diversion, and community-based programming*. First, the “overreach” of the system is to be reduced (Mathiesen 1990). Second, *diversion* as a viable alternative is to be used for those individuals not needing to be imprisoned

(Morris, 1974, 6). The percentage of the entire prison population fitting into this category ranges from 40-90% (Culhane, 1985). In *Still Barred from Prison* (1985) Claire suggests that 90% of the prison population could be released without threat of recidivism (taking into account that employment and education are necessary to provide alternatives for individuals), while the Canadian government has suggested that this number is more likely 40%. Third, institutional rehabilitative programming should be replaced with *community-based programmes* (Culhane 1985; Irwin 1980; Mathiesen 1990; McMahon 1992). Not until “justice” is taken from the State and returned to the people will social harmony be possible.

The conceptualization of crime must change. It must be realized for what it is – a social creation. The “industry” of crime control, and specifically prison, needs to shift to a social industry characterized by social involvement and participation operationalized by notions of harmony, reparation, restitution, and reintegration. Much of this may be dismissed as complete idealism. Others point out that many established institutions in Canada – the residential schools, orphanages, and training schools, for example – have been dismantled, their ideologies discredited (Burtch, 1996; Cohen 1985). The question remains: if other western countries can reduce their prison populations, why not Canada?

Prisoners’ needs are not easily guessed at through policy initiatives, official programming, or benevolent organizations. And I agree with Foucault’s arguably pessimistic conclusion that prisons are meant to fail prisoners, that failure – not rehabilitation – is the *raison d’être* of modern prisons. While it may be virtually impossible to wrest penal control from the State, the objectives of the abolitionists must be taken into consideration in terms of reform to the system (alternatives). The net-

widening effect of imprisonment must be cut back drastically – in the forms of depenalization and decarceration (Mathiesen 1990, 160).

Theoretical Implications of Prison Abolition

My research draws on key political and theoretical issues associated with social justice and social change. First, the concept of punishment as a necessary power is contested by critics who see this power directed against the weakest in our society – specifically the poor, visible minorities (especially First Nations people), dissidents, and troubled individuals (addicts, sex offenders) – who have few resources (Faith 1993).

Second, the question of how human agency can make a difference in social policy is part of my work. Claire Culhane, dubbed a “one-woman army” by a prisoner (Lowe 1992), fought steadily for over two decades. She had her detractors, but also had allies and admirers who fought for a reduction in prison populations, and greater openness of prisons with less discretion exercised against prisoners behind the walls. My question here, and one that Claire often raised just prior to her death, is to what effect was her life’s work? Even though there was a moratorium on prison construction in Canada – a small win for the abolitionists – the reality is that prison populations continue to grow and double-bunking is becoming more commonplace (and even triple-bunking in some institutions). Also, powerful offenders (corporate criminals and environmental offenders, for example) are rarely put into prison. Prisons are warehouses comprised of the margins of society – the refuse that the majority deems undesirable, irredeemable, and expendable. My sense is that without political will – associated with the relative autonomy of State officials – prisons will continue without undergoing change. Interestingly, some jurisdictions have undertaken steady reductions in prison populations, and pursued true

alternatives to incarceration (Vass 1990; Rutherford 1988). Most alternatives, however, involve *harsher* sentences, and the root of the problem in the criminal justice system is held to be not punishing enough. Even successful programmes such as the Prison Education Programme in B.C. are cancelled, leaving prisoners to pursue trades, and to take specific programmes aimed at addictions, anger management, and the like. This decision reinforces the idea that prisoners are there not to gain an education, or inquire more broadly, but to be punished, "treated," and corrected – what Foucault calls the process of normalization (Foucault, 1977).

This reaction is directly opposite to Claire Culhane's vision, and that of many abolitionists, who regard the incarceration of thousands of individuals as a violation of human rights and dignity. Consider that in an historical context, Institutions – slavery in the Americas for over 400 years, or the impact of colonization and imperialism globally in the nineteenth century – are bound up in rationalizations; they are essential, they are expedient. Claire and others challenged these rationalizations, arguing for a different approach not only to criminal sanctions, but to underlying causes that could contribute to human poverty and misery.

Third, it is striking that prisoners' voices are so absent from the debate over incarceration. Isolated, stigmatized, often lacking power, few of the thousands who are incarcerated in a given year in Canada or elsewhere are heard. It has been said that there is no substitute for experience. Experience is now an important factor in social development. Currently, issues relating to previously marginalized groups (aboriginals, visible minorities, women, etc.) are at the forefront of social awareness. No longer is it appropriate to determine what is in the best interests of such groups. Policy and

programme development for marginalized groups now includes participation and determination by the very individuals the policies/programmes are directed. This is not the situation for prisoners. The paternalistic imposition of social control on those that exist on the margins, while diminishing for other marginalized groups, continues and even grows for individuals in prison.

CHAPTER 3

METHOD AND DATA COLLECTION

Introduction

This thesis examines the issues concerning imprisonment and methods for redress as expressed by prisoners. Its specific focus is a detailed exploratory content analysis of correspondence between the Prisoners' Rights Group (specifically Claire Culhane) and prisoners from 1975-1995. In this analysis I attempt to examine what punishment means to individuals at whom it is directed, and the role of resistance in contemporary punishment practices.

The research methodology involves an exploratory content analysis of correspondence. The correspondence consists of letters and documents from 1,035 prisoners who have written to Claire Culhane, director of the Prisoner's Rights Group, over the past two decades. Along with two research assistants, the files were reorganized and 23 key variables were coded.

Claire Culhane entrusted her correspondence with prisoners, and related correspondence, to Dr. Brian Burtch, a criminology professor at Simon Fraser University, in the spring of 1995. Brian had known Claire for 15 years, and had interviewed her in 1980. As I am interested in social justice issues, including visiting prisoners in Mission Institution, B.C., we saw the potential for a M.A. thesis out of the correspondence. The files were entrusted to us on the understanding that specific identities of prisoners writing to Claire would not be revealed, and also in the hope that the files could be put to good use. In Special Collections – located at the University of

British Columbia Archives – there is a Claire Culhane collection comprised of correspondence with prisoners. The collection is restricted to the public. Approval for access to the material must be granted in writing by the Culhane family. The collection of correspondence entrusted to Dr. Burtch contains duplicate letters from the U.B.C. collection, but also original contributions. I compared the reorganized collection that Claire had given to us, with the special collection at U.B.C. and determined that the letters entrusted to our care contained more material and spanned a longer time period. If future research were to be undertaken, then inclusion of original letters that were missing from either collection would be quite beneficial. Following criteria for archival data, the collection at U.B.C. is organized according to date – when a letter was sent and received. This is not the case for the collection in our care. The material was unorganized and when reorganized, the material was collated according to author. By organizing the data in this manner, I was able to determine issues and concerns for a particular prisoner, and not by months/years (as is the case with the U.B.C. collection). Upon completion of this thesis, future research on this collection of material will be left to the discretion of Dr. Brian Burtch at the School of Criminology, Simon Fraser University.

A Vignette: Claire's Correspondence

In the Spring of 1995 Dr. Brian Burtch asked me if I had ever met Claire Culhane. Involved with prisoners at that time, I was aware of Claire and her work, but had not met her. After Claire's recent heart attack, Brian informed me that she was retiring and moving in with her daughter Dara Culhane. Claire had phoned Brian and wanted to know if he would come over and take some of her books and personal correspondence. Brian asked if I would like to go with him and I agreed eagerly.

We drove my Jeep YJ to Claire's apartment – a small co-operative complex in East Vancouver – and went to the third floor where Claire lived. When I was introduced to Claire I must admit that I was taken aback. I was standing in front of the woman who had chained herself to Parliament Hill, who had been a major player in the B.C. Pen riot response, who was feared by bureaucrats and politicians alike, and yet what I saw was a grandmother figure: a silver-haired elderly woman. At that instance the situation felt like *dêja vu* – an image of going over to my grandmother's house for apple pie and milk popped into my head – but it changed quickly when we were ushered into the living-room, given a stack of black garbage bags, and instructed to take **all** of the books. When Brian and I tried to tell Claire that we were not interested in some of the titles we were told matter-of-factly that anything that we did not take would be thrown out. Brian then inquired about the correspondence. Claire informed us that it was located in the attic crawl space.

Brian climbed onto the kitchen counter, then on top of the refrigerator, and up into the attic. As Brian and I were trying to figure out the logistics of transporting the 30 odd boxes, clad in denim jeans and a blue sweatshirt, Claire climbed onto the counter and told Brian to start passing her the boxes which she would then pass down to me. When all the material was removed from the attic, we loaded the Jeep with as much as was humanly possible. 15 boxes of correspondence and other material were left behind to be picked up the following day.

When we returned the next day, Claire once again, helped load up the Jeep with the remaining material. The loading was progressing at a slower pace than the previous day – Brian's back was quite sore and would subsequently require chiropractic care – yet

Claire seemed the picture of health. As we were finishing up, my grandmotherly image of Claire was obliterated when I inquired why she had kept everything: with a look of stoic determination, Claire looked at me and said “So those fuckers can’t lie to me.”

The Research Study

The exploratory research involved three distinct stages. *First*, the entire collection was catalogued and coded with a focus on descriptive variables such as age, gender, marital status, offence, Institution, etc. At this stage of the research, I interviewed Claire Culhane to contextualize and answer queries concerning the scope of the material. *Second*, a smaller sample of 100 cases was undertaken through a process of systematic sampling with a random start. A number between one and ten was randomly chosen and then every tenth file was analyzed. The detailed exploratory content analysis of the material provides a unique look into concerns identified by the prisoners, and the measures they report in attempting to resolve these concerns.

Third, 8 semi-structured in-person interviews were conducted with prisoners currently serving life sentences at Mission Institution. The interviews consisted of the following open-ended questions/discussions:

- (1) What does Punishment mean to you?
- (2) What should be the purpose of punishment?
- (3) Does prison achieve this goal of punishment.
- (4) Describe the advantages and disadvantages of imprisonment.
- (5) Describe your experiences in prison. (This does not include why you are here i.e. your original offence, but your treatment by the Institution, other prisoners, etc.).
- (6) What would you suggest in terms of change to the current system of punishment if prison use is to be maintained? As alternatives to prison?

These interviews were tape-recorded, key statements were transcribed in part, and used to ascertain whether issues identified in the documentary analysis correspond to the experiences of prisoners currently serving time.

Coding the Entire Collection

The entire collection of correspondence was stored in a locked room in the School of Criminology at Simon Fraser University. In the days that followed the removal of the material from Claire's attic, Brian and I began to examine what Claire had actually given us. Virtually all of the material that was removed from the attic was correspondence from prisoners, Claire Culhane, and relevant third parties. Some of the letters were organized according to author. However, the majority of the correspondence was unorganized, simply stored in large manila envelopes, file folders, and/or boxes. Over the next eight months, with the help of two research assistants and Dr. Burtch, the letters were sorted according to contributor. Each contributor received a new file folder, which were then sorted alphabetically by surname. The sorted collection consisted of 16 tote-boxes containing 1,035 contributors comprising more than 10,000² letters, documents, cards, books, etc.

Initially, I selected 11 key variables that I was interested in examining: nature of the correspondence, gender, marital status, province of incarceration, name of Institution, security level of Institution, age, offence, number of submissions, duration of writing period, and reason for writing. While coding the first 50 cases, I became aware that some of the information I was interested in examining did not exist, or was very difficult to find

² Rough approximation based on the number of submissions variable . Exact totals for each file were not recorded.

in the data. Marital status, age, and offence were very difficult to find. In addition, certain variables that I was not aware of initially became evident: segregation, Special Handling Units (SHUs), special needs, and unique submissions were added to the code sheet as relevant variables. By the time approximately 100 cases had been coded, there were 23 variables being examined (see appendix E).

Detailed Content Analysis – 100 Files

The focus of the second stage of the research project – the detailed content analysis of every tenth case from a random start – involved an in-depth analysis of the concern variable. The concern variable consists of four distinct categories: general correspondence, Institutional grievances, legal issues, and requests. The specific issues corresponding to this variable for each case were examined and recorded. The specific concerns were then placed in boxes according to the respective category. Commonalties within each category were identified and issue sub-headings were created in order to group the specific issues together. The creation of sub-headings was employed only for the Institutional grievance and legal issue categories. General correspondence and requests remained as whole categories due to the singular nature of the specific issue characteristics. The sub-headings for Institutional grievance are: personal treatment, personal effects, health, transfers, Special Handling Units (SHUs), hunger-strike, and religion. The sub-headings for legal issues are: parole, habitual offender, inquest, criminal sentence, death penalty, wrongful conviction, and criminal charges.

The Interviews

Eight prisoners were interviewed at Mission Institution, a medium security Institution located in Mission, British Columbia (approximately 80 kilometres east of

Vancouver). The interviews were tape recorded and key statements were transcribed in part in an attempt to ascertain whether issues identified in the letters correspond with experiences realized currently by prisoners. The interviews lasted approximately one hour.

In my capacity as one of the three Community Liaison Officers for the Lifers Group at Mission Institution, security clearance was granted to visit the prison at any time, except during lockdowns and sleep-time hours. To conduct interviews with captive subjects requires ethical clearance from Simon Fraser University. To receive this ethical clearance I was required to have an appropriate Institutional authority approve my request and submit in writing to the University an official response stipulating that my request to conduct interviews had been approved. I received a verbal approval from the Chairman of the Regional Research Committee, Pacific Region, Correctional Service of Canada and written approval from the OSAP (Offender Substance Abuse Programme) Officer to conduct my interviews. I waited one month for a written approval to conduct interviews with captive subjects from the Correctional Service of Canada to be sent to Simon Fraser University. At the end of four weeks, I was informed that I would be required to submit a research application to the committee prior to any letter of approval being sent to Simon Fraser University. The application needed to be submitted within 6 hours as the committee meets monthly and the next meeting was the following day. I faxed the application to the Committee, and received clearance for the interviews.

Having submitted and received authorization from the Regional Research Committee to proceed with my research proposal, I set up the day and times to conduct the interviews; all interviews were to be conducted in a single day. When I arrived at the

Institution on the appointed day, I went to Doghouse unit after being informed that the interviews were to take place in the unit rather than visitors and correspondence (V&C). Mission Institution is comprised of "units" as opposed to the traditional "cell block" prison structure. Each unit houses approximately 80 prisoners. This number fluctuates with the number of prisoners double-bunked. Doghouse unit is largely comprised of "lifers" and this is where the interviews were scheduled. Originally the interviews were to be conducted in V&C; however, it was visiting day and V&C was full.

