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# Decorative Justice: Deconstructing the Relationship between the Arts and Imprisonment<sup>1</sup>

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### **Abstract**

This article synthesises diverse material to discuss both state use of the arts for the purposes of controlling prisoners and the broader public, and the use made of the arts by prisoners and portions of the broader public as tools of resistance to penal states. The article proceeds with an analysis of the politics surrounding and underpinning the philosophy, formation, operation, effectiveness, and research evaluation of arts-in-prisons programmes in the contemporary Anglo-American world. It argues that arts-in-prisons programmes and pertinent evaluation research are often employed as means to a variety of latent ignoble ends, with 'decorative justice' – the function of masking the injustices and painful nature of imprisonment behind claims of fairness, benevolence and care – chief amongst these ends.

### **Keywords**

Imprisonment, punitiveness, arts, arts-in-prisons programmes, research evaluation.

### **Introduction**

The arts – spanning the visual, design, performing, media, musical, and literary genres – constitute an alternative lens through which to understand state-sanctioned punishment and its place in public consciousness. Perhaps this is especially so in the case of imprisonment: its nature, its functions, and the ways in which these register in public perceptions and desires, have historically and to some extent inherently been intertwined with the arts. Not that the products of this intertwinement have been constant or uniform. Just as exploring imprisonment and its public meanings through the lens of the arts may reveal hitherto obscured instances of social control within or outside prisons, so too it may uncover a rich and possibly inspirational archive of resistance to them. When criminological scholarship addresses the relationship between the arts and imprisonment, however, the focus is disproportionately on the development and effectiveness of formalised, practitioner-run prison programmes which claim to 'empower' and 'rehabilitate' prisoners by introducing them to the arts. A further and, arguably, related tendency in pertinent criminological scholarship is that arts-in-prisons programmes and their research evaluation are approached uncritically, devoid of the socio-political dimensions of their context, content, conduct and consequences.

With a view to helping stretch the scope of criminological literature beyond prison arts programming as such, the present article begins by offering a synthesis of material from a diverse range of disciplines and sources to discuss both state use of the arts for the purposes of controlling prisoners and the broader public, and the use made of the arts by prisoners and portions of the broader public as tools of resistance to penal states. Building partly on general conclusions drawn from the foregoing, the article proceeds with an analysis of the politics surrounding and underpinning the philosophy, formation, operation, effectiveness, and research evaluation of arts-in-prisons programmes in the contemporary Anglo-American world. It argues that, whilst arts-in-prisons programmes and pertinent evaluation research may perform truly positive roles, they are often employed as means to a variety of latent ignoble ends. Chief amongst these ends is what may be termed 'decorative justice'; that is, the function of masking the injustices and painful nature of imprisonment behind claims of fairness, benevolence and care.

### **Arts in and about prisons as social control**

One may begin dissecting the relationship between the arts and imprisonment by adopting an 'objectivist' or 'structuralist' viewpoint and looking 'from the outside' at the various ways in which the state and its officials have used the arts inside prisons to ensure and enhance the cruelty and harshness of the experience of imprisonment, materially as well as symbolically. A few examples follow. The radial architectural design of Pentonville Prison in London, which was replicated around Europe in the latter half of the nineteenth century, secured the total isolation of prisoners from one another. Such prison edifices, moreover, continued to be designed and built in the twentieth century despite statistics that demonstrated higher rates of mental illness and suicide amongst isolated prisoners (O'Brien, 1998: 180–181; see also Jewkes, 2012). Prisoner vocals were harnessed in Nazi concentration camps, where inmates were made to mock their grim reality by singing about cheerful, carefree themes (Gilbert, 2005: 117). In the US today, there has been a revival of the iconic nineteenth-century black-and-white-striped design of prison clothing in order to shame and further stigmatise prisoners (Ash, 2010: 155). And in Guantánamo Bay, rock music has been played at excruciating volumes for hours on end in order to torture detainees (see further Stafford Smith, 2008).<sup>2</sup>

Still within an 'objectivist' or 'structuralist' framework, one may explore the ways in which the arts may be wielded to manage public understandings and feelings about prisoners, prisons and the overarching socio-political order. For instance, in good part as a deliberate attempt to inspire awe amongst the public, prisons have often been located in the very centre of urban public space (Geltner, 2008a: 32), their exterior incorporating clear symbols of austerity and discipline (Smith, 2008: 70). With the aim of inciting or boosting national pride, prisons in the United States and Canada in the early twentieth century were depicted on postcards alongside other important civic buildings and monuments such as universities and court houses (Miron, 2011: 166–168). In nineteenth-century America, using terms and tropes that were partly drawn from the popular literature of the age, the manifestos and pamphlets of prison reform frequently demonised prisoners and glorified state punishment, 'doing the work of representation and transmission that had once been performed by the spectacle of the scaffold' (Smith, 2009: 18). And today's mass media on both sides of the Atlantic tend to instil or inflame crime fear and punitiveness amongst the public by overstating the problem of crime, levelling heavy criticism against the administration of prisons for their purported laxity, and issuing urgent calls for ever-greater reliance on strict imprisonment, thereby helping to divert attention from real, socio-economic insecurities that are the outcome of state policies (see further Cheliotis, 2010a; also Alber, 2007; Carrabine, 2012; Kearon, 2012).

