'Perfectly individualized and constantly visible'? Lateral tightness in a prison holding men convicted of sex offences

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Abstract

Late-modern penal power has been described as 'tight'. Through the increasing use of indeterminate sentences and psychological assessment, and the growing insistence that prisoners engage in self-government, the prison monitors and seeks to change those it holds. This tight and disciplinarian power is often described as contributing to the increasing fragmentation and atomisation of the prisoner community. However, this article, which is based on research conducted in a English medium-security prison for men convicted of sex offences, argues that tightness can operate through the prisoner community, in a process which it terms 'lateral regulation'. It shows that prisoners spend a lot of time observing, categorising and policing their peers, in ways which replicate and often uphold the more formal systems of power. However, the relationship between these two systems of power is complex, and prisoners' collective self-regulation can conflict with and challenge the demands of the penal institution, in a way which reveals some of the weaknesses in the institution's disciplinary gaze, and indicates the normative motivations underlying this regulation.

Keywords

Prison, penal power, Panopticon, sex offences, sex offenders, tightness

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> He is seen, but he does not see; he is the object of information, never a subject in communication.
>
> Foucault (1975/1991: 200)

Bentham's Panopticon is 'the architectural figure' (Foucault, 1975/1991: 200) of disciplinary power. Its design consists of a rotunda separated into multitudes of cells, each accommodating a single prisoner, and a central tower containing an inspector whose role is to observe, classify and control them. The design's central innovation is that prisoners cannot know when the inspector is looking at them, and so they must always behave as if they are being watched. Foucault maintains that this 'illusion of constant surveillance' (Božovič, 1995: 16) creates a mechanism of authority and obedience which enables the Panopticon to create and sustain 'a power relation independent of the person who exercises it; in short, the inmates themselves should be caught up in a power situation of which they themselves are the bearers' (Foucault, 1975/1991: 201). Discipline thus becomes something which is not done to prisoners but done through them.

As is hinted at in the quotation from Foucault in this article's title, however, the effect of the Panopticon is created not just through its invisible gaze, but through its individualising tendencies. Prisoners in the Panopticon were to be held in separate cells, with walls between them creating order through 'lateral invisibility' (p. 200). By preventing prisoners from communicating with or even seeing each other, the Panopticon would also inhibit them from influencing, planning with or supporting each other – indeed, from doing anything that might challenge centralised power of the inspector. In the Panopticon, there would be no such thing as society:

> The crowd, a compact mass, a locus of multiple exchanges, individualities merging together, a collective effect, is abolished and replaced by a collection of separated individualities. From the point of view of the guardian, it is replaced by a multiplicity that can be numbered and supervised; from the point of the view of the inmates, by a sequestered and observed solitude. (p. 201)

Thus isolated from each other, prisoners in the Panopticon would be unable to develop any of the relationships, loyalties, shared cultural practices or norms which might nurture a sense of solidarity or collective identity. All that would be left would be the individual and their relationship with the inspector.

The Panopticon was never fully instantiated, and most prisoners are not held in solitary conditions. As a result, most penal institutions enable, even enforce, a degree of social life. It is the relationship between the prisoner society and the formal penal institution – these two potentially conflicting systems of power – which is the focus of this article, which considers whether Bentham was right to consider the prisoner society to be a threat to institutional hegemony. As this brief review of literature on 'the two intertwined disciplinary frameworks of prison life' (Lowman, 1986: 239) makes clear, the relationship is more complicated and multidirectional than that.

Literature review: Penal power and the prisoner society

The interaction between the prisoner society and the formal system of power has been one of the key areas of focus in prison sociology. Many scholars have argued, with Bentham, that lateral relationships can enable inmates to resist institutional power, for example, by allowing them to sustain backstage areas, free places and group territories in which they can imitate freedom and behave authentically (Goffman, 1961). Much research in this area had focused on the inmate code, the so-called 'criminalistic ideology' (Clemmer, 1950: 317) which consists of a series of norms

advocating stoicism and discouraging excessive involvement with staff. By advocating for and following this code, the argument goes, inmates can step away from the mainstream and align themselves with deviant values (Lowman, 1986). In so doing, the code creates the conditions for a positive and honourable collective identity for prisoners, and a normative community which exists in opposition to the prison as a formal institution.

The prisoner community does not have room for all incarcerated people, however, and in maintaining its borders it demonstrates its own forms of regulation and discipline. In particular, those deemed guilty of sexual offending are excluded, as are those who are believed to have passed information to staff (with some exceptions; Crewe, 2009). Ethnographers have described how prisoners seek to control who gains admission by demanding to see prisoners' paperwork, enabling them to identify who is convicted of a sex offence (Schwaebe, 2005) or by abusing and excluding those imprisoned in specialist units for people convicted of sex offences (Thurston, 1996).[1] In so doing, they demonstrate a form of collective identity work. Ugelvik (2014: 72) suggests that incarcerated men are preoccupied by the desire to become 'other than, or more than, "a prisoner"', distinguishing themselves from others in an act of resistance to the 'generalising optics' (p. 106) of the institution. By excluding rapists and grasses, as well as the particularly weak and childish, they try to set themselves up as '*real prisoners* [. . .] adult, proper men who are not evil, not weak and not immature' (p. 108, emphases in original).

