

THE UNIVERSAL CARCERAL

http://web.mac.com/mikelarsen1/The_Universal_Carceral/Welcome.html

In recent years, the coercive, ordering and stigmatizing powers of the late modern state have expanded and exceeded the traditional boundaries of the criminal justice system to feature prominently in the domains of labour, health, immigration, and defence. The proliferation and normalization of detention as a disposal tactic in other spheres – indeed the universalization of the carceral – poses considerable challenges to penal abolitionists, who must now contend with additional spaces of control that act as appendages intensifying the expansion of an already wide net. As we move towards the universal carceral, there is a need to re-examine abolitionist critique, strategy, and practice.

Organized by the Journal of Prisoners on Prisons (www.jpp.org), the Universal Carceral Colloquium will feature presentations by activists, community workers, academics, prisoners and ex-prisoners.

Topics to be addressed include:

Mental health and incarceration / Confined identities / Prison resistance / Past and present forms of political imprisonment / The impact of imprisonment on families and relationships / Immigration detention / Penal abolitionist politics, strategy and practice

Featuring:

Peter Collins, Mike Larsen, Claire Delisle, Susan Nagelsen and Charles Huckelbury, Jen Kilty, Mary Corcoran, Erin McCuaig, Feargal Enright, Sophie Harkat, Brett Collins, Justin Piché

For more information, contact us at icopaxii.universalcarceral@gmail.com

CREATING A SCANDAL -
Prison abolition and the policy agenda

23, 24 & 25 July 2008 - Kings College London

<http://www.icopa12london.org.uk/index.php?id=578>



INTERNATIONAL
CONFERENCE ON
PENAL ABOLITION

Journal of Prisoners on Prisons

www.jpp.org

The Journal of Prisoners on Prisons (*JPP*) is a prisoner written, academically oriented & peer reviewed, non-profit journal, based on the tradition of the penal press. It brings the knowledge produced by prison writers together with academic arguments to enlighten public discourse about the current state of carceral institutions. This is particularly important because with few exceptions, definitions of deviance and constructions of those participating in these defined acts are incompletely created by social 'scientists', media representatives, politicians, and legal and justice industrialists. These analyses most often promote self-serving interests, omit the voices of those most affected, and facilitate repressive and reactionary penal policies and practices. As a result, the *JPP* attempts to acknowledge the accounts, experiences, and criticisms of the criminalized by providing an educational forum that allows women and men to participate in the development of research that concerns them directly. In an age where 'crime' has become lucrative and exploitable, the *JPP* exists as an important alternate source of information that competes with popularly held stereotypes and misconceptions about those who are currently, or those who have in the past, faced the deprivation of liberty.

Call for Papers

The Journal of Prisoners on Prisons will be compiling a special issue following ICOPA XII. We invite submissions from prisoners on topics relating to the Universal Carceral Colloquium theme, as well as papers that deal with other topics discussed at ICOPA XII. Please send manuscripts to us at the following address (deadline September 2008):

Journal of Prisoners on Prisons
c / o University of Ottawa Press
542 King Edward Avenue
Ottawa, Ontario
K1N 6N5 Canada

The Universal Carceral Colloquium

AGENDA

23 July, 2008.

Session D - 2:00 - 3:30 What is the Universal Carceral?

Chair: **Professor Robert Gaucher**

University of Ottawa Department of Criminology, Editor in Chief - Journal of Prisoners on Prisons

Papers:

Peter Collins

Prisoner, Contributor - Journal of Prisoners on Prisons, author and artist

“Spiegelgrund - A Continuing Horror Story: Mental Health, Compassion, Awareness and Incarceration”

Mike Larsen

York University; York Centre for International and Security Studies; Nathanson Centre on Transnational Human Rights, Crime and Security

“Correctional Mandate Creep and the “In-Sourcing” of Immigration Security Detention in Canada”

Claire Delisle

University of Ottawa Department of Criminology

“Gary Freeman and the Elasticity of the Universal Carceral”

Session E - 3:50 - 5:20 Experiences of the Universal Carceral I

Chair: **Justin Piché**

Carleton University

Papers:

