

From Enclosure to Embrace: Punitive Isolation and
Network Culture

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Chapter 1

The Rise of Network Culture

1.1 Summary

Cultural theorists such as Henry Jenkins[58], Lawrence Lessig[75], Yochai Benkler[9], Robert Hassan[48], and Manuel Castells[24], have written extensively on the role of network communications technologies in reconfiguring contemporary culture. While the penetration of the “information society” is now widespread in U.S. culture¹, not everyone is an equal participant[57, p.12]. As an extreme case in point, the American prison population, currently at 2.3 million[19], is institutionally excluded from equal participation in the information society and its network economies[16], attributed by some scholars as due to the prison’s historical logic of highly regulated communication flows[38, 71].

Some theorists of network culture argue that one quality of network cultures is their tendency to be all-embracing: their connectivity has a compounding effect that encourages

¹Seventy-three percent of Americans have internet access.[83]

networks to become ever more dense.[39, p.29][31] Hassan calls this permeation of networks into culture the “network effect”[48, p.2], a social pressure to participate more deeply in the information society. This network effect provides a theoretical lens for looking at prisons within society. An analysis of the debates surrounding correctional policy reveals the social forces both internal and external to the prison system pressuring prisons to adopt more liberal networked communication technologies and philosophies.

Outside the prison walls, discourses on the crisis of the prison reveal the ways in which networked communication has penetrated the prison via contraband communications technologies and channels along with an exertion of social pressure by journalists and academics, on prisons, to reduce the use of isolation in the correctional system.

Internally, debates on the reform of the prison by correctional personnel reveal the ways in which the penetration of network communication into the prison is asserted as a means of encouraging a more effective, efficient, and affordable institution able to remain competitive and socially relevant in a neo-liberal economic framework which is itself a contributor and effect of the information society.²

Cultural transitions involve a series of messy and unpredictable power negotiations between various cultural stakeholders[37], and the internal and external influences of this so-called network effect on the prison do not stand unopposed. Both within and outside the

²David Harvey describes the pressure of informational economics on cultural change in *A Brief History of Neoliberalism*: “The neoliberal theory of technological change relies upon the coercive powers of competition to drive the search for new products, new production methods, and new organizational forms. This drive becomes so deeply embedded in entrepreneurial common sense, however, that it becomes a fetish belief: there is a technological fix for every problem. [This can] produce powerful independent trends of technological change that can become destabilizing, if not counter-productive.”[17]

prison walls, stakeholders resist the penetration of network communication—mainly by expressing the desire to keep historical continuity with a policy of isolation.

This juncture between isolation and networks is the central problematic nexus in contemporary debates about the role of prisons, their function and modes of operation. Any effective and thorough understanding of correctional policy and issues in an information society must therefore proceed from a communicative, as well as punitive, framework. This thesis attempts to map that framework, with the goal of encouraging a more informed and democratic conversation about correctional policy debates in America and abroad.

1.2 The Rise of Network Culture

1.2.1 The Information Society

The average American, in an average day, is surrounded by networked media and communications technology. Cell phones, television screens, ATMs, radios, iPods, and computers accompany us throughout our day, from the time we wake up to the time we go to bed. Media make up our lives, and increasingly, we make our media, with YouTube, Facebook, and Wikipedia being some widespread examples of audience-generated information and entertainment. We live in the information society[48][24, p.21], an always-on, always-connected network of communication and exchange. Not infrequently, it seems that if a person is not plugged into the information flow, he or she does not exist. Media empower us, they help us form our identities, they educate, they inform, they entertain.[64, pp.1-30] We interact with

media, and they with us, and all of us with one other. Media content and technology form the fabric of our 21st-century lives. It would be trite, however, to reduce conceptualizations of the information society to simply “we are all on the internet now” or “almost everyone has a mobile phone.”[48, p.27] It is instead something far richer:

At its broadest level of conceptualization we can begin by saying that the information society is the successor to the industrial society. Information, in the form of ideas, concepts, innovation, and run-of-the-mill data on every imaginable subject—and replicated as digital bits and bytes through computerization—has replaced labour and the relatively static logic of fixed plant and machinery as the central organizing force of society. [48, p.28]

This major shift from the industrial to the informational economies is the heart of social change, the root of the prison’s own transitions and struggles of identity. This is because network technologies create a context for dramatic social change:

Networks constitute the new social morphology of our societies, and the diffusion of networking logic substantially modifies the operation and outcomes in the process of production, experience, power and culture. While the networking form of social organization has existed in other times and spaces, the new information technology paradigm provides the material basis for its pervasive expansion throughout the entire social structure.[24, p.500]

It is the last phrase, “throughout the entire social structure” which is particularly relevant to the present discussion. The prison may consider itself separate from the world outside, but

in fact, the network effect, the network paradigm, is permeating deeply throughout the entire social structure and right into the prison. This phenomenon of transition is not isolated to the prison, however, and it is not a black and white transition from one era to the next. Periods of major cultural change are never clear-cut, and the current one has been labeled in its infancy by various names as scholars have attempted to define it:

In age of multiple transformation, one of the major changes arguably the most central of all is the advent of a wide range of new communications technologies. This is resulting in an information society or information age, also described as a knowledge society (Drucker, 1994), a network society (Drucker, 1995), the Third Wave civilization (Toffler, 1995), the intelligent state (Conners, 1993), the infomedia age (Koelsch, 1995), cyberspace (*Time*, Special Issue, 1995), and cybersociety (Jones, 1995).[77, p.41]

While the various names of this “network epoch” may vary, the broader set of characteristics is generally agreed to by an array of media scholars and cultural theorists: “it creates a set of changes that pervade all aspects of society and reorganizes all older relationships: it widens arenas, multiplies actors, and increases the velocity and volatility of transactions.[8] Bell was here alluding to the totalitarian quality of network pervasiveness mentioned earlier, which “pervades all aspects of society” and “reorganizes all older relationships”. This is the context for deeply penetrating social change, especially due to the increase in the “velocity and volatility” of cultural and economic transactions that has led to a broader cultural trope of continuous and continuously accelerating change. If the pre-networked 1980s were

about “getting ahead,” the present moment seems to be about “keeping up.” There is little disagreement that networks and communication have emerged as a central profile of the 21st-century way of life:

We live in an information society. This much is clear; indeed this much is acutely palpable. It surrounds us and we are a part of it. We “know” this society insofar as it constitutes a growing reality that is reshaping the world and what it means to be an individual, a worker, and a member of the public within it. Information technologies based upon computer logic have networked our world, shrinking it to the point where it is possible to be constantly in touch with others, no matter where they are or what the time is. The extent of this connectivity is historically unprecedented and it is something that is growing in complexity and utility every minute of every day.[48, p.vii]

1.2.2 The Asymmetry of Access

While the penetration of the “information society” is widespread in American culture, not everyone is an equal participant.[57] Some groups of people are denied access to and participation in this media and information economy. Frequently, the poor, the disenfranchised, and the uneducated lack access to the gadgets and channels through which information and culture circulate and develop.[79] One group in particular that has been generally denied participation in the information society is the population of Americans incarcerated in our nation’s penitentiaries. While the average American can shuttle email back and forth at the

speed of light, the typical prisoner must make do with highly restricted and regulated uses of the telephone, personal visitations, and the US Postal Service. This not only affects how prisoners learn and communicate, but also how they experience space and time.[99]

The free flow of information and ideas is the backbone of the information society and a participatory culture. The denial of access to this society is thus a double punishment on top of imprisonment. “Many prisoners believe that the restricted access they have to computer mediated technologies and, in particular, the almost total absence of computers and internet access in prisons is a form of censure that renders them second-class citizens in the Information Age.” [62, p.1]

America is home to 2.3 million of these “second-class citizens,” institutionally excluded from equal participation in the information society and its network economies. The sheer number of Americans caught in this informational participation gap suggests that this situation is a unique social conflict deserving further inquiry and research.³ Yet, the study of media and communication in prisons is not a popular topic in academia. A literature search of the relevant terms revealed surprisingly little. While there exists within media studies a small but growing body of research that investigates representations of prisons and prisoners in popular culture[80], only a handful of scholars in the Western academy are investigating the uses of media and media technology by prisoners inside prisons⁴. The present project attempts to contribute to that small but growing body of scholarship and inquiry.

³The United States has the highest percentage per capita of prisoners of any country in the world. Growth rates over the last few years have hovered at 2 or 3 percent per annum, suggesting that the prison population will only increase in the years ahead.

⁴A literature search of Yvonne Jewkes, Heidi Vandebosch, Beate Gersch, and Sprios Kodellas will provide further reading on the convergence of media and criminology.

1.2.3 Digital Exile

Advocates of imprisonment might assert that these Americans, regardless of their numbers, are criminals and thus undeserving of participation in society, informational or otherwise.[88] They are in prison, after all, and prison has always been a place of highly restricted communication flows.[38] The denial of participation in society is a hallmark of the punitive character of imprisonment. In pre-Revolutionary America and England, criminals were regularly exiled to penal colonies in America or then Australia as “indentured servants”. After the revolutions in America and France, and the ending of penal transport to Australia, the use of penal colonies required reinvention in the West, and the prison was born of necessity. The following quote is a description of the development of the prison in Scotland, but this could just as easily apply to America or England:

As we have seen, the origins of the system of imprisonment which exists in Scotland today are to be found in the nineteenth century. When it was no longer possible or acceptable to exile offenders from the rapidly rising urban populations, alternatives had to be found. The same reasoning which led to the poorhouse (for the destitute) and the asylum (for the mentally ill) also produced institutions (prisons) for criminals. In effect, exile was continued, the main difference being that the new penal colonies were located within, rather than outside the society in which the crime had taken place.[2, p.34]

The cultural move from “external exile” to “internal exile” of criminals from colonies to penitentiaries and isolation must be viewed in historical context of the West’s simultaneous

transition to an industrial economy[?, 52]. Penal policies do change from time to time in response to changes in the broader economic political environment. As the West transitions out of an industrial economy, moving ever deeper into an informational economy, is exile once again being reconfigured—this time digitally?

1.2.4 From Exile to Isolation

The shift from internal to external exile was not the only historical transition in criminal justice. Prior to the 19th century, one response by a governing sovereign to criminal activity was corporal punishment.[31, 40] Foucault’s *Discipline and Punish* famously opens with a description of a criminal brought to the local town square, whereupon his flesh was ripped off the bone with pincers, then his body quartered for all to witness. In the wake of the French Revolution and the philosophical Enlightenment, which glorified the individual, corporal punishment was discouraged.[18] Humanists argued that torture was too extreme and more humane methods of punishment should be introduced.⁵ It wasn’t until the early 1800s, under democratic rule that the prison, which had formerly been used to house criminals briefly before torture or murder, was widely adopted as the punishment itself.[70, p.31]

A few years earlier, in 1790, the modern model of “silent and separate” was born, in Philadelphia’s Walnut Street Jail[13], based on the Quaker belief in penitence and self examination as a means to salvation and hence reform—hence, the term ‘penitentiary’. The Quakers, and similar religious persuasions, believed that devoid of stimulus and human con-

⁵A progressive humanitarian intervention of the time was the the guillotine, appreciated for its swift execution.[50]

tact, inmates would commune with self and Lord and become transformed. It was thought that these linked approaches, silent and separate[63, p.40], would be the best way to achieve four primary goals of a prison: 1) deter potential criminals from committing crimes in the first place; 2) protect the public from criminals and their influence; 3) punish the convicts for their crimes, and 4) help rehabilitate them so that they could return to society healed and ready for work.[63, p.114]

Instead of being reformed under this treatment, many inmates went insane. Progressive reformers encouraged change, and by the early 1900s, prisons in America had become fairly relaxed affairs compared to those of today[70, p.41]. These jails tended to be small, close to the communities they served, featuring liberal visitation and even leave policies. Inmates were regularly allowed to bring in their own furniture, decorate their cells, and often have pets such as a cat or small bird. After the social / cultural disruptions of the 1960s however, American prisons became locations of extreme punishment.[106] Visitation policies were restricted, personal artifacts prohibited, and duration of time spent in the cell was dramatically increased. Contact between other inmates as well as the outside world was severely controlled to the point of valueless as providing human contact. Supermax prisons, arguably the harshest prisons in the Western world, stand as iconic reminders of America's punitive ideal: solitary confinement[89]. Today, the prison has devolved full circle to its 19th-century roots[62]. Silent and separate has risen by recycling to the fore of criminal policy.

1.2.5 The Network Effect: Isolation Opposed

The prison system may have re-asserted its commitment to isolation over the past 40 years, but the information society in which it exists presents an ideological opposition: connectivity. Commenting on the totalitarian nature of the spread of network communication, media theorists Galloway and Thacker write “...it is clear that the concept of connectivity is highly privileged in today’s societies. In fact, the idea of connectivity is so highly privileged today that it is becoming more and more difficult to locate places or objects that don’t, in some way, fit into a networking rubric.” [39, p.26] Extending this description, it is clear that this expanding network rubric will soon influence the prison. Already it has begun to do so.

Hassan describes the digital information’s permeation into our lives as “the network effect”:

An increasingly strong compulsion to be part of the information society; it is a compulsion linked to the needs of a neoliberal global economy that demands connectedness; requires that we synchronize to its ever-quickenning tempo, a tempo that produces positive and negative effects... [48, p.2]

Like Galloway and Thacker, Hassan also sees this cultural force as hard to resist:

There is a distinct pressure that compels the individual within the network society to be connected and “always on. And so if you want a decent job and a career, or to start up a business of almost any sort, you will need to be a willing and connected “node in the networked economy. The result has been that there are

fewer and fewer refuges in time and space where you can be outside the pull of the network effect, to resist the virtual life and to experience another reality. [48, p.6]

It is important to remember that the network effect is a social effect articulated and advanced through the language of our digital computing environment, not a manifestation of technological determinism. Foucault said that technologies are social before they are technical. Still, there is a sense that the information logic is gaining momentum—and that this momentum may envelop prison policy makers sooner rather than later: “As the social world gets faster, its centripetal force (the network effect) draws us all in whether we are connected or not.” [48, p.9] This is true for inmates as much as wardens, politicians or even presidents, as we saw with President Obama’s struggle to get a Blackberry when he first took office. This tension between old and new communication channels reveals the network effect in action:

It is still common for mail sent through traditional means to take days or weeks, but now such time lags for communication seem anachronistic, from a very different world indeed. Letter writing is in decline mostly because ‘society’ now deems it too slow, and this will affect the unconnected through the closure of many post offices, the disappearance of uneconomic post-boxes, the increasing of postage, and so on.[48, p.9]

Prisoners currently have letter writing as their primary (and most affordable) means of communication. As letter writing continues to disappear into the ripples of shifting time-

space outside the prison, inmates are left with letters to write but no one to read them. Literally, there isn't time. This compounds the isolation effect; the inmate population, unable to communicate with the accelerated world outside, becomes virtually invisible.

A public survey to measure basic public knowledge of the laws that govern prisons would be a good follow-up to this thesis to measure any effect of opacity on the public's impressions of the prison. Based on my own limited experience in researching this thesis, my impression is that much of the American public thinks that inmates have unregulated and widely available access to cell phones, video games, and the internet. There is a story circulating through the news that tells of a mother phoning the warden of the prison where her son is incarcerated. She politely requested for her son to be moved to a different cell as the current one sometimes interfered with the signal on his cellular telephone. So taken for granted was the assumption of connectivity that this mother didn't realize she was incriminating her son, who was promptly reprimanded for his insubordination.