However, while the prisoner society might culturally and rhetorically oppose penal power, sociologists have repeatedly shown that it, and the inmate code, can contribute to the maintenance of order. Sykes and Messinger (1960; Sykes, 1958/2007), for example, maintained that the code discouraged individuals from dramatic displays of resistance, created the stability which was necessary for markets, and allowed inmate leaders to emerge who cooperated with officers, often in ways which stretched the formal rules but nevertheless contributed to safety and predictability. In large and racially divided US prisons, where prisoners now rarely know each other well enough for this informal form of order to work, other bottom-up strategies have developed to contribute to stability. Prison gangs, for instance, have grown and solidified to operate as a 'low-cost producer of governance' (Skarbek, 2014: 99), gathering information about and even writing references for people when they move between institutions, and punishing moral and trading infractions. Even in institutions with a strong culture of active resistance to official authority, prisoners regulate their peers in the wider service of order. Cohen and Taylor (1972: 84), for example, describe the social world of a small high-security wing in the late 1960s and offer as an example of self-policing a rota system established by prisoners to stand between the knives in their kitchen and 'a new and reputedly volatile inmate.'

The emergence in late-modernity of a new form of 'tight' penal power, most fully described by Crewe (2009, 2011a), has challenged both the informal and social form of order described by Sykes and Messinger, as well as the integrity and honour of the oppositional prisoner community. Crewe argues that tight power is marked by its use of individualised conditions, indeterminate sentences, bureaucratic decision-making, the invasive use of psychological profiling and risk assessments, and processes of responsibilisation (see also Bosworth, 2007). This is a demanding form of power, one which replicates the subjectifying tendencies of the Panopticon, and which produces three new pains of imprisonment: the pain of indeterminacy, the pain of psychological assessment and the pain of self-government. By demanding that prisoners focus on individual progression, it discourages them from engaging in collective acts of resistance (Haney, 2010; Mathiesen, 1965) and the fact that it often targets its gaze on prisoners' relationships (Beckmann, 2016) means that most relationships are 'cautious and limited' (Liebling et al., 2011: 101). In

England and Wales, it has promoted a 'culture of atomized self-interest' (Crewe, 2009: 229) and 'apathetic individualism' (p. 401) in which people still proclaim the value of the inmate code, for example, by condemning those who 'grass' on other prisoners as 'furtive and unmanly' (p. 395), but who rarely enforce it by punishing infractions.

Tight power both fragments the prisoner society, then, and works through it. Tove Pettersson (2017: 89) describes how prison officers in a Swedish open unit for young people imposed small collective punishments to 'get the youths to steer one another in the direction of good behaviour'. She considers this through a Foucauldian lens and argues that it demonstrates that power becomes 'invisible' as the youths take over 'the disciplinary work of staff' (p. 90). This is a strategy which is very consciously followed in therapeutic prisons, which seek to disrupt the fundamental precepts of the inmate code and of inmate culture, and to encourage prisoners to participate in the work of policing. This disruption tends to be incomplete, and different normative codes often exist alongside each other in therapeutic institutions (Waldram, 2012), but they go some way to disrupt the 'us and them' of conventional prison culture. Haney (2010: 161), for example, described a penal facility for mothers and found that many functioned as 'minitherapists, [. . .] flexing their newly formed therapeutic muscles' and criticising and reporting their peers for poor behaviour. Genders and Player (1995), similarly, found that residents at Grendon, an English therapeutic community prison, shared information with prison staff, flattened the offender hierarchy and (imperfectly) accepted those convicted of sex offences. Similarly, Stevens (2013: 112), who conducted research in Grendon and other therapeutic community prisons, found that, while some residents were unwilling to proffer information about the transgressive behaviour of their peers as they feared the stigmatic label of being a 'grass' when they returned to mainstream prisons, the commitment which many felt to the goals of the programme meant that they 'reinterpreted "grassing" as constructive criticism, intended to help the participant', and therefore felt comfortable doing it.[2] In so doing, the residents demonstrated a form of 'performative regulation', which Scott (2011) argues is particularly common in institutions which she deems reinventive. Performative regulation takes place when 'groups of people submit themselves to the authority of an institution, internalize its values and enact them through mutual surveillance in an inmate culture' (p. 221). The motivations underlying performative regulation are simultaneously instrumental and ethical: those who are members of reinventive institutions are normatively committed to them while also only being able to evaluate themselves and others in the terms set by the institution, in a dynamic which Scott summarises as 'manifest agency/latent coercion' (p. 50).

Prisoners are more than mere instruments of institutional power, then, although the ways in which they act are often shaped by it. In his description of Ila, a Norwegian therapeutic prison which held many men convicted of sex offences, Mathiesen (1965: 47) shows that even highly atomised groups of prisoners can resist the pains of imprisonment and challenge the seemingly unfair distribution of resources through their use of censoriousness, defined as 'criticism of those in power for not following, in their behaviour, principles that are established as correct within the social system in question.' While censoriousness can be highly effectively, Mathiesen argues that it comes from a place of weakness because it requires the complainer to adapt to the established norms of the penal institution, rather than vice versa. Rowe (2016), on the other hand, has shown how women prisoners use their knowledge of the disciplinary environment to their own ends, for instance by grassing on their peers, as ways of resolving interpersonal tensions. In so doing, they operate in the gaps of 'the grid of discipline' (Certeau, 1984: xiv, quoted in Rowe, 2016: 337), using institutional means to work against institutional objectives and claw back power. Thus while the collective self-regulation of incarcerated people sometimes helps to shore up institutional

power, through 'grassing' or through performative regulation, at times the disciplinary work of prisoners exists in competition with that of the prison authorities, as in the cases of prison gangs (Skarbek, 2014), the quest to identify sex offenders (Ugelvik, 2014), or when prisoners make use of institutional strategies in the way described by Rowe; this disciplinary work can also operate vertically upwards to more directly challenge penal power, as described by Mathiesen. As we can see, then, prisoners are not just regulated objects, they are also regulating subjects, and in different conditions, they demonstrate allegiance to different normative orders.