Professor Susan Nagelsen and Charles Huckelbury

New England College and Journal of Prisoners on Prisons

“Abrogation of the Therapeutic Model in Prison Health Care and the Implications for Public Safety”

Professor Jen Kilty

University of Ottawa Department of Criminology & the Social Science of Health

“Resisting Confined Identities: Self-harm, Identity, and Biological Citizenship Claims in the Carceral Context”

Professor Mary Corcoran

Centre for Criminological Research, CESSW

“Contrary States of Prison Resistance: Challenging the Gendered Conditions of Political Imprisonment”

24 July 2008

Session I - 11:30 - 1:00 Experiences of the Universal Carceral II

Chair: **Professor Phil Scraton**

Queen’s University, Belfast

Papers:

Erin McCuaig

University of Ottawa Department of Criminology

“Doing Time on the Outside: Managing Relationships with Imprisoned Men”

Feargal Mac Ionnrachtaigh

Queen’s University Belfast, Department of Irish and Celtic Studies

“ ‘*An Ghaeilge faoi ghlas*’: Republican Political Prisoners and the Irish Language- Power, Resistance and Revival”

Sophie Harkat

Human Rights Activist and wife of Mohamed Harkat, Security Certificate detainee arrested on Human Rights Day Dec. 10th, 2002; Justice for Mohamed Harkat

“A Long and Painful Road to Freedom and Justice, Or Once Free. Now a Full-time Jailer”

Session J - 2:30 - 4:00 Abolition and the Universal Carceral

Chair: **Mike Larsen**

York University; York Centre for International and Security Studies; Nathanson Centre on Transnational Human Rights, Crime and Security

Papers:

Brett Collins

Justice Action, Australia

Professor Hal Pepinsky
Indiana University
“Beyond Justice”

Justin Piché
Carleton University
“Reimagining Penal Abolition in the Race towards the Universal
Carceral: Politics, Strategy and Practice”

Sophie Harkat
Human Rights Activist and wife of Mohamed Harkat, Security Certificate
detainee arrested on Human Rights Day Dec. 10th, 2002; Justice for Mohamed
Harkat
“The Campaign Against Security Certificates in Canada: Successes
and setbacks”

The Universal Carceral Colloquium

ABSTRACTS / OVERVIEWS

Professor Mary Corcoran

Centre for Criminological Research, CESSW

Session E Experiences of the Universal Carceral I

“Contrary States of Prison Resistance: Challenging the Gendered Conditions of Political Imprisonment”

Abstract: This paper explores the implications of the ‘contrary’ or contradictory states of confinement experienced by women political prisoners during the Northern Ireland conflict 1969-1998, using original interview material with women participants in the longstanding campaign of prison resistance. The paper argues that confinement of women political prisoners incorporated the double jeopardy of gendered and politicised controls. Hence prison regimes combined forms of ‘pastoral power’, which apply to imprisoned women more generally, with more coercive and security-conscious techniques and rationales that apply to controlling ‘subversive’ prisoners. Additionally, women had to contend both with official constraints and the prohibitions of their own political organisations. ‘Contrary states’, then, refers to the course which women prisoners consciously steered between their divided political loyalties and the many aspects of penal power they encountered. From this, the argument draws out the experiential, political and conceptual ramifications of the fragmented and multifarious character of prison resistance.

Claire Delisle

University of Ottawa Department of Criminology

Session D What is the Universal Carceral?

“Gary Freeman and the Elasticity of the Universal Carceral”

Abstract: Contemporary realms of punishment have become more elastic and the traditional spaces of confinement no longer adequately reflect the pervasiveness of the carceral. In today’s world, spaces of confinement sometimes don’t have walls or new spaces are created. In other instances, these spaces are borrowed and traded between states such as is the case with black holes and extradition processes. Collaborative transnational

efforts in the crime control industry have resulted in net-widening efforts beyond measure.

This paper addresses the process of extradition of Douglas Gary Freeman back to the US after living a peaceful life in Canada for over 30 years. It examines the role that Canada played as a US extradition partner. It explores the wider socio-political context of Freeman's story. It assesses the transnational cooperation between the US and Canada and the lengths taken to incapacitate an otherwise productive member of the community. It also focuses on Freeman's resistance against being criminalized, against the criminal justice system of both countries, and against the tyranny of the law.