The reality is that inmates are broadly denied access to even the most basic forms of contemporary communication; the standard forms allowed being expensive telephone calls and a relatively slow postal service. It is this denial of communication tools which has led Jewkes to describe the prison population as "cavemen in an era of speed-of-light technology, postulating that denial of communication to prisoners is a distinct pain of contemporary prison life, one deserving examination and reconsideration. [62]

Hassan suggests that invisibility is a real outcome of getting left behind:

The network effect thus presents us with a choice: which is either to get connected

and speed up your mode of communication—or to be left behind. To ignore the network effect is to miss out on what might be important information, to lose out on opportunities or to be ignorant of changes that can affect us in our everyday lives. In the information society, to be in a position of unconnectedness is to run the risk of sinking rapidly from the social, economic and cultural radar.[48, p.9]

Inmates' opportunities to stay connected to the information society are strictly limited in scope and scale; society must take responsibility for that institutional policy, including re-evaluating isolation's role in separation from a highly connected world. There are signs that such re-evaluations are occurring and that the social implications of the network effect are challenging the institutional isolation of the prison. These signs can be pointed to in examples of discourse used to define the problems with contemporary correctional circumstances and the discourse used to advance solutions via prison reform.

1.2.6 Network Pervasiveness: A Challenge to Isolation

In an April, 2009 article in the Baltimore Sun[86], Justin Fenton reports on an investigation in a Maryland prison which led to the indictment of 24 individuals on drugs and weapons charges, four of whom were prison guards. The investigation was accomplished through the wiretapping of contraband cell phones. With the aid of these tapped phones, it was discovered that inmates who were members of the Black Guerilla Family gang were reportedly able to conduct inter- and intra-prison commerce, orchestrating the movement of drugs, weapons, and prostitutes, all while behind bars. With the help of several female guards, the gang

members were able to obtain the cell phones and smuggle into the prison vodka, cigars, and even prostitutes. One inmate was recorded ordering champagne and caviar; he even expressed disappointment when he was unable to get an order of crab imperial. In response to this series of indictments, U.S. Attorney General Rod J. Rosenstein asserted, “It’s not enough just to catch the bad guys and get them convicted and sent to prison. We need to make sure that while they’re in prison, they’re isolated and not able to carry on and continue their gang activities.” Rosenstein’s emphasis on isolation mirrors one common complaint widely seen in broader prison discourses exploring the nature of the prison’s crisis: that the prison system is failing to do its job both of isolating prisoners from one another and from society.

As a site of isolation, this argument makes sense, but what are the costs, both social and fiscal, of maintaining isolation? Perhaps Rosenstein is unaware that when he uses “they’re isolated” and “and not able to carry on and continue their gang activities” in the same sentence he makes the two inseparable. He proposes the use of a single tool for social control just one of many options. How would the range of correctional options change if he had instead proposed, “We need to make sure that while they’re in prison, they’re surveilled and not able to carry on and continue their gang activities”? Communication expands the prison’s range of responses to the penetration of contraband network technologies and intra-prison commerce.

1.2.7 The Network Effect: A Call for Connectivity

Two weeks prior to the publication of the article in the Baltimore Sun, Democratic Senator Jim Webb of Virginia used the weekly Parade magazine to announce his legislation mandating a massive review and overhaul of the American prison system[104]. Webb's headline declared, "Why We Must Fix Our Prisons." His bold, direct speech echoes the theme of erosion reported in the Baltimore prison, and the official embarrassment that accompanied the inmates' antics. Webb declares, "America's criminal justice system has deteriorated to the point that it is a national disgrace." Webb doesn't frame the problem, however, as one of contraband networks. For him, it is political, humanitarian, and fiscal.

Its irregularities and inequities cut against the notion that we are a society founded on fundamental fairness. Our failure to address this problem has caused the nation's prisons to burst their seams with massive overcrowding, even as our neighborhoods have become more dangerous. We are wasting billions of dollars and diminishing millions of lives. We need to fix the system. Doing so will require a major nationwide recalculation of who goes to prison and for how long and of how we address the long-term consequences of incarceration.[104]

Webb, as a legislative agent with power to engender change from within, has articulated a growing sentiment among progressive members of the American public exhausted from conservative doctrines of the rising police state: prisons are not effective, they waste taxpayer money, and the crimes they punish seem unsuited, less severe than the punishments themselves.

1.2.8 Prisons in Transition

These two examples of publicly expressed sentiment illustrate an emerging trend in American culture: after roughly four decades of unprecedented growth in economic and human-development terms, the American correctional system appears to be encountering both critical resistance and inquiry. The academic, mass, and entertainment media play host to a growing body of discourses which question and debate the role of prisons in the American way of life that is, as instruments of cultural life as well as the justice system. Many of these changes come about as a result of the convergence of networked communications technologies and the criminal justice system, expressed theoretically through the concept of “network effects” as the social urge to connect rather than isolate. In the same way that the internet and participatory cultures have changed how Americans work, play, and govern, the ubiquity of communication is creating a moment of reexamination into how the criminal justice system is managed and operated. No one should expect this process to prove easy, straightforward, or even just. Conflict will invariably arise as various social factions assert their differing agendas and aims.

1.2.9 Cultural Conflict: The Correctional Corporation

The prison industry has emerged as a major American success story in the neoliberal free-market context over the past three decades, due to various forms of economic deregulation and an environment of increasing emphasis on crime and security. In 2006, prisons were a \$37-billion-dollar industry, close to the GDP of countries like Lithuania and Syria. Entire

new sub-industries of prison services and products have sprung up as a result. Companies such as Nintendo, Starbucks, and Victoria's Secret benefit from prison laborers and their virtually nonexistent wages[49]. Beyond corporate profit, the American corrections worker wishes to remain employed, especially in a down economy. Profit is intimately tied to the prison.

Sadly, this motive has contributed to the exploitation of the people housed behind prison walls: over the last forty years, the growth in American's general and immigrant population, correlated to our economy, has mirrored a huge increase in the incarceration rates and absolute population of prisoners. The demographic composition of this increased population, however, has not been reflective of the general population. Scholars and human rights advocates now agree almost without reservation that the American prison is a disguised outlet for its unrepentant racism. One of 11 Black men aged 14 to 29 is in prison. Almost 75% of prisoners are black or Latino. Several scholars have convincingly argued that the prison system is motivated by economic and political agendas[28, 76]. By using minorities as "bodies" in a system of care, money is transferred from the government to private contractors; small towns experience the economic benefits of prison building. While racism, greed, and a harshly punitive public are widely acknowledged to have contributed to the prison's expansion they are ultimately problematic for a progressive, humane society. I thus frame my exploration of the collision between communication and enclosure in the ambiguous space between exploitation and reform.

The conflict that arises between the collision of information and isolation in the correc-

tional landscape can be compared to similar struggles in other areas of society that have been touched by network change. The prison is a unique industry, but its challenges are not; in effect, they map almost exactly to those challenges faced in the broader corporate sphere. The recent riots around the world protesting the corporations global dominance and profiteering in an era of economic collapse; the regular protests at WTO or G8 meetings, and the emergence of "eco-terrorism" are just a few examples of how the world public has actively resisted the dominance of the corporation in everyday life. Similar threats may emerge for the prison corporation as it confronts the reality of doing business in network culture.

Garesh Jameigdheri, in his book, *Systems Dynamics: Managing Chaos*, describes the plight of American businesses as they struggle to shift from a Fordist model of hierarchy and bureaucracy to a distributed model of network communication. Viewed properly as a business, the challenges of commerce in a networked society can be used to point out similar challenges in the prison.

Jameigdheri describes the corporation as having moved from a machine model to a biological model to the current "culture" model. This cultural model of an organization implies that the system is complex and compound, as comprised of other complex systems.

This emerging organizational model and the information society in general are threatening the corporate prison complex for much the same reasons as it is threatening to the average corporation. First, communication between inmates can lead to uprisings just as unmonitored communication in offices can lead to the formation of disruptive alliances. Second, communication between inmates and outsiders can lead to subversion of security, which

mirrors corporate fears of espionage. Third, the network model distributes power more equally throughout the network, eroding the control of any one particular person or group. This can be seen corporately when C-Level executives struggle to maintain control over an empowered workforce. Fourth, the ability to broadcast information to the public increases transparency; businesses can't profit without opacity—trade secrets, arbitrage, and strategy all contribute to a profitable model. Fifth and finally, inmates may use network computers to commit forbidden activities or crimes just as office workers may subvert corporate control of office pornography viewing, social networking and other digital pleasures.

1.2.10 Conflicting Perspectives

This project is motivated by the conflicts between communication and control in the context of a collision between networks and isolation. I see how different correctional stakeholders and citizens are putting forth various perspectives on the problems of prisons and the social benefits they purport to offer. These diverse arguments tend to collate around two extremes: reform the prison on a new model, or put more energy into keeping it the same. One body of discourses seeks to reform the prison, opening it up to the digital society. This approach can be called “progressive,” in the way it mimics the historical rhetoric and justifications of the “progressive” reform movements of the past. The progressive discourse ideology and agenda can be seen to be advanced by Senator Webb in his Parade article, though his arguments are similar to those advanced by many academics, criminologists, and social activists. “Progress” in this sense is not a value judgment, simply an acknowledgement of change and its need.

Alternatively, the approach I label “conservative” seeks to preserve the correctional logic along traditional lines: keeping prisoners “silent and separate.” The conservative approach, as illustrated by Attorney General Rosenstein, is typically, but not always, advanced by fearful or punitively minded members of the general public, politicians seeking to enlarge the prison complex, and prison staff—guards and wardens—who continuously deal with the life-threatening reality of managing the lives of incarcerated people.

The conservative and progressive approaches I’ve described here are ideological poles and it would be simplistic to suggest that the debate is black and white. In fact, any single person or group of people may hold numerous opinions on various policies which fall across the generous spectrum between these two poles, an ambiguity which creates a context for negotiation and debate. The conflict between these two approaches, conservative and progressive, is a sign of healthy democratic process, but the current dominance of the conservative silent-and-separate model leaves little room for progressive arguments to be heard. Yet it is also apparent to many that the conservative approach is problematic and limited; the result is an ideological impasse in which perspectives are advanced, but little change takes place within the confines of the cell. Apparently, an industry built on “silent and separate” is reticent to introduce network communication technology; understandably so, since the two appear to be fundamentally opposed in theory and practice.

1.2.11 Issues Raised

Some of the questions arising from this convergence and conflict between isolation and networks include: Should prisoners be isolated from one another and from society, or should they be encouraged to communicate with each other and the world outside? Should prisoners have greater access to friends, family, and potential employers, or is such access just contributing to contraband and other illicit activities? Should inmates have access to video games? Televisions? Computers? Email and the World Wide Web? How can the prison system be more suited to achieve network culture aims without threatening or undermining security? What are the various frameworks from which people talk about prisons? What are the words they use? What do they say—or not say? And, finally, what can we learn from this inquiry about both the state of prisons and society?

These are the types of questions now being raised in the media landscape. My goal is to describe the state of the discussion in order to pose a communication or media basis as the best fit for its future dynamic and management. For this purpose I will be drawing on network theory, theories of power and discourse, as well as prison policy debates held in the mass and other media.

1.2.12 Thesis Statement

This collision of communication and enclosure, and its associated conflict, is timely and relevant because the prison's own definition of silent and separate implies and presumes that communication has always been a central nexus of interest and intent in the criminal justice

system. This is confirmed by the interest shown by prison theory in issues of containment beyond the corporeal to include the extensions of speech, hearing, seeing, and writing. To make sense of the cultural turbulence in current media treatment of society's relation to prison and crime, communication and network perspectives must rest at center stage in order to think and talk about it. My thesis is that the prison has historically been defined in terms of communication—by the regulation and governance of it—and that any attempt to understand or reform the prison must therefore proceed from a communicative as well as punitive, framework. This thesis is rather unique in that it argues that isolation is the dominant language of prison discourse, and as such, communication is framed in terms of its lack, rather than its abundance. This limits the range of available policy options in considering contemporary corrections. This problematic is of the utmost importance to prison reformers and activists, as well as to anyone with a stake in innovating the American system of punishment and containment. Therefore it has direct and immediate application to public policy, lawmaking and enforcement, popular opinion, and the core terms of the debate, as well as to prison life and the way it is lived.

1.2.13 What Is at Stake

I feel an incentive to apply my research in ways that may enhance the quality of human experience, especially for vulnerable or disadvantaged populations. Sociological studies on prisons, as well as representations of prisons in the news and in entertainment media re-

peatedly suggest that prisons are dehumanizing and disempowering⁶. This makes prisons an obvious site for inquiry and research within an applied humanities framework, particularly media studies:

The theoretical studies of media audiences... provide evidence that for such individuals [prisoners], the mass media provide a key source of empowerment, offering a range of material from which individuals can create new identities or maintain pre-existing identities, explore their inner selves, form subgroups based on collective fanship, and find autonomy and self-respect in otherwise humiliating and disidentifying circumstances.[64, p.1]

This thesis attempts to map some of the primary debates in the field of correctional discourse as represented in the media and within the prison system itself. My hope is that this map will accelerate change for the benefit of millions of Americans trapped in a system that categorically denies them connectivity and communication under the guise of building a better society.

⁶For a sample of the former, read the Human Rights Watch report *No Escape: Male Rape in U.S. Prisons* or watch the documentary film *Cruel and Unusual*. For the later, scan the news for stories on Guantanamo, Abu Gharib, or TV shows such as *OZ* or *Prison Break*

Chapter 2

Language and Power

2.1 Summary

In the first chapter, I laid out the thesis that a network communications framework is essential to defining, understanding and debating the correctional system in America. As a mental and social scaffold for thinking and communicating, this framework is necessarily linguistic in nature. Because a scaffold can only be as strong as the material from which it is constructed, the language used to construct a correctional-communicative framework should be carefully scrutinized and analysed.

Language plays a central role in this thesis because of its power to structure the way we think, speak, and act.[42] Through its ability to construct shared versions of reality, language has the power to persuade, inspire, and intimidate. Language can be used to influence decisions about how resources are distributed to various social groups. It thus has the ability to shift the balance of power in social hierarchies, which is why those with power also

have a vested interest in limiting the discourse of the disempowered. Without appropriate language for discussion, problems are difficult to define and solve. Isolation has been such a central part of the philosophy of the prison for over two centuries that it has moved into the collective unconscious, shaping and even limiting the language available for thinking about and debating prison reform. This limited language, and the underlying suppositions it represents, may foster and protect a highly restrictive communications environment resistant to the social network effects discussed in the introductory chapter.

2.1.1 Language is Power

While the coverage and implications of networked technologies vary, most social critics would agree that communication activities are more frequent and diverse than at any previous moment in history, and that the creation and distribution of information motivates contemporary American life. This density and connectivity not only increases the opportunity for transformational dialogue and debate, but also intensifies such action. By augmenting human ability to document and circulate multiple perspectives, this dense and intense network presents opportunities for challenging dominant narratives and entrenched voices. This creates a “participatory culture” [57] in which ubiquitous communication capabilities translate into the possibility for change [37].

In contrast, isolation—the policy of silent and separate—in the prison milieu is supported by an unconscious, collectively-held set of linguistic assumptions which, propped up by the media in its myriad forms, has been relatively untouched by the chaotic multiplicity of voices

which has come to dominate elsewhere in the culture. The language of isolation has become demotic and invisible. It is important to make the implicit nature of isolation more explicit in order to hold it up to understanding, analysis, and debate:

...it is impossible to study imprisonment in general, and the administration of prisons in particular, without paying attention to the relationship between important social actors and those ideas, beliefs, and forms of knowledge (which we shall term discourses) that shape and contextualize imprisonment.[2]

Isolation is underwritten by the idea of the prison as a place where inmates must be disconnected from one another and from the digital society outside. If they are to advance in a digital economy, reformist agendas must first “denaturalize” the idea of isolation by learning to view it as an explicitly human construction shaped by the conflicts and desires of various cultural stakeholders. As these political and economic dynamics change, moments of creative instability are created and opportunities arise to redefine the nature of isolation.