These dynamics are particularly complex in the case of men convicted of sex offences, who in many ways are doubly disciplined. On the one hand, they are subjected to intrusive, extensive and shaming forms of monitoring and control by the state (McAlinden, 2007), pushed by risk assessment and cognitive-behavioural treatment to see themselves as permanent 'sex offenders' (Lacombe, 2008). On the other hand, they are the primary targets of the prisoners' regulatory exertions, at constant risk of detection and exposure from those they live among, and thus excluded from a community which could provide them with support or honour. Relative to those incarcerated for other offences, they are also less likely to have significant experience of incarceration and thus to have strong loyalties to prisoner culture (Mathiesen, 1965). Many, although by no means a majority, feel that their offences mean that there is something wrong with them and that they need to be punished, leading them to desire intervention and to submit themselves to institutional power (Crewe and Ievins, 2019). Taken together, these factors suggest that these prisoners might be particularly powerless and fragmented, the 'perfectly individualized and constantly visible' (Foucault, 1975/1991: 201) objects of Foucault and Bentham's imaginations.

As this article will go on to describe, however, this is not an adequate description of social relationships in prisons for men convicted of sex offences. The article is based on research conducted in an English medium-security prison for men convicted of sex offences, and it argues that while these men were subjected to constricting forms of discipline, much of this 'tightness' (Crewe, 2011a) operated laterally, through the omnioptical (Crewe, 2009: 307) prisoner society. In this prison, then, prisoners played the role of the inspector, observing, classifying and punishing their peers, and in particular monitoring them for signs of sexual deviance. However, this process was complex, and this lateral regulation did not always correspond well with the forms of regulation demanded by the institution. Through this description, the article will challenge the overriding depiction in the literature of the prisoner society as something which either resists the penal bulwark or which exists its gaps, but which either way is given shape by the institutional power pressing down on it. Instead, it will describe the prisoner society as a normative system which exists on at least some of its own terms.

Methods

In 2017, as part of a large-scale project of comparative research, an in-depth ethnographic study was conducted at a large English medium-security prison which held around 1200 men convicted of sex offences; it also held around 20 trans women, who had also been convicted of sex offences, and who were held on wings alongside the male prisoners.[3] The study sought to describe the way in which penal power shaped the prisoner society, and tightness was one of its central orienting concepts. The research was focused largely on two wings and it entailed extended periods of participant observation, primarily conducted in public spaces on both wings. In addition, 45 semi-structured interviews were conducted with prisoners, all of whom were selected opportunistically, and one of whom was trans. Participants were serving sentences of a variety of lengths and for

offences of different seriousness, and included Internet offences, contact and non-contact offences against children, and the rape and sexual assault of adults. These interviews had a mean length of just under three hours, often spread over several sessions, and covered issues such as staff–prisoner relationships, risk discourse, and social relationships on the wing. All interviews were conducted in a private room and all but one were audio-recorded.[4] All were transcribed and then coded in full, using a pre-determined conceptual framework that included 'tightness' and 'social relations', but which left room for other themes, such as 'lateral tightness', to emerge inductively. The project received full ethical approval.

Interest in tightness as a lateral phenomenon emerged during the period of participant observation, when it became clear that prisoners spent a lot of time monitoring how other people interacted with female members of the research team. The power of this system of surveillance was much more visible in interactions than it was describable in interviews. When asked, most prisoners maintained that they did not care how other prisoners judged them, although their actions and the stories which they told belied this, and our field notes record numerous incidents of prisoners commenting on who members of the team had been seen talking to or displaying awkwardness about being seen talking to women in public spaces. As a result, mastering the field (Drake and Harvey, 2014) and building research relationships became a delicate task, but these difficulties revealed the pervasiveness of lateral tightness in this prison.

Monitoring, grassing and breaking boundaries

Forms of lateral regulation

You find out how strong people are in here, and you find out the reality of people in here. If you're constantly . . . everybody is under a microscope from everybody else, especially on this wing with being on such a small wing. And you know people, you know what they're really like, you know what their foibles are. (Arjun)[5]

R: I'm a social analyst. I switch off to a degree, but my standby mode is probably ahead of everybody else's, so I see what's going on. I notice stuff that sometimes I wish I didn't.

I: Do you mean other people's flirting, or just generally?

R: Just generally, yes. I see the social groupings. I see who is acting in a certain way towards other prisoners. Elder gentlemen to younger ones, I see them befriending very fast. I notice quite a lot of things like that. I notice how quickly certain key individuals flock to you when you walk onto the wing. They're completely oblivious to anybody else would notice that. (Neil)

As the above quotations from Arjun and Neil make clear, the men in this prison spent a lot of time watching their peers and judging their behaviour. They were highly conscious that they lived among people convicted of sex offences, but they were not solely interested in how people had transgressed in the past. Instead, they sought to identify, monitor and, sometimes, change those whom they believed still acted in accordance with their 'sex offender' identity while they were in custody. They thus policed anything which they judged to be relevant to sexuality and sexual offending, and people who spent too much time with female staff, trans women or young men were objects of suspicion. This preoccupation was pervasive, and at times, these horizontal forms of regulation linked up quite explicitly with institutional systems of control. For example, many interview participants admitted to having passed information about inappropriate behaviour on to prison staff. It was rare for prisoners to feel morally conflicted about this, or to deem that they were

betraying their peers. In fact, most of the men considered that grassing was acceptable when the behaviour was related to offending and sexuality, or that informing staff of such behaviour did not count as grassing and thus was not a breach of the inmate code. Passing information to staff was therefore widespread and rarely, if ever, penalised by other prisoners:

