



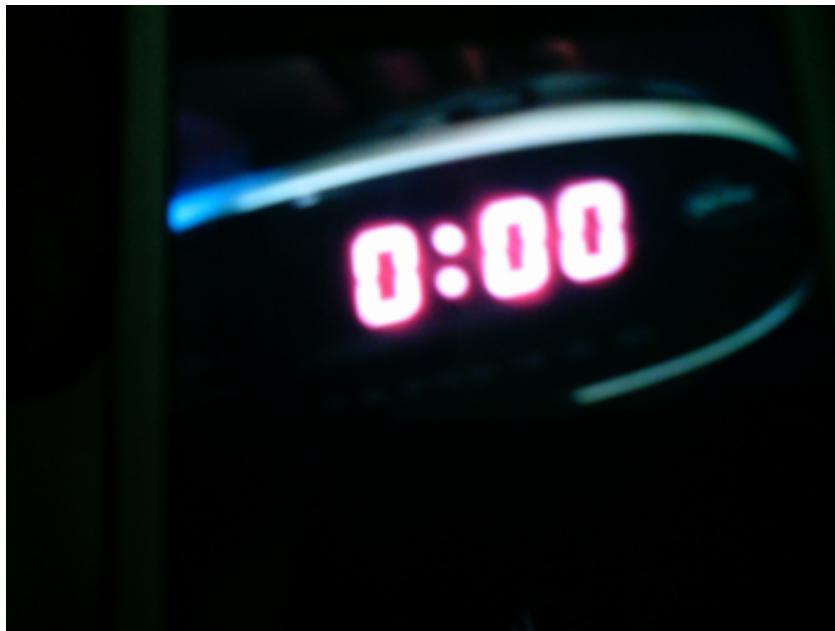
# Mass Supervision, Misrecognition and the Malopticon

Fergus McNeill  
University of Glasgow

Louis Abbott  
Vox Liminis

What's the point of tonight?  
**See** and **hear** things that help  
you **feel** and **think** about  
something (almost) invisible:  
**Supervision in the penal  
system**

# You're Waiting



# Punishment is Mostly Invisible

- Prisons are highly visible, yet...
  - England and Wales 2014: **218,000 people under community supervision** compared to 84,000 in prison.
  - Germany 2011: **190,000 people under community supervision** compared to 54,000 in prison.
  - In the USA in 2013, 2,200,000 people in jail or prison, **4,750,000 under community supervision**
  - Aebi, Delgrande and Marguet (2016): the expansion of these forms of sanction has led to widening of the net, sweeping more European citizens into **diversifying forms of penal control**.

# Mass Supervision and Penal Control in Scotland, 1980-2014

In 1980, the Scottish courts imposed fewer than 3,000 probation orders...



...and the average daily prison population was under 5,000 people.



In 2013-14, the courts imposed over 20,000 community sentences...



...and more than 3,500 people were subject to post release supervision.

Meanwhile, the average daily prison population had risen to just under 8,000...



... in spite of the fact that crime rates have been falling since the early 1990s.



# The ‘Supervisible’ project

- Focused not on the numbers, but on the **lived experience** of ‘offender supervision’
- Seeing supervision through the eyes (or the lens) of the supervised
- Visual representations of their experiences and feelings.
- Analysing pictures... and talk about pictures.

|                         | England  | Germany   | Scotland  |
|-------------------------|--|---|---|
| Participants and access | 10 women, via a Women's Centre                                     | 10 men, 1 women, accessed via open prison, halfway house and legal advice service | 7 men and 3 women accessed via CJSW, support organisation and Twitter |
| Type of supervision     | Diverse: past and present  | Diverse: past and present   | Diverse: past and present   |
| Workshop approach       | Artist encouraged playfulness and creativity: no rules             | Artist encouraged playfulness and creativity: no rules                            | Artist briefing on photo composition; showed examples                 |
| Research process        | Preparatory meeting, disposable cameras, focus group 2 weeks later | One day workshop: digital cameras   | One day workshop: disposable cameras                                  |
| Number of photographs   | 131  | 154   | 160   |

# Seen and Heard



'The long walk' by Messiah 10 (Scotland)



## ‘The long walk’ by Messiah 10 (Scotland)



“My first picture is just a picture of the beach, going up to the beach right there. A woman walking her dog. For me it kind of relates prison and probation and stuff. Whereas it’s the kind of relationship is one’s the boss. One’s the obedient one: the dog. It depends how you’re treated. The dog looked happy on a walk, obviously treated well, that’s the first one”.