Equally, however, the arts may be employed to hide the imposition of repression and human suffering in prisons behind pretensions of humanistic care, from literary representations of the prison as a site of benevolence for wretched creatures (Smith, 2009) to even staging and

mediating the promotion of arts activities amongst prisoners. Perhaps the most extreme example of the latter is the use made by the Nazis of the concentration camp of Theresienstadt outside Prague. Prisoners in Theresienstadt were initially allowed and later actively encouraged to develop a rich cultural life, spanning, amongst other channels, concerts, theatre performances, and painting classes. But this was only with the aim of creating a showpiece by which to appease the concerns of the outside world about the treatment of the Jews and to advertise Nazism. Notoriously, in 1944 a group of Red Cross inspectors were manipulated into believing that Theresienstadt was a benign place, whilst their visit was captured on camera and incorporated into a propaganda film released later in that year under the title *The Führer Gives the Jews a City* (Moreno, 2006; see further Peschel, forthcoming).<sup>3</sup>

Echoes of this form of abuse of the arts have been identified in recent years in the Philippines, where prison authorities released on YouTube video-recordings of prisoners engaging in collective arts activities of mass proportions in various establishments around the country. The most widely known recording (indeed, an instant global sensation) has been that from the maximum-security prison in Cebu, where over 1,500 prisoners clad in orange jumpsuits are seen dancing synchronously to Michael Jackson songs such as *Thriller*, whilst another recording of lesser though still significant appeal presents the 100-membered Bureau of Corrections Grand Orchestra and Chorale giving their inaugural performance in New Bilibid Prison. All this exposure, however, has been part of public relations campaigns that have distracted attention from the persistently inhumane and unjust conditions in Filipino prisons: from suffocating overcrowding, ever-spreading diseases, and minimal healthcare to violent gang activity and systematic officer discrimination in favour of wealthy prisoners (see, for example, BBC, 2010; Dizon, 2011) – not to mention media reports that prisoners in Cebu are forced into dancing practice for long hours and are physically mistreated if they refuse (*Manila Bulletin*, 2010).<sup>4</sup>

### **Arts in and about prisons as resistance**

It is well documented that even – or perhaps especially – in such oppressive environments as prisons, the exercise of power is always bound to meet with some degree of resistance. Indeed, as McEvoy (2001: 34) argues, ‘resistance and the exercise of power are mutually shaping, defining, and changing in an ongoing dialectic’. At the lower end of the continuum of power in prisons, the various ways in which prisoners may seek to express themselves through the arts allow for a valuable ‘subjectivist’ insight – ‘from the inside’ – into the functions and effects of imprisonment as such. Yet these forms of expression also help to problematise the omnipotence of penal power. Prisoner artwork, in other words, may not only speak volumes about the scope, intensity, and role of the constraints of imprisonment; it may equally function as an ‘enabling’ force against those constraints, not least by bringing them to light. Prisoners need not have trained or otherwise specialised in the arts, and may work either openly or in secret (note that the conditions under which art is produced in prisons provide in and of themselves significant data) to fulfill such goals as retaining or reclaiming personal dignity and self-consciousness, achieving psychological survival, building camaraderie with other prisoners, establishing channels of communication and rapport with the outside world, defeating the ends of an oppressive system, and appropriating power.<sup>5</sup>

Let us look at a few examples from the world of political imprisonment. In Stalin’s Russia, prisoners in the infamous Solovki Prison Camp in the White Sea–Baltic Canal zone used institutional theatre to satirise the authorities and maintain their humanity (see, for example, Kuziakina, 2004). At Bursa Prison in Turkey under Kemal Atatürk’s rule in the late 1930s, Nazim Hikmet and Orhan Kemal – the former already the most famous poet in the country and the latter subsequently to become one of its most popular novelists – were both immersed in producing literature to sustain their autonomy and exchange ideas (Kemal, 2010). German prisoners in Nazi camps used songs to raise communal sentiment and assist the cause of underground resistance (Gilbert, 2005). In Greece, prisoners on islands of exile during the

dictatorship of General Metaxas (1936–1941), the Axis Occupation (1941–1943) and the Civil War (1946–1949) and its aftermath produced handwritten newspapers and staged Greek tragedies to protest against their captors (Kenna, 2008; Van Steen, 2005, 2011; see also Hart, 1996; Herzfeld, 1997). And during the civil strife in Nigeria in the late 1960s, renowned poet Wole Soyinka wrote verses on tissue paper as his way of struggling for psychological survival and establishing communication (Abou-bakr, 2009; for further examples, see Bernstein, 2010; Deary, 2010; Gramsci, 1971/2005; Haslam, 2005; *Index on Censorship*, 2010; Johnson, 2012; Malik, 2006; Mandela, 1994; Mapanje, 1993, 2010; Nashir, 2008; Popescu and Seymour-Jones, 2007; Scheffler, 2003; Wu and Livescu, 2011).