> I don't think it's grassing if you report somebody for grooming somebody or for talking about kids or for cutting things [images of children] out of the Argos catalogue.[6] (Mick)

> If something needs reporting, like there's a threat to staff or someone else, I think it's got to be done, ain't it, you can't just sit back and think . . . Like for example where I was brought up, talking to authorities, it's easy, it's just a no-no, do you know what I mean? It's grassing and that's what they call it. But there's instances where I've done it and I've felt a bit grubby about doing it but I've had to do it. Like for example in my last jail I was on a[n offending behaviour] course with that lad, this old fella, and he was telling me about a friend of his who was committing offences but wasn't arrested. And I told him, I said 'Listen, I'm not, I'm not happy with you telling me this because then you're involving me in this now and that guy is out there [and] he's got kids of his own now'. And I told him I was going to bring it up, I told him I was going to tell the staff, and I did, I told the staff. In them instances, I think it's acceptable because if you don't say something then you're complicit in what's going on and I don't want to be involved in stuff. (John)

Those who were most active in their supervision of others were sometimes teased by their peers for 'getting ahead of themselves'; Joel, for example, had on several occasions passed information about potentially coercive relationships to staff. The vigour with which he did this meant that he was jokingly nicknamed 'Governor' by the people he lived with, but this teasing never slipped into exclusion, abuse or violence.[7]

More often, though, this lateral regulation took subtler forms and functioned independently of the formal prison system. Rumours spread quickly and often solidified into the warnings people made to each other about suspect individuals. It was common for prisoners to say that they avoided those whom they believed to behave inappropriately or to be convicted of particularly serious things:

> R: Like obviously you get some people who are here for very very heinous crimes, and you sort of try to avoid them as much as possible so you don't get associated with them.
>
> I: How do you know?
>
> R: They get pointed out [. . .]. They don't tell you what they're in for, they just say 'He's a bad person, stay away from him'. (Reece)

Not all rumours were believed, but they were nevertheless disseminated, and young men were especially likely to be warned to avoid apparently predatory people:

> R: You do find out about other people and it does put you off people.
>
> I: Do you find out because people gossip?
>
> R: Yeah, yeah. And there are things I've heard about certain people here, on this wing, and some of it I could believe but some of it I think 'No, bollocks, absolute rubbish'. And obviously being one of the youngest people in the prison as well, people have tried saying 'People are going to be on you about this, that and the other'. (Guy)

Occasionally, those who were thought to behave inappropriately were directly confronted by confident and high-status prisoners. Manwell, for instance, said that he and his friend used to call out those who made what he called 'sexually aggressive comments or comments about kids on the TV', and said that was a good strategy to get people 'to modify their own behaviour'. Very rarely, this confrontation became violent. Terry said that his cellmate used to write 'invasive, faceless letters' to a girl he knew outside, asking her to send him 'dirty shit', and eventually he stopped being able to 'handle' living with this man and so beat him up with his kettle.

Prisoners were highly conscious of this ever-present web of surveillance, and they pre-emptively managed their behaviour in order to avoid adverse inferences being drawn – and crucially, they were more often concerned that prisoners would make these judgements than that staff would. Reece, for instance, said that he avoided making friends with trans prisoners because 'if you start getting too friendly with them, then people start pointing the finger at you'. When asked why he was upset by being thus identified, his concern was the shame of being publicly misrecognised: 'I just don't want people talking about me and getting the wrong idea'. Similarly, Neil avoided behaving too friendlily with female officers as he was afraid of being judged, and while he listed practical motivations for being careful with his behaviour, it was clear that his first instinct was simply to avoid the shaming experience of being seen:

> R: On the outside, if you drop me into a bar or somewhere, I'm the worst, I'm the biggest flirt you will ever meet. [. . .] But here, I turn it off, because I don't want to be . . . It's not so much what they [officers] think, it's more what the other prisoners think. I see it when other prisoners are talking to people, or the way that they will all sort of congregate around [female officers], and I just find their behaviour . . . perhaps because it's so apparent to me, but I notice it. It's transparent, and I think 'Oh God. Do people think that when I'm doing it as well?'
>
> I: Why does it bother you, the idea of them thinking that?
>
> R: It's cause and effect in here. On the outside I can just walk away from things and go and do my own things, but on here I'm on the wing, the last thing I want to be done is moved off the wing because they think I'm trying to move in on somebody or whatever else. Or have something written on my NOMIS [file] that I've got to deal with when I go out to Programmes.

Part of prisoners' consciousness of how they were seen derived from the fact that their peers were unpredictable judges – Neil said that 'the staff are a lot more clued up than the prisoners', and therefore more able to accurately assess which behaviours were inappropriate – but it was also a desire to avoid further mortification. Men in this institution carried the weight of their already-spoiled identities (Goffman, 1963/1990) with them, and sought to avoid spoiling them even more with their conduct in custody. They were caught in a grip which was exerted not just by the need to progress through the system, but by the desire to maintain an honourable reputation, and these social demands – which Frank described as feeling like 'a valve' – wrapped tightly around their bodies and their behaviour. As in Bentham's Panopticon, this was a subjectifying form of power, one which placed significant behavioural demands on prisoners, but in this case, the power flowed from and through the prisoner community.