Within the conflict of opinions and arguments around correctional practices lies the process of negotiating the reality of living conditions for 2.3 million incarcerated Americans, together with 4 million more on parole or under correctional supervision. These debates are the instruments of political relationships and consensus. They are the language which serves to construct yet more language in the form of policy, which ends with shaping how guards, police officers, and the public will think and act. Similarly, the role of language in prison policy debates must be closely watched and noted at several levels of discourse.

2.1.2 The Struggle to Structure Perceptions of Reality

Discourse is any communication that attempts to argue or understand or make sense of a phenomenon within a social context of competing structures for the interpretation of reality.[98] Longhurst and Adler highlight this competitive quality:

Social groups are engaged in struggles over resources, which are distributed unevenly across society and in particular social settings. The social locations of groups in society offer a range of alternative strategies of action. Discourses, which we define as relatively coherent sets of ideas and symbols, are partly the product of such actions and strategies.[2]

The fact that different people see the world in different ways allows for a kind of social arbitrage in which some groups can gain an upper hand in the competition for dominance in a culture. Discourse is the means by which we influence others to see the world in ways that agree with our own and influence them to behave in ways that are useful to us. As such, it is a useful tool for negotiating social reality. With increasing communication, the total time devoted to discourse has increased exponentially. In the same moment, traditional communication channels, including television, radio, and landline telephones, have been destabilized.

John Fiske provides some indirect insight into this interplay between networks and discursive power struggles. He wrote his book, *Media Matters*, in 1996, at the early stages of the world-wide web. In the opening of Chapter 5, he asserts that the problem with power struggles is motivation, or lack of it.

It is comfortable and effortless to live in a homogenized social formation from which all contradictions and abrasive edges have been smoothed out....The complacency that flourishes in a self-protective comfort zone will never motivate us to ask awkward questions about how power operates, and the resulting silence is, of course, precisely what power requires.[37, p.217]

Another scholar who has done work on discourse and social change is James Paul Gee, professor of literacy studies at Arizona State University. Gee is widely recognized for his influential book, *An Introduction to Discourse Analysis*, which describes the various ways in which discourse is used to construct social realities and manage competing views of how the world should operate. Formally, such views are codified in the political landscape through policy, legal positions which posit one view of reality as privileged over another.

2.1.3 The Power of Language to Distribute Social Goods

“Discursive strategies” are techniques used by communicators to shape the message to achieve a desired outcome. All discursive strategies can be analyzed in terms of content and delivery to reveal their thematic purposes. Foucault calls discourse a “power technology”[38] because of its ability to enable one person to influence or manipulate another. The use of political language is held by Gee as an example of this competition level operating in everyday life. Gee says that language is “political” in the sense that it is used universally to think about, argue over, and distribute social goods: “anything that a group of people believes to be a source of power, status, value, or worth.”[42] Social goods are those things in society

which give us a sense of being empowered members of our community, and might include intelligence, computers, a mobile phone, a broad social network, access to insider trading information...the list is huge because humans derive power and meaning from a variety of sources.

Communication and discourse would certainly fall into this category of social goods because they are sources of power, status, value, and worth[38, 42]. Access to channels and tools for communication, and the social and technical networks necessary for sending and receiving, are a social asset, one that is thought about, argued over, and distributed by means of mediated discourse. Gee would describe this process of negotiating social goods as political in nature, grounded in the social technology of language and social action[42]. Politics has always been connected to rhetoric and the use of language to persuade and negotiate, from before the Roman emperors to the imaginary futures of urban dystopias¹.

In recent history, the Bush Administration attempted to avoid the human rights restrictions of the Geneva Convention by designating Guantanamo prisoners as “enemy combatants” rather than civilians or prisoners of war. This manipulation of the language used to re-label ‘Gitmo inmates thus exempted interrogation methods otherwise banned by both domestic and international law. Another example from the same regime was the reclassification of suicide attempts by Guantanamo detainees as “manipulative self-injurious behavior.” The act of the desperate and depressed to escape unbearable suffering became an intentional

¹George Orwell offers one of the most widely appreciated examples of the power of language to shape reality. In his great novel 1984, language is used to manipulate the oppressed classes through the replacement of English with “Newspeak.” The continual refinement of Newspeak renders language impotent even to conceive of thoughts which oppose the dominant Party.

aggressive act against the United States. Such examples reveal the power of nomenclature to frame how we react to a problem or person. Other times, however, the strategy is not to rename, but to name not at all.

2.1.4 Exnomination: The First Strategy of Concealment

“Exnomination,” literally “no-naming,” is a specific discursive tactic that works by obscuring the most important issue at stake[5, p.142]. In the case of the prison, communication has been exnominated so that only the language of isolation is used to structure the debate. Anytime a debate is occurring on terms which favor one perspective, the other perspective will be severely limited in how it structures its arguments and responses. This is why those issues which do not want to be named must be brought to light. In social power dynamics, a dominant group or idea can become so common sense as to be made normal, setting the standard against which everything else is judged[81]. This is the case with isolation; it is the dominant idea against which prison reform is judged; it’s common sense, “natural”, and so anything which opposes it is rendered unnatural or non-sensical. This is its power.

Fiske, in *Media Matters*, reveals the depth of power exnomination is capable of.

Exnomination masks the political origin of Discourse, and thus masks...differences in society. It establishes its sense of the real as the common sense and, when it achieves this, invites (Barthes and MacCabe would say “requires”) the subordinate subcultures to make sense of the world, of themselves, and of their social relations, through the dominant, exnominated discourse, and thus, according to

Barthes, to identify ideologically with their oppressor: “To name a discourse...is to imply that other discourses, other points of view, are possible.” [37, p.43]

By making a cultural quality invisible, entire frames of reference can be removed, justifying all kinds of abuses and exploitations. Manuel Castells provides an example of this discursive strategy at work in colonial America.

Their [African Americans’] identity was constituted as kidnapped, enslaved people under the freest society of the time. Thus, to conciliate the obvious contradiction between the ideals of freedom, and the highly productive, slavery-based economy, America had to deny the humanity of blacks because only non-humans could be denied freedom in a society constituted on the principle that “all men are born equal.” As Cornel West writes: “This unrelenting assault on black humanity produced the fundamental condition of black culture—that of black invisibility and namelessness.” [24, p.59]

2.1.5 Backgrounding and Foregrounding: The Second Strategy of Concealment

Gee illustrates a similar process in action by talking about the techniques of “foregrounding” and “backgrounding.” By placing certain aspects of a sentence into the “foreground,” other elements, often provided for context, recede or are “backgrounded,” and in being so obscured, are assumed to be “taken for granted.” Backgrounding is a tool then for speaking in ways that render certain assumptions unquestioned. An astute listener or reader may see

the backgrounding game at work and in response choose to foreground it, opening up the pre-assumed elements of the argument to question and debate. Through this process, an argument can be detected, dismantled, analyzed, and evaluated. The subtle ways in which backgrounding and exnomination render any set of political perspectives “natural” becomes the source of their power. This process is not innocent, even if unconscious.

For example, US Attorney Rod J. Rosenstein recently asserted that “It’s not enough just to catch the bad guys and get them convicted and sent to prison. We need to make sure that while they’re in prison, they’re isolated and not able to carry on and continue their gang activities.”

Who is the “we” in Rosensteins statement? Me? You? The writer? It’s not clear, but the casual use of this term “backgrounds” the agent, creating a state of solidarity between the reader and the stated perspective. Rosenstein’s assertion is even more preassuming when he says “It’s not enough...”. His use of the terms “we” and “they” construct an us-versus-them mentality which places the reader is on his side. Through discourse analysis, we can gain a better understanding not only of what is being said (ethnographic content) but also how it’s being said (language-based discourse analysis) in order to begin to uncover the subsumed intent. The concepts that Fiske, Gee, and other theorists provide offer “thinking tools” to start the process of unraveling the complex arguments surrounding prison policy in the media today.

2.1.6 Silently Silencing: The Third Strategy of Concealment

These ideas of exnomination and backgrounding relate to a similar strategy of using language to disempower the oppressed as described by Norwegian legal scholar and criminologist Thomas Mathiesen. His concept, “silently silencing,” references the subtle, indirect ways in which social debate and discourse are limited through various discursive strategies. While Mathiesen’s concepts go beyond exnomination or backgrounding, all three concepts convey those ways in which one’s understanding of the world and their behavior can be limited, shaped, and manipulated through masking the foundational assumptions on which the understanding of that reality is based.

Mathiesen describes silently silencing as a subordination to authority, an acquiescence to social or political pressures to conform or obey which happens with the oppressed’s permission. Silence is the result of this giving in, be it a begrudging decision to “follow along” or a totally unconscious participation in social processes which exnominate other possibilities. The silently in silently silencing is that backgrounding, the quiet, unseen ways in which social pressure encourages us to behave in certain ways.[74, p.9] Silently silencing is a broad cultural phenomenon and discursive technique which is challenging to define or even notice, which makes it a useful framework for examining isolation’s dominance in prison discourses.

2.1.7 Analysis and Examination

The three discursive strategies of exnomination, backgrounding, and silently silencing are tools to control the distribution of social goods within asymmetrical social hierarchies. Be-

cause media and communication are empowering social goods, their presence in a correctional setting can be expected to be highly restricted and controlled. If network effects represent one series of cultural currents influencing the distribution of social goods across society and specifically (but not exclusively) the prison, they are bound to encounter cross-currents which resist this change by aiming to maintain the current configuration of social power and resource allocation. The ways that discursive strategy may be thwarting network effects in the correctional landscape must be analyzed and examined. The description in this chapter of a conflicted view of cultural change portrays the collision of communication and enclosure—of isolation and networks in the prison—as a complex competition between ideologies and correctional aesthetics; both sides need full access to the terms of the debate.

“Discourse analysis” is the term used by scholars to refer to the various techniques of unpacking cultural discourses to determine the content, agendas and strategies which motivate them. Discourse analysis is a broad umbrella term covering a number of strategies; there is no set of techniques that are at all definitive. The analytic process I am using in this thesis is primarily one of representing samples of correctional discourse and conducting what is commonly known in the academic community as a “close reading.” Discourse analysis and close reading (or textual analysis) are intertwined and both are very hard to define in any scientific sense. My approach in this thesis then is less about empirical data and more about offering a new perspective for looking at the prison crisis; a critical reading of the source texts presented in the following two chapters will help illuminate the hidden social power structures and the tactics such structures utilize in combating the spread of network

communication in isolated contexts like the prison.

2.1.8 The Stakeholders

This thesis will examine prison discourse through the language-in-action of academics, politicians, journalists, and members of the correctional industry itself. Rather than focusing on the response of prisoners, the priority will be given to those with various stakes in the system who hold some degree of power to make decisions or influence policy. All of these people have something to gain from being active in the prison's governance and purposes.

Academics

The label "academics" refers to people writing on or discussing correctional themes who are students, teachers, professors, or scholars. While this category certainly includes sociologists, political scientists, and criminologists, a number of interesting and insightful discourses are produced by scholars in other disciplines, such as media studies, literature, and architecture. As stakeholders, academics are connected to the prison largely from the perspective of the humanities or social sciences, in that they have a stake in creating discourse which aims to address a broad system of values for the many or focus on the realm of institutions in their social impact.

Politicians

The term "politician" refers to those employed as elected or appointed public officials with the ability to make decisions and affect changes in the operation of the prison or in criminological

policy. Politicians can influence the system through drafting and sponsoring legislation, voting on important legislation, and overseeing budgets to implement and oversight committees for standards of effectiveness. More important, however, is the politicians ability (almost by definition) to influence public opinion through the way an issue is framed.

Journalists

“Journalist” refers to anyone producing discourse on prisons, prisoners, or crime, disinterested (without financial stake in the outcome of criminological policy), and writing either with the authority of a newspaper or magazine as a reporter/investigative journalist, or as a member of the public in an editorial capacity. While academics are paid to study, politicians to govern, and correctional workers to run the prison system, journalists are motivated primarily in fulfilling reporting roles, and members of the public sharing opinion pieces are similarly uninvested in the success of the prison—except in however it affects local community.

Correctional Personnel

Prison wardens, guards, and administrators are grouped under the category “correctional personnel.” This term also includes anyone who enjoys direct financial benefit from the correctional system, such as private prison corporations, e.g., Correctional Corporation of America; UNICOR, the federal prison labor program; or vendor companies with prison contracts for goods such as furniture, clothing, and weapons, or food services. Correctional workers have a stake in preserving the correctional system status quo partially because they are employed by it; however, it should not be assumed that all correctional workers follow a

conservative approach.

In making this communicative nexus explicit, a common ground shared across the spectrum of correctional participants can be established, laying out the course for a more neutral, productive, and effective exchange in which all stakeholders and participants can equally take part.

Chapter 3

Discourse in Action

3.1 Summary

In Chapter 1, I presented the core of my argument: that the juncture of isolation and networks in the context of the modern prison's collision with the post-modern rise of network culture offers an essential framework for comprehending issues of prison crisis and reform. Chapter 2 painted a picture of society as a highly competitive landscape in which various social factions attempt to wield and maintain power through both the manipulation and concealment of discourse. In this chapter, I offer a series of discourses drawn from the mass media that advance arguments defining the crisis of the prison in competing ways. These definitions are themselves discursive strategies for shaping reality and advance either conservative or progressive approaches to isolation and network culture. These competing discourses reveal the ways in which technology is deployed or denied as a means of advancing social ideologies.

3.2 The Prison Crisis

The prison's crisis is represented, defined, and debated by the American public in different ways, but most often references the breakdown of control in the prison as an outcome of stressors on the physical system itself, typically overcrowding, understaffing, and underfunding, as failure to maintain order and regulate process. One "orthodox account of the crisis" provides a list of problems leading up to a riot: first, the high prison population; second, overcrowding; third, dangerous conditions for inmates and officers; fourth understaffing; fifth, unrest among staff; sixth poor security; seventh the "toxic mix" of life-sentence criminals, political activists and the mentally ill; culminating in an end point of crisis.[26, pp.10-11]

Still, there is something paradoxical about describing prisons as in "crisis" given that this "crisis" denotation has been applied over so long a time frame.[26] Yet the topic of crisis and its use in the media to describe prisons is an ongoing phenomenon. Some discourses position 'crisis' as though it were the result of communication permeating the prison system, thus eroding the prison's sovereign position of isolation. This perspective is conservative in that it attempts to maintain the historical mode of "silent and separate," i.e., a meta-model of enclosure which resists the cultural changes made possible by the "network effect." Other arguments, by contrast, describe the lack of communication and connectivity as a cause of 'crisis' in the prison system. Because this position is attempting to renegotiate to some degree any absolute model of "silent and separate," and thus represents the cultural urge to connect and communicate, it might be labeled "progressive", offering to embrace inmates, rather than enclose them.

Both “enclosure” and “embrace” connote and are etymologically related to the word containment. Enclosure is a form of control which implies the person contained is separated from other people. Embrace, on the other hand, preserves control through the opposing impulse: a close connection to community. It thus serves as a good initial label for emergent network culture philosophies on criminal justice. However one defines the causation of penal ‘crisis,’ it often shows up in conversations where the stakes are centered on allocating social goods in the prison context, especially communication and media.

