

# AUTUMN NEWSLETTER I

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## FOUR THEMES

A TALK ON SKYPE TO THE INTERNATIONAL CONFERENCE ON PENAL ABOLITION, OTTAWA, CANADA 14 JUNE 2014, AND TO THE EUROPEAN GROUP FOR THE STUDY OF DEVIANCY AND SOCIAL CONTROL, LIVERPOOL, ENGLAND, 6 SEPTEMBER 2014.

Professor emeritus Thomas Mathiesen, University of Oslo.



I wish to spend the space I have at my disposal on the history of *The Politics of Abolition*, a book which I wrote and which first appeared back in 1974, forty years ago, and particularly on the second edition of that book, *The Politics of Abolition Revisited*, which was published by Routledge in September of this year (2014).

### ***Four Sets of Ideas***

First of all, what motivated the first edition of the book? Firstly, there was a pent-up dissatisfaction, and a wish to do something with "the prison situation", among a number of intellectuals and socially oriented practitioners in Norway, such as social scientists, lawyers, some authors, and quite a few social workers. The feeling was that prisons were inhumane and did not work according to plan. This was in itself an extremely important grass roots factor in the making of the Scandinavian prison movement.

Secondly, the notion of involving the grass roots in a second sense, that is, the prisoners themselves, in political action, was central. The prisoners were to be brought into the

organization as active participants. In this respect, the Scandinavian organizations which now appeared were children of their time. The involvement of prisoners was a novelty, and caused great alarm and major write ups in the mass media at the time. It first happened in Sweden, in 1966. At a large meeting in a place called Strömsund there were a large number of prisoners present. The meeting was significantly called “The Parliament of Thieves”. This was the first time in Scandinavian history that such a public meeting was held, where prisoners took the floor and told a large audience what prison life was like.

A Swedish national organization was established, called KRUM – The Humanization of Prisons. In 1967 followed Danish KRIM, which of course had to do with crime, and in 1968 Norwegian KROM, which is not an abbreviation of anything but just a strange word resembling the names of the other Scandinavian organizations. Today only Norwegian KROM – The Norwegian Association of Penal Reform, is very much alive, the others have disappeared for various reason which are interesting but go beyond this short presentation.

Thirdly, there was a strong emphasis on the abolition of prisons. This emphasis was not there in the very beginning. At the very beginning KROM emphasized prison reform with a change towards treatment. But this was, to repeat, 1968, and the treatment ideology in the penal context was moving rapidly towards its end. And KROM changed accordingly, emphasizing abolition instead. This also, I might add, created alarm and sensation in the mass media of the time.

I think it is fair to add also a fourth idea or set of ideas. Those of us who worked in KROM at the time, viewed political work as a learning experience, and felt that the learning experience was a part of the goal itself. Certainly, more substantial goals were also emphasized. But the notion of a learning experience as part of the goal was important. For one thing, it made even mistakes and set-backs – of which there were certainly many in the early phase - important and useful. Mistakes and set-backs were not wasted time, but something to scrutinize and use. For another, the notion made us patient. When mistakes and set-backs were not wasted time, it became possible to take the time to go through the mistakes and set-backs. For a third, it made us conceptualize and view political work of this kind as unfinished business. The notion of an unfinished movement became so important that I sat down and wrote a book about it, which became the Norwegian version of *The Unfinished*. Finally, it made it possible for some of us - those of us who were researchers - to define our engagement in the organization as "action research", and to see it as a part of our research activity during "working hours". Let me emphasize that the concept and idea of action research was taken very seriously. There was a method to it. We systematized our learning experiences, sifted principles of strategy and tactics from them, and published them in article- or book form. To some of us, participation in KROM is still action research, in that it provides indispensable documentation of a wide range of practices and policies in penal policy as well as a continual learning experience concerning policy-making. The notions of “The Unfinished” and of “Action Research” became the introduction to *The Politics of Abolition* in 1974 and are still the introduction to *The Politics of Abolition Revisited* in 2014.