Turning to non-political prisoners, in the gaols of Britain during the nineteenth century, prisoners sang ballads to nurture a sense of community, assuage the pain of separation from loved ones, and regain some of their lost autonomy – indeed, singing was an act of defiance against the rule of silence imposed upon prisoners at the time (Rogers, 2012). Similarly, in the prison farms of the American South during the 1930s, prisoners sang the blues in order to ease the anguish of their lives and foment collective endurance, before the genre became an important form of popular culture (see further Smith, 2009: 164–171). In France during the early 1940s, Jean Genet penned his debut novel *Our Lady of the Flowers* on the brown paper which prisoners were supposed to use to make bags as a form of therapy; an instance, as Jean-Paul Sartre puts it in his classic biography of ‘Saint’ Genet, of ‘the way out that one invents in desperate cases’ (Sartre, 1952/1963: 584). And in women’s prisons in the US today, prisoners establish informal networks to share books and engage in reading so that they can gain self-knowledge, contextualise their experiences in relation to larger frameworks, and develop a better understanding of the limits and possibilities of individual agency (Sweeney, 2010; for further examples, see Attwood, 2010; Baer, 2005; Bruno, 2002; Carceral, 2006; Carnochan, 2012; Chevigny, 2002; Gauntlett, 2012; Geltner, 2008b; Haslam, 2005; *Index on Censorship*, 2010; Johnson, 2012; Kleinert, 2002; Maxwell, 2002; Miller, 2005; Nellis, 2012; Novek, 2005; Rymhs, 2002; Scheffler, 2003; Tessler, 2010; Wilson, 2008a, 2008c).

Under freer but not necessarily unproblematic circumstances, segments of the public may also put the arts to the use of resisting the inherent inhumanity of imprisonment and the array of injustices it reflects and serves. Such action may at times relate to cases of individual prisoners (including well-known artists), and may be undertaken at a local, national and/or international level by former prisoners, relatives of current prisoners, members of the public with no direct or indirect personal experience of imprisonment, penal reform and arts organisations, or some combination of these. For instance, from the mid-1950s onwards, through his hit song *Folsom Prison Blues* and a long series of benefit concerts inside prisons around the US (including, famously, one at Folsom Prison itself in 1968), Johnny Cash was one of the nation’s leading public advocates of prison reform (Tunnell and Hamm, 2009; see also Johnson and Schmitz, 2008). In the mid-1970s, Bob Dylan wrote, recorded, and often sang in public his anthemic song *Hurricane* to protest against the wrongful imprisonment of American boxer Rubin ‘Hurricane’ Carter, whose conviction was eventually overturned in 1985 (see further Hirsch, 2000: 120–125). In 2006, ‘guerilla artist’ Banksy managed to place a life-sized replica of a Guantánamo Bay detainee inside a railroad ride at Disneyland Park in California, in order to highlight the plight of terror suspects at the controversial detention centre in Cuba (BBC, 2006). And in 2011, with a view to renewing focus around the world on the detention of Chinese dissident artist Ai Weiwei by the authorities of his country, the Tate Modern Gallery in London installed ten tonnes of his hand-crafted porcelain sunflower seeds assembled in a spectacular conical form (Brown, 2011; for further examples, see Brown, 2012; Carrabine, 2012; cummings, 2012; Fahy, 2012; Fiddler, 2012; *Index on Censorship*, 2010; Jacobson-Hardy, 2002; Johnson 2009, Johnston, 2012; Lacey, 2008; McAvinchey, 2011; Rowe, 2012; Ruggiero, 2012; Smith, 2009).<sup>6</sup>

### **Arts-in-prisons programmes and their evaluation**

Although the examples recruited up to this point obviously vary in terms of scale and other specificities, it is nevertheless possible to pull some threads together and draw preliminary conclusions. To start with, there is no intrinsic moral worth to the arts in and about prisons inasmuch as they can be subjugated to malign ends. Furthermore, prisoners are not necessarily resigned to accepting the terms of their subordination, and have long employed the arts as one of their instruments of opposition to it. Indeed, testament to the potency of the arts as a means of prisoner resistance is the array of efforts commonly made by state authorities to suppress or control them (see, for example, Nellis, 2012; and below). The political utility of the arts aside, and contrary to common conceptions of prisoners as under-educated, under-cultured, under-talented, and under-achieving, prisoner artwork may also reach exceptional standards of cultural production whether or not the artist or artists in question have undergone any formal training. Finally, the public is not invariably attracted or indifferent to the plight of prisoners and the role of prisons more generally; in fact, with no less potential for artistic excellence than prisoners, members of the public may well utilise the arts to promote progressive change on the socio-penal front.