Sophie Harkat

Human Rights Activist and wife of Mohamed Harkat, Security Certificate detainee arrested on Human Rights Day Dec. 10th, 2002; Justice for Mohamed Harkat
Session I Experiences of the Universal Carceral II

“A Long and Painful Road to Freedom and Justice, Or Once Free, Now a Full-time Jailer”

Abstract: Sophie Harkat, from Ottawa Canada, became an activist overnight after her husband, Mohamed Harkat (an Algerian refugee) was arrested under a Security Certificate on December 10th, 2002 (International Human Rights Day). Mohamed was detained for 43 months, spent one year in solitary confinement and held without charge or ever having access to "so called" evidence CSIS (Canadian Security Intelligence Service) claim they have for National Security reasons. All evidence presented in closed secret hearings, Mohamed and his legal team have always been kept in the dark. Sophie will speak about her journey through the prison system, her life labelled as the wife of a presumed terrorist, her struggles, fears and the ups and downs of the past five and half years leaving her feeling betrayed by her Country. After 43 months in prison, her husband was released on bail in June of 2006 under the toughest conditions in Canadian history. On that day, Sophie became a full-time jailer and prisoner in her own home. Although a successful challenge at the Supreme Court of Canada in Feb. of 2007 declared Security Certificates unconstitutional, Sophie and Moe are embarking on round two after being re-issued a 2nd Security Certificate with the help of Special Advocates and more secrecy. Mohamed has always maintained his innocence and Sophie has never once doubted him or her fight. Mohamed has become her hero and biggest source of inspiration and motivation. Her simple life became a

nightmare, but along the way has gained support, love and respect from many and is now dedicated and passionate about fighting the biggest machine of all.... the actions of her own government. After two years under house arrest and extraordinary arrangements to get to London, she is looking forward to sharing her life with you.

and

Session J Abolition and the Universal Carceral

“The Campaign Against Security Certificates in Canada: Successes and setbacks”

Abstract: Canadian Security Certificates are a measure to detain non-citizens for years (often in solitary confinement) without charge and without access to any evidence, which results in deportation orders to send the detainees - currently all Muslim men - to countries where they will face further imprisonment, torture or death. The campaign against them has existed since 2002. It turned a corner in terms of public opinion in 2004, and its high point was the landmark Supreme Court decision of February of 2006 regarding the unconstitutionality of aspects of the regulation. This session will explore how the campaign has managed, against all odds, to shift public opinion against the certificates; how the government has responded to shore up their defences; and where the campaign is now.

Professor Jen Kilty

University of Ottawa Department of Criminology & the Social Science of Health

Session E Experiences of the Universal Carceral I

“Resisting Confined Identities: Self-harm, Identity, and Biological Citizenship Claims in the Carceral Context”

Abstract: Conceptualising ‘resistance’ as it is experienced in the carceral context requires that we adopt a critical lens but also that we avoid romanticising prisoner actions and/or behaviours. By studying the self-harming behaviours (self-injury, disordered eating, licit/illicit substance use) of federally and provincially sentenced women prisoners in Canada, I generate a space for discussing the concept of individualised prisoner resistance. I examine the uses of self-harming behaviours as forms of both resistance and coping while careful to note the unavailability of other and potentially less harmful methods of coping and resisting while serving time in prison. I compare this individualist approach to coping and

resisting with the collectivisation more commonly exercised by political prisoners seen in countries like Ireland. Given the efforts of provincial and federal correctional services in Canada to prevent prisoner collectivisation and the subsequent push for prisoners to 'do their own time' it is not surprising that women prisoners often resort to self-harm as a way to exercise agency and to resist carceral control strategies. The women interviewed for this research identified self-harming behaviours as strategic attempts to express their emotions and negotiate their identities as criminalised women. Therefore, I suggest that self-harming behaviours foster the construction of a kind of bio-identity, on which grounds political and medical rights claims may be generated. Theorising self-harm as a form of identity carves out space for the potential to make citizenship claims based around a new kind of biological citizenship, which opens the door to community based services and treatment as an alternative to imprisonment.