### ***The Advent of the Nordic Movements***

But these four sets of ideas, though important, could not explain the *advent* of KROM and the other Scandinavian/Nordic prison movements. Though they in an important way explained inter alia the anger and consternation, they could not explain why the KROM-activity (and especially the Swedish activity, which was the first to occur) *occurred in the first place*. I venture the following explanation, which does not fully explain what happened but at least made the following probable. A fifth and final set of ideas was this: Scandinavia and the

Nordic countries in general had, at the time when KROM and the other prison movements suddenly surfaced, gone far in the direction of becoming so-called *welfare states*. After the end of World War II, in 1945, the so-called welfare states were blossoming in the Scandinavian countries and in other Nordic countries. The typical saying in Sweden, Norway and Denmark was that everybody was being ‘taken care of’ by the welfare state. Actually, poverty certainly existed, and groups of the population were in acute need of support. But they were hidden or forgotten, at least for a while. Except the prisoners. Though not really true, the prisoners were at the end of the 1960s presumably the only group in drastic need of help. They were seen as such by many of those who worked for them. I remember several occasions on which it was vehemently stated that the prisoners were *left behind* the general development.<sup>1</sup>

One occurrence comes to mind. The Norwegian (social democratic) Minister of Justice once (in the early 1970s) gave a public talk on prisons and prisoners. It took place in the social democratic “Workers’ Society”. The speech was openly extremely negative and primitive. Prisoners were the scum of the earth. Several people – social democrats – in the audience were outraged, and during the intermission “the grand old man” of the Labor party, the very tall and thin *Einar Gerhardsen*, stood up and moved in large strides from his table to another table where a well-known ex-inmate and drug user was sitting, engaging him in a conversation. The grand old man’s movement was highly symbolic, and the next morning the news about it was sympathetically carried with pictures and large capital letters in a major liberal newspaper. The times had changed, the welfare state had landed at the table of a prisoner. The Labor Party won the next election, and one of Norway’s most liberal Ministers of Justice ever, Inger Louise Valle, was installed, and stayed in office from 1973 to 1979.

At about the same time, the Swedish minister of justice advocated a total of a few hundred prisoners for Sweden. At the time, Sweden had about 5000 of them behind walls or fences. The time had come to the prisoners.

### ***The Revisited Book***

I took part in the first formative years of the Norwegian organization KROM, and wrote a whole book about that experience and about our series of struggles with authorities, politicians and other in power, which became *The Politics of Abolition*, in 1974. I stayed on in the organization, actually until this day, an experience which ended up forty years afterwards, as *The Politics of Abolition Revisited*.

Let me now detail just a little of the contents of the book, not revisited or revisited, to indicate what it is about.

*The Politics of Abolition Revisited* from 2014 contains three parts. *Part one* is forty pages and calls attention to some of the major changes I have introduced in the book. *Part two* is all of the original *Politics of Abolition* reproduced verbatim, because I think much valuable material could get lost if I tried to introduce the changes in the text itself. *Part three* contains altogether 11 essays or contributions by other scholars and prisoners around the world – from England, the USA, Germany and Norway. They partly comment on the prison situation in their countries.

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<sup>1</sup> I owe this fifth point to a speech by and discussions with the late Swedish author and KROM activist, journalist in *Dagens Nyheter* *Jörgen Eriksson*.



### *The Five Theoretical Issues*

The first of these theoretical issues is the theory of ‘the unfinished’, which is central to this book as a whole. The concept is largely unchanged, and I still believe in what I wrote about the unfinished many years ago. It is my position that the alternative lies in the sketch, in what is embryonic, in what is not yet full blown, in what is becoming, in the unfinished. When things become stabilized, ossified, the unfinished is finished and the alternative is over. This has very important implications for criminal and penal policy, and for prisons. I have used the theory to spell out strategies to avoid, on the one hand, being defined and “finished” as unimportant and co-opted would-be critics, and, on the other, at the same time to avoid being defined and “finished” as extremists who are not worth listening to. The notion has been *not* to let those in power define and place us, but to let *us* define and place ourselves. Many a dissident have fallen in one of the two traps.