All this throws into sharp relief the two ironies which prevail in contemporary criminological literature on the relationship between the arts and imprisonment. The first irony consists in the tendency to disproportionately focus attention on the development and effectiveness of formalised, practitioner-run prison programmes which claim to ‘empower’ and ‘rehabilitate’ prisoners by introducing them to the arts. The second and, arguably, consequential irony is the tendency of such scholarship to approach arts-in-prisons programmes and their research evaluation in an uncritical manner, as if they exist in a socio-political vacuum. The present article has thus far sought to help rectify the first irony through discussing both state use of the arts for the purposes of controlling prisoners and the broader public, and the use made of the arts by prisoners and portions of the broader public as tools of resistance to penal states. Building partly on insights gained through the foregoing, the article now turns to a critical exploration of the philosophy, formation, operation, effectiveness, and research evaluation of arts-in-prisons programmes, bringing to the fore the politics surrounding and underpinning these multiple themes.

#### *A suitable amount of rehabilitation*

Over recent decades, the use of imprisonment has undergone a dramatic rise in a large number of jurisdictions worldwide (see further Van Dijk, 2008: 259–260). Concurrently, there has been a rapid expansion of so-called ‘rehabilitation programmes’ in prisons, including programmes based on the arts. As concerns arts-in-prisons programmes in the West at least, related non-governmental organisations and charities have been mushrooming, funding has been relatively healthy despite the financial downturn, and practitioners have seen their employment becoming more secure (see, for example, Teasdale, 1999; McAvinchey, 2011). Alongside programming as such, research that is meant to evaluate the effectiveness of arts-based interventions in prisons has been undergoing a significant expansion as well. What was once the purview of a few isolated practitioners applying basic research methods and even fewer interested academics scattered around the world has now become an increasingly crowded, coherent and dynamic field. The number of active researchers has grown exponentially, including postgraduate students and commercial-sector entrepreneurs. Teamwork and partnerships between universities, arts organisations, and criminal justice agencies have gained in frequency and strength. The volume of related scholarly and policy publications is unprecedentedly high (although literature reviews have thus far failed to exhaust the material available). And regional, national, and international conferences are organised with gathering momentum and ever-larger audiences (see, for example, Cheliotis and Jordanoska, 2014, forthcoming).

The expansion of evaluation research on arts-in-prisons programmes is not particularly surprising at first sight, as the broader 'what works' question has acquired renewed significance in criminal justice policy-making and criminological research over recent years (see further Brown, 2008). With the culture of managerialism having come to infiltrate and dominate penality, prison programming purports to be based on evaluation evidence of the highest standards, a characterisation commonly and largely arbitrarily reserved for hard-nosed statistical analyses of quantitative data derived through experimental or at least quasi-experimental studies (Edwards, 2005; McMillan, 2003). Just as with so many penal and other social policy interventions, however, the fate of arts-in-prisons programmes – their scale, their scope, and their mechanics – has by no means been determined by findings from evaluation research. The fact that available pertinent evidence tends to fall short of the standards required of policy-relevant evaluation research (and often of other, seemingly laxer standards) might even be beside the point, given that the expansion of arts-in-prisons programmes *predated* the expansion of evaluation research in this area (for an exception from the US, see Gussak, 2012).

It could be claimed that arts provision to prisoners should be ensured regardless of any measurable impact it may have on their lives, particularly if equal access to the arts is perceived to be a universal right. But even if one were to accept that this argument privately appeals to politicians and policy-makers, it is hardly voiced in the open, not least because it lacks political purchase in the context of heightened public punitiveness. If anything, denying prisoners access to the arts is what might prove an effective political move, not unlike depriving them of various other and more basic rights such as to safety, autonomy, and privacy. Thus, for example, in November 2008 the then UK Justice Secretary Jack Straw publicly condemned a stand-up comedy course for maximum-security prisoners as 'totally unacceptable' and ordered that the lessons cease with immediate effect (see further Cox and Gelsthorpe, 2012).

Such punitive gestures, however, have done little to arrest the expansion of arts-in-prisons programmes. Indeed, at least in Britain, prison arts programming has remained largely impervious even to the ongoing financial crisis and the attendant budget cuts in criminal justice (for a different example from the US, see Nagourney, 2011; also, more generally, Meiners, 2011). The immediate question concerns the justifications underlying this development: what is it exactly that arts-in-prisons programmes are supposed to achieve? The answer also has crucial implications for the progression of evaluation research in this field. For unless the mission of given programmes is adequately defined, their evaluation is bound to be based on speculative yardsticks. Neither the fact that evaluators of arts-in-prisons programmes disproportionately emphasise methodological matters, nor that they are typically in favour of qualitative techniques, should be taken to mean that the goals of arts-in-prisons programmes are steadfastly clear and constant (or, indeed, that qualitative techniques are necessarily best suited for the task at hand).

Commonly evoked to justify investment in prison arts programming is the concept of offender rehabilitation, even though the contours of the concept and the ways in which they should be applied in practice have long been far from lucid (Thompson, 2003; see also Brown, 2008; Waren, 1986). To be sure, the idea of 'rehabilitating' offenders, however fuzzy, has greater political value than treating them as equals and granting them full rights. This is all the more so when offender rehabilitation is tied to what we may call the 'meta-goal' of recidivism reduction; whereas the former still remains fuzzy, the latter is both tangible and highly appealing (see further Cox and Gelsthorpe, 2012; Digard and Liebling, 2012).