One method used by proponents of network culture to erode the sovereign isolation of the prison is to attack it by discourses associating isolation with human suffering and classical notions of Hell. By talking about the “crisis” of the prison as one in which the denial of network culture represents “a distinctive pain of modern imprisonment” [62], progressive commentators use the culturally powerful metaphor of Hell to generate empathy and identification with the prisoners. A savvy critic will point out that news outlets need viewers to survive, and “if it bleeds, it leads” [72] . The use of suffering to sell news is hardly motivated by a respect for human dignity; on the contrary, the domestication of pain via the media has a numbing effect on audiences overwhelmed by endless representations of human suffering[23]. It is telling, however, that the subjects of suffering are in these instances the prisoner, and not a victimized public. This represents a departure from “mainstream press reporting of prisons [which] tends to portray [prisons] as ‘holiday camps’ in which inmates enjoy luxuries they do not ‘deserve’.[70]

3.2.1 The Association of Isolation with Hell

In “Hellhole,” an article appearing in a recent New Yorker magazine[41], Atul Gawande, medical correspondent for the magazine, asks, “The United States holds tens of thousands of inmates in long-term solitary confinement. Is this torture?” The title of the article certainly suggests he thinks it is. After setting the tone with this emotionally charged title, Gawande proceeds to build his case against the policy of isolation through recounting a series of interviews and stories with ex-convicts who experienced solitary confinement during their incarcerations.

Gawande attempts to draw on the emotions throughout his article, using empathy to elicit reader identification through a long recounting of the trials and tribulations suffered by a former inmate named Robert Felton, who was housed in solitary confinement for years on end by an unforgiving and cruel warden. The article ends with Gawande interviewing Felton, who has recently discovered that the warden who was responsible for his trauma and suffering has now himself been incarcerated—for taking \$50,000 in bribes from prison lobbyists. The warden has been sentenced to two years in prison and Felton is intrigued.

“Two years in prison,” Felton marveled. “He could end up right where I used to be.”

I [Gawande] asked him, “If he wrote to you, asking if you would release him from solitary, what would you do?”

Felton didn’t hesitate for a second. “If he wrote to me to let him out, I’d let him out,” he said.

This surprised me. I expected anger, vindictiveness, a desire for retribution.

“You’d let him out?” I said.

“I’d let him out,” he said, and he put his fork down to make the point. “I wouldn’t wish solitary confinement on anybody. Not even him.”[41]

This text portrays the punishment of an isolation so horrible as to be beyond retribution or revenge. Used to close the article, it establishes the author’s position indirectly but forcibly: solitary confinement shouldn’t be used on anyone—not even those who believe confinement should be used and practice it themselves. While this single case provides us with one discursive example of eliciting reader sympathy, it also functions within a wider cultural concept of isolation as a punishment so horrible as to be beyond the use of Hell as a form of revenge.

3.2.2 The Historical Uses of Hell for Revenge

The Spanish Tragedy is an Elizabethan drama written by Thomas Kyd between 1582–92. Highly popular and influential in its time, *The Spanish Tragedy* established a new genre in English theatre: the revenge play, or revenge tragedy. Its plot contains several violent murders and includes as one of its characters the personification of Revenge. The play follows the descent into madness of Hieronimo, a man whose son was brutally murdered. The story then describes Hieronimo’s struggle to contain his desire for revenge.

The ugly fiends do sally forth of hell,

And frame my steps to unfrequented paths,

And fear my heart with fierce inflamed thoughts. (III.ii.16-18)

The fire of Hell evokes the fiery anger in his heart. As the play unfolds, his thoughts frequently return to Hell as a place of revenge, at one point picturing his son's murderer, Lorenzo, "boiling in lead and the blood of innocents over a sulphur flame" [85, p.47] At a crucial breaking point, Hieronimo, a magistrate in charge of overseeing criminals, loses control and rages at Lorenzo:

[I] here surrender up my marshalship:

For I'll go marshal up the fiends in hell,

To be avenged on you all for this.

(III.xii.76-78)

For Hieronimo, revenge and Hell were intimately connected. This theme of Hell as a place of vengeance lives on in the phrase "go to Hell!" an exclamation inveighed against one's enemies. Yet Gawande's inmate, Felton, wouldn't wish his own Hell on anybody, not even the man who put him there. Gawande's description of Felton's Hell suggests why solitary confinement is worse than any Hell historically conceived:

Felton's Stateville isolation cell had gray walls, a solid steel door, no window, no clock, and a light that was kept on twenty-four hours a day. As soon as he was shut in, he became claustrophobic and had a panic attack. Like [others who had experienced solitary confinement as torture], he was soon pacing back and forth, talking to himself, studying the insects crawling around his cell, reliving past events from childhood, sleeping for as much as sixteen hours a day.

He had little ability to force a response negative or positive from a human being. And, with that gone, he began to deteriorate further. He ceased showering, changing his clothes, brushing his teeth. His teeth rotted and ten had to be pulled. He began throwing his feces around his cell. He became psychotic.[41]

Gawande's description evokes the torture of the Furies, who Hieronimo also invoked to aid in his revenge. The Furies are the ancient mythological personifications of revenge known for driving their victims insane. They were evoked by both Virgil and Dante in their accounts of the afterlife. Robert Felton, driven mad by the contemporary Furies, descended into a state of psychological Hell which mirrors the description of Hieronimo's descent into madness. Yet the same Hell that enraged Hieronimo rendered Felton passive.

Gawande recounts John McCain's description of the Hell of his own solitary confinement and its ability to make anyone unable to resist:

"It's an awful thing, solitary," John McCain wrote of his five and a half years as a prisoner of war in Vietnam more than two years of it spent in isolation in a fifteen-by-fifteen-foot cell, unable to communicate with other P.O.W.s except by tap code, secreted notes, or by speaking into an enamel cup pressed against the wall. "It crushes your spirit and weakens your resistance more effectively than any other form of mistreatment."

This recalls Mathiesen's words that the physical abuses of a carceral state must not be given preferred resistance over the psychological ones of silently silencing. McCain was physically tortured, but it is the silencing which seems to be the crux of his misery. History is

filled with examples of heroes subjected to torture only to continue to keep the spirit alive to fight. Even Christ, upon his crucifixion, had the clarity to beg forgiveness for those who hurt him. But Mathiesen, McCain, and now Felton make clear that isolation can render a prisoner psychologically impotent to defend himself. This hellish aspect of solitary confinement was made horribly clear in the story of Jose Padilla, a man who was denied basic human rights by being re-classified an enemy combatant by the Bush administration. The administration accused Padilla of conspiring in a dirty-bomb attack, and he was subsequently held without trial or conviction. “Today is May 21,” a naval official declared to a camera videotaping [Padilla]. “Right now we’re ready to do a root canal treatment on Jose Padilla, our enemy combatant.” He is described as an object to be owned, not a person to be cared for or even punished.

Padilla, who experienced isolation and sensory deprivation for almost four years, was not only unable to resist his captors, but also eventually unable to defend himself when finally brought to trial, as described by his doctor in an affidavit:

It is my opinion that as the result of his experiences during his detention and interrogation, Mr. Padilla does not appreciate the nature and consequences of the proceedings against him, is unable to render assistance to counsel, and has impairments in reasoning as the result of a mental illness, i.e., post-traumatic stress disorder, complicated by the neuropsychiatric effects of prolonged isolation.”[94]

Padilla had been rendered numb, and dumb, with his mind destroyed. Padilla’s situation opposes the notion of Hell as a place where “the punishment fits the crime” and the

larger morality-based idea of Hell as designed for the sake of punishment. In this example, punishment is far beyond what is fitting, and any justification for the punishment appears fabricated. How then, can this be Hell?

Hieronimo's Hell included pools of boiling lead and fire. Felton's included pools of feces, urine and toilet water used to flood his cell for entertainment. Both are terrible places, but Felton's Hell includes isolation, which renders it beyond the bounds of proper revenge.

3.2.3 Alone in Hell

The inappropriateness of the Hell label for solitary confinement is suggested by the title of a June 19, 2009 CBS "60 Minutes" segment on Supermax prisons, entitled, "Supermax: A Clean Version of Hell." This title conveys the idea that solitary confinement—the Supermax—is a different "version" of Hell altogether. Hell is not quite the right word, it seems, and this implied ambiguity is drawn out in the opening lines of the transcript:

...Since President Obama mentioned Supermax in a speech about Guantanamo, we wanted to take you there again. It's a sort of 21st-century Alcatraz, where convicted al-Qaeda terrorists are force-fed, and some guards worry about their own safety. Supermax is the place where America sends the prisoners that it wants to punish the most, a place former warden Robert Hood described as "a clean version of hell."

"I don't know what hell is, but I do know the assumption would be, for a free person... it's pretty close to it," Hood tells Pelley, the host of the show.[84]

The classical images of hell portray it as dirty, subterranean, full of repugnant smells from death, decay, and sulfur in short, a dank and dreary place. The solitary cells in the Supermax, by contrast, are frequently described as being clean, sterile environments where the lights are left on 24 hours a day. Solitary confinement in the Supermax seems then to not be hell, rather, something worse. We lack the language, however, for describing this “version of Hell” and so we are left with very little language to critique or understand. The horror of silence will have a hard enough time finding expression with support, but when challenged like this, silently silencing is occurring. No can resist that which renders it defenseless by being beyond accurate description.

3.2.4 The Brutality of Isolation

Lack of connectivity is articulated as the problem with isolation by a former solitary inmate. Pelley wasn’t allowed interviews with prisoners in Supermax (also referred to as ADX), but “60 Minutes”, in this segment, did locate Garrett Linderman, an inmate who actually got out.

“How is the ADX different than other lockups you’ve been in?” Pelley asks.

“Your connections to the outside. Your family. Through phone calls, visits, all those are pretty much stopped at the ADX. There’s no comparison,” Linderman explains.

“The denial of connectivity is the source of the Supermax’s unique position; its suffering function.

“You talk about the brutality of isolation, what do you mean by that?” Pelley asks.

“It breaks down the human spirit. It breaks down the human psyche. It breaks your mind,” Linderman says.

Just as Gawande implied that a lack of social interaction was equivalent to dehumanization, Linderman now expresses a similar idea: loss of connectivity (communication-in-networks) is a form of brutality that breaks the human spirit, psyche, and mind. For CBS, isolation evokes a version of Hell that represents the great divide between Supermax and other prisons.

“I’ve heard it described as a clean version of Hell,” Pelley remarks.

“Says former ADX inmate Garrett Linderman, “The perfection of isolation, painted pretty.”

“The perfection of isolation. Is that the way it felt to you?” Pelley asks.

“Yeah, they perfected it there,” Linderman says. [84]

On the spectrum of communication between extreme connectivity and extreme isolation, the Supermax stands as a premier model of a nearly pure denial of communication. The question becomes whether this achievement is a new condition which will require the force of new language to challenge it. If the symbol of Hell, the worst conceptualization of punishment we share in the Judeo-Christian tradition, is an insufficient descriptor for long-term solitary confinement, existing terminology will also fail progressive intentions.

Hell is rarely portrayed as a place of total isolation. The roster of souls communing in Tartarus reads like a who's who of demons. Mark Twain once quipped, "Go to Heaven for the climate, Hell for the company." The use of the Hell title by Gawande may have been designed to associate solitary confinement with the worst of human experiences, but if we are to use historical descriptions of Hell and Hell's use as a form of revenge to determine its appropriateness, the label falls short of accurately conveying the trauma Padilla and Felton experienced as they "abandoned all hope."

3.2.5 History and Debate

It is not easy for a society to make a consensus decision on the use of isolation. Just as the "60 Minutes" analysis uses the historical perspective to question the policy, so Gawande draws on the past to illustrate the tensions of isolation in the past when he writes:

The wide-scale use of isolation is, almost exclusively, a phenomenon of the past twenty years. In 1890, the United States Supreme Court came close to declaring the punishment to be unconstitutional. Writing for the majority in the case of a Colorado murderer who had been held in isolation for a month, Justice Samuel Miller noted that experience had revealed cause for "serious objections" to solitary confinement...[41]

Gawande draws on the authority of the Supreme Court to showcase the problems with solitary confinement. The specter of unconstitutionality is used to establish a moral position that condemns isolation for meriting "serious objections."

Those discourses seeking to define the crisis as one of too-extreme isolation typically draw on communication and social networks to establish a counter approach, a trend in line with Hassan's descriptions of the network effect. In "Hellhole," isolation equals crisis, and Gawande establishes non-isolation—community and communication—the social domain—as a basic necessity for human existence.

Human beings are social creatures. We are social not just in the trivial sense that we like company, and not just in the obvious sense that we each depend on others. We are social in a more elemental way: simply to exist as a normal human being requires interaction with other people.[41]

This expression of social communities as integral to the human experience runs counter to the logic of the enlightened Quakers who believed that time alone was the path to authentic humanity. In this regard, the prison as it has existed is a reflection of historically held values which are fading from society; the social values expressed by Gawande here are those of post-postmodern humanity that values interactivity over reflection:

One of the paradoxes of solitary confinement is that, as starved as people become for companionship, the experience typically leaves them unfit for social interaction. Once, Dellelo [a torture victim] was allowed to have an in-person meeting with his lawyer, and he simply couldn't handle it. After so many months in which his primary human contact had been an occasional phone call or brief conversations with an inmate down the tier, shouted through steel doors at the top of their lungs, he found himself unable to carry on a face-to-face conversation. He

had trouble following both words and hand gestures and couldn't generate them himself. When he realized this, he succumbed to a full-blown panic attack.[41]

Gawande's language is more direct on the subject of the suffering caused by isolation when he says unequivocally, "Whether in Walpole or Beirut or Hanoi, all human beings experience isolation as torture." This is a direct attack on isolation philosophies in the name of human rights, but it also advances a network-culture value system of connectedness. We must see Gawande's renunciation of isolation as reflecting something else in its place, and this too must be cautiously examined. New discourses of punishment will emerge if Gawande is successful in dethroning isolation's hold on punishment, but what new forms of suffering will fill the space he leaves behind?

Richard Dyer wrote that "What is regarded as natural in any era has to do with what is possible and what is wanted." The values, both implicit and explicit, in Gawande's attacks on isolation reveal the cultural means and values of the information society.

3.2.6 The CBS Production Crew: Silently Silenced?

With the exception of Gawande's opening remarks on the benefits of social contact, there are few terms deployed in this example which evoke the opposite of isolation, words such as "community", "communication", "networks", or even "data" or "information flow". The last two would surely be valuable to a security minded workforce. The language describing the crisis, as evidenced in the "60 Minutes" transcripts and in Gawande's article, is always framed in terms of isolation, never communication. But once the prison cell is surmounted,

more open-ended language is manifested. An examination of the “60 Minutes” piece and its internet supplements provides a glimpse at the interplay of information and isolation; this is to suggest that even outside the prison walls, ‘silently silencing’ and other restrictions on information can leave one without tools for resistance.

About dealing with the prisons, rather than the cells themselves, the “60 Minutes” producer Henry Schuster writes in a cbs.com supplement:

We had spent months researching our story about life behind these walls. The Bureau of Prisons is famously tight-fisted with information, hence the 30-plus Freedom of Information Act requests for Supermax records. They did not want us here and a spokeswoman had even tried to dissuade us early on from doing the story by telling us that it was perhaps the least interesting of federal prisons because, in her words, “nothing much happened there.”

Right. A prison that houses the Unabomber; the shoe-bomber; one of the Oklahoma City bombers; some of the al Qaeda embassy bombers; most of the first World Trade Center bombers; the Olympic Park bomber, the man who wanted to be one of the 9/11 hijackers; an FBI agent turned Soviet spy; the so-called American Taliban; and the leaders of the notorious Aryan Brotherhood prison gang is somehow boring?[96]

The producer, is still articulating the crisis of the correctional system, and even describing it as a place which supports isolation—but in and of itself. Schuster is here sardonically critiquing *an institution which does not exist in isolation*, unlike the prisoners being docu-

mented in Gawande's article. The placement of the prisoner in a space of isolation, versus the placement of the prison in the broader context of the American justice system, reveals the degree to which language can disempower and disable resistance.