All eight interviews were conducted that day. Prior to the completion of the last interview, upon returning to Doghouse unit after dinner with the prisoners in the cafeteria, a high ranking official of the Institution who just happened to be in the unit questioned me and one of my interviewees on our previous whereabouts. We told the official that we were returning from the cafeteria. The official then asked why I was wearing an "inmate green" (prison jacket). When I had gone to lunch with the prisoners one of the institution's officers told me to wear an "inmate green", put my security pass in my pocket, and just be "one of the guys." I followed the same routine for dinner and the official was unaware why this was happening. I outlined the reasons why I was wearing an "inmate green" but did not mention that my security pass had been removed. When this misunderstanding was resolved, I was about to return to the interview room when the official took me aside and told me to "remember where I was" and that "we [Mission Institution Staff] are your friends, and they [the prisoners] are the enemy." This statement epitomizes the "us verses them" pattern that permeates Correctional administration and arguably the public at large.

Ethical Considerations

Research with humans is increasingly linked with ethical considerations, and the need to establish some safeguards. Five key themes were addressed in this study. *First*, access and authorization for use of the correspondence, while not derived from the prisoners themselves, was granted in writing by Claire Culhane. No contact, direct or indirect, was made with prisoners who corresponded with her. *Second*, the focus of the interviews is on the experience of incarceration. The focus is not on aspects of criminal activities that have occurred either prior to, or during the incarceration period. *Third*, the data analysis is in the aggregate. No individual was focused on. Where excerpts are taken from the letters, I avoid specific information that might definitely identify a person. Thus, while giving “voice” to prisoners, identities are disguised. *Fourth*, to ensure confidentiality of the correspondents, all subjects’ names were coded. Names are not used. *Fifth*, the files were locked away when not in use, ensuring “physical security” of the material. A locked storage area was provided through Simon Fraser University, with access limited to the researchers and senior administrators in the School of Criminology.

Strengths and Limitations of the Research

In an analysis of archival data what may seem most worthy of research may in fact be virtually non-existent in the data. My own preconceived notions of the relevant issues in the data may actually be irrelevant, and in some cases may limit relevant information from emerging. This is a major limitation in the data: namely, that as a researcher I am limited by what is in the research material. On the other hand, an exploratory analysis of the data, without a pre-determined coding schema, provides for an emergence of information worthy of further investigation. Without a pre-determined

coding schema I was able to understand prisoners' concerns and Claire Culhane's responses. Initially, I had chosen a number of variables that I wanted to examine (e.g. age, gender, offence, and reason for writing). As I proceeded through the material I became aware of other variables that were emerging from my analysis (e.g. unique submissions, special needs, SHUs and segregation). Also, some of the variables that I had chosen initially were virtually impossible to locate (e.g. age, offence, marital status). By revising my list of variables with those I would be able to locate, I was able to minimize some of the limitations in this type of data analysis, and incorporate the strengths (letting the material speak for itself).

I was concerned that I "got it right" in assessing the files. Dr. Brian Burtch, Erin Blades, and Tamara Berg worked with me to ensure inter-rater reliability on the 23 variables for each file. I also met with Claire Culhane twice to learn more about the correspondence, and in some cases details about the correspondents.

The analysis of the content of the correspondence is tied to this notion of "getting it right." I was concerned whether the material that I was reading and coding contained truth or fiction. I came to the realization that it did not actually matter whether the material was based on truth or fabrication, but that the prisoners believed in what they were writing; that it was a particular reality for the prisoner. The following quote sums up this realization:

To use factually incorrect information would be like walking backwards, or like digging a hole to reach the stars. Similarly it would be impossible for truth to be the fruit of fabrication, and its the truth that the [group name] wants to uncover. We believe that if the truth was bared, the prison system would be forced to undergo meaningful reform. Factually incorrect information could only serve to undermine the [group name] fight for prison reform and recognition of prisoners rights. Factually

incorrect information would be a personal insult to every individual that has his or her spirit mangled by the repressive system that thrives in Canada. It would be foolish to use factually incorrect information in the first place and secondly to say that we knew the information to be factually incorrect would be totally asinine. The intent of the [group name] is not to stir up trouble for the administration, or for anyone. If the by-product of truth results in trouble for the administration, then we would suggest that the administrative bodies look to their punitive, repressive and abusive use of their powers with a critical eye, rather than condemn and punish those who expose their policies and tactics for what they really are. As for stirring up trouble for the administration we'd like to point out that tyranny breeds its own downfall. (*Prison group writing to the Warden of their Institution concerning comments made to Claire about Institutional practices*)

Another limitation is incomplete data. A large portion of the files are incomplete (approximately 80%); some are missing letters (approximately 20%), and virtually all of the files have missing attachments (90% or more). This is not to suggest that the issues identified are incorrect, but that clarification of certain difficult variables (age, marital status, etc.) is limited in some cases.

The strength of the research area lies in the research material itself. The sheer scope in terms of the number of contributors and contributions, and period of study allows for a glimpse of prisoners' written concerns and issues surrounding confinement specifically, and punishment in general. The findings of the analysis serve not only as a potential informative tool for society, but also for prisoners themselves. The practice of incarceration serves to isolate prisoners from one another and the findings of this research may unite prisoners' "common cause."

CHAPTER 4

FINDINGS

Profile of Prisoners

The data set involved 969 men, 59 women and 7 groups (consisting of two or more individuals). There were approximately 16 men writing to Claire for every woman in prison. This meant that 93.6% of the prisoners writing to Claire were men, 5.7% were female and 0.7% were groups. The sample set (n=100) consisted of 93 men, 5 women and 2 groups. From 1975-1995, the 1,035 contributions were from Canadian prisoners predominantly, with 74 contributions from prisoners outside Canada. The international cases were from the United States primarily, while a few were from England, Ireland, and Brazil. For Canada, the bulk of letters originated from British Columbia or Ontario.

Table 1 outlines the breakdown of provincial origin of contact.

Table 1: Correspondence by Province

PROVINCE	NUMBER	PERCENT
British Columbia	435	46.4
Ontario	217	23.2
New Brunswick	77	8.2
Alberta	66	7.0
Saskatchewan	64	6.8
Québec	50	5.3
Manitoba	21	2.2
Nova Scotia	4	0.4
Yukon	2	0.2
Prince Edward Island	1	0.1
Total	937	99.8

In many files, individuals had done time at a number of Institutions. However, for the provincial origin of contact, I recorded the first identifiable point of contact. While many prisoners worked their way down to lower security classifications, where they were

when they wrote their first letter to Claire (or if Claire initiated contact) was recorded as province of incarceration. Just under one half (46.4%) of the correspondence came from, or was sent to, prisoners in British Columbia, and nearly a quarter (23.2%) to/from prisoners in Ontario. The remainder of the correspondence was postmarked to, or from, New Brunswick (8.2%), Alberta (7.0%), Saskatchewan (6.8%), Québec (5.3%), Manitoba (2.2%), Nova Scotia (0.4%), the Yukon (0.2%) and Prince Edward Island (0.1%).

The majority of letters (79%) to Claire were sent over a two-year period for most prisoners. For a period of 3 to 6 years, 15.7 % of prisoners corresponded with Claire, 4.2% wrote for 7 to 10 years, and only 1.1% of prisoners wrote for an eleven-year period or longer.

Table 2: Years of Corresponding

Number of Years	Number	Percent
0-2	818	79.0
3-6	163	15.7
7-10	43	4.2
11+	11	1.1
Total	1,035	100.0

The longest period of correspondence was between 15-16 years (two prisoners). Virtually all of the correspondence came from prison; generally, once released from prison, there were other options such as telephone or personal visits for some prisoners. My sense is that much of the correspondence ended when the prisoner was released, or when the problem was resolved.

The nature of correspondence varied considerably. The largest category (31.2%) involved correspondence between the prisoner and the Prisoners' Rights Group (PRG),

followed by more complex correspondence (26.7%) between prisoners, the PRG, and a third party (e.g., wardens, case management officers, lawyers, members of Parliament).

Table 3 sets out the nature of correspondence.

Table 3: Nature of Correspondence

From	Number	Percent
PRG/Prisoner	323	31.2
PRG/Prisoner/3rd party	276	26.7
To prisoner	159	15.4
From prisoner	140	13.5
3rd party	64	6.2
From prisoner/3rd party	43	4.1
To prisoner/3 rd party	30	2.9
Total	1,035	100.0

Correspondence from the prisoner and correspondence to the prisoner comprised 15.4% and 13.5 % of the total nature of the correspondence respectively.

Correspondence from a third party other than Claire Culhane (6.2%), correspondence from prisoners and a third party (4.1%), and correspondence to prisoners and a third party (2.9%) rounded out the category.

The number of submissions per file was one of the quantitative variables examined. Initially, the exact number of submissions was to be coded; however, in order to expedite the coding procedure, I categorized the submissions variable into small (1-10 contributions), medium (11-20), large (21-99), and extra large (100+). Almost three-quarters of submissions (74%) from prisoners totalled 10 items or less – considered small files. Still, over 30 files (3% of the collection) contained over 100 items – extra large files. Just over ten percent of the collection (10.3%) were considered medium-sized files and 12.7% were deemed large.

Table 4: Number of Submissions per Prisoner

# of Submissions	Number	Percent
1-10	766	74.0
11-20	107	10.3
21-99	131	12.7
100+	31	3.0
Total	1,035	100.0

Other variables to be coded – age, marital status, offence and sometimes the Institution of incarceration – were difficult to find, and oftentimes missing. Without newspaper articles relating to the specific individual, nature of the crime, and/or issue for writing, the prisoner would have to voluntarily venture the pertinent information. In the majority of files, this was not the case. Table 5 details the distribution of ages of prisoners who wrote to Claire Culhane.

Table 5: Age Range of Prisoner at First Contact

AGE RANGE	NUMBER	PERCENT
15-24	42	4.1
25-34	80	7.7
35-44	52	5.0
45-54	14	1.4
55-64	9	0.8
65+	4	0.4
Unknown	834	80.6
Total	1,035	100.0

In four-fifths (80.6%) of the files the age of the prisoner was not given. Of the 201 files in which ages were disclosed, 80 prisoners were in the 25 to 34 age category at the first point of contact with Claire Culhane. The 35 to 44 age category was the next highest with 52 prisoners, and 42 prisoners between the age of 15 and 24 wrote to Claire. According to the Correctional Service of Canada, 59.1% of the on-register male offender

population, and 50.2% of the on-register females were between the age of 20 and 34. (Correctional Service of Canada 1994, 16-17).

Interestingly, 4 individuals over the age of 65 wrote to Claire. All these individuals were convicted as Habitual Offenders and were serving indeterminate sentences. These individuals had served in excess of 17 years (minimum) for petty theft, and in some instances nuisance crimes: vagrancy, drunk and disorderly, fine default, etc. The reality for these individuals is that they had been forgotten, or at the very least lost in the prison system.

Marital status of the prisoner was also difficult to find. In 73.6% of the files (762 of 1,035), I was unable to determine the marital status of the prisoner. Unless the reason for writing involved the prisoner's partner (e.g., family visitation, search and seizure of visitor) or if the prisoner provided this type of personal information in an introductory letter, then the prisoner's marital status was unknown. Table 6 delineates the marital status of the correspondents.

Table 6: Marital Status of Prisoners

Marital Status	NUMBER	PERCENT
Single	115	11.1
Married	108	10.4
Common -Law	26	2.5
Widowed	5	0.5
Divorced	14	1.4
Separated	4	0.4
Remarried	1	0.1
Unknown	762	73.6
Total	1,035	100.0

One hundred and fifteen prisoners writing to Claire were single, 108 were married, 26 prisoners identified common-law partners and 14 were divorced from their

partners. According to the Correctional Service of Canada, 58.4% of the on-register male offender population in 1992-1993 were single, 29.1% were considered common-law, and 12.5% were married. Of the on-register female offenders in 1992-1993, 67.8% were single, 19.2% identified common-law partners, and 13% were married (Correctional Service of Canada 1994, 16-17).

The type of offence that prisoners were charged with was also difficult to locate. In 69.7% of the files, the prisoner's offence was unknown. This may relate to the fact that Claire was not concerned with the offence, but was concerned with the prisoner's situation. Table 7 details prisoners' offences.

Table 7: Type of Offence

OFFENCE	NUMBER	PERCENT
Personal Injury	206	19.9
Property	86	8.3
Drugs	22	2.1
Unknown	721	69.7
Total	1,035	100.0

Offences were placed in four categories: property (monetary offences not involving harm and/or death – including armed robbery), personal injury (all offences that resulted in harm and/or death), drug offences, and unknown. In 69.7% of the files (721), the type of offence was unknown. Of the known offences, 86 were property-related, 206 involved personal harm and/or death of others, and 22 were drug offences.

The fact that these three variables were difficult to ascertain is itself quite informative. It may be that undesirable experiences derived from the abuse and/or manipulation of prisoners' personal information on the part of the Institution have had an irrevocable effect on prisoners' ability to share information with others. This appears to

be especially true in relationships of unequal power levels. For prisoners, Claire was outside of this power imbalance. Information shared with Claire could be used to remedy injustice, rather than fuel injustice. Claire was aware that the process of righting wrongs could place both the prisoner and herself in positions where reprisals could be initiated. For the prisoner, the repercussions could be quite punitive – transfers, segregation, SHUs. For Claire, outside the direct control of the Institution, legal action could be employed to restrict access to the Institution(s). Claire was not exempt from the retaliatory Institution and was banned from most of the Institutions in the Lower Mainland from 1978-1988 (see Culhane 1991).

Letters were often complemented by other materials. Newspaper articles, official documents, poetry, cards, pictures (photos), artwork, book manuscripts, essays and other miscellaneous additions such as humour and cartoons, were included in the files. Of the 1,035 files, 445 (43%) had at least one of these materials. Table 8 provides a breakdown of the different types of unique submissions.

Table 8: Unique Submissions

UNIQUE SUBMISSION	NUMBER	PERCENTAGE
Official documentation	191	18.5
Greeting cards	173	16.7
Newspaper articles	165	15.9
Miscellaneous	85	8.2
Essays	66	6.4
Poetry	49	4.7
Artwork	41	4.0
Pictures (photos)	37	3.6
Manuscripts	11	1.1

Official documents were included in 191 (18.5%) of the files. Official documentation includes institutional memos, visitation forms, grievances, "inmate

complaint" forms, legal documents, and court transcripts. Claire hated the language used in the official documentation (e.g. "inmate"). To her it was dishonest language, detracting from the reality of an unjust prison system (Culhane 1985). For Claire, "inmates" were prisoners, and her writing reflected her belief. Official documents provided a clearer picture of the nature of complaints, institutional grievances and legal issues. These documents illustrate the bureaucratic nature of the prison system. Prisoners sent 173 (16.7%) greeting cards to Claire. Newspaper articles were included in 165 (15.9%) of the files. Claire included these articles in the majority of instances. Sometimes, prisoners would include articles if they pertained to their particular circumstances. These articles provided an invaluable resource for descriptive variables such as age, marital status, and offence. In 37 files (3.6%), the correspondents sent pictures of themselves to Claire.