The second of the theoretical issues concerns the general relationship between major structural change and more detailed improvements of the *status quo*, or, if you like, the relationship between revolution and reform. It is a thorny issue. In 1974 I believed that reforms in the prison business would have to be negative, they would have to negate the system. I don’t believe this so strongly any more. Welfare reforms, which I at that time saw as supportive of the system, and hence as ossifying, I now see as possibly negating the system or the politicians backing the system, since the latter – the politicians - do not perform welfare reforms *beyond a certain limit*. We must go beyond those limits, press for prisoners’ rights, human rights, welfare reforms. One of the eleven contributions to the book, that by Hedda Giertsen, postulates this. She takes up the Norwegian “importation model” of personnel: When teachers, but also medical doctors and others are hired from the municipalities outside, independently of the prison system, which they in fact have been since 1987 in Norway, and when they are hired with the purpose not of creating more law-abiding inmates for the prison, but with the purpose of creating a better life for the prisoners, there is a chance that welfare reforms may make walls shake if not fall.

The third issue concerns the development of an “Alternative Public Space”, and is based on remarks I have made several places on alternatives to the Television- and Internet-based public arenas of today. The modern digital equipment which has appeared during the past few years are to my mind not constructive but very dangerous to our pressure group activities, even if some of our activities benefit in the short run from them.

The fourth issue is contained in a paper I called “The Abolitionist Stance”, which is a paper I gave at the Conference *Creating a scandal – prison abolition and the policy agenda*. ICOPA XII – International Conference on Penal Abolition. Kings College (Waterloo Campus) 23 July 2008. The paper was subsequently published in several places, first in *Journal of Prisoners on Prisons*, Vol. 17 Number 2, 2008, pp. 58-63, and also presented in a revised form in honour of the late Professor Louk Hulsman at a conference at the University of Padova, Italy, on 25 March 2010. Originally it was a professional communication geared towards two German scholars, Johannes Feest and Bettina Paul (Feest is also in the volume), I here bring out the point that *abolition* does not necessarily mean that all or even most of our prisons will be abolished in our life time, even if this might be a God sent gift. I believe even in struggles for very small or small-scaled abolitions. I also made this point in *The Politics of Abolition* from 1974, and I make it here again and expand on it. My position is also that abolition is *a stance*, an attitude, the act and art of saying NO! The factors which make us give in are numerous, in daily life and work life. They surround us, make us accept the world as it is. Norway is a country where the act and art of saying NO! looms large. In two major referendums our small nation in fact said NO! to membership in the European Union, the large union encompassing all of Europe’s major nations and 400 million citizens. We have not

been able yet to muster a clear NO! to a dismantling of the Norwegian peasant tradition and farming structure of Norway, which the present conservative Government apparently wishes to erase, but a battle is going on concerning the modernity of our times, and we have not yet lost the battle. So it is with penal policy. It is a matter of developing a strong NO! to the easy ways out. Listen to this: “The American Society of Criminology is an international organization whose members pursue scholarly, scientific and professional knowledge concerning the measurement, etiology, consequences, prevention, control and treatment of crime and juvenile delinquency. ...Today, the American Society of Criminology comprises approximately 3.700 members from more than 50 countries. It is the largest professional criminological society in the world. ... Roughly 60 percent of the membership is made up of university professors ...”. This is an official statement of the American Society of Criminology. Albeit the largest grouping, there are also others, in other parts of the world. What if this mighty force one day stood up and said a loudly “NO!” to prisons! Like the prisoners did in 1966 in Strömsund in Sweden, and said a loud NO! to the mass incarceration going on in the world! Would it have an effect? Would the United States remain a society of mass imprisonment? I think not. Would the number of prisoners in other countries continue to increase? I think not. Would the numbers decrease? I think so.

A wild thought? Most likely. But the times need wild thoughts.

The fifth issue concerns the question of what comes after the abolition of prisons (or of most, many, some, parts of) prisons. We are certainly not there at the moment, so what I have to say about this will be brief and sketchy. Interestingly Sweden’s prison population is going down at the moment. Not a little but great deal. 25 % down over a decade! This is certainly a hopeful sign for the future. But it could also be a sign showing that other methods of control are taking over. Mass surveillance, like that which Edward Snowden so brilliantly has shown the world. I have looked at it. In Europe alone there are about *ten large mass surveillance systems* ready to take over. “Big data” is a common expression among those who deal with such matters. The question is if the hopeful signs like Sweden are followed by the less hopeful signs of mass surveillance.

There is, therefore, no end to our struggles. They must – and will – go on.