Schuster's language in his account of the challenges to researching the prison is relatively empowered, contrasted with that of Gawande—or even his own production transcript from inside the prison. Schuster's account implies that the denial of information when dealing with an institution which exists in a broader network of agencies and publics is problematic, but still not totalitarian. “We spent months researching” implies that even amidst the isolation and opacity, some information was still to be gained. Not easily, Schuster notes. When talking about the isolation of prisoners, the BOP appears like an immovable leviathan, as it resists attempts by the prisoner to erode opacity and isolation, but when Schuster talks about the BOP from the outside, as an institution embedded in society and communities, the BOP is not objectively above legal action. It suddenly has agency: “famously tight-fisted with information,” against “Freedom of Information Act requests,” for “Supermax records”; these words convey a sense of information flow quite intentionally restricted by a party with an agenda: “They did not want us here” “a spokeswoman even tried to dissuade us” from “telling a story” because it was not “interesting” and “nothing happened here.” Schuster is detailing the active and subjective techniques of the BOP to resist inquiry. Schuster draws on language that reveals alternatives: “even tried to dissuade us” implies that they could have been more supporting, while “tight fisted” implies they could have been more open. The denial of information, here seen as a point along a spectrum of will between “freedom of

information” and opacity, is a negotiable tactic on the part of the prison—one that Schuster can comment on and critique.

He continues to describe the denial of information as a negotiable posture:

During Wiley’s remarks before and after the tour [of the Supermax], we didn’t get any information that we had not already dug up on our own – in fact, there was much less. There were a few pages of handouts that were short on statistics and a typed agenda which made it clear that we were going nowhere near the most interesting parts of the prison.[96]

Schuster begins his criticism of the BOP by the assumption that information should be available—or at least accessible—through the Freedom of Information Act, observation and interviews, statistics and handouts. This assumption may be an unconscious reflection of the network culture which values information flow and transparency. With that underlying assumption, his judgments become logical ones, so that the denial of information by the prison is seen as unreasonable and problematic. From the perspective of the network culture, Schuster is using foregrounding and backgrounding—assumptions—to normalize his values. The techniques of discursive strategy are the same, but this time they are used by a proponent of the information society against an institution which reflects values of isolation considered unacceptably outmoded.

To summarize, the “crisis” of “isolation” as a space of non-information, non-communication, non-data, and non-networks, is apparent in Schuster’s commentary on the prison authorities, and when critiquing the prison’s relationship to society and himself, his language is active

and open-ended in possibility for negotiation, built on the assumption of network information flow as the “norm” in the construction of reality.

But when Schuster turns his criticism against the prison in relation to its inmates, and the policy of punitive isolation, the language, as seen through the total production / TV show, is weak and impotent. The television producer’s inability to access the prison from outside could be considered a stand-in for the prisoner’s inability to access the outside world from within.

The language of the original CBS telecast, instead of one of defiance and critique, is one of passive observation which evokes the helplessness and defenselessness associated with solitary confinement:

60 Minutes’ cameras could only get near the perimeter of the prison. [As though the prison has all the control.]

Harvard may be easier to get into. [There is no sense that entry is possible; compare with the “Freedom of Information Act” request; the prison may dissuade, but there is at least the possibility of access.][96]

This lack of alternative is echoed throughout the document:

“You think the guard towers are watching us?” Pelley asks Warden Hood, while standing not far from the perimeter of the ADX.

“I know they are watching us,” Hood says. [The panopticon sense of surveillance is evoked to create a sense of helplessness and paranoia.][84]

The dialogue continues:

But the Bureau of Prisons doesn't want us watching them. The general public has never seen [this] Supermax in operation... [84]

Whereas earlier "They did not want us here" of Schuster's diary entry was followed by a sarcastic "Right," "They [BOP] don't want us watching them" is followed by a hollow "the general public has never seen Supermax in operation..." The tonality sequencing creates a sense of desperation and frustration.

The passive construction is applied to the prisoners as well:

Most prisoners spend up to 23 hours a day in their cells, every minute, every meal.

The window is blocked... Inmates can watch a 12" black and white television or read books to pass the time. And if they behave, they may get limited exercise in a one-man recreation pen.

In this paragraph, the prisoners are allotted everything on highly contingent conditions. In this instance, no real options are possible outside direct prison control.

3.2.7 Further Confusion of Terms

A further illustration of how the language used to describe the interplay of isolation and torture can be seen in the producer's choice of complaints to broadcast, cited from inmates:

Bureau of Prisons' records that 60 Minutes has seen show there have been as many as 900 of what the Bureau called "involuntary feedings" of terrorists in H-unit since 2001. [In response to inmate hunger strikes.]

“Why did the prisoners stop eating? What was the complaint?” [Pelley]

Says Hood, “It was conditions of confinement.” [84]

Here CBS has established the story line of discourse that inmates stopped eating because of their confinement—according to ex-warden and former correctional worker Hood. But CBS then immediately restates their objections:

“Some of the conditions they object to are outlined in a document: inmates get letters only from people approved by the prison and they get one, monitored, phone call a month, for 15 minutes.” [84]

A comparison of these two definitions reveals the confusion around the topic of discussion. The warden says the inmates object to confinement. CBS says they object to limited communication. The juxtaposition of these claims suggests that communication and confinement are interrelated. It is significant, however, that the prison official, indoctrinated into the silent and separate stance, defines the problem as “confinement,” while the media company states that prisoners object to an inability to communicate freely. The warden and the CBS producer articulate the same problem as defined by two different stakeholders who provide contrasting definitions. In the case of the warden, there is little room for progressive action; the inmates object to confinement, but that’s what prisons are created to do, so they had better just get used to this baseline fact. There is no way out of the confinement of the definition.

This lack of a clear language and definition may be stagnating the evolution of progressive prison policies. Gawande attributes this to a lack of alternatives in the correctional process:

Advocates of solitary confinement are left with a single argument for subjecting thousands of people to years of isolation: What else are we supposed to do? How else are we to deal with the violent, the disruptive, the prisoners who are just too dangerous to be housed with others?[41]

The language of isolation offers only one path for correction; it always judges itself against a model of complete isolation. Alternatively, the analysis by CBS, which uses a communicative framework, leaves open a possibility for negotiation and policy change. In seeing how the CBS producers defined the warden's problem using completely different language, we gain a glimpse into how the specific use of language can structure our understanding of reality and the paths towards progress we may articulate within it.

3.2.8 The Counter Perspective: A Crisis of Connectivity

Progressive journalists argue that isolation and a lack of connectivity are at the root of today's prison crisis, a trend which exposes the network effect of pressuring prisons to erode their sovereignty of isolation. At the same time, conservative arguments identifying connectivity and the erosion itself as the problem make equally illustrative claims that the network effect permeating throughout prisons must be prevented.

Consider these lines from an April 18, 2009 article in the *Baltimore Sun*:

The court records read like a scene out of *Goodfellas*: from their prison cells and with the help of corrections staff, authorities say, members of a violent gang were feasting on salmon and shrimp, sipping Grey Goose vodka and puffing fine cigars

all while directing drug deals, extorting protection money from other inmates and arranging attacks on witnesses and rival gang members.

In this article, inmates are members of a gang and therefore part of a social network. They are confined but still capable of colluding with each other and the staff, thereby linking their network with many additional networks. They are capable of connecting with their own network and other networks on the outside, including importers of fine goods. The Baltimore Sun is making clear through these examples that the "separate and silent" code is not being maintained. Linking this activity to Goodfellas, a film about mobsters, implies that these networks are criminal activities both in and of themselves and over and above the corruption and murder they permit. This paragraph was part of an article portraying the prison as an out of control crisis, in part because too much communication is occurring. Such articles reveal the anxiety caused by the permeation of network effects into the prison, legal or otherwise.

A 2007 article in Time articulates the crisis as an erosion of isolation, at least in part:

The California system is a mess. Apart from severe overcrowding and inadequate health care, it is plagued by deadly violence, a revolving-door parole system and a lethal injection procedure deemed constitutionally flawed by a federal judge. The corrections department's current \$8 billion budget pays for operations at the state's 33 prisons, which were designed for a capacity of 100,000 inmates but which now hold 172,000. That population is forecast to grow to 190,000 in five years. Because some 16,000 of those prisoners must now bunk in hallways, recre-

ation rooms, laundry areas and gyms, the facilities are in near-constant lockdown, raising both tensions and the crime rate within. "We have overcrowding and idle inmates and the combination of the two is causing an unsafe situation," says James Tilton, Secretary of Corrections and Rehabilitation. "On top of that we have pressure from all these lawsuits regarding our provision of medical and mental health care which has brought the threat of [judicially imposed] population caps.[100]

As an alternative form of discourse, images can convey the visual aspects of overcrowding. Entire warehouse-like structures filled with bunk beds as far as the eye can see are graphic evidence of the fact that, in California at least, isolation has been long abandoned. So many inmates are packed into tight spaces together that they end up plotting, scheming, attacking, and rioting. As a discursive strategy, these images portray the erosion of isolation as a threat to the functioning of society. They are a means of using fear to maintain a conservative resistance to connectivity, even in the rudimentary form of physical proximity.

Just as analogy was used in the earlier examples to equate isolation with Hell, here other arguments attempt to link communication to weaponry as a means of advancing the hegemonic conservative assertion that communication is dangerous. In a Newsweek article from late 2007, the cell phone is used as a symbol of connectivity, then linked to various problems in the prison complex. "Forget the knife in a cake. The hottest device behind bars these days is the cell phone," reads the headline.[87]

Prison officials are warning states that the security risk will continue to grow

as cell phones shrink in size and advance technologically. Tiny phones equipped with cameras, Internet access and GPS navigation can help orchestrate prison-break plots, drug trafficking, gang violence and harassment of former victims. The next frontier: thumbnail-size SIM cards, which inmates are now importing la carte for use with smuggled cell phones. As an added bonus, they can easily be deactivated to avoid detection.[87]

There is clearly a sardonic tone to this article, seen most clearly in the use of “the next frontier” to describe the sense of technological achievement, and “as an added bonus,” which positions the technology as beneficial to the inmates and their attempt to connect. By connecting the cell phone to the knife in the headline, the author establishes the view that cell phones are equally dangerous in the correctional context. This perspective makes it difficult for progressives to reduce isolation when communication is seen as a perennial problem in and of itself: in this framework, phones, cameras, internet, and GPS are clearly channels for crime, not rehabilitation. No one disputes that the cell phone can be used to engage in criminal activity, but the criminality of the cell phone’s presence in the prison is generated by the prison system’s decision to ban other potential new forms of communication which could simultaneously connect the inmates to their communities while also offering a chance to surveil the inmates and their communication.

3.2.9 The Close Link between Crisis and Reform

Many of the discourses analyzed here are one-sided because the prison issue is typically bifurcated. Occasionally, however, examples of discourse which reveal the struggle along the spectrum between isolation and network culture emerge and pose an opportunity to see how these opposing approaches could work together linguistically and politically toward a solution. This quest for a resolution illustrates how technology itself is negotiated in terms of its deployment, an important understanding when considering policy decisions of any kind.

3.2.10 Technology as a Vehicle for the Expression of Cultural Values

The idea of technology deployed as a vehicle for oppressive agendas, social policy-making, or as the expression of any set of values in general may seem foreign at first blush. Many people in our techno-centric culture tend to subscribe to some degree of what is called “technological determinism,” the mentality that culture is the result of the technologies which empower it. But while it is true that certain technologies do facilitate changes in culture, it is also the case that those who control those technologies are also in a position to deploy them in ways that reflect their own values. This deployment in turn can serve as a kind of “behavioral discourse” which uses technology to construct a version of reality that allows wide participation without revealing or realizing the hidden assumptions or decisions which motivated it.

Richard Dyer summed this up when he wrote, “All technologies are at once technical in the most limited sense (to do with their material properties) and also always social (economic,

cultural, ideological).” [32, p.83]

This means that social values drive which technologies are chosen, and how they are introduced and deployed in a society. The implications for this situation on the prison’s emphasis on isolation should be immediately clear:

Why a technology [such as a prison] is even explored, why that exploration is funded, what is actually done with the result (out of all the possible things that could be done with it), these are not determined by purely technical considerations. Given tools and media do set limitations with what can be done with them, but these are very broad; in the immediacy and instantaneity of using technologies we don’t stop to consider them culturally, we just use them as we know how—but the history, the social inscription, is there all the same. [32, p.83]

The prison’s design assumes, privileges, and constructs a mindset of isolation, so much so that any attempt to introduce communication becomes a problem. This is not the same as technological determinism. Dyer points out that ”The technology at one’s disposal also sets limits,” but that ”...what is at one’s disposal is not all that could exist.” [32, p.90]

When the way a technology is used is unexamined for its cultural implications, it may serve as a means of advancing an oppressive agenda. Musing about film’s ability to codify racially oppressive values, Dyer wrote: “The resultant apparatus came to be seen as fixed and inevitable, existing independently of the fact that it was humanly constructed.” [32, p.90] We must remember that any deployment of technology, whether policy, architecture, or media, as a few examples, is humanly constructed.

The prison's current incarnation as a vehicle for policies supporting isolation is one of many possible manifestations—it is socially determined. This can be seen in debates on prison policy, such as an AP article from February 2009, where a debate around inmate internet access serves as a nexus for examining the intermingling cultural currents between the outside world and the incarceration interior, as described by Fiske. The themes of problem and reform as related to enclosure, as outlined by Deleuze, are also represented.

A plan debated Tuesday by Nevada lawmakers would allow some state prison inmates who lost the use of personal typewriters starting in 2007 limited access to the Internet. Currently, inmates can't use the Internet, but have access to electronic library materials on CD-ROMs. Under AB34, they could get e-mail from approved senders, take online classes, and access an electronic law library. All the e-mail traffic could be monitored by prison staffers.[33]

This paragraph reveals two presumed benefits of internet access: inmates get connected, while the prison can also monitor the traffic. This places the prison's role as a site of surveillance above its character as a place of isolation. It also raises a central question: If social control of the inmate population is the goal, is the best means of achieving it surveillance or isolation? In Chapter 1, I used Attorney General Rosenstein's sentence, "We need to make sure that while they're in prison, they're isolated and not able to carry on and continue their gang activities," to suggest that this verbal structure created a reality in which isolation was the "only way" to prevent more crime. The structure of his sentence reveals the degree to which isolation has become so embedded in culture that its role is no

longer questioned.

Dyer accounts for the uses of technology becoming embedded in culture after the exnomination processes described by Barthes:

All this is complicated still further by the habitual practices and uses of the apparatus. Certain [technical features]...have become established as normal. They are constituted as the way to use the medium. Anything else becomes a departure from the norm, or even a problem.[32, 90]

In the practice of correction, such normality is located in the policy of silent and separate. How can a prison grow to embrace the information society if its very definition—which incorporates the denial of communication—is assumed to be nonnegotiable?

Dyer, in his essay on film, describes the confines of language based on assumption when he describes how bronzed skin is defined in comparison to white; it exists on "white" terms, not black. These assumptions of white normalcy encourage a language which cannot read dark faces as being "shades of black" or "shades of brown", only shades of white. This in turn limits the range of photographic options for enhancing dark skin when captured by the camera. Similarly, the assumption of isolation in debating prison policy may limit the range of options available to help inmates and those on parole find ways to participate in network culture, and increasingly this need is forcing isolation into the light of reconsideration.

We have a real limitation on those inmates that are working in the community,” state Corrections Director Howard Skolnik told the Assembly Corrections, Parole and Probation Committee. “There are inmates coming out of our restitution center and transitional housing, who cannot use a telephone. They cannot sit at a computer that’s attached to the Internet,” he added. “And those are the kind of jobs that really have a future for our folks, instead of going to car washes all the time.”

This is a good example of where the prison industry itself is articulating the crisis of the prison (in milder language) as one of the disconnect between inmates and connected society. The Corrections Director is referencing the post-prison reality that network communication lies at the heart of inmates getting jobs to succeed in the outside world. He sees the denial of participation in the network society as a limitation holding his inmates back from full rehabilitation.