# Uncaptioned by Stephan (Germany)



# Uncaptioned by Stephan (Germany)



“This is me, isn’t it? Behind bars. Outside, but still... Well, everybody is able to determine my fate for five years more. And this is his situation as well, isn’t it? But he will be directed for his whole life, where he is allowed to go to and where not.”

# Uncaptioned by Elvis (Scotland)



## Uncaptioned by Elvis (Scotland)



“The wee tree in the cage is sort of being restricted to where it can go without a cage, a kind of obstacle round it. So it’s still got the walls but it’s not got its freedom. It’s confined within its areas...because it is... it’s restricted and that. If you look at that [other tree] behind it, there’s nothing round that. That’s a free tree, do you know what I mean? That’s going where it’s meant to go.”

Uncaptioned by Vivaldi (Germany)



## Uncaptioned by Vivaldi (Germany)



"I would describe this lady as, let's say, lady justice. [...] She is the decider. She is the [puppet-master]. You also can't state your opinion freely or, ah, simply move freely, or leave, or whatever else. [...] With the justice system for me it is simply like this, that you are forced into a corner or into a dead-end road. And you are no more allowed to leave from there".

# Uncaptioned by Elvis (Scotland)



## Uncaptioned by Elvis (Scotland)



“...It’s just endless. It’s going through one bench to the next, to the next, to the next on a life licence... It’s just an endless row of people coming through the system, same thing. Where it’s... there’ll always be people in jails so there are always going to be people waiting to join the queue to wait to see a social worker or whoever it is they’ll see.”

# Uncaptioned by Rebecca (England)



# Uncaptioned by Rebecca (England)

“..But I was trying to get the rubbish of my life, like the bag, here, this. Everything else is clean and I’m the rubbish and I was trying to get that in this one. But the thing is... there’s clean and there’s that rubbish, and I’m that...”



Uncaptioned by Stephan (Germany)