Tightening the Panopticon

In part, this collective surveillance supported and upheld the more official forms of discipline and supervision which were exerted by the authorities. In theory, the prison sought to promote

cognitive transformation and risk management, but in practice very few interventions were available, risk assessments and sentences plans were carried out unreliably and the majority of staff involved in risk assessment, sentence planning and programme provision were not based on residential wings or heavily involved in prisoners' daily lives. Furthermore, the officers who interacted with them more regularly did not see themselves as involved in rehabilitative work, as is common for prison officers in late-modern prisons (Crewe, 2011b), and were not actively involved in policing sexual behaviour. Officers were aware that prisoners complained about their inactivity, but felt themselves to be powerless in this sphere:

> It's like, what am I gonna do? Go up to someone and say 'Can you stop telling so-and-so you fancy them, he doesn't like it'? It does seem like in mains [mainstream prisons] they don't want to tell you anything whereas here they want to tell you everything and it almost feels like what do you want me to do? There's nothing I can do! You sort of just have to tell them to deal with it themselves. (Female officer, field notes)

As a result, formal power in this prison was experienced as 'loose' (Crewe and Ievins, 2020), but prisoners' constant presence allowed them to supplement the official strategies of surveillance and monitoring, and thereby tighten the overall experience of imprisonment.

Many interview participants said that their peers acted deceptively towards staff but revealed their 'true selves' when staff were not around. Ricky recounted the example of a man on his wing whom he described as 'OK with the staff', but who became 'creepy' whenever staff were not around, following people around and trying to touch them unnecessarily:

> R: I've learnt recently that once the door closes, once the officers go, or they lock the door, everyone changes, the real person comes out.
>
> I: Really?
>
> R: Their skills, manipulation skills come into play. The face that they don't want officers to see is there. [. . .] It seemed to be more evident when the door was shut and the officers weren't around to see it. Or nobody . . . he thought nobody was watching.

Not only did prisoners' worm's-eye view enable them to see more deeply than staff were able to, they were also able to act on the basis of different forms of knowledge. They often stated, with varying levels of sympathy and understanding, that staff were insufficiently discerning and failed to intervene in inappropriate behaviour unless it had been officially classified as inappropriate by some sort of formal corroboration:

> There's a certain person we don't talk to here because he keeps talking to a very young vulnerable guy. It's very obvious to us, he's a grown man, it's obvious grooming, but there's nothing you can do. They've got to see it but they don't care, they need evidence. (Prisoner, field notes)

Prisoners, on the other hand, were unconstrained by the requirement to act on the basis of hard evidence, and thus were able to police what was merely 'obvious'. They often claimed a sort of 'practical consciousness' (Giddens, 1991), a 'second nature' (Rory) or a 'radar' (Ricky) which enabled them to 'spot' (Robert) people who were particularly sexually deviant.

The intensity with which prisoners observed and regulated each other was partly indicative of the genuine anxiety which they felt around each other, an anxiety which was in some cases rooted in experiences of sexual harassment and abuse before or during custody. More often, this desire to

monitor peers was nourished by the feelings of stain (Ievins, in press) – psychological and moral contamination – which people experienced as a result of living alongside others convicted of unpleasant offences and hearing them talk about what they had done. However, the way prisoners talked about and acted on their anxiety appeared to have been shaped by the form of power operating in the prison in which they were held and by the image of the 'sex offender' which runs through penal discourses. They described each other using a similar language of pathological dangerousness to that used by prison staff, often accusing each other of manipulation and 'parallel offending' and attempting to explain each other's behaviour by reference to their purported offences.[8] Carlton, for example, insisted that prisoners' attempts to get jobs in prison for instrumental purposes demonstrated their inherently deviant identities, even though later in his interview he criticised prison psychologists for accusing him of the same thing:

> What I see it as is parallel offending. So, some of these guys have been very manipulative, very controlling in their offending behaviour outside of prison. They come to prison and they get jobs that give them the status and the influence with staff to be able to manipulate things to their advantage.

Like staff, prisoners drew stark distinctions between what 'sex offenders' do and think, and what 'normal people' do and think. They thus pathologised any sexually inflected behaviour, seeing it as a sign of inherent dangerousness:

> I definitely think there is a difference between – I don't know how to put this because 'the normal' is not the correct word, but the normal brain and the sex offender brain. Because little conversations that you have, like I'll watch a TV programme and I'll think, 'Wow, I can't believe they've done this and that!' and someone else will go, 'Fucking hell, did you see her tits?' It's like, really? They've just done a massive archaeological dig and found remains of this and that, and all you can think of is the low-cut top she was wearing while she was digging the hole. (Mick)

In her ethnography of a Canadian prison-based cognitive-behavioural treatment programme for men convicted of sex offences, Dany Lacombe (2008) argued that such men are 'consumed by sex', that every aspect of their history and identity is seen through the distorting lens of their conviction. In the prison which is the focus of this article, prisoners looked at their peers with a similarly simplifying gaze, interpreting their every action in a manner which was consistent with their pre-assigned identity.