But the messiness of the contradictions emerges when Skolnik then says:

InmateInternetOur fear is that if inmates had uncontrolled access to the Internet, they would be creating new victims, they would be harassing old victims and they would be doing a lot of things that frankly we just don’t want them to do.[33]

The AP writer then helps reveal the tensions and concerns:

The Internet plan follows a decision that has led to confiscation of hundreds of portable typewriters from inmates over the past two years. Prison officials cited

security concerns because metal pieces from typewriters could be sharpened into dangerous weapons. The American Civil Liberties Union of Nevada fought the typewriter confiscation, saying that they were vital to inmates who represented themselves in legal proceedings. The ACLU favors the new bill, but proposed an amendment to ensure that the electronic access doesn't take the place of inmates' visitation rights or the chance to see a doctor.[33]

As another voice in the conversation, the ACLU is attempting to encourage more communication by use of newer technologies, while also working to prevent traditional forms of connection from being arbitrarily eliminated. The ACLU represents a broader progressive argument of the network effect to bring inmates into the information society. But this perspective is opposed by the correctional personnel who deal with the physical reality of life in the midst of a criminal population. The negotiation of prison policy is revealed in the ACLU's proposal to ensure that adding electronic access does not concurrently restrict physical access.

While some discourses debating the prison are locked down in one extreme or another, this survey offers a glimpse into moments of creative cultural instability in the struggle between these two perspectives. The awareness that technology is socially constructed and deployed thus opens a window for change.

3.2.11 Conclusion

Through examples of mediated discourse, we can observe a range of debates impacting technological policy within the prison system. These policies structure and restrict the everyday life of inmates. Debates over the definition of crisis in the prison system fall within a spectrum of communication spanning isolation and connectivity, revealing the tension between the network effect and the prison's sovereignty of isolation. This tension is framed in questions about whether inmates be allowed access to communication, whether isolation is a prerequisite for punishment, order or rehabilitation, and whether incarceration facilities can find a way to preserve security while also preparing inmates for life in the digital society. Writers such as Atul Gawande state that isolation is dehumanizing. CBS investigators personally agree, but were hesitant to say so. Even though they were critical of the prison, they seemed unable to criticize the policy itself. Alternatively, Attorney General Rod Rosenstein believes that communication among inmates must be limited and that only the silent and separate system can ensure a smooth-running prison. Between these extremes, however, many other correctional stakeholders, such as Howard Skolnik of Nevada's system and the ACLU are working to negotiate the polarity. The way these issues are debated is representative of the values of the culture which engages in these discourses. Only by keeping such goals in sight can we expect to comprehend the range of motivations driving correctional policy.

Chapter 4

Communication as Correctional Reform

4.0.12 Summary

The previous chapter presented the way discourses debating and defining the nature of the prison's crisis can help us both understand the central relationship between communication and corrections, recognize how the prison is being permeated by network technology via contraband communications technologies and a mounting pressure by journalists to abandon or at least examine isolation as a punitive measure. These latter phenomena could be read as 'network effects': social forces favoring connectivity and gently nudging the culture of the American prison towards one more appropriate to contemporary information society.

Whereas the previous chapter examined the pressures and opportunities of network effects outside the prison (inflows of contraband; pressure from journalists), in this chapter I want

to explore the network effects operating inside the prison in order to encourage a wider adoption of network principles and technologies in pursuit of the financial and rehabilitative efficiencies necessary for surviving in a competitive capitalist society. The language used to persuade correctional facilities to adopt emerging network communications technologies is framed as a cost saving measure. Michael Dodson, a progressive correctional director who has introduced a number of media reforms to his inmates in the Oregon State prison system. Drawing on the theories of residual media offered by Charles Acland[3], I use Dodson to illustrate how media transitions proceed in a complex manner of negotiation and concession rather than a sudden and clean break with the past. The chapter concludes with an analysis of the so called success story of Tim Decker's Missouri Method, a program of 'no tech' communication networks used to wide acclaim in his state's juvenile system. This final example makes unequivocally clear the degree to which communication and social network discourses have permeated Missouri's juvenile system and suggests a wider deployment of such discourses may not be far behind.

4.0.13 Fixing What's Broken

It is natural that the "problem," i.e., crisis of the prison, is followed with a set of prescriptions for how to fix what is broken. In fact, it is rare to find examples of prison-related discourse that do not turn on a problem/solution framework. Just as the discourse examples around "crisis" were typically implicitly related to communication as well as correction, language which advances correctional discourse frequently exhibits the same subliminal binary focus.

4.0.14 The Neo-liberal Network Effect of Competition and Cost-Saving

One of the drivers motivating the adoption of communication by prisons is reduction in expenditures or increases in revenues. Yet there is an animosity towards this financial reality on the part of reformers critical of the system's financial motivations. Such hostility may be detrimental for increasing the quality of the total life experience inside. Reformers tend to talk about the desire for prisons to be more effective at the principled goals of deterrence, rehabilitation, and reintegration. They frequently criticize the prison system for being hungry for money. Nils Christie, in his book *Crime Control as Industry*, states outright that the primary motive behind the American prison is financial gain. He argues that the prison industrial complex creates a transfer of wealth from the tax payers to the upper class capitalists who govern and administer the complex, jobs for the working class, a phenomenon explored to great effect in the PBS documentary "Prison Town, USA", and a layer of social security for the nation's underclass—no matter how bad things get, one can always go to jail.

Frequently, the "care" component of the prison seems connected to the financial opportunities made available by administration. John Irwin's 1985 book *The Jail: Managing the Underclass in American Society*, asserts that the prison is not only a site of social control but also the location of social welfare for the most dysfunctional members of society. In other words, "care" is used to justify expenditure and humanitarianism is used to motivate profit. The next few examples will help to clarify the ways in which communication technology can create a common space for thinking about both care and cost at the same time. Nearly every

instance of correctional communication discourse is framed around the theme of money.

Close analysis of a memo from 1987 designed to introduce communication changes in a correctional facility will elucidate this reality.

4.0.15 Two Way Electronic Audio-Video Arraignment Project, 1987, San Bernardino County.

These comments were extracted from the document, which attempted to persuade the County to adopt the audio-video distance project:

“Televised arraignments move the legal community, sometimes reluctantly, into the twentieth century and the electronic age.” G.F. Deputy Defender, writing in 1987. He continues,

“Instant two-way video communication with a person miles away opens countless opportunities for increased efficiencies for all users of the system.”

Here, the Deputy Defender acknowledges that the legal (and correctional) communities are behind the times. It seems they are slowly moving into the 20th century only 13 years before its close. This push towards the future/present is framed as a necessary requirement which will bring “countless....increased efficiencies for all users of the system.” In this situation, the neo-liberal network effect works to push the prison personnel to adopt electronic communication as a competitive measure. The Deputy provides one of the clearest examples of the social-pressure component of the network effect in his phrase “sometimes reluctantly.” This double modification implies that he is aware of the ambiguity involved in maintaining historical continuity with isolation while trying to keep up with the pressure to communicate

in ever-faster ways.

The one-on-one personal approach of these arraignments seems to be an improvement over the impersonal ‘physical presence’ method it replaces.

This quote is a good example of how “liberating” media technologies can paradoxically serve to keep prisoners restrained. For inmates who spend their time in prison cells, the so-called impersonal “physical presence” of being in a courtroom may be a welcome break. The “personalized” introduction of video communication implies that “action at a distance” is more humane. On the other hand, video is clearly isolating in the sense that it make it possible to keep the inmate at a distance in lockup.

Defendants display less shyness and less confusion and seem more alert and more articulate on television than in person. A spectator comes away with the feeling that a defendant is better informed and more assured of his “day” in court than ever before. With the safeguards built into the system and given more mechanical reliability, the system and the concept works better for all concerned than its designers could have hoped for.

The network effect can be seen in the following example, exhorting video-arraignment systems as a safety device and cost-cutting measure.

The courts must take advantage of modern technology to facilitate the expedient processing of cases through the system. The video arraignment process for defendants in custody on misdemeanor charges reduced security problems involved with transporting defendants and eliminated some costs associated with feeding and housing those defendants who are arraigned/released in a more timely fashion.

- Dan L Rankins, Judge[69]

“Modern technology” serves here as a code word for networked communications technologies, and is argued as a benefit to the carceral system by this judge for reducing security concerns and housing/feeding costs. Again, this position is reinforced by the quote like the following:

“We foresee substantial cost savings with the program if implemented...” - Ernie DeLaurie, Deputy Chief[69]

Such discourses emphasize that reformist agendas that seek to increase the communicative aspects of prison life must not be naive about the fiscal realities driving internal correctional policy. Communication, as a topic and framework, creates a common language shared by both parties; on the one hand it opens new channels for financial efficiency and control, and on the other, it expands the range of communicative options available to inmates, softening the force of the silent-and-separate regime. A savvy reformer, progressive or conservative, will need to keep the ‘realpolitik’ nature of the cost-benefits in mind.

4.0.16 The Indiana Department of Correction’s Use of Interactive Video Technology

The document articulates the history, goals, and strategies for using distance-learning technology to facilitate various correctional tasks; in particular, education for transitional inmates. On the surface, it seems like a great reformist agenda which advocates the use of technology to advance the cause of education. However, a further reading reveals the

underlying financial motivations.

The report states:

There are many other benefits that will accrue to the entire Department of Corrections as we continue to expand our distance education network. Some of these benefits should include significant dollar savings to the department. It is not difficult to envision the large amount of money we could save if we were to utilize this technology to deliver staff training as well as classes for offenders. Another area where we could save money is...video court appearances for offenders. Remote diagnostics utilizing this technology is another rapidly evolving field from which the Department of Corrections could easily realize significant fiscal savings.[53]

The benefits for the program are almost always expressed as financial gains to the Department of Corrections, but the means toward this end involve expanding the opportunities for information flow at a distance. As frequently happens in techno-utopian writing, the report states, “The variety of applications of this technology are, quite literally, limited only by one’s imagination.” Nevertheless, the author is aware that the cost-saving efficiency inherent in the adaptation of this new technology will also pose a threat to existing personnel:

Another drawback is the concern that existing staff members [guards] have about being displaced by the technology. No matter how much one tries to assure them that this will not be the case, there remains a certain reluctance on the part of some individuals to completely embrace the technology.[53]

This passage implicitly reveals the intimate relationship between money, communica-

tions technologies, and correction, but at no point does the author of this report clearly articulate this relationship. Had he done so, the separate issues involved in this argument could be parsed, and the argument could have addressed the concerns of the guards more clearly. Perhaps this parsing does not occur because the assumption of the prison as a non-communicative space is so deeply embedded in the logic of this would-be reformer as to be inviolate and unquestionable. There is a built-in desensitization to the idea of media as a positive force within the prison—as though such an outcome would reveal the speaker as inordinately “soft on crime”.

Nevertheless, the unconscious assumption that prisons should be based on isolation is a recent historical construction, and methods for the prison’s evolution were not always imprisoned in the perspective that media is the prison’s enemy. Jeremy Bentham, arguably history’s most influential prison technologist, created his “Panopticon” or “Inspection House” before the silent-and-separate regime had removed communication from the language of punitive description and design. His design utilized a dazzling array of media technologies for that time period, including the use of tubes which allowed for a direct connection between the prison guard and the inmates inside; uses of lighting to modulate surveillance; and a public “staging area” for displaying criminals in what was essentially a correctional spectacle. The Panopticon Letters use language which reveals the centrality of communication—not isolation.

For instance, inmates in the Panopticon were not isolated but rather they were “secluded from all communication”. The use of the term, “secluded” indicates that Bentham was

also adamant that “communication must likewise be allowed to the prisoners with their friends...”. Clearly, Bentham’s design for the penitentiary was not impeded by the inflexible notion of total isolation; on the contrary, the Panopticon was a giant medium for surveillance and communication. As a utilitarian, Bentham felt that the inmates’ suffering was only necessary to the degree that it would deter those outside the prison from committing crimes they had not yet committed—and this was in turn only necessary because of the technological limitations which prevented those outside the prison from being monitored and surveilled. God was the ultimate crime prevention because He could see everyone and everything; the knowledge that a would-be miscreant was being watched kept that person under control. Bentham offers a model of crime prevention which considers the prison necessary only to the degree that it observes. To take this utilitarian framework to its natural conclusion, the implication is that, in an information era of (potentially) omnipotent surveillance for all members of society, the prison’s model of enclosure becomes unnecessary and even irrelevant in its role of crime prevention technology.

4.0.17 Social Networks as a Tool for Effective Corrections

It is a small step from the tubes for communicating in Bentham’s Panopticon to a series of modern communication channels such as fiber optic cables, bundled together in a thick central channel before finding their way to the individual users in the cells. This tree-like diagram of centralized information exchange evokes the broadcast patterns of media like radio or television with the important difference that Bentham’s channels were two-way

The tree, as a communication model, has given way since the internet to a rhizomatic organizational structure of distributed communication networks. If Bentham's Panopticon (the tree) were allowed to "take root" rhizomatically and grow historically along with the development of network media, would the "nodes" of cells in his design grow their own roots, connecting one another in a giant map of user-generated surveillance? It is certainly the case that today's highly transparent society offers an unprecedented level of peer-to-peer surveillance. Bentham wanted a God that could be everywhere and see everything, and in this sense, the social network is increasingly looking like God as it absorbs increasing levels of human activity into its sphere of observation and recall.

Consider this argument advocating the use of social media (Web 2.0) in correctional processes put forward by Leonard Sipes, Senior Public Affairs Specialist at the Court Services and Offender Supervision Agency in Washington, DC:

The criminal justice system, like all bureaucracies, is usually conservative when it comes to new ways of communicating. As someone who has spent close to 30 years in communications for national and state criminal justice agencies, I understand the complexities and resource limitations. Social media opportunities available for criminal justice agencies are enormous and very cost effective. Radio shows for the Internet (pod-casting) can be done for cost of a computer and an additional \$500.00 for equipment and broadband access. Once purchased, you have almost unlimited opportunities to communicate with a local and national audience without additional cost. The primary objective of social media is a personal, non-bureaucratic style of communicating that respects various learning styles and encourages

the development of conversations with the public and media. The bottom line is that social media, in combination with traditional media, creates a powerful and effective method of communicating. You can accomplish organizational operational goals effectively with social media.[91]

The internet is a rhizomatic panopticon which heralds “a personal, non-bureaucratic style of communicating that respects various learning styles”. This sort of insight would not be lost on Bentham, whose centralized cell-to-guard communication tubes worked to precisely the same effect.

4.0.18 The Negotiations of Reform: Does the Past Hold Back Change?

In the above excerpt, Sipes is trying to create change in a conservative system. He openly confronts the bureaucracy of the prison while simultaneously promoting the advantages of this “post-bureaucratic” age. The discursive rhetoric of “powerful and effective method[s] of communicating” conveys a confidence to the reader that is reassuring and welcoming. After all, “you can accomplish organizational operational goals effectively with social media.” Notably absent from this discussion of these technologies for use in the prison is the prisoner himself; when talking about the prison as an organization, communication is explicitly and openly embraced. On the other hand, the domain of language seems to contract when talking about the prisoner. This contraction makes reform a challenge because it obscures the benefits that could be potentially gained by applying these media in a wider scale.