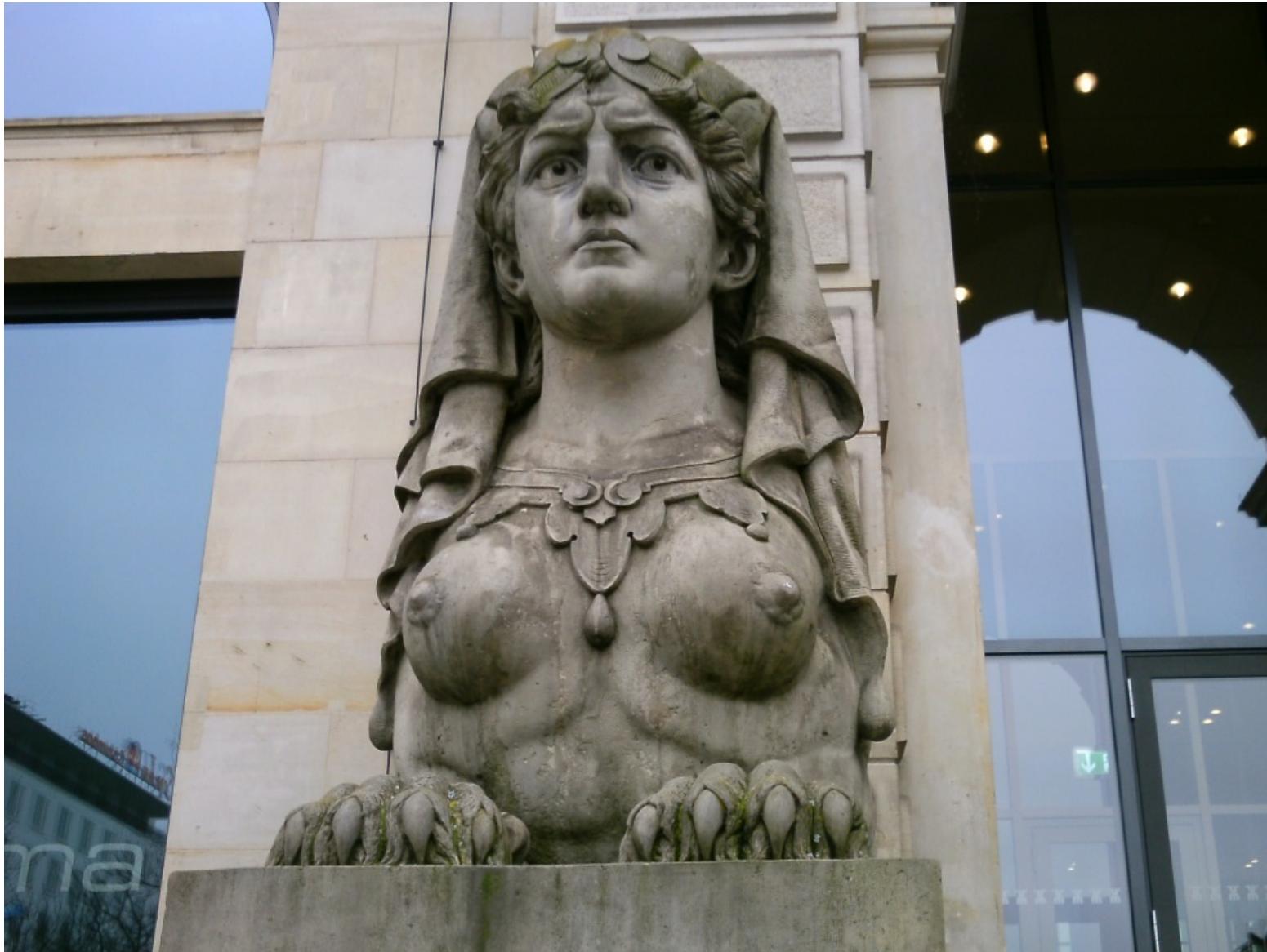


# Uncaptioned by Stephan (Germany)

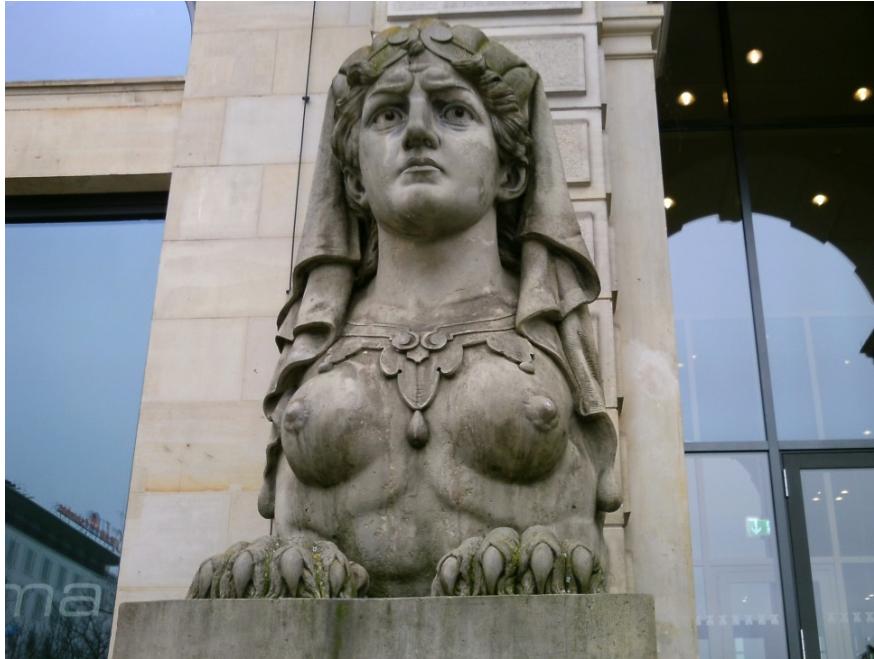


“Yes, this photo is for example – walking head down, isn’t it? After prison. I didn’t like myself anymore. Yes, I also lost self-confidence. What I see mostly are my feet.”