The artistic and educational side of prisoners is represented by submissions of artwork, poetry, book manuscripts, and essays. Forty-one files (4%) contained artwork, and 49 correspondents (4.7) sent poetry to Claire. The poetry was not typically directed at Claire, but depicted the prisoner's experiences of confinement. Eleven prisoners (1.1%) sent Claire a copy of their manuscript and 66 (6.4%) prisoners sent essays. These essays were also sent to media and government personnel (bureaucratic and political). In most cases, when book manuscripts were sent to Claire, publication was the objective.

The miscellaneous category contained all other submissions that did not fit into the others. This category contained jokes, humour, cartoons, and comics. There were 85 (8.2%) miscellaneous submissions.

Special needs of the prisoner was one of the variables that emerged from the analysis of the data. Seven classifications of special needs were identified in the letters.

Table 9 depicts the special needs as identified by prisoners.

Table 9: Special Needs of the Prisoner

Special Needs	Number	Percentage
Health problems	63	36.2
Personal security	48	27.6
Psychological disability	34	19.5
Religion	12	6.9
Physical disability	11	6.3
Special education	5	2.9
Language	1	0.6
Total	174	100.0

In 174 files (16.8%), prisoners identified a special need. Within these 174 files, 63 (36.2%) of the prisoners identified health problems as an issue. Insulin for diabetics, continuity of medicine levels, corrective surgery, prosthetics replacement and maintenance, eye care, and prison conditions that irritated health problems such as asthma and high blood pressure were identified as problematic. Forty-eight (27.6%) of the prisoners identified personal security as a concern. These individuals were typically imprisoned in protective custody units, either for their own protection as informants or those on the lowest rung of the offence status hierarchy – child molesters and murderers. In interviews with “lifers” at Mission Institution, when questioned about institutional violence, the prisoners suggested that the hierarchy existed in the past, but currently distinctions of “good” crimes and “bad” crimes has blurred. They suggested that this is especially true in the Pacific region, while the distinction is etched into the prison system in eastern provinces. They suggest that while this hierarchical distinction is beginning to

diminish, especially between the murder classification and sex crimes, "rats" (informers) and child murderers and molesters are still susceptible to institutional violence if not in protective custody (e.g. Clifford Olsen, Paul Bernardo, Joseph Fredericks).

Physical disabilities (e.g. mobility, hearing, sight) were identified by 11 prisoners (6.3%) as special needs, and 34 (19.5%) identified a psychological disability such as schizophrenia, paranoia, and bi-polar disorder. For many of these individuals the disability was not recognized, or was disregarded by the Correctional Service of Canada (CSC) and they did not receive appropriate care and/or treatment. Unless officially labelled disabled by CSC, the prisoner could not obtain the help needed. In some cases CSC personnel that were responsible for disabilities (medical and mental health practitioners) refused to acknowledge the diagnoses of fellow practitioners not employed by CSC.

Religion was identified as a special need by 12 (6.9%) prisoners. For these prisoners, the right to practice aboriginal spirituality was neglected by the prison. Christianity is recognized as a right by the Institution and spiritual guidance is provided. Most Institutions have a chapel and a Christian advisor. Aboriginal spirituality (e.g. sweatlodges, sweet-grass burning, and sundance ceremony) was identified as an area that lacked institutional support or recognition in the past. This may have been especially problematic considering the high rates of aboriginal incarceration in both provincial and federal institutions (Correctional Service of Canada 1994, 20; Faith 1993; Hamilton and Sinclair 1991).

Language was identified by only 1 (0.6%) correspondent. The prisoner who identified language as a problematic consideration was English speaking and had been

involuntarily transferred to a prison in Québec. The prisoner did not speak French and almost all of the interaction that occurred in the prison was in the French language.

While this issue was identified as problematic for only one prisoner, the diverse makeup of Canada's population may present a problem for prisoners that speak neither English or French. Five (2.9%) prisoners stated that special education (learning disabilities) was not being addressed by the Institution. Over four fifths of the correspondents (861 out of 1,035) did not identify any special need in their letters to Claire.

Prisoners' Concerns

The 1,035 files covered a wide range of concerns and grievances. All correspondence with Claire involved some kind of request, involving: the personal (what I termed general correspondence) – a need to “talk” with someone, – requests for help to rectify institutional grievances, requests for legal help, and specific requests such as wanting Claire's books, visitation, and information. It is important to note that many items were social, such as thank you notes, or simply inquiring about Claire (e.g. how she was, her health). The point remains that most contacts were aimed at correcting an injustice. Prisoners' concerns were grouped into the four key areas: general correspondence, institutional grievance, request to/from Claire, and legal.

General correspondence was the largest component of the concern variable, with Institutional grievances, legal issues, and requests filling out the concern variable respectively. In some cases the number of contributions was quite large, and many concerns were identified. For coding purposes, the main concern (majority of submissions relative to a concern) was identified and included in the data set.

Table 10: Nature of Concern

Type	Number	Percent
General correspondence	355	34.6
Institutional grievance	262	25.5
Legal issue	213	20.7
Request to/from Claire	197	19.2
Total	1,027	100.0

In recent decades, feminism has emerged as a major social movement, and work has been undertaken on female criminality, victimization, and incarceration (Faith 1993). While the majority of the correspondence with Claire was from male prisoners (93.6%), a small percentage of the contributors were women (5.7%) and this warrants investigation into the similarities/differences of women's experiences with male prisoners.

Table 11: Type of Correspondence by Gender

Gender	General corresp.	%	Instit. grievance	%	Legal issue	%	Request to/from Claire	%	Total
Male	327	34.0	251	26.1	200	20.8	183	19.1	961
Female	26	44.1	10	17.0	9	15.2	14	23.7	59
Group	2	28.6	1	14.3	4	57.1	0	0	7
Total	355	34.6	262	25.5	213	20.7	197	19.2	1,027

Generally, the number of submissions in the categories of general correspondence and requests are higher for female prisoners who wrote to Claire (PRG) than for male prisoners, while submissions in the categories of Institutional grievance and legal issues are higher for male prisoners than for females.

Issues of concern by security level of the Institution are outlined in Table 12. Canada's prison structure is tiered. Until recently, with the closing of the Prison for Women in Kingston (P4W) and the creation of 5 regional women's Institutions, women were either located in Kingston, Ontario, or in provincial facilities. Men experience a

much more structured system. Men's prisons are classified based on security level. Multi-level prisons are the most secure facilities, and typically house the psychiatric centres. Maximum security prisons are the next most secure prison structure. Most violent offenders start their time in maximum security prisons. According the CSC, "maximum security institutions house offenders who pose a serious risk to staff, other offenders, and the community. These institutions restrict an offender's movement, association and privileges ... The perimeter of a maximum security institution is well-defined, highly secure and controlled" (Correctional Service of Canada 1994, XVIII). Prisoners who commit institutional violence and/or are disruptive to the general prison population at any security level tend to be transferred to maximum or multi-level institutions, or to the SHUs. Medium security prisons "house offenders who pose a risk to the safety of the community ... The perimeter of a medium security institution is well-defined, secure and controlled. Offender movement and association is regulated and generally supervised" (Correctional Service of Canada 1994, XVIII). Minimum security prisons "house offenders who pose a limited risk to the safety of the community. These institutions minimally restrict offenders' freedom of movement, association and privileges ... The perimeter of a minimum security institution is defined but not directly controlled. Offender movement and association within the institution is regulated under minimal supervision" (Correctional Service of Canada 1994, XVII-XVIII).

Table 12: Issues of Concern by Security Level (First institution identified in the file)

Security Level	General Corresp.	%	Instit. Grievance	%	Legal	%	Request	%	Total
Minimum	10	47.6	3	14.3	4	19.05	4	19.05	21
Medium	113	43.1	47	17.9	52	19.9	47	17.9	262
Maximum	91	29.4	104	33.5	67	21.6	46	14.8	310
Multi-Level	58	24.7	84	35.7	44	18.7	48	20.4	235
Provincial	14	33.3	6	14.3	8	19.1	14	33.3	42
Women's Prison	19	41.3	8	17.4	7	15.2	12	26.1	46
International	28	40.0	8	11.4	19	27.1	15	21.4	70
Unknown/not in prison	22	45.0	2	4.1	12	24.5	11	22.4	49
Total	355	34.6	262	25.5	213	20.7	197	19.2	1,035

According to CSC, the more secure the institution the more restrictive and controlled the prisoners and their surroundings. The social control of prisoners in minimum secure prisons is limited, restrictive in medium secure prisons, and quite severe in maximum secure prisons. For the 545 male prisoners writing (for the first time) from maximum secure prisons and multi-level prisons, 34.5% identified an institutional grievance as the key reason for writing. Male prisoners in medium secure prisons identified institutional grievances as the key reason for writing in 19.7% of the files, and 14.3% of male prisoners in minimum secure prisons wrote to Claire concerning institutional grievances. The differences in these numbers may be directly related to the lessening of social control as a prisoner progresses through the tiered system: decreasing social control may mean fewer problems.

In terms of legal issues, 20.4% prisoners in maximum and multi-level secure custody prisons identified this as the key reason for writing to Claire. Over a quarter (27.3%) of these prisoners writing to Claire were classified under general correspondence and 17.3% were deemed requests. In medium secure prisons, 19.9% of letters that prisoners wrote focussed on legal issues, 47.6% involved general correspondence and

17.9% requested something from Claire other than her help in legal matters, or remedying an institutional grievance. In minimum secure prisons 19.05% of the letters involved a legal issue as the key reason for writing, 47.6% were general correspondence, and 19.05% were of the request variety. Clearly, as a prisoner progressed through the tiered prison system, the nature of the correspondence changed. At more secure prisons the impetus for writing was a perceived abuse or injustice perpetrated against the prisoner by the State/Institution. At the least secure custody prisons, general correspondence was the main reason for writing.

Many prisoners wrote of barriers they faced in securing justice. Barriers of poverty and isolation were noted. One American prisoner praised Claire's advocacy work:

Where does a lone prisoner abroad begin to tackle the complicated mechanisms of government process? The average layperson could seek out a lawyer. We the indigent prisoners, clinging to the bottom Rung of the social ladder have you and you alone to promote our struggle. [A well deserved thorn in there, side I might add.]

Excessive forms of discipline is a major issue for both academics and prisoners. Foucault wrote of the myriad forms of social control exercised through Institutions such as the prison. In essence, punishment had shifted from mutilation, death, and public humiliation to new, confined regimes where the soul was under attack (Foucault 1977). Many prisoners would no doubt agree with these new forms of discipline, the myriad euphemisms tagged on to penal policies:

Since corporal punishment was banned in the 60s, prison officials have resorted to a more subtle methodology of punishment, i.e., the deliberate imposition of highly refined tactics calculated to bring about a high degree of psychological anguish and/or severe emotional stress. These clever forms of torture are camouflaged under various euphemisms such as

punitive dissociation, restricted diet, reclassification, transfer board, temporary absence boards, etc. Even though the lash and the paddle have been set aside, more sophisticated weapons are widely used and remain the principal cause for the pathetic failure of corrections as practiced in [Canada] (Prisoner writing to Claire in the 1980s)

Many letters touched on issues of law. A prisoner charged under the *habitual offender legislation* (now dangerous offender legislation) wrote: "... of all those crimes I committed while drinking the most I got out of them were a few packs of cigarettes and some loose change ... I am [a senior citizen] and I would like to be given a chance to live the remainder of my days in a free society." The issue here is whether someone convicted of property offences, and not especially serious property crimes, ought to be confined indefinitely. Time is of the essence for many older prisoners.

The issue of *wrongful conviction* (Harris 1986; Makin 1992) appeared many times. There is a catch-22 for many prisoners who maintain their innocence while in custody. One prisoner wrote: "To be paroled for an offence, it is incumbent upon the accused, to admit his, or her guilt and show remorse for what have they done. I am not guilty. I shouldn't even be in jail for this, and now I'm not eligible for early release, because I can show no remorse for a crime that I didn't commit. If I am guilty of anything, its having no credibility."

Treatment in prison was also identified as lacking or even non-existent. Another prisoner, writing in 1980: "... they claim that all his crimes have been attributed to alcohol, yet there are no programmes available to him in here to correct this problem. He has told them he would participate in a programme if they would set one up or send him where he could get help. They have failed to do any such thing." Significantly, the

Auditor General of Canada released a report critical of rehabilitation programmes – or their lack – for federal prisoners (Feschuk 1996).

Segregation was also singled out for criticism (Jackson 1983). Segregation involves the removal of virtually all of a prisoners limited rights and is invoked by the Institution as a form of social control. Justifications for the use of segregation are based on notions of protection and safety: protection of staff and the prisoner, and safety of other prisoners (Culhane 1985; Jackson 1983). One prisoner incarcerated in the Pacific Region, writing in the late 1970s, described the Prisoner Isolation Unit (PIU) as follows: “... no smoking; no blankets or mattress (or extra clothing such as jackets etc.) between the breakfast and supper hours. Reading material is supplied, but as there are no lighting fixtures, I repeat: no lighting fixtures, you are subject to severe eye strain and resulting headaches and or blindness, so you just don’t read, you lie there and slowly go mad ... I can’t describe the psychological aspects ... and still finish this note.”

Table 13 provides an outline of the reason for writing for those individuals who were placed in the most severe form of segregation – the SHUs – or had experienced some form of segregation relative to those that did not identify any form of segregation and/or placement in a SHU.

Table 13: Secure Custody and Issues of Concern.

Custody level	General Corresp.	%	Instit. Grievance	%	Legal	%	Request	%	Total
SHU/Segregation	46	20.8	113	51.1	38	17.2	24	10.9	221
General Population	309	38.3	149	18.5	173	21.5	175	21.7	806
Total	355	34.3	262	25.3	211	19.0	199	20.6	1,027

For prisoners confined in the SHUs or some form of segregation, the key reason for writing in 51.1% of the files was an institutional grievance, usually related to the confinement. Only 18.5% of "general population" prisoners wrote to Claire about an Institutional grievance. General correspondence for those additionally confined constituted 20.8% of the correspondence, compared to 38.3% those in general population. Prisoners identifying legal issues was similar for both groups: 17.2% for those in the SHUs and segregation, and 21.5% for those in general population. Requests for prisoners in general population comprised 21.7% of the correspondence while only 10.9% of prisoners additionally confined requested something from Claire.