Mike Larsen

York University; York Centre for International and Security Studies; Nathanson Centre on Transnational Human Rights, Crime and Security

Session D What is the Universal Carceral?

“Correctional Mandate Creep and the “In-Sourcing” of Immigration Security Detention in Canada”

Abstract: In his influential work on sovereign power and biopolitics, *Homo Sacer* (1998), Giorgio Agamben makes a distinction between the space of the prison and the space of the camp. The prison, he suggests, exists within and is subject to the juridical constellation of penal law. The camp - the name he gives to the space where the sovereign exception is normalized, realized completely in the form of the concentration camps of the 20th Century - exists outside of the normal juridical order. This paper takes as its starting point the recognition that many contemporary forms of detention are the products of states of exception or counter-law (Ericson, 2007). Preemptive and indefinite detention on grounds of suspicion and the failure to recognize universal rights of habeas corpus are hallmarks of the juridical space of the camp. However, a careful examination of the actual processes of management and control associated with contemporary spaces of exceptional detention suggests that 'the prison' and 'the camp' are not so easily distinguished. Using a case study of Canada's Kingston Immigration Holding Centre (KIHCC) supported by an analysis of documents obtained under the Access to Information and Privacy process (ATIP), this paper explores the co-location and co-operation of a prison and a camp. At KIHCC, the disciplinary power of the carceral (Foucault

1977) exists alongside and in relation to the sovereign power of the exception, resulting in a transformation of both ‘the camp’ and ‘the prison’. It is argued that the interpenetration of these spaces creates deeply problematic possibilities for the net expansion of systems of social control.

Feargal Mac Ionnrachtaigh

Queen’s University Belfast, Department of Irish and Celtic Studies

Session I Experiences of the Universal Carceral II

“ ‘*An Ghaeilge faoi ghlas*’: Republican Political Prisoners and the Irish Language- Power, Resistance and Revival”

In introduction, this paper will briefly explore Ireland’s cultural colonialization as part of the wider British imperial project which necessitated the demise of the Irish language as Ireland’s spoken language. The consequences of this process will be seen to have inspired an ideology of decolonisation and resistance which has been a central motivating factor in successive generations of republican prisoners learning and using the Irish language as a ‘language of struggle’ while incarcerated. It will also draw on the historical context of political imprisonment in Ireland and its crucial role in influencing the political strategy of various governments tasked with maintaining ‘law and order’ in Ireland while simultaneously shaping resistance movements and their political struggles outside the prison walls.

The paper will also specifically focus on the Irish republican prison struggle in Long Kesh in the North of Ireland and the prisoners’ own story of how the Irish language became a critical means of resistance that prisoners utilised as a practical form of salvation from psychological decay which legitimised their sense of cultural identity and represented a highly liberating power that transformed the prison and the prisoners, both for themselves and the outside world. Finally, the paper will assess the transformational impact of the republican prison struggle on the language revival in the North of Ireland during the 1980’s and its continuing legacy of cultural resistance that defines many regenerative language projects and bottom-up grassroots activist initiatives right up to the present.

Erin McCuaig

University of Ottawa Department of Criminology

Session I Experiences of the Universal Carceral II

“Doing Time on the Outside: Managing Relationships with Imprisoned Men”

Abstract: Traditionally criminological inquiry has excluded the voices of female partners of imprisoned men, leaving their lived impacts of incarceration unaddressed. This group is often stigmatized for their social status both by the correctional system and in the broader society. This paper seeks to capture some of the experiences and challenges faced by female partners of male prisoners in order to shed some light on their lived realities. This study builds on Goffman’s concept of stigma as well as more recent theoretical developments around this concept. In doing so, this thesis has addressed how structural stigma and interpersonal stigma are experienced by female partners of prisoners. It also addresses the issue of resistance.

The presence of structural stigma and interpersonal stigma (in particular the use of search technologies) are significant. However, the study also highlights the numerous tactics of overt and covert resistance exercised by these women. Covert strategies of resistance include the more surreptitious mechanisms employed by my respondents in response to the carceral and entail: undermining technology; everyday acts of resistance (Scott, 1985); creating an alternate discourse; managing relations; seeking support networks; and escapism. The second body of resistance unearthed in this study concerns overt strategies. These allude to formal means of resistance and will be explored under the following two sub-categories: challenging authority; and humor.