# Uncaptioned by E. & K. (Germany)



# Uncaptioned by E. & K. (Germany)



“Well, this is, if you are under probation and things like that, then you often feel laid bare. ‘Sometimes like being caught or whatever.’ [...] ‘Strong claws. You have to pull through. Yes, this is to be steadfast, isn’t it? To... that there is no other way than to remain steadfast.”

Uncaptioned by Andy (Germany)

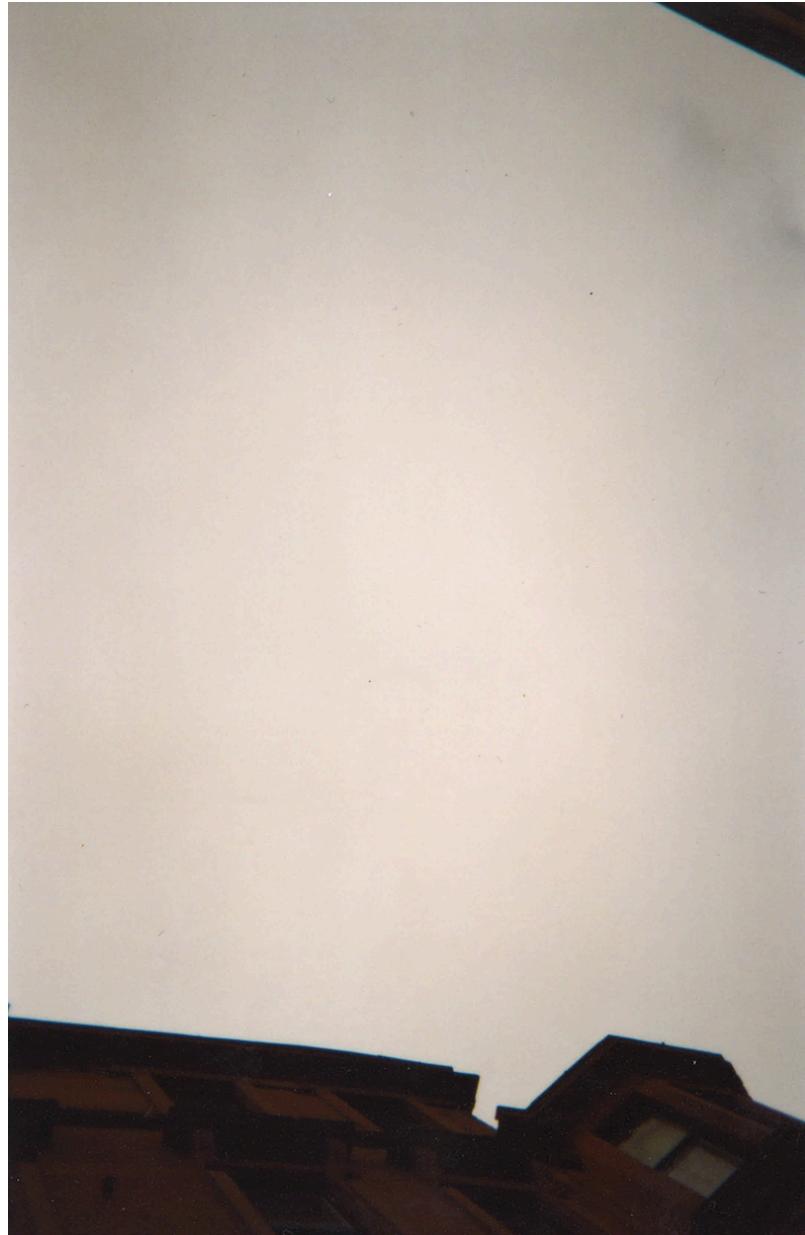


# Uncaptioned by Andy (Germany)

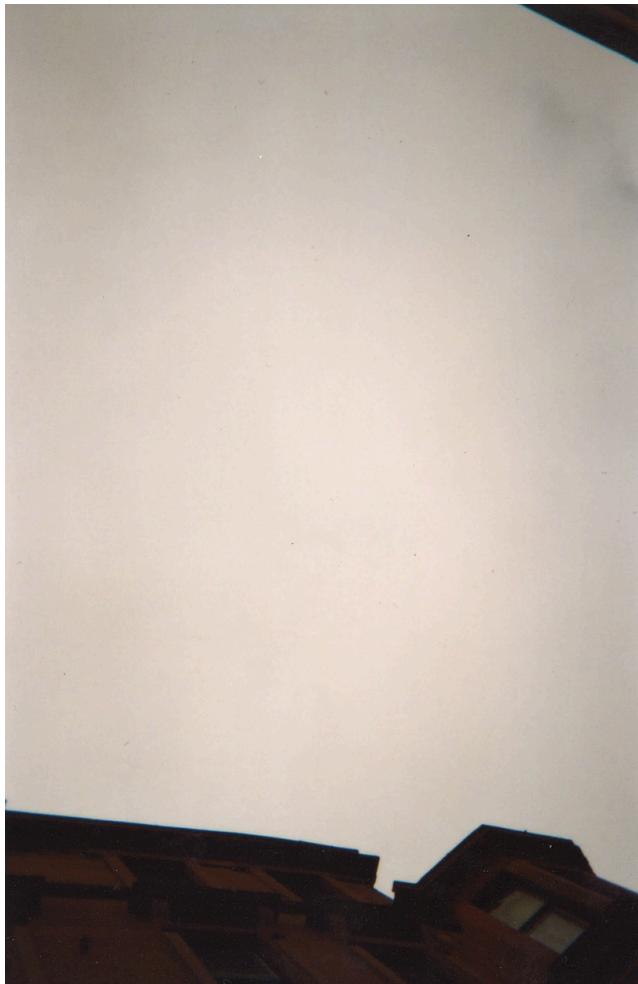


“The jumps you have to make, so to say, from the first stone that symbolizes the start, over the next stones towards the bridge at the back or something like that. Thus these are big jumps one has to make during the...for oneself...now during supervision [...] If you break the rules of supervision, you can easily slip into the water. I have now made it with all the jumps over the stones but always in danger of falling into the water.”

Uncaptioned by Elvis (Scotland)