That prisoners replicated the discourses and strategies of official penal power in part indicates how deeply these discourses and tight forms of power had penetrated the prisoner community. By policing their peers, many men in this prison demonstrated the self-governance which is one of the key strategies of late-modern penal power and performed the behavioural change which had been incentivised by the institution. They were no longer objects of risk with faulty sexualities, and they avoided and regulated those who were. They became agents in the Panopticon to show that they did not need to be watched by it. Their desire to differentiate themselves was not narrowly instrumental, however. Troy, for instance, said that he was in his cell one day when an 'unsavoury character', in his words, came in and started making sexually inappropriate comments about children on the television. He immediately reported this to the staff: 'I went and reported it straightaway. I said "I know you write down who we talk to, but don't associate him as my friend. He's not."' His motivations were partly mercenary – he knew that the prison was worried about the

development of grooming rings, and he did not want anyone to think that he might be doing that as it could affect his licence conditions or his coming parole hearing – and partly moral:

> I: If something like that ends up on your record, why does that bother you? Is that because of your parole?
>
> R: It bothers me because [. . .] although I'm a sex offender, it does upset me some of the things you see on television that some people do. And I sit and think I know I'm classed as one, but why they should do that, I don't know.
>
> I: Yes, so it's not that it's to do with if you're seen hanging out with the wrong person, that might have a bad outcome for you, it's also that if you're seen hanging out with a bad person it's partly a moral thing? You don't want to be seen as –
>
> R: They'll assume that I'm the same, yes.
>
> I: And that matters even if that doesn't have any effect on your life, it still matters to you?
>
> R: Yes, because I want it to be seen that I have rehabilitated and I want it to be seen that I am trying to do my best for myself and repair the damage I've caused. But people like that are not going to help you.

Similarly, Joel had on several occasions asked questions about, and sometimes told staff about relationships which he found disturbing. In so doing, he demonstrated some confusion about his own personal loyalties:

> I: Do you feel more loyal to the staff and to that end of the prison than to the prisoner end?
>
> R: It's a difficult situation because I am a prisoner. I am a prisoner. I obviously always will be a prisoner and nothing more than a prisoner, so I would never put myself in that same ballpark as staff. But if I feel something is important and they need to know because it intrinsically puts someone else at risk or in danger, I will always inform them [staff]. Be it [danger from] themselves or be it from others. Yes, that can create grief from other prisoners but at the end of the day, I need to deal with my own conscience. My conscience and my morals is more important than that. I have skewed my morals in the past. I'm not going to do that again. If that causes me extra problems, so be it.

In a great many cases, prisoners' moral instincts aligned with the behavioural demands placed on them by the prison and this normatively motivated lateral regulation thus broke down the distinction between staff as the discipliners and prisoners as the disciplined. While not all prisoners shared information with staff as willingly as Troy and Joel did, the vast majority shared the desire of staff to manage and control sexual behaviour in the interests of what they believed to be safety and propriety. Rather than representing a deviant subculture, then, the prisoner community sustained a normative system which appeared to correspond with that which was advocated for by the penal authorities. Whereas Bentham clearly feared that the mob of prisoners might form a normative community which resisted the discipline he hoped to impose, here we see that discipline can work through the prisoner society.

The prisoner society as an independent normative community

Prisoners' regulatory gaze was not solely targeted at their peers, however, and it did not always mirror that encouraged by the prison authorities. Disagreements occurred between prisoners and

staff about what counted as sexual offending, about how to identify it, and about what should be done about it. The prisoner-led system of regulation was not simply an extension of the official system of discipline, then, but an independent normative system which at times corresponded, and at times clashed, with the forms of power exerted by the prison. Imagined this way, we can see that the primary task of this prisoner self-regulation was neither to materially nor to symbolically resist penal power, as is often described as the main goal of the prisoner community, but to tackle sexually inappropriate behaviour, wherever it was found. Prisoners frequently raised censorious critique (Mathiesen, 1965) against staff for not intervening enough, or for demonstrating inappropriate behaviour themselves. Often, this censure was directed at the prison as an institution, for instance when prisoners complained that it did not offer enough treatment programmes, or when Frank criticised the prison's Security department for allowing prisoners to have access to potentially corrupting material, even though prisoners had tried to remove it:

> R: There's a book over there on that trolley that has been withdrawn by Security. It's a manga book but it is actually quite horrific to look at. There are some real dodgy pictures in there, and someone actually came in and flagged it up a few weeks ago.
>
> I: A prisoner?
>
> R: A prisoner, yeah. And the librarians contacted Security and they took it away for a bit. I don't know why they've brought it back because they have actually told us to take it off the shelves.

These criticisms were sometimes based on stereotyped assumptions about the nature of sexual offending and the character of those who commit them, rather than on a scientific assessment of risk. AJ, for example, insisted that it was inappropriate that one of the prison's workshops produced camouflage netting:

> Why are you teaching sex offenders how to make camouflage netting? [. . .] You're teaching a man how to camouflage himself, so he can go and sit outside a school and never be seen, or outside of a playground in a bush.

At other times, this censorious critique was directed at prison officers for not policing sexually inappropriate behaviour and language enough. These complaints were often passionate, and spoke both to the depth of prisoners' disgust at inappropriate behaviour and their frustration with the prison for failing to live up to its own rhetoric. Mick, for example, spoke about seeing another prisoner, in his words, 'groom' a much younger man for three weeks, and being unable to stop it or to persuade staff to stop it:

> You know when you know something's about to happen and you get that sinking feeling? It's like that times one hundred and then a massive feeling of guilt, feeling scared and then knowing that you should have done something, or should do something. That's all the feelings I used to feel as a kid. Knowing what was happening and obviously not being able to protect my brother. When I see things that are happening here, I get that feeling again and it really upsets me and I have to go in my room, and that makes me even more angry, like really fucking angry. I'm gritting my teeth! And they let it happen! That's what fucks me off. They let it happen. Three weeks, they let that happen for! And one of them [the officers] the other week said . . . Someone [had] said 'Do you enjoy your job?' And he went 'I really enjoy my job because I protect the public from people like you.' I thought 'Do you really? What, you really protect the people, do you?' And I thought when this fucking horrible bastard thing was

happening 'You protect the public, do you? You're letting this go on for three weeks and that's protecting the public, is it? You're letting that guy parallel offend for three weeks and that's protecting the public'.