Prisoners often wrote angrily of the stereotype of coddling prisoners: "After all the years I have served behind the walls of so many Canadian prisons, the only thing I can honestly say I have obtained, is a bristling red-hot anger at the system for the brutality, and the idiotic ignorance of the public in general when they mouth such stupidity as how "nice" we have it in prison."

There are examples of *resistance* by prisoners, including work-strikes and food-strikes. Hunger-strikes are not uncommon. Resistance is not generally a successful strategy, given the discretionary powers of transfer, and the repercussions of challenging prison authority. Even a "deteriorating attitude" or "suspicion" may be used to justify what prisoners see as reprisals, disguised as measures to secure the "good order of the institution." The power of the Institution is extreme. On the issue of suspicion, one prisoner wrote:

I was escorted to a dry cell [no running water or toilet facilities] for reasons of possibly introducing contraband into the Institution; after being put in a dry cell for 7 days contrary to the 72 hours, and providing stool

samples, volunteering an x-ray and urinalysis test, that were denied. I was not found with any contraband. During my 7 days of dry cell I was subject to being monitored 24 hours. I was put into the cell nude, and Guards watched me through a clear door, on July 9th and July 11th female guards monitored me for no less than a shift of 8 hours each. I sustained cuts and bruises while being dragged to the dry cell ... I was also subject to other things while being dry celled, such as refused legal material upon request ... I was refused water ... and the facilities were degrading as blood and stool was everywhere in the cell.

In some files, resistance took the form of escape attempts. The following is from a prisoner facing sentencing for an escape attempt:

Since I'm neither financially independent nor politically well connected, I hold no illusions as to the kind of justice I am about to receive here in sentencing ... I don't want you to hold any illusions as to the effect the sentence you're about to impose on me will have. If you think for one minute that giving me a life sentence will cause me to reflect on my actions at some future point in time, I assure you that you're wrong. The effect will be the opposite. And if you think the sentence will serve as a deterrent to others in the penitentiary who may contemplate similar actions, I think I can assure you you're wrong there too ... The only reason I am standing here saying these things is just to let you how much contempt I have for you and the system you represent. To let you know that I am not trembling with anticipation over what you're about to do to me in the name of "justice" and "protection of the public." And because I can't be "rehabilitated" in a prison system where rehabilitation is an alien concept. There is rehabilitation for me though. I rehabilitate myself. Jean-Paul Sartre said that "violence – like Achilles lance – can heal the wounds that it has inflicted." I believe in that kind of rehabilitation. I may eventually die attempting to obtain my liberty, but a man can either die on his feet or live on his knees.

In the next section, I discuss specific findings from the content-analysis of 100 files chosen through systematic random sampling.

Content Analysis of 100 Cases

I tried to examine the question of why prisoners write, and how Claire responded, from several approaches. The second approach – an in-depth analysis of 100 cases – provided a clearer look at the issues being raised, and ways in which Claire responded.

The analysis focused on the concern variable, which was broken down into four distinct categories: general correspondence, institutional grievance, legal, and request. The following boxes provide information on the 100 files examined in depth. This is not a selective list: all concerns are listed below.

General Correspondence

The category of “general correspondence” lacks the drama of court actions and disciplinary proceedings, but speaks to the seemingly small aspects of correspondence. Courtesies, thank yous, and reminders act as a cement of the correspondence. Few people can write only about their complaints, and for many prisoners, this was an opportunity to communicate with someone who was not in a position of judgement, and who had faith in them. General correspondence was a considerable portion of the material reviewed (34.6% of the entire collection of correspondence). Many letters classified as general correspondence seemed to address the extreme loneliness that many prisoners experience. Some individuals were ostracized by family, friends, and at times even fellow prisoners, and sought out someone who would correspond or visit with them. Some sent greeting cards to Claire on holidays, birthdays, and when Claire experienced health problems. Some corresponded with Claire and discussed their prison experiences and their thoughts on incarceration. One prisoner wrote “not everyone in here is a broken machine, there is talent, ability, intelligence and an incredible show of hope in the face of what may appear to be a hopeless existence” (Prisoner writing in the mid 1980s).

The following poem, written by a Canadian prisoner (from the 1,035 files), brings

forward some themes concerning the “wasting time” aspect of incarceration in contrast to the idea of “doing time”).

Of Cold Places

I used to keep a list of foreign prisons:
Lubyanka in Moscow, Portolova in Spain
California's Terminal Island,
exotic names of cold places.

I thought, one day I'll make a poem
listing all the names
and conjure from their histories
hard memories of humans among stone.

I'm older now, the lists grow
the edges of papers curl up, turn brown,
The names still cry out
without voice
without ear to hear them
and I can't remember what it was
I was supposed to do
except live nearer the fire.

Box 1: General Correspondence

GENERAL CORRESPONDENCE

- Thanks to Claire for her recent appearance at a 7th Step meeting.
- Information to Claire of a prisoners' Escorted Temporary Absence (ETA) and upcoming parole hearing.
- Thank you letter sent to Claire for information sent concerning Prison Education.
- Outlines day-to-day scenarios of life in a Bangkok prison. Claire wrote to this prisoner at the request of a mutual friend in a Canadian Penitentiary.
- Discussion of prison abolition and tells of possible transfer to B.C. region from Prairie region.
- Receipt to Claire for a donation to the *Out of Bounds* newsletter - and a copy of the newsletter with Claire's contribution included.
- A “nice to see you again” letter from Claire.
- Claire sending payment for subscription to the *Mountaineer* - prison newsletter - and thanks for the recent edition.

**General
Correspondence
Con't**

- Thanks for recent attendance and contribution at Odyssey Group meeting (Lifers' group at Milhaven prison).
- Claire setting up a time to pick up hobby craft work – wood benches.
- Claire's condolences on the death of a prisoner's Common-law wife – and outrage at the Institution granting only a 10 minute ETA to the funeral.
- Keeping Claire up to date on upcoming court date.
- Letter to prisoner's friend by Claire advising the recipient to keep up the struggle.
- A note from Claire to say "hello."
- Thank you letters for recent attendance/invitation to the Collins Bay Prison (John Howard Society prisoners' group).
- Get well card to Claire after her heart attack.
- Thanks to Claire for her book and discussion of his successful parole hearing (only to be revoked without cause).
- Congratulations by Claire for receiving B.A. while in prison. Discussion of the valedictory address, including need to include "women" as part of the term "mankind."
- Discussion of upcoming release and Claire's standing invitation to a Chinese dinner upon release (any and all prisoners were offered a free dinner, courtesy of Claire, if they came to B.C. after release).
- A "Thinking of You" card to Claire after her health problems (heart attack).
- Life in a New Mexico prison.
- Letting prisoner know that his ideas were passed along to the Solicitor General.
- General "Hello, how are you" letter.
- The day-to-day of prison life.
- Confirmation by Claire of her attendance at upcoming Native Arts sale and summer potlatch celebration (place unspecified).
- Discussion of the inhumane conditions in the Super Maximum Unit (SMU) at B.C. Penitentiary – a Prison in Prison.
- Discussion concerning the failings of prison; e.g. inability to rehabilitate, facilitation of anger and hate against the system, overall waste of money.

Thank you letters for Claire's work rounded out the general correspondence

classification. This “work” involved attendance at prisoners’ group meetings, support of prison publications, purchases of prison artwork and hobby-craft work, and personal visitation. One prisoner, representing the Odyssey Group wrote to Claire: “[t]hank you so much once again for your attendance and unselfish contribution to our meeting last evening. Your thoughts, experiences and counsel was undoubtedly an inspiration to all of us. Being the kind of person that you are I only have one comment of a personal nature to make ... glad and relieved that you are on our side.”

Institutional Grievance

The Offender Complaint and Grievance Procedure is the standard, institutional way for prisoners to resolve a wide number of institutional issues. The irony is that prisoners must appeal to the very structure that they perceive to be guilty of wrongdoing. By writing to Claire, prisoners were able to increase their options for redress of institutional injustices. And while Claire was powerless in an official sense, her influence was a result of her tireless effort to help whenever asked by prisoners. Claire’s unofficial power resulted from the issues becoming public knowledge. She made specific individuals accountable for each issue, thereby circumventing the bureaucratic and political quagmires. She was also fond of reminding people that she could not be fired: she worked as a free spirit, and couldn’t be disciplined, demoted, or transferred. Her main accountability, it seemed, was to the prisoners. The following poem captures the essence of why prisoners wrote to Claire, and why she was active against prison as a

method of social control:

“WE MUST FIGHT”

Day by day
I serve my time,
and I see,
the prison systems slime.

Where harassment
is a daily game, and rehabilitation
is the prison systems shame.

Crawling on his knees
I see my fellow man,
it's all part
of the prison systems plan.

They kick you
til you break and run,
your mind snaps
again the prison systems won.

But we must fight
to stay upon our feet,
and someday I pray
the prison system we'll defeat

(A prisoner's poem written in the 1970s – from the 1,035 files)

When all of the issues in the Institutional grievance category were identified, certain key themes began to emerge: personal treatment, house (cell) effects, health, transfers, SHUs, hunger-strikes, and religion. The following tables detail the specific reasons why prisoners sought out the help of Claire. The issue of prisoners rights is central to an understanding of these institutional grievances. It is important to note that according to the Correctional Service of Canada, rights such as “mobility and freedom of association are obviously restricted when an offender becomes incarcerated. Further restrictions ... must be demonstrably justified as necessary to ensure the security of both

the public, and of those within the institution. Beyond such limitations, legal and equality rights, and most others, are retained" (Correctional Service of Canada 1994, 45).

Box 2: Institutional Grievance – Personal Treatment

PERSONAL TREATMENT

- Inmate committee member at BC Pen is critical and outspoken of the lack of personal security for, and treatment of, prisoners.
- The unequal conditions for Remand prisoners at Oakalla by the Institution - issues address lack of fresh air, and restrictions on meals and access to coffee relative to the general Prison population.
- Manipulation of prisoner by Classification Officer – pseudo psychoanalysis is employed by the C.O. and the prisoner refuses to be manipulated in this manner. The prisoner's transfer request was denied.
- After initiating every grievance procedure to no avail, sought to publicize the gross injustices and inhumanity of the prison structure. The prisoner was later killed in prison.
- Grieving the constitutionality of "skin frisks" and outspoken about the abusive and unequal conditions facing federal prisoners in provincial facilities.
- Outlining the lack of programmes for sex offenders.
- Riot unit ordered to move prisoner to a disciplinary cell for standing up for basic human rights: demanding to be clothed.
- Proposal for a National Grievance Committee to help prisoners address injustices, legal matters, etc. Separate from the Institutional grievance procedures.
- Outlining the inhumanity of prison and provides some alternatives such as humanitarian work in developing countries.
- Institution is censoring mail.
- Mistreatment in Remand centre – treated like Protective Custody (PC) or on suicide watch resulting from an earlier escape.
- Disparaging remarks from the warden made about aboriginals and alcoholism when prisoner requested an ETA to attend his father's funeral.
- Side effects from mace gassing on the range and censorship of incoming/outgoing mail.
- Denied basic rights and human necessities. Placed in segregation on suspicion of contraband – unclothed, no water, beaten, 24 hour monitoring, no contact with a lawyer. When suspicion was unsubstantiated, spousal visitation rights were denied.
- Grieving unsubstantiated charges of alcoholism, which will have an adverse affect on upcoming release. Desires a transfer to the Pacific region as contacts there will benefit in the re-entry into society.
- Attempted suicide due to constant placement in segregation.

Because prisoners lack any real power to resist personal attacks, resistance to these infringements involved corresponding with Claire who attempted to remedy the injustice and bring public attention to the abuse of power and overall absurdity of prison.

The message of Claire's work was passed from prisoner to prisoner. One prisoner wrote:

[a] friend of mine ... said that I should write to you with regard to a problem I am experiencing at Warkworth Penitentiary. I will not go into detail, because I have enclosed a letter covering this subject matter that I have recently sent to the Solicitor General of Canada. I trust that this will inform you about my problem in its entirety. I would appreciate it, if after you have read about my problem, you could assist me in rectifying the situation. Of course your assistance will be dependent on whether you think an injustice is being committed against me or not. I will let my argument stand subject to your formal criticisms.

When prisoners attempted to utilize the Offender Complaint and Grievance Procedure, information could be created or manipulated by the Institution to justify their behaviour and discredit the prisoner. Claire was one of the few resources available to prisoners to contest this manipulation of information. And while Claire was not subject to the direct daily control of the prison system, she was oftentimes at the receiving end of this manipulation of information. Claire has been called a radical, a con-lover, and a bleeding heart liberal by members of the public, academics, and government personnel in an effort to deflect attention from the unjust prison.

Box 3: Institutional Grievance – Personal Effects

PERSONAL EFFECTS

- Arbitrary decision to ban personal use of computers in cells. Does not apply to those individuals owning a personal computer prior to the decision. Grieved to National Headquarters and is denied - no reason as no policy exists at this time.
- Missing personal items after a transfer. Compensation withheld by the Institution even when approved by National Headquarters. Further problems with transfer requests. Interprets problems as Institutional discrimination against aboriginal prisoners.

**Personal
Effects
Con't**

- Missing personal effects after cell was searched for contraband. Requested transfer to the Protective Custody unit in Prince Albert is successful but requested transfers back to the Pacific region are denied repeatedly.

Arbitrary decision making was at the core of many prisoners' grievances.

Decisions to ban computers, while not banned previously, resulted in some prisoners owning computers, and others unable to buy them. One "lifer" paid for, and enrolled in, a correspondence computer repair course. The final exam required that he build a computer from scratch. The computer course was authorized by CSC and the prisoner bought (with his own money) a computer (in parts) in order to complete the course. In the time that the prisoner enrolled in the course, completed the course work that led up to the final exam and complete the exam, CSC ruled that all future purchases of computers were banned. The effect of the ban on computers left the prisoner without a computer and unable to complete the final exam. When the prisoner's case was grieved, it was denied even though the prisoner had authorization to register in the course and had purchased the computer prior to the ban, but had not received it at the time of the ban on computers.