But such discourses may nevertheless founder on the belief that offenders are generally irredeemable, and that, in any case, 'soft' schemes such as those related to the arts are wholly inappropriate for the occasion (see, for example, Maruna and King, 2004, 2009). Although belief in the generic irredeemability of offenders amounts to nothing more than a stereotype, the perceived unsuitability of arts-in-prisons programmes is not wide of the mark, at least not as

concerns the 'meta-goal' of reducing recidivism rates (McMillan, 2003). This is because prison arts programming cannot realistically address obvious and proven precursors of offending such as unemployment and lack of housing. So long as these precursors continue to go unaddressed by state policy, ex-prisoners will be effectively forced closer back into crime (see, for example, Uggen et al., 2005; Western, 2006), and arts-in-prisons programmes will have taken upon themselves a heavy load of undeserved blame (see further McAvinchey, 2011: 78–79; also Fraden, 2001).

Yet it is not even certain whether, or to what extent, offender rehabilitation is a desirable outcome for prison authorities and the public. The penal establishment is prepared to take credit for exceptional achievements by prisoner artists, where they are evoked to advertise the prison as a site of effective pedagogy and rehabilitation, insofar as such cases do not become the norm. Erwin James, who famously took up education and rose to become a regular columnist for *The Guardian* whilst serving a life sentence in various British prisons, quotes a prison governor as saying to him: 'Oh, we believe in rehabilitation, but we're not quite sure just how rehabilitated we want prisoners to be. ... You see, so long as society demands retribution for offenders, we have to be careful about allowing you too much rehabilitation' (James, 2003: 165). What this quote does not convey, of course, is that prison officials may well share such retributive sentiments with 'society', not least because they themselves are members of that society (see, for example, Szekely, 1982; and below).

The prospect of offender rehabilitation specifically through the arts can also be thought of as posing an unconscious ontological threat to prison professionals and the public (including arts practitioners) – not a 'fear of falling' as such but a fear of being matched or even overtaken. For artistic development signals acquisition of a prized source of symbolic capital, thus creating possibilities for distinction and upward social mobility to the point of upsetting established power differentials (see further Bourdieu, 1996; also Cohen and Taylor, 1976: 126–129). Behind this fear perhaps lies a latent expectation that prisoners are more likely than most of us to produce inspirational art because, paradoxically, of the exceptional strains under which they find themselves. And, indeed, this fear may not be unfounded, given that prisoner artwork has at times transcended the objective boundaries of the prison and the symbolic boundaries of class, entering the ranks of popular and even 'high' culture; the prison blues in the US and the prison rebetika in Greece (on which see Gauntlett, 2012) being but two examples from the musical genre (see further Bernstein, 2010).

It seems no accident that prison officers so often effectively sabotage the operation of arts-in-prisons programmes, from sticking to inflexible institutional protocols that pose practical obstacles (Cohen, 2012; Cox and Gelsthorpe, 2012; Grant and Crossan, 2012; Silber, 2005), to being hostile to arts practitioners (Schlossman and Berger, 1997), to mocking prisoners who take part (Digard and Liebling, 2012), to claiming that training in the arts runs counter to the very spirit of punishment (Tocci, 2007) and is even liable to enhance prisoners' criminal skills (Moller, 2004). But the negative stance prison officers may hold towards arts-in-prisons programmes should not be taken to imply that systematising the process of engagement with the arts behind bars necessarily works best to discover, preserve or cultivate the creative artistic potential of prisoners. Rather, prisoners interested in the arts are today frequently channelled into programmes run by practitioners with variable credentials, where they are schooled in the elementary artistic skills they are presumed to lack by dint of their lower-class upbringing and ethos, at the same time as being preached the virtues of 'high-brow' bourgeois culture as an especially demanding benchmark by which all else is to be judged. Prisoners thereby receive what we may call, paraphrasing Nils Christie (2004), a 'suitable amount of rehabilitation', and are eventually trapped in what Pierre Bourdieu (1984) terms 'cultural goodwill': whereas they grow familiar with, and appreciative of, the hierarchy of symbolic goods in the artistic field, they are safely denied access to the practical means of attaining the most desirable standards of artistic expression. To this extent, although arts-in-prisons programmes

profess to 'empower' prisoners by way of rehabilitating them, boosting their autonomy, self-control and confidence, the way in which they are practically structured and operated may furnish precisely the opposite function (see also Rodríguez, 2002; Sweeney, 2002; Walsh, 2012).