As such, the study suggests that women can and do resist this stigmatization and reinforces the notion that Corrections exercises systematic dehumanization not just of prisoners but of their close ones as well.

Professor Susan Nagelsen and Charles Huckelbury

New England College and Journal of Prisoners on Prisons

Session E Experiences of the Universal Carceral I

“Abrogation of the Therapeutic Model in Prison Health Care and the Implications for Public Safety”

Abstract: The perceived dichotomy between prisoners’ welfare and that of the free population makes any progress toward prison abolition ephemeral. There is, however, a way to bridge that gulf and connect the two as a means to an incremental long-term strategy for closing at least some

prisons. This involves examining the disturbing tendency that now exists inside American prisons to deny medical testing to indicate the presence of and subsequent treatment for life-threatening diseases. The denial of medical treatment is not restricted to life-term prisoners, but is also—and often preferentially—directed at those men and women who will soon be released. Supporting this philosophy, usually justified in economic terms, are health-care providers, clustered disproportionately in the privatized prisons, who lack both the credentials and skills to function in traditional practices. Working within an apathetic system, they contribute to a strategy that guarantees increased rates of infection of HIV/AIDS, drug-resistant tuberculosis, and hepatitis C, for example, as former prisoners continue to be released into the community with communicable (and often fatal) diseases contracted or untreated during incarceration. A partial solution, and a step toward abolition, lies in moving infected prisoners with nonviolent drug convictions into private sector treatment programs on an out-patient basis, which will provide the community with a necessary prophylaxis and concomitantly empty those cells as a first step toward closing prisons that are no longer needed.

Susan Nagelsen is Professor of Special Education at New England College and Director of the Writing Program, associate editor of the *Journal of Prisoners on Prisoners*, and editor of *Exiled Voices, Portals of Discovery* (New England College Press, 2008). Her work has also appeared in *BleakHouse Review* and *Entlelechy*.

Charles Huckelbury has served thirty-four consecutive years in prison and is currently incarcerated at the New Hampshire State Prison in Concord, New Hampshire. He is on the editorial board of the *Journal of Prisoners on Prisons* and the winner of four PEN American awards for both fiction and nonfiction.

Justin Piché

Carleton University

Session J Abolition and the Universal Carceral

“Reimagining Penal Abolition in the Race towards the Universal Carceral: Politics, Strategy and Practice”

Abstract: Christie (2000) argues that there “are no natural limits” to criminalization due to the subjective manner in which situations perceived as problematic can be defined as crime. Not considered in this line of argumentation, is the manner in which situations perceived as problematic can be treated as crime without the designation. This paper explores administrative mechanisms deployed

by government officials that aim to carve-out those deemed to pose a risk to the nation-state through legally codified mechanisms that structure-out evidentiary thresholds, procedural guidelines and accountability structures contained within criminal law. This is accomplished by laying the foundations for the authorization of detention in other legal domains. By examining the criminalization of certain forms of warfare (Butler, 2004), (non)citizenship (Wacquant, 1999), the merely suspicious (Ericson, 2006), disease (Rose, 2007) and the seemingly offensive (Duff & Marshall, 2006) by other means, I will illustrate how the coercive, ordering and stigmatizing powers of the late modern state have expanded and exceeded the traditional boundaries of the criminal justice system. While such configurations share with the criminal justice system a concern for public safety, there is little space for societal reinscription as the frameworks are driven by a precautionary logic (Sunstein, 2005) that seek to protect 'us' by disposing of 'them' (Larsen & Piché, 2007). The proliferation and normalization of detention as a disposal tactic in other spheres poses considerable challenges to penal abolitionists who must now contend with additional spaces of control that act as appendages intensifying the expansion of an already wide net. This context merits a re-examination of abolitionist critique, strategy and practice. Such a discussion will build on past pitfalls and successes in order to develop a roadmap to achieve short-term negative reforms and the long-term goal of penal abolition in a world that is being transformed into the universal carceral