Cells, or "houses," are routinely searched for contraband. Contraband includes drugs, alcohol, and weapons, but also includes any item not recorded on a cell contents list. On one occasion a prisoner wrote to Claire about re-obtaining his personal property. He had been hand-crafting soap stone chess figures and had taken them to another prisoner's cell to show. He left the figures in the other prisoner's cell when they went to lunch. When they returned, the cell had been searched, contraband found (the figures were not listed on the prisoner's cell contents list), and the prisoner whose cell the figures were left in was sent to the "hole" – punitive segregation. The prisoner was released after

one day; however, the prisoner who carved the figures was unable to retrieve his property.

Theft of items during cell searches and transfers, by correctional personnel, is also identified by prisoners as a concern. When prisoners are to be compensated for these "lost items," the process is slow, and compensation is often less than the value of the missing items.

Box 4: Institutional Grievance – Health

HEALTH

- Prisoner has a serious back problem and requires corrective surgery and medication. The Institution has denied access to both and refuses to allow the prisoner to seek independent medical assessment.
- Infected with AIDS, individual outlines his mistreatment by provincial officials and police when serving 6 days for failure to pay a fine. Incarceration akin to solitary confinement and quarantine fused together.
- Institutional barriers faced by disabled prisoners – not a concern of the Institution.

According to some prisoners, a major control technique employed by the CSC is to withhold medical and other health-related treatment. By doing so, the Institution further subordinates prisoners and they must offer concessions in order to obtain the required medical attention. A prisoner who required eye-glasses to see had them broken in an altercation with a corrections officer. The glasses were not replaced until the prisoner issued a grievance and Claire pressured the Institution to replace glasses.

Box 5: Institutional Grievance – Transfers

TRANSFERS

- Forced involuntary transfer from BC Pen to Ontario - away from family contact and disrupted the appeal process.
- Letters to Solicitor General from Claire that a forced involuntary transfer for 4 prisoners be postponed until the findings of an internal investigation provide conclusive evidence that the prisoners to be transferred are indeed responsible.

Transfers Con't

- Sentence calculation problems and inability to transfer back to Drumheller Institution after having transferred to Manitoba on the fact that his family was moving to Winnipeg. The family did not move and a request to be transferred back was denied twice.
- Involuntary transfer out of the Pacific Regional Psychiatric Center as a result of incorrect information.
- Forced involuntary transfer to the east from the Pacific region. Requesting transfer back.
- Forced involuntary transfer based on false information by a "rat" (informer).
- Grievance of the conditions at Dorchester Penitentiary due to mass forced involuntary transfers from Prince Albert when the Institution when to Protective Custody.

Family contact is a major issue for many prisoners. Most prisoners are housed in their province of residence. CSC may transfer individuals at their discretion. Transfers may be between institutions of the same security level, different security levels, inter-provincial, and intra-provincial. Officially, CSC transfers "problematic" prisoners to other provinces in an effort to minimize risk of harm to CSC personnel and other prisoners. In many instances prisoners are transferred when attempting to effect change to the system. Offenders may be transferred on suspicion of illegal activities, even before it is officially proven that illegal actions occurred. If a forced involuntary transfer is grieved and if the prisoner is successful (a process that could take up to two years) and the prisoner is returned to the institution originally transferred from, the prisoner is usually subjected to further harassment by Correctional officials justified under such Commissioner's Directives as suspicion, and "for the good order of the institution."

Claire viewed the creation of the Super-Maximum Unit (SMU) at B.C. Penitentiary and the Special Handling Units (SHUs) as an atrocity, the ultimate injustice committed against prisoners (Culhane 1985).

The following poem written by a prisoner in dedication of another prisoner – a friend – doubly incarcerated in one of Canada’s SHUs, is a testament to the inhumanity of SHUs.

“STRONGER THAN YOU”

<p>Human rights you say! The dignity of man! You fucking hippocrits, look inside “your prisons” within prisons, the special handling units where men are degraded and mentally whipped, double locked into cells that have become their crypts. Every move followed by the threat of a shotguns blast,</p>	<p>and every moment of the day and night they are constantly harassed. And you wonder at the masks they wear, these sneering men who no longer scare. They’ve been through it all what more can you do, to these angry men who have become stronger than you.</p>
--	---

Box 6: Institutional Grievance – Special Handling Units

**SPECIAL
HANDLING
UNITS
(SHU)**

- Transferred to a higher security institution and placed in SMU in the Punitive Isolation Unit (PIU) for “the good order of the institution.”
- Forced involuntary transfer out of province to a SHU due to friction between Protective Custody (PC) prisoners and involuntary segregated prisoners.
- Inability to file grievances when in segregation/dissociation.
- Grieving inhumane conditions in the SHU.

SHUs
Con't

- Spending last days prior to release in SMU. Criticizes the lack of a pre-release programme for prisoners released directly from the SMU.

There are few non-violent forms of resistance that are available to prisoners.

Work stoppages, while affecting the Institution, tend to hurt the prisoner more. Prisoners are required to purchase non-essential medications such as throat lozenges, aspirin, and cold/sinus medication. While this may not seem inappropriate – prisoners are placed in the same financial situation as non-imprisoned individuals – prisoners earn between \$5.25 and \$6.90 per day (Correctional Service of Canada 1994, 36) compared to the minimum wage of \$7.00 per hour in British Columbia. Work stoppages translate into lower paycheques, and this means even more hardships for prisoners.

Prisoners have employed hunger-strikes to bring attention to the unjust prison. Unfortunately, the prisoner is the subject of harm. Furthermore, correctional officials may intercede forcibly if they decide that the prisoner is in need of medical attention. Prisoners also commit suicide in an attempt to end their suffering, and to bring attention to the inhumanity of the prison. Suicide presents the ultimate harm to the prisoner. Suicide has been called a form of resistance but it appears that when individuals commit suicide in an effort to bring attention to the unjust prison, the action is pathologized individually. It is not a problem with the prison system, but is located within the prisoner (Burtch and Ericson 1979).

Box 7: Institutional Grievance – Hunger-strike

HUNGER-STRIKE

- Hunger-strike to protest the human rights violation of indigent prisoners in Montana State Prison
- Hunger-strike to bring attention to problems in Remand centers. Peaceful work stoppage demonstration to protest infringements of prisoners' rights and changes to the pay system.
- Hunger-strike protesting the use of segregation under Comm. Directive 230-A (good order of the Institution).
- Hunger-strike in Super Maximum Unit (SMU) after B.C. Pen riot. Bring attention to the extreme living conditions in the Penitentiary.

Marginalized prisoners, such as aboriginals, are controlled through legitimate and illegitimate expressions of spirituality and religion. This control is expressed by a prisoner as a problematic consideration. In past years forms of religion other than Christianity have not been recognized by the Correctional Service of Canada. Currently, this situation faced by different groups in Canada, and especially aboriginals, has changed. Native religions are recognized by CSC as legitimate and sweatlodges have been built in some of the prisons in Canada. Also, one of the five regional prisons for women is an Aboriginal Healing Lodge.

Box 8: Institutional Grievance – Religion

RELIGION

- Fighting for the right to practice Native religion and attempting to provide insight to the situation facing Native prisoners.

Legal Issues

Legal issues were no less problematic for Claire than were institutional grievances. While not a lawyer, her reach extended into politics and law. She worked closely with lawyers, such as John Conroy, who were active on behalf of prisoners' rights. Similar to the themes that emerged from an analysis of Institutional grievances,

key themes emerged from the specific legal issues: parole, habitual offender, inquest, criminal sentence, death penalty, wrongful conviction, and criminal charges.

Box 9: Legal Issues -- Parole

- PAROLE** • Unescorted Temporary Absence (UTA) denied unfairly by the Parole Board – without sufficient grounds.

Parole decisions provide another occurrence detailing the arbitrary decision making within the punishment industry. Parole boards operate with limited accountability. Dismayed over the Parole Board's decision rejecting an application for a UTA, one prisoner wrote:

The fact that I spent over eleven years in prison in itself should show that more time served in a prison environment would most probably not change my attitude for the better but for the worse. I have spent over twenty-five years within one prison or another and in spite of this I am still not institutionalized to any great degree. If I have personality problems it is because of this incarceration. I do not see how I can alleviate this problem within the prison system to any greater extent than I already have. Prison was my home during my formative years. All my basic concepts are derived from a prison atmosphere. The reason I am changed is my family. They are the only meaningful relationship I have ever had (written in the early 1980s).

Justifications for rejected parole applications involve the rhetoric of public protection. While public protection is a major concern, it is interesting that those individuals who have committed murder and have received the harshest sentence, are the least likely to recommit and are the best risk for parole (Correctional Service of Canada 1994; Zubricky 1984). Yet these prisoners are unable to apply for parole until they have served between 10 and 25 years, depending on the sentence. Those offenders convicted of predatory type crimes such as sexual assaults and pedophilia, and who are sentenced to shorter terms than are murderers, may receive parole and are more susceptible to

recidivism compared with murderers. The few high-profile cases whereby paroled individuals recommit violent predatory crimes provide justifications for calls harsher sentences, limited accountability (except to the misinformed public), and arbitrary decision making. A prisoner, writing to Claire concerning his attempt at a successful parole hearing captures the parole process:

I have had one parole in twenty-one years of prison and while I did violate my parole I fail to see how any person who has done the amount of time that I have, let alone beginning at the age I began, could realistically be expected to assimilate the mores and morals of a free society without a great deal of very traumatic and frustrating problem solving activity (written in the early 1980s).

An example of the injustice that may arise out of the rhetorical justifications and increased State powers is the creation of indeterminate sentencing such as the habitual offender legislation. Prisoners “doing the bitch” (prison slang for habitual offenders) were typically convicted of nuisance crimes and minor property offences rather than violent crimes that caused harm to society.

Box 10: Legal Issues – Habitual Offender

HABITUAL OFFENDER

- Fighting the arbitrary nature of the habitual offender label and the stigma associated with it, such as revoked parole.
- Declared a habitual offender and is fighting for release/parole.
- 17 years served for break and enter under the habitual offender label. Fight to be released/paroled.

Inquests were identified in the detailed content analysis stemming from institutional negligence, and inquests into the suicides of prisoners. Coroner’s inquests were conducted for deaths, while inquests for all other injuries were conducted by the relevant political authority. Some forms of resistance such as suicide are subject to

Coroner's inquests. Rather than identifying systemic problems, the problem is pathologized within the individual prisoner.

Box 11: Legal Issues – Inquest

- INQUEST**
- Request for a government inquiry into (1) The death of an aboriginal man in an RCMP lockup and (2) Police negligence in the paralysis of the dead man's relative when no medical attention was supplied after an automobile accident.
 - Inquest into the suicide of a prisoner in segregation at British Columbia Institution.

Legal issues are controlled by Lawyers and Judges. Through language and procedures, law is not accessible to the layperson. This limited accessibility, coupled with the lack of power for prisoners, puts them in a doubly disadvantaged position. Without the funds necessary to hire lawyers, prisoners must rely on the *pro bono* work of some lawyers, or legal aid. Some prisoners identified injustices in their sentences. Claire was called upon to help clarify the injustice, or offer alternatives for redress. The absurdity of long sentences featured prominently in many files. One prisoner wrote: “[a] thousand years incarceration can not repay or replace a life taken and I’m uncertain as to how long a person can dwell or remorse before drowning in that guilty voice of one’s own conscience” (Prisoner writing in the mid 1980s). A Canadian prisoner serving time in an American prison wrote: “I don’t care about doing the 40 years, day for day. I just want to get out of a truly screwed-up system ... My problem lies with the administration, they’re petty and they tie my hands for any of the goals I want to accomplish in this system” (Prisoner writing in the early 1980s).

Box 12: Legal Issues – Criminal Sentence

- CRIMINAL SENTENCE**
- Appeal of sentence to determine whether it is fit and proper. Co-accused received lesser sentence for informant testimony.
 - Need to obtain clarification on criminal charges as it is felt that the classification is incorrect.
 - Charged and sentenced in the United States and transferred to Canada under the Prisoner Transfer Treaty. Parole eligibility date of 3 years (US decided) extended arbitrarily to 7 years by the Canadian Parole Board.

Wrongful convictions were also identified as a major area of concern, both for prisoners and Claire Culhane. Wrongful convictions also provide a rebuttal against the issue of capital punishment. In response to calls for the return of capital punishment, Claire would often say that she could find at least one innocent person in every prison in Canada (Lowe 1992). Donald Marshall Jr. (see Harris 1986), Guy Paul Morin (see Martin 1992), and Norman Fox are testaments to this statement.

The notion that it is better that a hundred guilty men go free, rather than one innocent man be put to death is often raised by critics of capital punishment. On more than one occasion, when engaged in a debate concerning capital punishment with Claire Culhane, people would suggest that that is the price to pay for justice. Claire would then ask that person if they would be willing to be the innocent person put to death for the greater good? Few people were willing to be martyrs. Boxes 13 and 14 detail issues of capital punishment and wrongful convictions.

Box 13: Legal Issues – Death Penalty

- DEATH PENALTY**
- Appeal of a death sentence in Florida – Support from Claire.
 - Desire to be put to death rather than serve a life sentence.

Box 14: Legal Issues – Wrongful Conviction

WRONGFUL CONVICTION

- Wrongful conviction and forced involuntary transfer from B.C. to Ontario with a case pending at the B.C. Court of Appeal.
- Wrongful conviction – original case involves missing transcripts and upcoming judicial review hearing (s.745 of the Criminal Code) is subject to factually incorrect information as a result of the missing information.
- Wrongful conviction for murder based on perjured evidence by the Crown's sole witness.
- Wrongful conviction – prisoner was framed. Also, prisoner was a subject in a scientific experiment whereby thought tracking electrodes were implanted in the skull and the prisoner's thoughts monitored by government officials. [I swear that this is what was written].
- Wrongful conviction – Government conspiracy and scapegoating.

Criminal charges represent a form of resistance employed by prisoners that attempts to pit one aspect of the punishment structure against another. Some prisoners attempt to initiate criminal charges for assault against correctional officers. Legislation is also targeted and challenged in the courts. Box 15 outlines the legal sub-category of criminal charges.

Box 15: Legal Issues – Criminal Charges

CRIMINAL CHARGES

- Challenge to the Mandatory Supervision Act, Bill C-51 and the Parole Act.
- Claim that Matsqui Institution was negligent in handling an assault against the prisoner. Also, while legally blind, the Institution would not classify the prisoner as handicapped.
- Criminal charges against Pacific region staff members for gross mistreatment. Also, landlord/tenant dispute prior to incarceration.