4.0.19 The Negotiation of the Network Effect: Michael Dodson and the Prison in Transition

It should be apparent that the rallying language of the examples thus far suggest the degree of negotiation and persuasion at work in generating moments of technological and cultural change in response to the conservative forces which resist these changes. However, this process is natural because technological change always unfolds in a human, rather than mechanical, manner. Charles Acland described the tendency to assume that technological change will always be smooth when he wrote:

If there is a reigning myth of media, it is that technological change necessarily involves the “new” and consists solely of rupture from the past. This preoccupation neglects the crucial role of continuity in historical processes...”[3, p.xix]

In particular, institutional change can be exceedingly slow. Only a determined and committed stakeholder will have the perseverance and vision to see change through. One man who has made huge inroads into introducing media into the prison is Michael Dodson. Dodson directs the Oregon Bureau of Prisons’ inmate incentive program and advocates finding innovative ways to help inmates become or stay current with the trends in a media society. The incentive model is considered problematic by some criminologists because it implies that what might be considered basic human rights are elevated to the status of reward. However, it remains a well-established model in the mind of the punitive public, as evidenced by these two separate comments taken from an internet blog on the prison’s digital TV conversion:

“Don’t well-behaved prisoners have the opportunity to work inside the prison for .50 an hour or something?”

“So if the prisoners want to keep watching tv, they have to put in a solid month’s worth of work. Sounds like good incentive to me. Why give them a coupon? just make them pay full price. It is more of a reward for good behavior and hard work.”[90]

Incentives are also an important part of the reality of the prison system. Dodson, who has done important work bringing interactive media into the prison, describes the system in Oregon:

Ballot Measure 11, passed in 1994, changed the way Oregon Department of Corrections (ODOC) did business. The ballot measure in Readers’ Digest form is “do the crime, do the time.” In essence a wonderful idea but not practical for us. Soon our institutions were overcrowded as inmates remained with us longer and the biggest hit we took was in managing inmates effectively. We lost the biggest incentive for an inmate to maintain decent behavior while in prison - Earning Good Time. Without incentives an inmate is more likely to act out, becoming a management problem and disrupting the normal operations of the institution.[34]

Like many experts in education or public service, Dodson felt that incentives should be productive as well as entertaining. He has worked to introduce into the incentive program guitars and other musical instruments, video games, and even word processors. Dodson feels strongly that inmates need to be brought up to speed with the current media times. About

his leadership partners in the program he writes, “Fortunately during the foundation years we had two very forward thinking Superintendents that encouraged discussion and growth regarding gaming units and other incentives.” Dodson seems to implicitly connect new media to “forward thinking” and to advocate that such thinking is “fortunate.”

The public, however, did not always have sympathy for such a progressive approach.

In developing the [video game] controller we had to go as slow as possible.... We needed something safe and low profile as we knew the introduction of a computer game unit of any kind into a prison would be a topic of conversation among many hallways here as well as in the political arenas... . We had to be prepared to answer some inquires regarding the introduction of these units. [34]

It is a slow process, and this example presents one particular challenge to changing a system dominated by a culture of isolation: any intervention will be read as a threat to the existing regime. Greg Urban, describing cultural transitions in his book *Metaculture*, wrote of this complex interplay between new and old, progressive and conservative negotiations that culture and cultural change “must look like what has come before it, like what has already been down that way. Its secret is the mixture of oldness and newness that makes the journey possible. The king is dead; long live the king!” [14, p.1]

Detailing this reaction, Dodson writes, “The major objector to the game was the general public. I was only instrumental in providing our Public Information Officer (PIO) and policy makers for the department with facts and details of the game. They addressed media questions and our director and assistant directors dealt with the political cascade of questions.

Once the game was seen most were placated by the simplicity and archaic design of the games and the unit.” One possible cause for this reaction is almost certainly the public’s fear of video games as a “training ground” for violence. The 32-bit abstractions of the early games Dodson used were less likely to provoke such an intense response. And perhaps they have a point. Some prisons offering Nintendo rumblepack controllers have reported on inmates using the rumble packs to create modified tattoo guns.

Yet Dodson himself questions the public’s resistance to new media, making himself a point of ambivalence in the conflicting currents of corrections and communication:

Most folks believe prisons are a place where inmates are sent to be punished. In fact we look at it just a bit different. Prison is a place for inmates to discover tools to correct thinking and judgment errors. Being sentenced to prison is the punishment. Statistics show 93% of inmates in prison will one day be released and potentially be your neighbor. Those that believe inmates should be making little rocks from big rocks all day discount the mental, educational, learned skill they will miss. They hide from the fact most will be released to prey on the public again. Consider the choices 93% of nearly 14,000 incarcerated inmates in our system have. If you want to see a more graphical indication of this, most states track sex offenders in their cities and counties. Because sex offenders have to register with local police generally they maintain a web site that identifies where they actually live. Using this tool and depending on where you live you will visually see how many sex offenders live within blocks or houses from you daily. Keep in mind this

is just sex offenders just one of many major violent crimes. Will they be better equipped while in prison to choose to be a productive citizen or will they revert back to the criminal activity that got them in prison because all he/she did was make little rocks out of big rocks?[34]

While Dodson's public was concerned about media as an incentive, some critics of the prison would argue that communication media such as video games should not be used as an incentive but rather given as a right. This assertion shows how even a progressive move forward can and should remain within the scope of continuous critique and debate.¹

4.0.20 Communication and the Diversity of Beneficiaries

The shift in responsibility made possible by media technology demonstrates how a benefit to a prisoner such as increased communication access can also lead to institutional efficiencies in the form of reduced management expenditures. Both agendas can thus be addressed with minimal conflict. At the juvenile level, the State of Missouri has redesigned its correctional system to reflect the distributed, less-hierarchical models seen in the current network communications environment. The state has created more "nodes" of juvenile homes with fewer children per home, and has given the children more opportunities to look after themselves. Some cultural critics may view this as yet another move by neo-liberal philosophies to place the burden of social care on the individual; nevertheless such strategies of negoti-

¹At the federal level, the Bureau of Prisons is working to design a form of "instant messenger" to be used by prisoners to communicate with pre-approved family and friends. This system is an important breakthrough in closing the distance gap between prisoners and their families that the free world nearly takes for granted. This instant messenger system will also be available for prisoners to manage certain elements of their incarceration; managerial duties once assigned to an administrator will be self-administered.

ation and responsibility seem to offer considerable advantages to the child ward. Changes in entertainment, self-management, and interpersonal communication are just a few of the examples illustrating the evolving role of communication in the institutional site of enclosure and solitude.

As Dodson pointed out, however, the prison is slow to move. From one point of view, the media landscape of the prison has changed dramatically in the past 30 years or so, and especially in the past three or four years. To those outside the prison, accustomed to an ever-increasing array of communication and mobile telephone devices, the pace of progress is probably seen to be sadistically slow. But to a group of people whose primary means of interactivity are limited to the telephone and snail mail, the advances, even if tentative, offer meaningful improvements in everyday living conditions.

At one point in our interview, I told Dodson that I thought a high percentage of kids under 30 (versus adults) had played video games, and I wondered if that factored into his decision to deploy them as an incentive in his cells. His response revealed both the complex struggles he faces, his vision for the future. He replied:

I haven't looked at this from the kids' angle but [the idea that] "People under 30 don't make the policies" is certainly something I struggle with daily in my shop. I tell my bosses that in 10 to 15 years laptop computers will be commonplace in prison. I'm no spring chicken myself but I can see what I understand now is not how prisons will be run in 10 15 years. I suspect laptop computers will be commonplace just for beginners. I hope to be retired before ground is broken on

the computers but it is a long-range goal for me. The dreamGear game unit was for me just a little toe in the door.” [34]

The final statement above reveals that even those well-intentioned reformers inside the system still struggle to advance in the face of resistance. That he had to use “a toe in the door” to move forward in a longer sequence suggests just how difficult some of these reforms might be. Summarizing, Dodson suggests that it’s likely to be an uphill battle for reformers to find ways of including communication:

You face a formidable challenge by attempting to draft a positive portrayal of media technology used by inmates in prison. You still have local county or parish sheriffs that advocate pink prison clothing, chain gangs, and making little rocks out of big rocks.[34]

Fortunately, not every prison system feels this way.

4.0.21 A Model Way? Missouri Method’s use of Communication to Reform the Juvenile System

While new media and networked media technology are certainly technical manifestations of the cultural practice of communication, communication in and of itself –facilitated by higher technology or no–is also an important consideration of this thesis. Erin Riley, lead researcher at the Project New Media Literacies group at MIT, recounted in an interview that pursuing a lo-tech or even no-tech solution to inmate communication, rather than a high-tech solution alone, may prove easier to implement. Riley suggested (and Dodson echoed)

that many people in the public, and especially politicians, might be reluctant to introduce physical technologies, while it would be hard to argue against programs focused on cultural practice, which carry little physical or financial requirements to be construed as luxuries in the mind of the punitive public. Riley also suggested that the public is more forgiving of juvenile offenders, and thus reform movements may have more success with programs for young people; once they are established as successful, these could then be extended “up the ladder” to older inmates.

Shortly after that interview, Harvard’s Kennedy School of Government hosted a lecture with Tim Decker, Director, Missouri Division of Youth Service, whose program won the 2008 Annie E. Casey Innovations Award in Children and Family System Reform. Decker’s program mirrors many “participatory culture” elements such as open non-hierarchical communication, user-agency, and distributed networks, in addition to lo-tech solutions. Decker’s changes, called the Missouri Method, have won accolades from numerous sources, and were covered by the New York Times in a March 2009 article titled “Missouri System Treats Juvenile Offenders with Lighter Hand.”

4.0.22 Everyone’s Talking about... Isolation?

This New York Times article reveals the degree to which communication is everywhere present and yet nowhere proclaimed. It begins by narrating a brief account of three brothers who came through the system and were improved by it:

those brothers are out now. Tory, 16, has A grades and plans to attend college.

Terry, 20, has a job and has had a clean record for four years. VonErrick was recently released and immediately started high school.

The brothers say they benefited from confinement in the Missouri juvenile system, which emphasizes rehabilitation in small groups, constant therapeutic interventions and minimal force.

The article relates that from the brothers' perspective, they "benefited from confinement" in a "system which emphasizes" non-confinement. This shows yet another example of how limited the range of language is when addressing inmates, whether adult or juvenile. Although the Missouri Method emphasizes open communication and an environment which is non-confining (see the description on the lack of barbed wire below), the article seems to have no choice but to describe the boys as being "confined" as opposed to "housed," "cared for" or "rehabilitated". The use of the term "confined" in this context reveals the degree to which isolation is treated as a given within the prison setting.

Second, when describing the brothers' benefits, the author uses words which allude to the communicative and communitative aspects of therapy, groups, and gentle care. But when talking about the prison system itself, the author does not describe benefits to the inmates, but rather strictly financial considerations, just as in the earlier examples:

Juvenile justice experts across the nation say that the approach, known as the Missouri Model, is one of several promising reform movements that strapped states are trying to reduce the costly confinement of youths. California, which spends more than \$200,000 a year on each incarcerated juvenile, reallocated \$93 million in prison expenses by reducing

state confinement.

In other words, the message being communicated is that these “promising reform movements” are simply being used to reduce costs.

Two paragraphs later, the same author writes:

There is no barbed wire around facilities like Missouri Hills, on the outskirts of St. Louis. No more than 10 youths and 2 adults called facilitators live in cottage-style dormitories in a wooded setting, a far cry from the quasi penitentiaries in other states. When someone becomes unruly, the other youths are trained to talk him down.[97]

Nothing in the description of the physical building implies confinement, but the cultural understanding the author holds about what a prison is seems to necessitate the use of confinement terminologies, such as “quasi-penitentiaries”. Even though this place has no barbed wire, a low population, and a genteel setting, the author must still say that the brothers were “confined” here.

The author chooses to emphasize that this place is open and homey, and that “when someone becomes unruly, the other youths are trained to talk him down.” Again, the open use of communication as a means of improving the quality of incarceration is presented without concomitant acknowledgment of its significance. The ‘talking down’ is mentioned almost as an anomaly, and quickly passed over:

Perhaps most impressive, Missouri has one of the lowest recidivism rates in the country.

Other states, including Florida, Illinois and Louisiana, have moved in a similar direction, focusing on improving conditions at state facilities to keep young offenders from returning.

The novelty of confinement in a place of community, communication, and freedom seems lost on the author, and the Missouri system is simply described as yet another attempt to “improve conditions” and reduce costs nationwide. The conflicted nature of this article’s word choices becomes even more apparent when the author writes:

Some states have worked at the county level to avoid confinement altogether, keeping youths in their communities while they receive rehabilitative services, which advocates say is a cheaper alternative to residential care.

This is one of the most explicit descriptions of an alternative to the separate and silent model: keeping inmates in their communities and giving them rehabilitative services. Yet, once again, this is framed as another cost-saving measure.

In a typical juvenile corrections environment, Mr. Decker said, if a youth becomes aggressive “you would have guards drag him into isolation” for three days.

Mr. Decker has established the dominance of isolation in a typical system. And then the problem:

“But,” he added, “the problem is that a young person doesn’t learn how to avoid that aggressive behavior and it will get worse.”

Throughout the article, the Missouri System is described as exceptional for not following a traditional separate-and-silent mode in language which contradictorily belongs to a philosophical model that undergirds isolationist habits. Decker’s program is not (but could be)

appreciated for what it is: a program of community, social networks, and open communication and agency. Instead, it is presented as “not adhering to isolation”; a deviation instead of a possibility.

4.0.23 The New Rules of Communication and Corrections

The New York Times article included a photograph of the house rules for the Missouri Method homes. These rules govern this space, and suggest that discourses of confinement, punishment, and isolation are irrelevant and outmoded. If the Missouri System is the model of the future, whether because it reduces expenditures or improves the lives of the inmates, the American correctional system will need to find a new vocabulary for discussing what it means to be “corrected.”

The Rules of the Missouri Model

1. Be honest with yourself. (Communicate honestly.)
2. Stay on topic/stay focused. (Communicate clearly,)
3. Don't hold grudges. (Forgive members of your network.)
4. Don't talk over others (Communicate effectively.)
5. Don't make people feel uncomfortable. (Watch what you communicate; respect your network.)
6. Take in constructive feedback, input, and criticism. (Communicate effectively with your network.)

7. What is Said in Group Meeting Stays in Group meeting. (Respect your network by controlling what you communicate outside the network.)
8. 3-minute quiet time (Pause before communicating something intense)
9. Try to challenge others. (Work to improve the quality of the network.)
10. Talk openly and honestly with the Group. (Communicate openly with the Network.)
11. Don't judge. (Respect the network.)
12. Respect others' opinions and beliefs. (Respect the network.)
13. Give constructive feedback. (Help the network improve.)

In the Missouri Model, isolation and confinement have given way to community and connectivity, silence has given way to discussion, and prohibition has been replaced by measure and modulation. A new paradigm of corrections that places value on information flows, social networks, and interconnectivity and interdependence the core values of the information society is emerging. The new paradigm reflects the same cultural shifts experienced during the transition from an industrial to an information economy. It is time for the criminal justice system to catch up to its new and future incarnation within a network culture.

Chapter 5

Conclusion: Mapping the Obstacles to Change

At this point, I hope that it is clear that ideological battles over the distribution of social goods do take place in public debates around the prison, and that the themes of communication and media have been exnominated, preserving a vision of the prison which focuses on its isolation as unwavering. To conclude, I want to tie together the themes in this thesis through a summarization of arguments I encountered in my research which resists media change in the prison. If a progressive minded reformer were to succeed at getting people to nominate communication, that doesn't mean that any real change will occur. This conclusion offers a number of perspectives advanced for why communication and media should be resisted. Hopefully, this will offer some advance perspectives on what lies ahead for the reform movement.

5.0.24 Five Network Tropes as Sites of Conflict in Prison Change

The idea of the network effect implies that language will be used to advance it. There are several themes and conventional perspectives on network culture which regularly recur in scholarly and popular discourse on the information society and network culture. Five of these themes, I've listed here as examples of characteristics of the information society which end up serving as a "red flag" against media change. These five tropes, discussed in depth by Robert Hassan in *The Information Society*, should be considered by progressive reformists if they are to be successful.