It is significant that these complaints about under-policing came from prisoners who did not consider themselves to pose any risk (because they said they were not guilty, or because they maintained that their offence did not say anything about who they were), as well as from the few who believed that their own behaviour and sexual identity were problematic and benefitted from intervention. It was also significant that it was not just directed at the failure to police behaviour which directly affected them. Irrespective, all prisoners believed that it was *right* for the prison to intervene in matters related to sexual deviance and sexual danger.

Prisoners' disciplinary gaze did not only operate on other prisoners, then. They also watched and judged staff, condemning them for enabling or even encouraging sexually inappropriate behaviour. One male member of civilian staff was notorious among prisoners for being (they said) inappropriately tactile with women, and prisoners frequently commented on the irony of his behaviour: 'I'm not being funny, this is a sex offenders' prison, he should be setting us a good example!' (prisoner, field notes). Others complained that female staff did not set tight enough boundaries: 'I find a lot of inmates cross the line because they're allowed to' (Jude). Terry complained about a specific incident involving a female officer and AJ, a prisoner on his wing:

> She had her ID in her [chest] pocket and AJ just goes up and puts his hand in there on her breast and he pulls it out and she just spoke to him as though nothing happened, she didn't give a shit. The whole wing [. . .] looked at her and was like 'What the fuck was that?'.

Every time a woman came on the wing, AJ would speak to them and try to flirt with them, Terry said: 'It is every female officer, any new person, psychologists. [. . .] The most obvious offending behaviour is right in front of you and it is not being tackled'. Terry thought that AJ should be wrapped up more tightly, in a 'straitjacket', he suggested.

In making these complaints about prison staff, prisoners imposed constraints on the sorts of staff–prisoner relationships that were able to develop, demonstrating the prisoner community's ability to influence the operation of penal power. Researchers have repeatedly found that prison officers often have distant relationships with men convicted of sex offences, and they have tended to attribute this to the negative attitudes officers hold towards these men (Blagden et al., 2017; Kjelsberg and Loos, 2008). In this case, however, it was prisoners' anxiety about being judged which contributed to distance. Elsewhere in his interview, Terry discussed a female officer, whom he described as 'the reasonably good-looking one', and said that 'rumours spread' whenever a prisoner was seen speaking to her for too long. This officer was a frequent topic of conversation on the wing: while many of the men insisted that she was flirtatious and inappropriate, others said that she was simply young, friendly, and sought to actively engage with people. She was aware of how she was judged, and reported that she tried to limit her interactions with people to protect her reputation. Terry himself described how her behaviour was shaped by the way she was observed by prisoners: 'At the beginning you think "Rude woman", then you realise, oh, okay, eyes are on you so you've got to move on'. Other prisoners said that they deliberately avoided talking to this and other female officers, in order to stop 'Chinese whispers' (Rory) from starting.

The debate concerning the propriety of this officer reflected the inconsistency of this prisoner-led system of regulation. It is difficult to determine what behaviour is sexually motivated, sexually

inappropriate or indicative of a sexually deviant identity. Sexuality is, after all, invisible (if it exists at all as an independent object and sphere of life (Foucault, 1976/1998)), but prisoners insisted that they were instinctively able to recognise and classify sexual deviance without relying on the authority of more officially recognised mechanisms such as the 'psy-disciplines' (Rose, 1990):

> You can tell by people, can't you. Their attitudes, the way people talk about it and the way people act about things. I've never done any psychology or anything like that, so I'm no expert. But I don't know, there's something about some people that you can just tell isn't right. (Guy)

> I mean it's obvious the ones that are guilty, the way that they talk. You know? I mean you might get someone who is in for rape, you might get someone who ain't frightened to say 'Oh I didn't do that, you know what I mean, I have respect for this person, I have respect for them'. Then they turn round and say you know, to a female or something, 'Oh she's a right effing slag, she deserves a slap'. Well if you're going to talk about an officer like that then obviously you've spoke to your girlfriend like that, and if she's accused you of rape then the chances are that you did it because of the way that you treat female people. You know? I mean it stands to reason. I mean I'm not a psychologist, but I like studying people. (Reece)

However, this technology was not impartially used and was, in fact, heavily influenced by prisoners' assumptions about gender. Prisoners who were old, strange-looking, gay or trans – and who therefore existed outside the norm of acceptable masculinity – were likely to be identified as sexually problematic, as were those whose position in the prisoner economy made them highly visible to their peers. Robert, for instance, said that if he started hanging around with gay people or old people, this would in itself mean that people made assumptions or started asking questions: 'Why are you hanging around with them? [. . .] Oh you're getting groomed, they're touching you up'.

In its selection of targets, then, this regulatory gaze replicated some of the hypermasculine and heteronormative ideals of mainstream prison culture, and while prisoners were hypervigilant regarding sexual risk, they were most likely to identify it in people who, in appearance at least, resembled the faulty monstrous figures of popular imagination. Theorists of prison masculinity have argued that the social exclusion of men convicted of sex offences implies a categorical difference between normal and abnormal men, and helps to reinforce the idea that 'normal manhood remains unproblematic' (Sim, 1994: 108) by directing all negative attention to a few scapegoats. Similar processes were arguably at play here, and certainly prisoners considered sexual violence to be something caused by individual pathologies rather than cultural norms or systems of power. The role of mainstream masculinity in promoting or enabling sexual offending was never discussed by prisoners, and female staff were often blamed for provoking sexual attention:

> This is going to sound really bad, and please don't take this like . . . That's the sort of person that is likely to invoke something within a sex offender. She is likely to get dragged into a cell one day, and that's horrendous to think. I'm not saying she has brought it upon herself, because no one should do that to anyone, but she's kind of giving away the wrong signals. There are dangerous people in here that haven't thought twice about doing that sort of thing. (Mick)

The direction of prisoners' regulatory gaze was thus determined, not just by the risk-focused and psychologically inflected demands of the institution, but by their own beliefs

and norms about sexuality and masculinity. By monitoring and disciplining their peers, they drew on both discourses, in a way which made their omnioptical gaze both tight and confusing.