Requests

The last category to be examined is requests. Requests ranged from obtaining information on prisons in other countries, to asking for Claire to participate in social gatherings and prison committee meetings. A common request was for a copy of Claire's

book. Claire supplied free copies to prisoners and prison libraries. She was concerned at how often copies of *Barred From Prison* and her other books went missing from the Institutions. Concerning Claire's books, one prisoner wrote: "[f]or all you've done in the time I've known you and known about you, the last thought I would have about you is that you would let any of us down. It's my pride and pleasure in having you for a friend. Your book is extremely well written and tells the tale as it was and is." Another wrote:

[j]ust finished reading *Still Barred from Prison* & am thankful for your efforts & your ability to put into words what most of us can only experience. I've only been an inmate in the federal system for 6 months & although I can not identify with any brutality from the guards & authorities here at ... there is an underlying current of fear & mistrust that living amongst so many different personalities doing long sentences (Prisoner writing in the mid 1980s).

Box 16: Requests

- REQUESTS**
- Request by prisoner for access to Claire's documentation for purposes of writing about the prison experience.
 - Expecting a work pass. Requests information from Claire concerning employment contacts.
 - Requests Claire's help in getting a transfer to the Pacific Regional Psychiatric Center from Milhaven Institution. Requires transfer to the Ontario Regional Psychiatric Center and then a transfer to the Pacific Regional Psychiatric Center.
 - Request that Claire obtain legal documents from a prisoner at another Institution as prisoners may not write to one another. Prisoner was transferred and was unable to gather his legal papers from the prisoner who was helping him with his court case. Also seeking Claire's assistance in having outstanding charge in another jurisdiction brought to court.
 - Wants support from Claire during the appeal of a murder conviction. Help in the form of placing Claire on the visiting list and having Claire attend the trial. Would like a copy of Claire's book.
 - Request for Claire to visit - documentation required by the Institution to be placed on visitor list.
 - Request for Claire's help to secure a permanent Living Unit Officer (LU) in order to obtain pre-release programs, Escorted Temporary Absences (ETAs), Unescorted Temporary Absences (UTAs) etc.

**Requests
Con't**

- Request for information from Claire on Canadian prisoners – wants to write a book on Canadian/American Prisons.
- The prisoner's mother died and a request to Claire to gather and store his personal belongings until his release. Request for a lawyer to settle his mother's affairs.
- Request for Claire to be a board member for the newly organized National Justice Association by Stoney Mountain prisoners.
- Request for Claire's books on prison (for a prisoner in France).
- Claire's request to prisoner to provide information (potential evidence) concerning Claire's behaviour at B.C. Pen which could help in her case to regain visitation access to the Pacific Institutions.
- Request for Claire's help concerning information about corresponding with different after-care agencies.
- Request for Claire's books. Delay in receiving them – held by the Institution.
- Request by prisoner for Claire to act as a mediator between the prisoner and a third party.
- Desire to transfer to the Pacific region and requests information from Claire on community support groups for his fiancée and children.

Prisoners have limited access to resources and information and may require third-party involvement. This is where Claire was especially useful. Claire could circumvent the institutional and bureaucratic obstacles that were faced by prisoners and access pertinent information on behalf of prisoners (prisoners had to provide to CSC a letter granting Claire Culhane access to all personal, institutional and legal documentation). Personal contact with Claire was sought constantly. Claire's expertise in the area of prison activism was beneficial to prisoners and prisoners' groups alike seeking to change the prison structure. This human agency and resistance to the social control by the State was the start of the radical social change that was a necessary requirement in the prison abolition movement (Culhane 1985; Mathiesen 1990).

Claire provided information and personal experiences concerning ways to fight against injustices that did not involve overt violence (such as riots). Forms of resistance

that did not reduce the general public's ability to empathize with the injustice of prison as a form of social control were stressed rather than violent displays that justified the excessive use of force and continued use of prison as a means of public protection and punishment. This is currently the goal of the Lifers group at Mission Institution and arguably all groups representing prisoners.

[P]risoners do not possess the power to organise any significant resistance, mainly due to the severe restrictions and corruption in their environment. What is required, then, is that grassroots organisations work to expose, educate, and build resistance to the erosion of civil and human rights in the prison system (Claire Culhane 1991, 23)

Interviews with Prisoners

I interviewed 8 prisoners who were serving life sentences in Mission Institution, a medium-security institution approximately 80 kilometres east of Vancouver. The purpose of conducting interviews with "lifers" was to inquire broadly concerning their personal experiences, feelings, and thoughts of punishment in general, and specifically prison and incarceration. The findings from the interviews are then used to ascertain whether contemporary issues of imprisonment correspond with historical accounts.

Most prisoners touched on ways in which prison structures and policies undermined principles of rehabilitation, especially learning how to survive after release from prison. One prisoner put this bluntly: "Prison is a place where prisoners are supposed to take responsibility for their actions. But the situation inside prison is such that prisoners are not afforded any responsibility whatsoever."

According to all of the "lifers", programmes that supported the rehabilitative ideal tended not to prepare any long-term offender for the possibility of release. For the interviewees, programming for "lifers" is not a high priority for the Correctional Service

of Canada (CSC). "Short timers" – those individuals serving 4-5 years or less – receive rehabilitative programming from CSC. Programming for "lifers" has to be sought out aggressively by the "lifers" themselves, otherwise they remain unattended. A catch-22 situation exists for "lifers", or anyone serving long sentences: "lifers" are not a high priority for rehabilitative programming, but privileges are linked to the successful completion of institutional programming. Transfers to less secure custody institutions, family visitation, and increased pay levels are examples of privileges gained through the successful completion of institutional rehabilitative programmes. As "lifers" are not a high priority for programmes early in their sentence, privileges are not achieved until they become a priority for programmes.

Rehabilitation is a key issue for these "lifers". Specifically, institutional programmes are seen as *imposed* by prison officials, not as a correctional plan that is suited to the prisoner. It is often described as "hoop-jumping" for the sake only of attaining privileges within the prison (lesser security level, family visitation, pay increments) or of early release (parole). Instead, programmes developed by ex-prisoners, or by volunteers at arm's length from CSC staff, tend to be the most beneficial. OSAP (Offender Substance Abuse Programme) has a CSC member running the programme, and discussion about each offender's addiction (e.g., use, relapse while in prison) cannot be confidential. The information is being disclosed to a person who is also a custodial officer. Doing good time only has no clear pay-off, while playing the institutional game often garners privileges for the player.

Not once in any of the interviews, nor in any of the files (except for those that stated they were not guilty), did any prisoner object to punishment. All eight of the

"lifers" felt a need to be punished for their illegal actions and the harm they inflicted upon society. What was objectionable was the excessive and arbitrary nature of prison. Most of the "lifers" suggested that they could even do the full sentence before parole eligibility (in most cases 25 years) if the abuse of power and arbitrary decision making that made up the prison system was eliminated. If the "lifers" were able to do their time, without the constant harassment by prison officials and abuses of power that they all had experienced at different times during their period of incarceration, and were able to choose programmes that would truly benefit and contribute to their successful reintegration into society, then punishment would serve a purpose. According to the "lifers", the current situation in prison created by the prison structures and policies makes prisoners worse rather than better. Prisoners become angrier because of the injustices committed against them in the name of justice, protection, and punishment.

The "lifers" perceptions on sentence length tended to focus on a "life-seven" option, which would involve a life sentence with eligibility for parole at seven years. This review mechanism would thus shift from a 10-25 year eligibility period. Prisoners agreed that especially heinous murders might involve serving out the full term of incarceration. They argued for an individual assessment, rather than a blanket indictment of murderers behind bars. As no two crimes involve the same set of circumstances, "lifers" were unclear why murder sentences did not reflect this diversity (except for the blurred distinctions between manslaughter, second degree, and first degree). One individual who was present at the time of the murder, but did not participate in the killing, remarked "I have the same sentence as [Clifford] Olsen, the same first degree murderer label as Olsen, but I did not kill anyone."

Personal notions of punishment reflected ideas of reparation and restitution. While all of the interviewees acknowledged that they were unable to undo the harm inflicted on their victims and families (both the victim's and their own families), they were unable to understand how spending thousands of dollars to imprison them for such a long period of time addressed the harm to society. Seven of the eight "lifers" interviewed desired an audience with their victim's families as part of the Victim/Offender Reconciliation Programme. While the "lifers" wanted to focus on the reparation of the harm done, they understood that the punitive aspect of punishment remains a central theme in the use of prison as social control. All of the "lifers" agreed that prison serves the punitive aspect of punishment. They all suggested that some components of society do not want the punitive sanction to end. Most cited the recent Private Member's Bill in the House of Commons calling for the eradication of s.745 of the Criminal Code – *Judicial Review of life sentences* – and all made reference to periodic calls for the return of the death penalty.

At the discretion of the National Parole Board, prisoners serving life sentences may be detained until death – a true life sentence. Most "lifers" will receive parole. These individuals are still under sentence, but serve the remainder of their time outside of a prison, unless their paroles are revoked due to a violation of parole conditions or commission of a new offence. Seven "lifers" interviewed had served a large portion of their parole ineligibility period (8-12 years). One lifer was only just into his sentence (2 years into a life/10 sentence). All acknowledged the institutionalization effect that the prison had on them. Some were fearful of what awaited them when, or if, they ever were paroled. Some felt that the prison was the only place for them as it was all they could

remember as adults. All of the “lifers” agreed that much change was needed if any released prisoner was to reintegrate into society successfully. Rehabilitative programmes would need to be change; however, the “lifers” suggested that the public’s perception of prison and blood-thirst for revenge must be replaced with compassion and acceptance. One lifer stated “We all get out of here one day. You [society] get to choose how we come out; as functioning human beings, or as caged angry animals. The choice is yours.”

It isn’t true that convicts live like animals: animals have more room to move around. (Mario Vargas Liosa, *The Real Life of Alejandro Mayta*)

Summary

From the analysis of 20 years of correspondence between prisoners and Claire Culhane and from the information provided by “lifers,” it appears that the prison environment is creating and releasing angry animals, and not functioning human beings. The punitive nature of the prison has been shrouded by the rhetoric of the punishment discourse. The names of punishment practices have changed and adapted with public sentiment; however, the theme has remained the same. Super Maximum Units (SMUs), Special Handling Units (SHUs), and Protective Custody (PC), and Punitive Segregation, Solitary Confinement, and Dissociation have been used at different times to justify ultimate control over an individual by another (Culhane 1991). The Russian Gulag conditions that Dostoevsky wrote about in 1862 are quite similar to the conditions that prisoners currently experience in the SHUs. While it is true that the physical conditions of prisons have changed, the psychological and sociological impacts of prison remain the same. Themes raised by the “lifers” in the interviews mirror those identified in the correspondence. These themes also correspond with themes of imprisonment identified

by prisoners since the inception of the prison and its rise to the most prominent form of punishment.

According to Mathiesen “it is the invisibility of the prisoner which makes it possible to maintain the ideological functions of the prison. Visibility is the Achilles’ heel of the functions” (Mathiesen 1990, 163). Claire suggests:

Until we accept the reality that prisons are the way we deal with our poor, our minority groups, and our unemployed, we tolerate them at our peril. Not until we absorb this truism and join others involved in combatting society’s problems will there be any hope of salvaging our prison population, with its disproportionate number of Native Indians and a small but equally disadvantaged number of women. (Claire Culhane 1991, 17)

By making prisoners visible – providing voice – the functional aspect of the prison will be reduced. This counter-functionism (Mathiesen 1990, 162) will serve to make visible the “ghosts” of the punishment industry, but will also tear down the justifications for a failed system by the very individuals that have supported them. Visibility of the prisoner is important; however, more important is the visibility of the information provided by these individuals. Prison is a cruel and unusual punishment practice that must be rejected and replaced with alternatives that address social harms and inequality. And while this revolution of punishment practices is seemingly utopian, history has provided instances whereby some of the most repressive institutions have appeared quite stable, right up until the day they collapsed. Change is possible. The fight against the formidable prison must continue.

CHAPTER 5

CONCLUSION

What Is the Answer?

During the past two years, I have had more discussions concerning my thesis topic than I can, or even care to remember. What has been burned into my mind is the question that everyone, without exception, has asked: So what is the answer, what is the alternative to prison? Having inquired extensively on this very subject, initially I would respond that I did not have the audacity to suggest that there is **one** answer, or that I even have the answer. I would suggest that there is no easy solution to the issue of prison reform/abolition. Reform would require educating the public to the absurdity and futility of prison. The myths and misperceptions concerning the characteristics of individuals who are in prison would also have to be rectified. I would point out that it did not really matter what incremental changes were made to prison, either liberal or conservative, but that the focus must shift to society and the social creation of crime and resulting sanctions. The problem of punishing is borne out of society, removed for a while, and then forced back into society without addressing the underlying factors that lead to its creation in the first place. Communities must be prepared to change; acceptance and forgiveness must replace revenge and retribution. And as I near the completion of my thesis I have come to the realization that those who have been responsible for the practice of punishment have rarely sought out the difficult answers, but have been content to follow the path of least resistance. This has involved the maintenance of an inherently flawed prison system. The answer that is so sought by society requires fundamental

change in society. The reductionist prison abolition agenda is attainable, but the focus must be on society, in addition to the individual prisoner.

Diversion and prison reduction will only work if accepted by society. Factors that contribute to criminality such as education and employment must be addressed. Blame and scapegoating problems on others must end. While this may seem like a utopian view, it is indeed a necessary challenge if change is to be realized. Information exists concerning alternatives to prison. Members of a society must be prepared to embrace the hard answers that will lead to the reform of an unjust system of control. An abolitionist agenda is a radical threat to the existing order because it promotes real and effective change. This change diminishes the right of the State to punish and its monopoly in all aspects of social control and societal ordering. Only when the public becomes active participants in the reform and restructuring of the dysfunctional crime control industry will the absurdity and futility of the prison system be completely realized. Prison alternatives cannot be left to the State alone, as State alternatives to prison may not involve humanitarian concerns. Alternatives are not based on fact, but on a distorted public perception:

Alternatives are not being developed out of a moral concern for the plight of offenders who have to live in squalid conditions and which are an affront to civilised society. Rather, they are advocated in response to government's needs – ideological or practical – to demonstrate stringency in fiscal policy and thus control or cut back on public expenditure (Vass 1990, 79).

“Alternatives are of no positive consequences and do nothing, or little, to challenge the hegemony of the prison: it is ‘business as usual’” (Vass 1985, 79). “[O]verall, the system enlarges itself and becomes more intrusive, subjecting more and newer groups of deviants

to the power of the state, and increasing the intensity of control directed at former deviants” (Cohen 1985, 38).