No wonder that prisoners' artwork is subjected to perfidious condescension (as Brown (2002: 131), for instance, also recognises), even by the system entrusted with their 'acculturation'. Consider the depth and nature of the chasm in power dynamics at ceremonies where the genteel community confers, with a self-delegated authority reminiscent of early-twentieth-century colonisers who detected traces of 'civilisation under savagery' (Strathern, 1990: 91), certificates to prisoners who 'make it through' an arts scheme.<sup>7</sup> Consider also that self-serving genteel discourse which accords inferior status to prisoners' artistic tastes. Theirs are allegedly 'tastes of necessity', to borrow another term from Bourdieu (1984), where function takes precedence over form, where matter overrides manner, and where facile pleasure of basic human senses prevails over pleasure achieved through erudite reflection. In the context of such discourse, nude paintings produced by prisoners amount to sheer pornography; nudity in bourgeois paintwork, by contrast, is taken to be reflective of open-mindedness and liberation from regressive social taboos (but see also Carnochan, 2012).

Granted, prisoners may come to develop feelings of gratitude towards their instructors and judges, just as they may treat the inferior cultural identity ascribed to them as legitimate. But this is perhaps best understood as the result of successful ideological incorporation – as 'false consciousness' – rather than indicating an environment of care and fairness or an objectively legitimate cultural hierarchy. Alternatively, prisoners may skilfully manipulate flattery and deference – 'the theatre arts of subordination', in the apt phrase of James Scott (1990: 35) – in order to achieve their own ends. Albeit somewhat stereotypically, this latter possibility is illustrated in the classic 1960 British comedy *Two-Way Stretch*, starring Peter Sellers. Upon receiving an inspection visit from a party of benevolent women representing a prison reform association, male prisoners participating in an arts-and-crafts workshop show themselves to be talented dissemblers. Whilst offering their willing audience a performance of sincere commitment to the rehabilitative spirit of the arts and crafts, they surreptitiously exploit the opportunity of the workshop to hone their criminal skills: a hand-made cabinet project, for example, doubles as the means to a lesson in breaking bank safes. It is ironic that efforts have been made to promote drama therapy in prisons by reference to the supposed 'affinity that criminals have for the dramatic' in that they 'often speak about the masks they wear and the roles they play in order to fit into the criminal world' (Cogan and Paulson, 1998: 37), without recognising the possible dramatic element in how prisoners express themselves about prison arts programming or, indeed, their experiences of the 'criminal world'.

#### *Conscience and convenience*

There still remains the crucial question of what policy and civic functions arts-in-prisons programmes serve. Their proclaimed mission of rehabilitating offenders is belied, first, by the lack of official effort to clearly determine the ambit of the concept and the form arts-in-prisons programmes should assume accordingly; secondly, by the fact that offender rehabilitation through the arts is unrealistically tied to recidivism reduction; and thirdly, by the broader context of opposition to the rehabilitative potential of arts-in-prisons programmes, both at the level of unconscious desires and in terms of practically undermining their operations and outputs. An important question also remains as to the utility of evaluation research in this area. Why the growth in research evaluations after, rather than before, the expansion in prison arts programming, especially since their dogged insistence on adopting qualitative techniques automatically precludes them from serious consideration in policy-setting circles?

It is useful for present purposes to recall the general account of offender rehabilitation given by Stan Cohen in his *Visions of Social Control*. Drawing attention to the symbolic effects of



discursive constructs, Cohen argues that rehabilitation programmes make ‘good stories’ that ‘stand for or signify what the system likes to think it is doing, justify or rationalise what it has already done, and indicate what it would like to be doing (if only given the chance and the resources)’ (Cohen, 1985: 157). Viewed in this way, arts-in-prisons programmes partake in the political art of lending the inherently harsh prison system appearances of open-heartedness and care. There is an obvious theatrical element at work here, with arts provision to prisoners being itself a play directed by the state for self-promotional ends. That the protagonists in this play tend to be females – arts-in-prisons programmes, for example, are commonly delivered by women – reaffirms its message: the state is genuinely devoted to the maternalistic task of promoting rehabilitation. All the while, the very fact that arts programming is added to the panoply of rehabilitative interventions inside prison walls lends further retrospective validation to stereotypical perceptions of prisoners – here the necessary extras of the play in process – as pathological cases in need of institutionalised treatment. Once accomplished, this move in turn revalidates the necessity of the programmes that have been invoked and legitimates their hosting institution: the prison, now perceived as the arm of a ‘mother who provides and protects’ (Duncan, 1996: 24). It comes as no surprise that high-level prison officials have often joined their voices with those of arts organisations and other interested parties to call for greater state funding for the arts in prisons.

Taking Cohen’s account one step further, it could be argued that prison arts programming is a ‘good story’ that appeals to the middle-class segment of the population. It is the middle classes, after all, who systematically consecrate the love of art (even as they arbitrarily claim monopoly over knowledge of the ways to love it; see further Bourdieu, 1984). It is, equally, the middle classes who ‘donate’ money, time, and what is often their self-ascribed competence to endeavours related to the provision of arts behind bars (including, for the most daring, unsqueamish, and perhaps voyeuristic amongst them, undertaking the initiation of prisoners into the basic essentials of aesthetic education). This is not to say that the middle classes are somehow purified of punitive sentiments; indeed, it is plausible that their active support for the provision of arts in prisons helps alleviate their lurking guilt for voting into power successive punitive governments (see further Cheliotis, 2010b), at the same time as ensuring that prisoners learn to respect middle-class symbolic goods but remain ignorant as to how to produce or consume them in the ‘proper’ manner.<sup>8</sup>