Conclusion: The tightness of the crowd

The form of lateral regulation which I have described in this article was tight and disciplinarian. It operated on the most fundamental aspects of prisoners' beings – their sexuality, their bodies and their relationships – and thus sought to change and control their souls. It created in all who lived and worked in the prison the constant fear of being watched, and the continual requirement that they monitor themselves and their behaviours. It saw danger in most people and in nearly all interactions, although some people were a source of more danger than others. But whereas the Panopticon exerted discipline through the inspector in his tower, the discipline which I have described in this article was primarily exerted from and through the prisoners. To some extent, this is consistent with Foucault's understanding of capillary power (Foucault, 1980), a power which flows from the centre to the margins, and which makes prisoners instruments of this authority. But as we have seen, the lateral regulation which operated in this prison did not always harmonise with the demands made by the institution, nor did it clearly originate in the centre. Instead, it was much less consolidated, its source was harder to identify, and the institutional gaze was blurred. It was not exerted by an external authoritative figure, one who was perhaps distant and inconsistent but at least, in theory, identifiable. Instead, it was a diffuse form of discipline, one which was exerted from below, was based on an explicitly non-scientific form of knowledge, and which struggled even to know where to look.

The tightness of the late-modern prison has been metaphorically described as a grip (Crewe, 2011a), as something which wraps around prisoners and demands they behave in certain ways, or as a fairground claw (Crewe and Ievins, 2020), a centralised power which prisoners must be ready to be gripped by but which may never come to collect them. The lateral regulation which functioned in this prison was more akin to the tightness of the crowd: suffocating, disorienting, chaotic, and impossible to escape. Unlike a claw or a grip, which imposes control from an identifiable outside figure, the crowd imposes pressure from all directions and pushes people in all directions. Each individual member of the crowd contributes to its power, at the same time as being subjected to it. The shape which it takes is influenced by the gaps which it is able to fill, but its course is difficult to predict, and it is propelled by its own logics. The social dynamics in this prison, then, suggest that Bentham was correct to fear that the frenzied force of the crowd would challenge the influence of the singular inspector. Prisoners believed that their peers were dangerous, but they were held in an environment which did not appear to do much about it. They, therefore, filled this gap, disciplining each other in a way which sometimes supported and sometimes conflicted with institutional objectives, but was ultimately driven by prisoners' normative instincts. These instincts had their own social, cultural and psychobiographical roots, and were not solely shaped by the prison in which prisoners were held. In this context, the deficiencies of the inspector's gaze fed the power of the crowd, but they were not solely responsible for it.

Through this description of lateral systems of regulation among prisoners convicted of sex offences, I hope that I have challenged some of the assumptions embedded in previous analyses of the relationship between penal power and the prisoner society, in particular that the latter takes

shape primarily in response to the former. In so doing, I build on the work of Ryan Williams (2017), who has critiqued prison sociologists' singular analytic focus on dynamics of power and resistance and argued that there is value in describing prison life through a moral lens. Using this lens allows us to see lateral tightness as a form of collective regulation which is incentivised and encouraged by formal strategies of power but which also derives from prisoners' own normative impulses. These impulses are likely to be particularly visible in prisons for men convicted of sex offences, where issues of sex and morality are highly salient, where prisoners' greater compliance allows moral issues to come to the fore, and where the widespread moral agreement between staff and prisoners means areas of disagreement are highlighted. However, the argument that prisoner regulation is normatively motivated is not limited to prisons of this category, and future work should consider the normative bases of the prisoner community in other types of institution.

Notes

1. The fact that prisoners are held on these units indicates that penal authorities do not straightforwardly disapprove of the exclusion of people convicted of sex offences. Like prisoners, prison officers have negative attitudes towards people with such convictions (Kjelsberg and Loos, 2008), and it has been argued that holding them separately from mainstream prisoners, as tends to be the case in jurisdictions like England and Wales, institutionalises and formalises the prisoner hierarchy (Mann, 2016).
2. Bill, one of the men interviewed by Stevens (2013: 113), put this in quite stark terms: 'In this environment, we are the best police. We know what's going on. The staff don't know what goes on upstairs. It's us that brings it into the room and says ''You threatened him'''.
3. For more details of the comparative project, please see www.compen.crim.cam.ac.uk.
4. Notes were taken during the one interview that was not audio-recorded.
5. All names are pseudonyms, and any potential identifiers have been removed.
6. Argos is a popular British catalogue retailer.
7. 'Governor': a prison manager.
8. Offence paralleling behaviour is a term used by psychologists to describe behaviour which is 'functionally similar to behavioural sequences involved in previous criminal acts' (Daffern et al., 2007: 267), and which

is often considered to be a risk factor (Akerman and Beech, 2013). The term 'parallel offending' is commonly used by prisoners and staff to describe any behaviour which seems to echo offending behaviour. As a term, it is used quite generally, and often by people without any psychological expertise.

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