Realizing Prison Abolition

Punishment is usually presented as an unavoidable feature of social life and a necessary component of law enforcement (Cragg 1992). While the notion of punishment appears to be all encompassing, there are very distinct differences in its application.

In a discussion of the continuity of punishment, Foucault has suggested that the “prison continues, on those who are entrusted to it, a work begun elsewhere, which the whole of society pursues on each individual through innumerable mechanisms of discipline” (Foucault 1977, 302-303). Following Foucault, many analysts have suggested that criminal justice policy can be seen as a technique of power imbedded in discourse. The use of prisons as punishment has been justified on the basis of its rehabilitative function, specific and general deterrence, and incapacitation of criminals. The ideologies of protection and normalization – correction based on rehabilitation and treatment – are central to understanding why prisons have flourished even in the face of failure (Mathiesen 1990; Foucault 1977; Garland 1990; Culhane 1985; Christie 1993). Mathiesen (1990) has deemed the prison a “fiasco.” The prison has not facilitated the rehabilitation of its wards. On the contrary, it is arguable that the prison environment has served to fuel crime and criminal behaviour (Foucault 1977).

The use of prison as punishment survives, even in light of its failure, due to the pervasive and persistent ideological nature of prison and punishment currently embedded in the social fabric of society. According to Mathiesen (1990) “ideologies are belief systems which render social life meaningful and legitimate” (137). The ideological

nature of prison and punishment has become institutionalized and the punitive and oftentimes violative sanction has become socially meaningful and legitimate (Mathiesen 1990, 137).

Prisoners' correspondence stands as a testament to the difficulties faced by people confined in "total institutions" (Goffman 1961). I would extend this to a critique of political authority, and especially how State authorities are empowered to use disciplinary measures, seemingly for their own reasons. This tendency toward "social ordering" (Ericson and Baranek 1982) is sharpest for those with little power – who are of low socio-economic status, have limited education, and are stigmatized and confined. It is here that the experience of prisoners is valuable. The difficulty is that there is little interest – either in mainstream media, *or* among the left – in taking prisoners' experiences seriously. Treating people only as blameworthy, as scapegoats, justifies more and more political intervention, more surveillance, more punishment. Not less poverty, less violence, but greater expenditures of resources in the service of denunciation.

Everywhere, it seems, there are calls for harsher and more punitive sanctions. The theoretical quagmire of punishment and social justice is often presented as prisoners versus non-prisoners, security versus prisons.

I know you are a busy woman & its hard to imagine someone fighting for the rights of prisoners when it appears that society in general is only too quick to surrender the last vestiges of their own rights & freedoms as the price for safety & security (prisoner writing from Ontario, late 1980s).

Individual rights and personal freedom have been given over to the State freely in order to provide a safe and protected citizenry. Unfortunately, protection is a myth perpetuated by the State as a means for controlling both the criminal and non-criminal populations.

The formal regime of State-sanctioned punishment has been interpreted as necessary, and legitimated by individuals in society. These very individuals are at once subjected to the punishment policies that are seen as necessary to protect them (rhetoric), and practices that they should be protected from (imprisonment). Contemporary punishment practices have had detrimental effects on both the prisoner and society in general, and have restricted the potential for effective reform to the system. Only when used as a last resort does the prison serve a function that is useful and legitimate – the protection of society from predators. This is an important function. However, the reality of the prison situation is that the vast majority of prisoners are not predators. Diversion and community involvement should be stressed for those individuals not deserving of imprisonment, due to either the nature of the crime, and/or the lack of risk to the protection of society.

Prison is not the issue. The latent function of the prison is the social control of all members in society. Rich or poor, white or coloured, male or female, the prison serves to control some inside its walls, and others outside of prison walls. The displacement of social problems on marginalized groups provides an illusion of State action and the protection of the “law abiding” from the “lawless.” This illusion must be exposed for what it is. The co-optation of justice – effectively the State’s monopoly on social control – must be changed. The rhetoric of corrections and punishment that has justified the existence and maintenance of the unjust prison must be eradicated, and the power/knowledge relationship must be removed from the State if any form or degree of prison abolition is to occur. When the knowledge that prisons fail – that the prison was never intended to correct – is realized fully by individuals in society, then the power to abolish prisons will be attainable. For as long as society embraces the myths and

misperceptions concerning social control practices by the State, then the probability of prison abolition will never be realized. The notion of humanity must be reintroduced into the business of control and punishment. Dostoevsky (1862) wrote “The degree of civilization in a society can be judged by entering its prisons.” Punishment practices are indicative of a country’s social, political, and economic climate. The prison is the manifestation of a dismal Canadian climate.

Progress and reaction have both turned out to be swindles. Seemingly, there is nothing left but quietism – robbing reality of its terrors by simply submitting to it. (George Orwell, *Inside the Whale and Other Essays*)

Future Research and Policy Implications

There is a vast amount of documentation on the various themes presented in this thesis: State theory, social control, and prison abolition. The challenge facing academics and researchers specifically, and society in general is to break out of simply theorizing the problems and responses, and into a paradigm characterized by praxis. Theorists have been contemplating the nature and role of the State since Aristotle. Punishment practices have been tied to these theories of the State. The prison has survived and even thrived in spite of its obvious failure. Reformers (Becarria, Bentham, and John Howard), abolitionists (Mathiesen, Hulsman, Christie, and Culhane), and academics (Foucault and Garland) have pointed to this failure, and yet incarceration is still imposed against thousands of Canadians. Like other social institutions such as slavery, residential schools, and asylums, prisons must be evaluated in terms of the value to society. The vengeful spirit of society must not inform this evaluation. Rather, the experiences of prisoners must be included in an effort to create an effective punishment practice that contributes to the reparation of society and the prisoner simultaneously. To date, the

individuals that have had the greatest need and ability to contribute to the development of effective punishment practices have been ignored. This omission must be rectified before any real change is to occur.

Findings in this thesis provide fuel for the abolitionist movement. More work that presents a forum for the voice of prisoners is needed. This work must not exist or remain on the margins. At the very least it must be added to the existing information in order to provide a clearer picture concerning State control and social policy. Ultimately, the voices of prisoners should displace the State rhetoric on punishment and inform correctional policies that actually strive for reparation, restitution, reintegration, and social harmony rather than exacerbating social unrest.

I have optimism that the information uncovered in my analysis will provide hope to those individuals who have, and are currently experiencing, social control policies (both in and out of prison) that reform is attainable. The dismal social climate in Canada can change.

REFERENCES

- Adelberg, Ellen and Claudia Currie (eds) (1993) *In Conflict with the Law: Women and the Canadian Justice System*. Press Gang Publishers.
- American Friends Service Committee. (1971) *Struggle for Justice*. Hill and Wang, Inc.
- Barnes, Harry Elmer (1972) *The Story of Punishment: A Record of Man's Inhumanity to Man*. Patterson Smith.
- Beirne, Piers and James Messerschmidt (1991) *Criminology*. Harcourt Brace Jovanovich, Publishers.
- Bottomore, Tom, Laurence Harris, V.G. Kiernan, and Ralph Miliband (1983) *A Dictionary of Marxist Thought*. Harvard University Press.
- Braithwaite, John (1989) *Crime, shame, reintegration*. Cambridge University Press.
- Burtch, Brian (1996) *Eulogy to Claire Culhane*. Unpublished. May 11, 1996.
- Burtch, Brian and Richard V. Ericson (1979) *The Silent System: An Inquiry into Prisoners who Suicide and Annotated Bibliography*. University of Toronto: Centre of Criminology.
- Carlen, Pat (1988) *Women, Crime and Poverty*. Open University Press.
- Christie, Nils (1993) *Crime Control as Industry: Towards Gulags, Western Style?* Routledge.
- Cohen, Stanley (1985) *Visions of Social Control*. Polity Press.
- Cohen, Stanley and Laurie Taylor (1972) *Psychological Survival: the Experience of Long-Term Imprisonment*. Penguin Books Ltd.
- Cohen, Stanley and Laurie Taylor (1978) *Prison Secrets*. National Council for Civil Liberties.
- Correctional Service of Canada (1994) *Basic Facts about Corrections in Canada [1993 edition]*. Ottawa: Ministry of Supply and Services.
- Cragg, Wesley (1992) *The Practice of Punishment: Towards a Theory of Restorative Justice*. Routledge, Chapman and Hall, Inc.
- Culhane, Claire (1972) *Why is Canada in Vietnam?* NC Press Ltd.

- Culhane, Claire (1979) *Barred from Prison*. Pulp Press.
- Culhane, Claire (1985) *Still Barred from Prison: Social Injustice in Canada*. Black Rose Books Ltd.
- Culhane, Claire (1991) *No Longer Barred From Prison*. Black Rose Books [new edition].
- Davies, Ioan (1990) *Writers in Prison*. Between the Lines.
- De Folter, R.S. (1986) "On the methodological foundation of the abolitionist approach to the criminal justice system. A comparison of the ideas of Hulsman, Mathiesen and Foucault." *Contemporary Crises: law, crime and social policy*. Vol. 10, No. 1, 39-62.
- Dostoevsky, Feodor (1862) *The House of the Dead*. Heinemann. [1948, c. 1915]
- Ericson, Richard and Patricia Baranek (1982) *The Ordering of Justice*. University of Toronto Press.
- Faith, Karlene (1993) *Unruly Women: Theories of Resistance and Confinement*. Press Gang.
- Feschuk, Scott (1996) "Prison treatment system slammed: Auditor attacks lack of follow-up." *The Globe and Mail* (May 8, 1996).
- Foucault, Michel (1977) *Discipline and Punish*. Vintage Press.
- Garland, David (1990) *Punishment and Modern Society*. University of Chicago Press.
- Goffman, Erving (1961) *Asylums: essays on the social situation of mental patients and other inmates*. Aldine Publishing Company.
- Gosselin, Luc (1982) *Prisons in Canada*. Black Rose Books Ltd.
- Gramsci, Antonio (1973) *Letters from Prison* (Selected, Translated from the Italian, and Introduced by Lynne Lawner). Harper Colophon Books.
- Gramsci, Antonio (1971) *Selections from the Prison Notebooks* (ed. Q. Hoare and G. Nowell-Smith). Lawrence and Wishart.
- Hamilton, A. C. and C. M. Sinclair (Commissioners) (1991) "Volume 1: The Justice System and Aboriginal People" *Report of the Aboriginal Justice Inquiry of Manitoba*. Queen's Printer.

- Harris, Michael (1986) *Justice Denied: The Law Versus Donald Marshall*. Macmillan Press.
- Hatt, Ken, Tullio Caputo, and Barb Perry (1990) *Justice and Security, Not Law and Order: Criminal Justice Hegemony in the Mulroney Era*. Paper prepared for presentation at the 1990 American Society of Criminology meetings, Baltimore, Maryland. November.
- Hatt, Ken, Tullio Caputo, and Barb Perry (1991) "Managing Consent: Canada's Experience with Neoconservatism." *Social Justice*. 17: 4, 30.
- Hawkins, Gordon (1976) *The Prison*. The University of Chicago Press.
- Held, David (ed.). (1983) *States and Societies*. Martin Robertson.
- Horii, Gayle (1996) *Pamphlet presented at Claire Culhane's Memorial service*. Unpublished.
- Horton, John, (1981) "The Rise of the Right: A Global View" in Tony Platt and Paul Takagi (eds) *Crime and Social Justice*. Synthex Press.
- Hudson, Barbara (1993) *Penal Policy and Social Justice*. Macmillan Press.
- Hulsman, Luc (1986) "Critical criminology and the concept of crime." *Contemporary Crises: law, crime and social policy*. Vol. 10, No. 1, 63-80.
- Irwin, John (1980) *Prisons in Turmoil*. Little, Brown and Company Ltd.
- Jackson, Michael (1983) *Prisoners of Isolation: Solitary Confinement in Canada*. University of Toronto Press
- Klare, Hugh (1973) *People in Prison*. Pitman Publishing Corporation.
- Kwartler, Richard (1977) *Behind Bars: Prisons in America*. Vintage Books.
- Lowe, Mick (1992) *One Woman Army: The Life of Claire Culhane*. Macmillan Canada.
- Makin, Kirk (1992) *Redrum the Innocent: the Murder of Christine Jessop*. Viking.
- Marchak, Patricia (1993) *The Integrated Circus: The New Right and the Restructuring of Global Markets*. McGill-Queen's University Press.
- Martinson, Robert (1974) "What Works? – Questions and Answers about Prison Reform", *The Public Interest*. Vol. 35, (Spring), 22.

- Mathiesen, Thomas (1990) *Prison on Trial*. Sage Publications.
- Mathiesen, Thomas (1986) "The politics of abolition" *Contemporary Crises: law, crime and social policy*. Vol. 10, No. 1, 81-94.
- McMahon, Maeve (1988) "Confronting Crime: review essay (review of Matthews and Young, 1986)" *Critical Criminology*, 15: 111-121.
- McMahon, Maeve (1992) *The Persistent Prison? Rethinking Decarceration and Penal Reform*. University of Toronto Press.
- Miliband, Ralph (1973) *The State in Capitalist Society*. Quartet Books.
- Morris, Norval (1974) *Future of Imprisonment*. University of Chicago Press.
- Pellicani, Luciano (1981) *Gramsci: An Alternative Communism?* Hoover Institution Press.
- Rothman, David (1971) *The Discovery of the Asylum: Social Order and Disorder in the New Republic*. Little, Brown and Company Ltd.
- Rutherford, Andrew (1986) *Prisons and the Process of Justice*. Oxford University Press.
- Shapiro-Bertolini, Ethel (1976) *Through The Wall: prison correspondence*. Feace Press.
- Steinert, Heinz (1986) "Beyond crime and punishment" *Contemporary Crises: law, crime and social policy*. Vol. 10, No. 1, 21-38.
- Taylor, Ian (1981) *Law and Order: Arguments for Socialism*. Macmillan Press.
- Toch, Hans (1977) *Living in Prison*. The Free Press.
- Vass, Anthony (1990) *Alternatives to Prison*. Sage.
- Von Hirsh, Andrew (1976) *Doing Justice: The Choice of Punishments*. Hill and Wang Inc.
- Vincent, Andrew (1987) *Theories of the State*. Basil Blackwell.
- Young, Iris (1990) *Justice and the Politics of Difference*. Princeton University Press.
- Zubrycki, Richard (1984) "Long-Term Incarceration in Canada" *Canadian Journal of Criminology*, vol. 26, no. 4.

APPENDIX A

RESEARCH INSTRUMENT

10 unstructured (open-ended questions) in-person interviews will be conducted with prisoners currently serving life sentences at Mission Institution in an attempt to document carceral experiences of prisoners currently serving time.