The greatest irony here is not that arts-in-prisons programmes, whether by offering too little or by promising too much, essentially set prisoners up for all sorts of failure, from lagging far behind the artistic standards they are taught to venerate, to falling back into a life of crime once they are released. Nor is it the greatest irony that such failures serve to invest presumptions of offenders as culturally and morally inferior with the symbolic force of a *fait accompli*. The greatest irony of all is that these symbolic effects have grave material consequences for the supposed recipients of state and middle-class benevolence, working to legitimate offenders’ past and ongoing repression by way of penal institutionalisation. Cohen puts the point astutely when he writes that, in the same way as iatrogenic illness is attributed to purported faults of patients, so the misfires of offender rehabilitation schemes are blamed on offenders: ‘A special group of offenders is particularly to blame: the incorrigibles, the hard cores, the career criminals who so ungratefully persist in keeping recidivism rates so high. If only they would cooperate!’ (Cohen, 1985: 169).

Aside from their exploitation for reasons of conscience, arts-in-prisons programmes often also serve functions of what Rothman (1980) names ‘administrative convenience’; that is to say, they are employed latently (but not unconsciously) as means by which to carry out the daily workings of prisons with greater efficiency and effectiveness. The most notable example is that of maximising control over prisoners by rendering their participation in arts-related schemes dependent upon strict conformity with the rules and regulations of the establishment (see, for example, Williams, 2012). And here one should not lose sight of the converse process, whereby

disallowing unruly prisoners to enrol or stay in a given scheme operates as a punitive, negative reinforcer of conformity. In the US, this process is sometimes open to the point of being formalised, as when prisoners are required to sign and observe a 'behaviour contract' in order to be able to participate in arts-in-prisons schemes (Palidofsky, 2010). Indeed, there is evidence to suggest that prisoners may sometimes believe monitoring of their behaviour extends even to assessment of their artwork by tutors (see Riches, 1994: 94). Lest the prospect of participation in an arts scheme does not suffice as an incentive, it itself is tied, like so many other 'rehabilitation schemes', to the arduous process of building the right profile for access to more coveted privileges (for example, transfer to a lower-security prison, home leave or parole). One way or another, whereas the arts and related schemes are said to be tools for liberation of the mind and creative exploration, they form part of the effort to hold prisoners in close check.

These observations provide a fruitful avenue for returning to address the functions of evaluation research on arts-in-prisons programmes. For whilst no serious study can afford to assess the effectiveness of a given programme without paying sufficient attention to its implementation, evaluation research on arts-in-prisons programmes has generally tended to either miss or undermine their systematic subjugation to purposes of 'administrative convenience'. Although the use of participation in prison arts schemes as an incentive for compliant custodial conduct has received more recognition of late, the goal has mainly and paradoxically been to demonstrate the effectiveness of prison arts programming in terms of enforcing discipline amongst prisoners. Whereas, in other words, control over prisoners is inherently antagonistic to the avowed mentality of arts-in-prisons programmes, research has turned it into an indicator of success (see further discussion in Cox and Gelsthorpe, 2012). In any event, whether due to activist commitment or vested interests, evaluators appear all too eager to locate proof that arts-in-prisons programmes 'work' (for a reflexive discussion, see Digard and Liebling, 2012). This eagerness is more likely than careful programming to lie behind the fact that '[p]rojects with evaluation as integral have been found to be associated with more successful outcomes' (Balfour and Poole, 1998: 221).

In the last analysis, however, the actual nature and even the findings of evaluation research may be of secondary, if of any importance at all. This is, on the one hand, because evaluation research makes a 'good story' on its own. In a characteristically circular fashion, the fact that the prison system allows its programmes to undergo evaluation is taken as evidence of good intentions, and good intentions are taken to attest to the sincerity of evaluation. As explained earlier, on the other hand, indications of failure do not intrinsically stand in opposition to the continued existence and aggrandisement of penalty. (Evaluation research, too, is more likely to expand when faced with failure than when discovering success in anecdotes and marginal statistical reductions of some variable; see further Cohen, 1985: 183–191.)

### **Concluding remarks**

In discussing arts-in-prisons programmes and pertinent evaluation research, the present article has focused exclusive attention on their negative aspects and functions, as well as on the ignoble motives of people associated with the design, support or delivery of either of these activities. None of this, let it be clear, implies a complete dearth of genuine care and professionalism; nor does it deny that arts-in-prisons programmes and their evaluations may perform truly positive roles. Indeed, there are some works that offer thoughtful evidence to the contrary (for example, Alexander, 2010; Clemente *et al.*, 2011; Cohen, 2012; Cox, 1992; Cox and Gelsthorpe, 2012; Digard and Liebling, 2012; Gussak, 2012; Hartnett, 2011; Lawston and Lucas, 2011; Liebmann, 2008; Scott-Douglass, 2007; Shailor, 2011; Tannenbaum and Jackson, 2010; Walsh, 2012; Warner, 2001; Williams, 2012). The overarching aim of this article, however, has been to provide a reflexive counterweight to the vast majority of the literature on the topic, a large and expanding body of hagiographic or otherwise anodyne works which arguably contribute to the problems sketched above by missing, ignoring or masking them. Providing such counterweights