Rhetorics of empowerment

Hassan (2008) points out that "much of the rhetoric of the information society is oriented towards placing an emphasis upon the notion that information technologies 'empower' the individual." viii Such rhetorics compete with the prison as a space for the disempowered. Right or wrong, the prisoner is a disempowered person; ostensibly because they abused their power as a free citizen to commit crime. Justifying the empowering nature of the network to a disempowered population will be a challenge.

Rhetorics of fun

The discourses of the 20th century prison have been described as centering on "reform, hardwork, and moral training." [2, p.34] This opposes the network rhetorics of fun and being out of control. Hassan describes this network effect:

...there is, undoubtedly, the 'fun' element: the new multifunctional mobile phone, the thrill of finding an item on eBay, or the pleasure of Skyping friends or relatives in far off places, or expressing yourself through a personal blog.[48, p.2]

Henry Jenkins touches upon the entertainment of the network culture and its aesthetic of fun in his book *The Wow Climax*. He describes video game designers, arguably the "artists" of this new culture:

The game designers are creating works that sparked the imagination and made our hearts race. And they are doing so without the safety net that inherited modernist rhetoric provides for installation and hypertext artists. They can offer no simple, straightforward justification for what they are doing or why they are doing it except by way of talking about "the fun factor," that is, the quality of the emotional experience they offer players.[60, 23]

The prison is not meant to be a fun place. How will this tension be resolved?

5.0.25 Rhetorics of smart, fast, productivity

Hassan points out that a big part of the network culture is the rhetorics which advance a hyper-productive, speeded up way of working harder, faster, and stronger.

As part of a doubtlessly complex leasing arrangement that I was not party to, computers are upgraded regularly at my place of work. The idea is that the latest machines with even more processing power are able to perform more networking applications that will improve my 'productivity.' [48, pp.160-1]

And later:

...the historically unprecedented 'need for speed' that is at the core of neoliberal globalization and the information technology revolution drives the technological capacity for speed-enhancing solutions.

Speed, strength, and smart productivity are not qualities we would associate with prisoners.

5.0.26 Rhetorics of postmodern chaos

For a place focused on control, the observed chaotic qualities of the internet offer a unique challenge: "The modern industrial society of relatively ordered and organized dynamics has been transformed, essentially since the 1970s, into a postmodern information society where disorganization and fragmentation are its salient characteristics.(Lash and Urry 1987; Jameson, 1991; Kumar 1995)." [48, p.28]

5.0.27 Rhetorics of equality

The final rhetoric is sort of a summation of the above; that the combination of free information flows and freedom of expression will converge in a democratic environment.

Craincross maintains, as we just saw, that such free-market-based information systems are 'profoundly democratic and liberating'. Knowledge once shared only between the elites could now be available to us all—presumably to enable and empower people to act and seek redress through energized democratic processes.[48, p.117]

But there is a final consideration to contemplate as a tension between media and the prison.

5.0.28 The Media Consumer does not do what they are Told

A recurring theme at Comparative Media Studies is that media is frequently consumed and used in ways which are not intended, imagined or expected by the creator of the content. Early models of communication theory posited that a message could be transferred from sender to receiver much like a hypodermic needle. This “transmission” model or “hypodermic model” of communication has been discarded in favor of theories of participatory communication which acknowledge the agency of the consumer.

This stands in my mind as a unique challenge to the correctional environment, because the prison is a space where people are expected to follow rules and to have standardized responses to institutional stimuli. Media theory thus reveals an intriguing contradiction which may figure into future policy debates on media and corrections: media is deployed by an institution but received, consumed, and made use of by an individual whose responses and uses will attempt to negotiate with the preferred or expected reading. This applies to both media content and media-as-technology.

A technology such as a telephone can, in a sense, be read like a text. Unlike the elderly hypodermic model of communication, in which a preferred meaning could be transferred directly into the minds of the receiver, cultural models of communication emphasize the role of the receiver in a conversation. When someone reads a book, they might read it in the way

it was intended, or they might not. They might read it backwards, or skip around. They may get "the point" or they might not. It is the same with the introduction of hardware. A technology is nothing more than a tool, and if that technology can be used to advance aims which are, in the receivers mind, greater than the goals stated in the preferred function, the preferred function will fail.

Users in a participatory culture will not merely accept the preferred meaning like a tabula rosa. They will negotiate with the intention, they will oppose it, modify it, critique it, remix it, all for further purposes of communication and social networking.

Take for example, the video game rumble pack. It was recently discovered that the nintendo rumble pack could be modified by the addition of a paperclip and a ball point pen to create a tattoo machine. Tattoos are important cultural signifiers which in prison take on additional roles. The tattoo can be a means of creating a sense of identity and belonging, a means of standing out from an anonymous crowd both through the individual representation of the tattoos but also through sharing a common tattoo with members of a group—a gang. The tattoos are thus markers of security (I belong to x group, don't tread on me, etc.) as well as identity.

Perhaps the most extreme example of cultural reappropriation in the prison is the can of sardines, which, since the loss of cigarettes in prison, has become a form of currency. Sardines are cheap, the cans are relatively small, and because no one wants to eat them, they have no value in their intended meaning. Inmates have begun using them as a form of prison money to empower their local community.

When prisoners were given telephone access in the mid to late 1970s, they used it mainly for talking to friends and family, but sometimes the telephones were used for less benign activities: harrasing judges or other officials, ordering hits or otherwise instructing gangs back home, and even generating income through various fraud techniques. While a prison official will rightly see these things as bad, it's important to recognize that these activities represent universal human desires: to connect with family, to earn an income, to continue to run one's organizations, and to express anger about one's incarceration. These capabilities reflect a moral orientation that differs with the mainstream, but they are individual decisions and the result of rationality all the same.

Accepting the negotaition of diverse readings of a text or piece of hardware will emerge as a challenge for prisons if they attempt to bring in more media, but there are paths towards change. If prisons are going to move out of the "silent and separate" model of imprisonment, they must recognize that inmates will constantly negotiate with the devices and content given them. This doesn't have to be seen as a security threat or an act of insubordination. By planning for it ahead of time, device designers and content developers can make use of these urges and channel them in useful ways.

It is not just inmates who use technologies for purposes which are beyond their intended use. Guards and other correctional workers have been known to "bend the rules" of a communications medium. In one of the darkest eras of prison history in America, the Arkansas prison system in the 1950s used a device called the Tucker Telephone. The Tucker Telephone was a torture device made from a hand crank telephone. Wires and clamps ran from

the hand crank, and one was placed on the big toe and the other on the inmates genitals. When the crank was turned, electrical shocks ran through the body. A series of continuous shocks was called a long-distance call. Such a device could easily have been designed in a more discreet manner, but I would argue that the psychological terror of the association with the telephone was integral to the design of this device. Because the telephone was always marketed as a device of liberation, efficiency, and connection, its use as a device of dehumanization makes it ironically powerful. And anyone who survived the Tucker Telephone is not likely to be able to escape the association when using a phone for the rest of their life. The telephone is a device for connecting to loved ones, to surviving. The distortment of that emotional symbolism is a powerful force in exploitation, the uses of which can only be the motivator for the continued use of the Tucker Telephone in contemporary interrogation techniques under the Bush Administration.

Such negotiations and oppositions to a text, be it content or technology, by inmates or administrators, are ignored by the prison system, many of which still operate as though prisoners are either blank slates who can not think for themselves, or evil plotters planning criminal activity. But this tension between the intended uses of media and the ways that it is used by the inmate must be considered by policy makers and planners.

In New Jersey, the Department of Corrections is using a program which heavily monitors the types of television consumed. This program eschews entertainment programming for educational programming. This naive view fails to take into account the ways in which the inmate processes the material. This has two sides: on the one hand, 'good' programming

might be a bad thing. On the other, 'bad' programming might be good.

The Wow Climax discusses the ways in which popular culture is processed by audiences in positive ways. Take a horror film, for example. At first blush, a bloody horror movie would be the last thing that should be shown to a prisoner. The hypodermic model would argue that the prisoner would watch the movie and then mindlessly repeat the acts the movie portrayed. Taking into account the way the inmate might think about what is onscreen may reveal a different outcome. Horror films may be a low brow form of entertainment, but seen metaphorically, they frequently deal with themes of oppression, disempowerment, and dehumanization. The consumption of such media, then, may provide a controlled emotional outlet for processing the emotional responses to imprisonment. This is not to say that that will always be the case, but the point is that we should not leave out the power of the viewer to make decisions for him/herself in regards to what the consumption of a particular program means.

James Hay and Laurie Oulette, in their book *Better Living Through Television* argue that reality TV serves as a kind of instruction manual for living in the current political and social climate, which stresses self-regulation and maintenance. Devon Brown directly points out that Jerry Springer and Judge Judy are not allowed on his prison systems, because they are "trash". But what he fails to appreciate is how the viewing of those programs may serve as an education in disguise. When Judge Judy harrasses her court, she is telling them how to behave. Jerry Springer's audacious examples of low-class culture serve as a reminder of what out of control living can bring. The moralizing of Springer, Judy, or Dr. Phil can be a

powerful force in shaping behavior. This is certainly recognized by marketers and consumer goods corporations. It should not be lost on prison officials.

This moralizing tone of popular media is evidenced throughout much of low brow culture, which draws its roots from melodrama. In the popular folk song made famous by Johnny Cash, Cocaine Blues, the story is told of a man who kills his wife when high and drunk. The raw energy of the song doesn't scold or attempt to shame the listener for the crimes, but it does end on a cautionary note: "Come all you hypes and listen unto me, Just lay off that whiskey and let that cocaine be." The message, delivered by Cash, especially live and in concert, may have more emotional resonance with the receiver, stimulating reflection.

On the other hand, 'good' content can be completely misaligned by the receiver, despite the intentions of the producer. Judgements of the 'good' are frequently reflections of class and racial taste hierarchies. Inmates in America are overwhelmingly black, frequently urban, poorly educated, and financially strained. While the introduction of 'high class' media into such an environment may be well intentioned, they may be received by the inmate as being 'brainwashing' into a culture which is responsible, at least in his mind, for his imprisonment. Maybe Shakespeare will remind an inmate of his lack of education. Maybe ballet will remind him that he is confined. These reminders may in turn breed resentment and feelings of alienation. Good media may be abused: convicted pedophiles have used newspaper access to accumulate databases of information regarding local families and children. This is the type of scenario that leads many prison administrators to say "the hell with it" and return to "separate and silent". But more media and surveillance, not less, may emerge as the right

direction.

Despite the obstacles against media change, progressive reformers must be careful that media reform does not justify the use of media as yet another social control and justification for further isolation.[?, p.9] Judicious use of media must not lead to further isolation and sequestration of the individual, even if it allows the prison to better regulate the population as a whole.

5.0.29 Discursive Struggle: Dominance versus Opposition

Since 1970 the American prison industry has become a social, economic, and ideological complex fraught with challenges: corruption scandals, human rights abuses, and increasing evidence of systemic racism, to name some leading themes. Yet within the mass media, portrayals of prisoners have worked discursively largely to solidify the prisoner as a social “other,” an outsider deserving abuse and exploitation as a form of punishment. In criminology, the mass media’s portrayal of prisoners and the outcome of a public desire for retribution as a fitting form of justice has been studied under the name “penal populism.” In the past year or so, however, perhaps with changing American attitudes towards race, sexual orientation, post-9/11 domestic security, and even religion, there seem to be rising numbers of emerging voices dissenting from the status quo. Empowered by the proliferation of networked media and participatory culture, and the accompanying forms of citizen journalism they make possible, the mediascape is beginning to show signs of critical resistance to mainstream penal populism and expansion of the prison complex. The erosion of enclosure can

also be identified as a product of technologies within the prison itself, an example of which are the tiny cell phone cameras used to document and disseminate the quality of life in prisons despite the institutional veil cloaking correctional culture. Blogs are written by inmates to communicate the emotional trauma of life inside, creating pathways for identification and understanding which the mass media has denied. The generation raised since 1977 on video games and electronic communication is now the same generation being jailed and also making public policy. Pressure is mounting for prisons to embrace modes of punishment relevant to the public it ostensibly serves. Prison blogs, for example, sometimes appear to document the life of inmates. Because these inmates don't have access to computers, it seems that they write letters to an accomplice/friend, who then shares them with a wider audience via the internet.

These alternative discourses, however nascent, present challenges to the correctional status quo and its dominant modes of operation. As networked communication intensifies the production of alternative voices, pressure on the status quo to embrace those alternative voices is commensurately mounting. These emerging minority voices of truth against power can be expected to exert increasing "press" on the conventional discursive authorities to open the discussion by remapping the flow of power.

It will, however, be an uphill battle. I argue that exnomination functions within prison discourses to create a "naturalness" of the status quo in prisons: "silent and separate" becomes the foundation on which all correctional discourse takes place, so that anything which challenges that platform is thereby rendered ridiculous or extreme. At the least, all

modes of reform are judged against how well they promise to preserve or maintain the silent-and-separate system, making communicative reforms almost impossible to justify. “Silent and Separate” is the heart of correctional logic in the US and the UK and has been since the prison’s birth two centuries ago. An analysis of this phrase, however, can reveal the crux of its correctional philosophy. The terms “silent” and “separate” could in fact be replaced with the syntactically negative, though synonymous, terms “not-communication” and “not-networks,” but those phrases are theoretically inappropriate: prisons are not conceived as spaces of networks and communication herein lies the exnomination gambit. The “silent and separate” philosophy is assumed to be axiomatic, since communication is an exnominated venue of correctional discourse and practice.

In being exnominated, the “silent and separate” correctional logic is rendered the natural, unassailable, truth. All reformist discourses are forced to communicate their policies from within the framework of “silent and separate”; yet the reforms they propose undermine this philosophy. They are neutralized before even being spoken. Discourse analysis offers a means of understanding how this process occurs. Issues of public prisons and private “corporation” facilities, federal, state, and municipal laws, enforcement and nonenforcement, politics and funding all relate to identifying agendas and how they are couched, empowering activists and reformers to reframe problems needing solutions and destabilize agendas that are corrupt. At a time in which prisons have become bastions of self-interested, self-contained efforts to survive and justify continued existence under this rubric so that recidivism and increasing populations are seen as positive within this system this reframing represents a major and

needed change-up of the game.

Earlier I said that I attribute the functioning of the prison to being at the intersection of important social agents and the discourses they create and disseminate to shape and contextualize the prison. This means, to me, that information is power; the pen is mightier than the sword, and that an increase in the ability to create and distribute discourse implies a corresponding re-balance in the potential to affect a social situation. This is why the study of network communication technology is so central to a sociology of the prison today; that the impacts of social and communication networks is expanding the capabilities of actors to create and distribute discourse; that a major re-balance of power is being undertaken. We can therefore expect the existing hegemonic dominant power bloc to resist any and all flows of information as a threat to its own sense of power and preservation.

So, whereas the main actors in the prison arena have typically been comprised of various governmental agencies, the prison staffs/guards/wardens, and the legislature acting in conjunction with the politically active public, the disempowered social actor, the prisoner him/herself, and critical agencies have had little ability to influence policy. With a rise in technological communication devices such as mobile phones, cameras, recording devices, the internet, etc., a new and voluminous discourse is produced which creates a renegotiation of the power structures.

This is not to naively suggest that suddenly prison policy will be dictated by Everyman or the prisoner himself. But that the centralized power—the public, the politicians, the industry, and academics—will begin to think differently about how things are structured; opportunities

for new power grabs can unfold and the shape of the system may very well change or the old system will be upheld but must now justify the status quo by framing its purposes in new ways under new demands.

Whether this thesis has been a successful presentation of the debates on crime and punishment is for others to judge, but I am convinced that by subjecting the discourses of criminology to critical scrutiny and analyzing discursive conflict in terms of communication and networks and the flow of information, I have developed a new and distinctive approach to thinking about correctional policy, one that has hopefully shed light on that group of Americans living sight-unseen.

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