Questions/Discussion:

- **What does Punishment mean to you?**
- **What should be the purpose of punishment? Does prison achieve this goal of punishment?**
- **Describe the advantages and disadvantages of imprisonment.**
- **Describe your experiences in prison. (This does not include why you are here i.e. your original offence, but your treatment by the Institution, other prisoners, etc.).**
- **What would you suggest in terms of change to the current system of punishment if prison use is to be maintained? As alternatives to prison?**

The purpose of interviewing prisoners is to ascertain whether issues identified in the documentary analysis (the first stage of the proposed research project) correspond to the experiences of prisoners currently serving time (the second stage of the research project). Discrepancies and/or additional concerns may provide insight into the evolution of punishment practices in Canada (primarily).

APPENDIX B

SIMON FRASER UNIVERSITY

INFORMED CONSENT BY SUBJECTS TO PARTICIPATE IN A RESEARCH PROJECT OR EXPERIMENT

The University and those conducting this project subscribe to the ethical conduct of research and to the protection at all times of the interests, comfort, and safety of subjects. This form and the information it contains are given to you for your own protection and full understanding of the procedures of the proposed research. Your signature on this form will signify that you have received a document which describes the procedures and benefits of this research document (titled *Information Sheet for Subjects*), and that you have received an adequate opportunity to consider the information in the document, and that you voluntarily agree to participate in the project.

Having been asked by Tyler Dean of the School of Criminology School at Simon Fraser University to participate in a research project experiment, I have read the procedures specified in the document.

I understand the procedures to be used in this experiment.

I understand that I may withdraw my participation in this experiment at any time.

I also understand that I may register any complaint I might have about the experiment with the chief researcher named above or with Neil Boyd, Director, School of Criminology, Simon Fraser University (604) 291-3213.

I may obtain copies of the results of this study, upon its completion, by contacting the School of Criminology at (604) 291-3213.

I have been informed that the research material will remain confidential to the extent permitted by law. Disclosure of information relating to the possibility of harm to you or anyone else, or of the abuse, or potential of abuse to children may be revealed if required by a Court of law.

Your name will not be written on the interview form and no other identifying information will be written on the form.

I agree to participate in an interview session with the principal researcher named above and provide my own perspective concerning the nature of punishment in general, and prison (imprisonment) specifically.

NAME (please print): _____

ADDRESS _____

SIGNATURE _____ **WITNESS** _____

DATE: _____

***** ONCE SIGNED, A COPY OF THIS CONSENT FORM AND A SUBJECT FEEDBACK FORM SHOULD BE PROVIDED TO YOU.**

APPENDIX C**SIMON FRASER UNIVERSITY****INFORMATION SHEET FOR SUBJECTS****THIS FORM OUTLINES THE PROPOSED METHOD OF INQUIREY.**

10 unstructured (open-ended questions) in-person interviews will be conducted with prisoners currently serving life sentences at Mission Institution in an attempt to document carceral experiences of prisoners currently serving time.

The interviews will be recorded.

There is no risk of physical or psychological harm to any of the participants.

Participation may be withdrawn at any time during the project

Ethical Considerations:

- No one individual will be focused on. The focus is on the utilization of all the available information to identify patterns of prisoners' concerns.
- All recordings and documentation will be locked away when not in use, thereby ensuring "physical security" of the material.
- To ensure confidentiality of the correspondents, all names will be coded. Names will not be used, nor will any prisoner be identifiable by use of individualized characteristics.
- The research material will remain confidential to the extent permitted by law. Disclosure of information relating to the possibility of harm to the subject or anyone else, or of the abuse, or potential of abuse to children may be revealed if required by a Court of law.

APPENDIX D

SIMON FRASER UNIVERSITY

**INFORMED CONSENT FOR CAPTIVE POPULATIONS BY APPROPRIATE
AUTHORITY TO PARTICIPATE IN A RESEARCH PROJECT OR
EXPERIMENT**

The University and those conducting this project subscribe to the ethical conduct of research and to the protection at all times of the interests, comfort, and safety of subjects. This form and the information it contains are given to you for your own protection and full understanding of the procedures of the proposed research. Your signature on this form will signify that you have received a document which describes the procedures and benefits of this research document (titled *Information Sheet for Subjects*), and that you have received an adequate opportunity to consider the information in the document, and that you voluntarily agree to participate in the project.

As the authority responsible for (names of captive participants), I consent to the above named engaging in the procedures specified in the research project proposed by Tyler Dean, principal researcher.

The interviews are to be carried out in the interview room, Visitors and Correspondence, Mission Institution.

I certify that I understand the procedures to be used and have fully explained them to all parties involved in the research project.

In particular, the subject knows that he has the right to withdraw from the project at any time. Any complaint about the project may be brought to the attention of Tyler Dean, or to Neil Boyd, Director of the School of Criminology, Simon Fraser University.

I may obtain a copy of the results of this study, upon its completion, by contacting the School of Criminology at (604) 291-3213.

NAME (please print): _____

ADDRESS _____

SIGNATURE _____ **WITNESS** _____

DATE: _____

APPENDIX E
CODE BOOK
Documentary Analysis Coding Scheme

Variables:

Nature of Correspondence (Predominantly)	001	Letters from Prisoner
	002	Letters to Prisoner
	003	Letters to/from Third Party Concerning Prisoner
	004	From and Third Party
	005	To Prisoner and Third Party
	006	To and From Prisoner
	007	To and From Prisoner and to/from Third Party

Gender	001	Male
	002	Female
	003	Group (2 or more contributors)
	099	Unknown

Marital Status	001	Single
	002	Married
	003	Common-law
	004	Widowed
	005	Divorced
	006	Separated
	007	Remarried
099	Unknown	

Province of Institution**Name of Institution**

001	Yukon	1.1	Provincial Facility
002	British Columbia	2.10	B.C. Penitentiary
		2.11	Oakalla (Women) (a.k.a. Lakeside)
		2.12	Oakalla (Men)
		2.13	Kent
		2.14	Mission
		2.15	Ferndale
		2.16	Matsqui
		2.17	Regional Psychiatric Centre
		2.18	Mountain
		2.19	William Head
		2.20	Elbow Lake
2.21	Sumas		

		2.22	Robson
		2.23	Pandora
		2.24	Provincial Facility
003	Alberta	3.10	Bowden
		3.11	Drumheller
		3.12	Edmonton Max
		3.13	Altadora
		3.14	Portal House
		3.15	Grierson
		3.16	Provincial Facility
004	Northwest Territories	4.10	Provincial Facility
005	Saskatchewan	5.10	Saskatchewan Penitentiary
		5.11	Oskana
		5.12	Sask. Farm Annex
		5.13	Regional Psychiatric Centre
		5.14	Provincial Facility
006	Manitoba	6.10	Osborne
		6.11	Rockwood
		6.12	Stony Mountain
		6.13	Provincial Facility
007	Ontario	7.10	Keele St.
		7.11	Montgomery
		7.12	Portsmouth
		7.13	Bath
		7.14	Beaver Creek
		7.15	Frontenac Farm
		7.16	Pittsburgh Farm
		7.17	Joyceville
		7.18	Warkworth
		7.19	Collins Bay
		7.20	Millhaven
		7.21	Kingston Pen.
		7.22	Prison for Women (P4W)
		7.23	Regional Psychiatric Centre
		7.24	Provincial Facility
008	Québec	8.10	St. Vincent de Paul
		8.11	Benoit XV
		8.12	Laferriere

		8.13	Martineau
		8.14	Pie IX
		8.15	Sherbrooke
		8.16	Montee-St-Francois
		8.17	Ste-Anne-des-Plaines
		8.18	La Macaza
		8.19	Cowansville
		8.20	Drummond
		8.21	Centre de Developpement Correctionnel
		8.22	Leclerc
		8.23	Archambault
		8.24	Laval
		8.25	Regional Reception Centre
		8.26	Donnacona
		8.27	Provincial Facility
009	Nova Scotia	9.10	Carlton
		9.11	Sand River
		9.12	Springhill
		9.13	Provincial Facility
010	New Brunswick	10.1	Parrtown
		10.11	Westmorland Farm
		10.12	Dorchester
		10.13	Atlantic Institution (Renous)
		10.14	Provincial Facility
011	Prince Edward Island	11.10	Provincial Facility
012	Newfoundland	12.10	Provincial Facility
013	International	13.10	International Facility
014	Not Institutionalized		
099	Unknown	099	Unknown

Security level

001	Minimum (S1-S2)
002	Medium (S3-S5)
003	Maximum (S6-S7)
004	Multi-level (ML)
005	Provincial Facility
006	Women's Prison – Generic Classification
007	International Facility
099	Unknown

Special Handling Unit/ Administrative Segregation Super Maximum Units	001	Yes
	002	No
Age Range of Prisoner at Time of Writing	001	15-24 years
	002	25-34 years
	003	35-44 years
	004	45-54 years
	005	55-64 years
	006	65+ years
	099	Unknown
Offence	001	Property
	002	Personal Injury
	003	Drugs/Alcohol related
	099	Unknown
Special Needs	001	Physical Disability
	002	Psychological Disability
	003	Special Education
	004	Health
	005	Personal Security/Protective Custody
	006	Religion
	007	Language
	099	None (no mention)
Number of Submissions	001	1-5 submissions
	002	6-10 submissions
	003	11-15 submissions
	004	16-20 submissions
	005	21-99 submissions
	006	100+ submissions
Years of writing	001	0-2 years
	002	3-4 years
	003	5-6 years
	004	7-8 years
	005	9-10 years
	006	11-12 years
	007	13-14 years
	008	15-16 years
	009	17-18 years
	010	19-20 years

	011	21-22 years
	012	23-24 years
	013	25+ years
	099	Unknown
Key Concern (Reason for writing)	001	General Correspondence
	002	Grievance (Institutional)
	003	Request (To/From Claire)
	004	Legal
	099	Unknown
Extras	001	Yes
	002	No
Pictures (photos)	001	Yes
	002	No
Artwork	001	Yes
	002	No
Poetry	001	Yes
	002	No
Manuscripts	001	Yes
	002	No
Newspaper Articles	001	Yes
	002	No
Official Documentation	001	Yes
	002	No
Essays	001	Yes
	002	No
Greeting cards	001	Yes
	002	No
Miscellaneous	001	Yes
	002	No

APPENDIX F:**Code Sheet**

NAME

NATURE

MARITAL

PROV

INSTITUTION

SECURITY

SHU

AGE

OFFENCE

NEEDS

NUMBER

YEARS

CONCERN

EXTRAS

PICTURES

ART

POETRY

MANUSCRIPT

NEWSPAPER

DOCUMENTS

ESSAYS

CARDS

MISC

APPENDIX G:**CSC Research Application**

To whom it may concern:

Please find attached my application to conduct interviews with prisoners at Mission Institution. I am currently volunteering as the community liaison officer for the Lifers Group at Mission Institution and in that capacity have received security clearance. I have already discussed this research proposal, which is a component of my Masters degree research (SFU School of Criminology) with Harold Golden (his assistant) and was advised to proceed. With the research application, I am enclosing a copy of my ethics application for a research proposal submitted to SFU as it will provide all relevant information concerning the entire research project.

Thank you for your attention to this matter.

Tyler Dean
SFU Masters Student
Community Liaison Officer – Mission Institution

(attachment over)

THE CORRECTIONAL SERVICE OF CANADA (PACIFIC REGION)
RESEARCH APPLICATION

TO BE COMPLETED AND RETURNED TO:

Chairman, Regional Research
 Committee, RPC (Pacific)
 Correctional Service of

Canada

P.O. Box 3000
 Abbotsford, B.C.
 V2S 4P4
 Phone: 1-604-853-7464
 Phone: 1-604-853-6992

Date: 96/01/09

1. Reporting Institution, District Office (or Headquarters):
This applies only to Correctional Services of Canada (CSC) Applicants.
2. Respondent (Senior Investigator):
 Name Tyler Dean Position M.A. Student
 Employer Simon Fraser University
 Business Address 2776 Cultus Court, Coquitlam B.C. Business Phone 944 9769
 Residence Address 2776 Cultus Court, Coq. B.C. Residence Phone 944 9799
3. Title of Project:
Incarceration: An Exploratory Analysis of Prisoner's Concerns
4. Briefly Describe Project:
 Please refer to attachments
5. What is the applied potential of this research?
 This research will provide insight into the issues surrounding
 imprisonment by those directly affected.
6. Agency other than CSC (if any) with which this project is identified?
 Simon Fraser University
7. What financial contribution, if any, would be required from CSC (indicate
 amount, purpose, time period).
 None

8. What space, assistance, or other indirect costs would be required from CSC (Describe fully, including locations, positions, amounts, time periods, etc.)
Interview room adjacent to V and C, Mission Institution over 2 days, approximately 5 hours per day (Interviews run roughly one hour each).
9. Describe the participating personnel (indicate types, numbers, functions, agency affiliation, time period, etc., as well as names if known).
Interviews (to be conducted over 2 days – 1 hour each) with the following prisoners: (Names included in the original application, omitted to ensure confidentiality).
10. When are the following operations expected to commence and be completed?

<u>OPERATION</u>	<u>COMMENCEMENT</u>	<u>COMPLETED</u>
Preliminary fieldwork		
Data collection	Please refer to attachments.	
Data Analysis		
Final Report		

11. Describe the type and amount of participation required by offenders, or staff of the Solicitor General's Department (indicate type, how, where when, and numbers).
Two days worth of interviews (5 hours per day), to be conducted at Mission Institution, in V and C.
12. To what extent, and for what purpose, would use of offenders records be required?
None.
13. If any penitentiary or parole documents would be required, indicate what sort and for what purpose?
None.
14. What reports or publications are anticipated as a result of this research project?
Masters of Arts Thesis.

15. Please give three (3) personal references who are familiar with your research capabilities and research work.

Name	Address	Phone
1. Dr. Brian Burtch	SFU – Criminology	291 3213
2. Dr. Robert Gordon	SFU – Criminology	291 3213
3. Dr. Patricia Brantingham	SFU – Criminology	291 3213

16. Attach a detailed research proposal indicating: ****Please Refer to Attachments****

- a. Previous research
- b. Theoretical significance of your proposed research
- c. Applied potential of your proposed research
- d. Hypothesis to be tested
- e. Conceptual definitions of major variables
- f. Operational definitions of major variables
- g. Data collection procedures
- h. Methods of approach, handling, and termination of contacts with research subjects
- i. Procedures to be used for sampling , analysis of data and decision making regarding hypotheses.
- j. Expected sources of funds and other necessary resources.