cannot but be in accordance with the broad progressive aspirations that arts-in-prisons programmes purport themselves to promote: the humanisation of punishment and, most importantly, decreased reliance on imprisonment. But it is also in accordance with the critical lessons that history amply offers, and that arts-in-prisons programmes and their evaluations have to date typically overlooked or undermined, both about the manipulability of the arts in the service of social control and injustice inside and outside prisons, and about the anti-conformist and social justice-oriented use long made of the arts by prisoners and pockets of the citizenry alike.

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<sup>2</sup> References to concentration camps and the US detention facility at Guantánamo Bay in Cuba are not to deny the distinctions between the practices of these exceptional institutions and those of conventional prisons, but rather to instance contexts which constitute extremities in state use of incarceration (see further Agamben, 1998).

<sup>3</sup> In a similar case from Greece, from the remote prison island of Aï Stratis in the aftermath of the Greek Civil War (1946–1949), representatives of the Red Cross attended political prisoners' theatrical production of Aeschylus' *Persians* under the watchful eyes of guards, but failed to recognise (or, at least, subsequently report) prisoners' hardships on the island. As later testified by former prisoners themselves, they felt 'hostility at the role of the Red Cross, for becoming complicit in maintaining illusions about their real hardships' (Van Steen, 2011: 137). On the manifold ways in which the arts were manipulated by the Nazi regime for the purposes of propaganda, see Petropoulos (1996), Huener and Nicosia (2006), and Spotts (2009). Western democracies have also employed the arts for propaganda purposes, as revealed, for example, by Frances Stonor Saunders (1999) in her book *Who Paid the Piper? The CIA and the Cultural Cold War*.

<sup>4</sup> As Brown (2007: 256–263) shows, Filipino prisons have a history of courting public attention – and, indeed, they have been popular tourist attractions – on the basis of the artistic performances given by their prisoners. On the more general theme of prisons being used as tourist attractions, see, amongst others, Barton (2012), Brown (2009), Miron (2011), Walby and Piché (2011) and Wilson (2008b).

<sup>5</sup> One should take care not to take for granted the effectiveness of resistance through the arts (Johnson, 2012) or, indeed, its progressive nature (Colvin, 2012).

<sup>6</sup> Individuals who either work or, as is more commonly the case, have previously worked in the prison system, may also use the arts – autobiographies and memoirs in particular – as means by which to draw public attention to the inhumane conditions and policy failures of imprisonment (but also often to the pains of their work in prison and their efforts to effectuate progressive change). Recent examples include books written by Kiran Bedi (2002), former Inspector General of Tihar jail in Delhi, India; by David Ramsbotham (2003), former Chief Inspector of Prisons for England and Wales; by John Podmore (2012), former prison governor and inspector in England and Wales; by Jim Dawkins (2007), Tony Levy (2011) and Ronnie Thompson (2011), former prison officers in several British establishments; by Véronique Vasseur (2000), former Chief Physician at La Santé prison in Paris; by Avi Steinberg (2010), a Harvard graduate who worked for two years as a librarian in a Boston prison; and by Judith Tannenbaum (2000), who taught poetry for four years at San Quentin prison in California. Erik Olin Wright (1973), now a well-known sociologist, has published a revealing account of his personal experiences as a student chaplain at San Quentin in the early 1970s (along with essays by activist prison lawyers and a former prison psychiatrist, amongst others), whilst the last book that renowned criminologist Norval Morris (2002) wrote before his death was a rare mix of fact and fiction that tells the fascinating story of Captain Alexander Maconochie's tenure as the governor of the British penal colony of Norfolk Island in the early 1840s and his copious efforts to reform the process of punishment. Similarly, it is becoming less uncommon for prison researchers and especially for those attracted to anthropology to incorporate visual means of artistic expression, for instance photography and film and video production, into their fieldwork and dissemination of findings (see, for example, Goifman, 2002; Jackson, 2009), although doing so obviously depends in large part on whether and the extent to which gatekeepers are willing or able to formally grant and practically facilitate access. Interestingly, participation in the delivery of arts-based prison schemes has on occasion served as a vehicle for undertaking covert research in otherwise inaccessible prison settings.

<sup>7</sup> This is by no means to say that the public is invariably supportive of exhibitions of prisoners' artwork as such. Opposition is particularly likely to manifest itself when prisoner artists are known to have previously committed heinous crimes such as murder (see further Brydon and Greenhill, 2003; Weinman, 2014).

<sup>8</sup> The 'middle class' is not meant here as a social group ready-made in concrete empirical reality, but rather, as Wacquant (1992: 57) puts the point, as a group occupying the intermediate regions of the class structure and 'constituted through material and symbolic struggles waged simultaneously over class and between classes' (see also Wacquant, 2013).

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