## Uncaptioned by Elvis (Scotland)



“It’s all there,  
everything’s there.  
Freedom, nothing  
there. You are who  
you are. You’re free.  
You can be a wee  
bird up there, Fergus.  
You can go wherever  
you want.”

# Major themes

- From photos and discussion
  - Constraint
  - Time (Suspended)
  - Waste
  - Judgement**
  - Growth/Hope**

# Blankface



# I've Changed



# The Panopticon and *Sur*-veillance



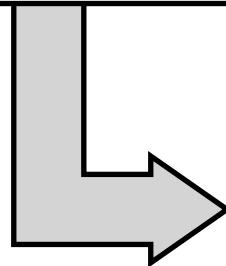
# Over-seen and over-looked: ‘Misrecognition’

- *Misrecognition* is a problem for *social justice* because:
  - ‘...people can also be prevented from interacting on terms of parity by institutionalized hierarchies of cultural value that deny them the requisite standing; in that case, they suffer from status inequality or misrecognition (Fraser, 2007: 20).
  - **Distortion and degradation**

# 'Panopticon' vs 'Malopticon'

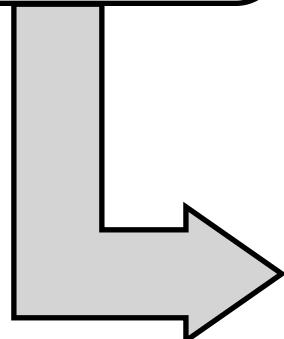
Sees you badly

- Misrecognition, plus
- Objectification



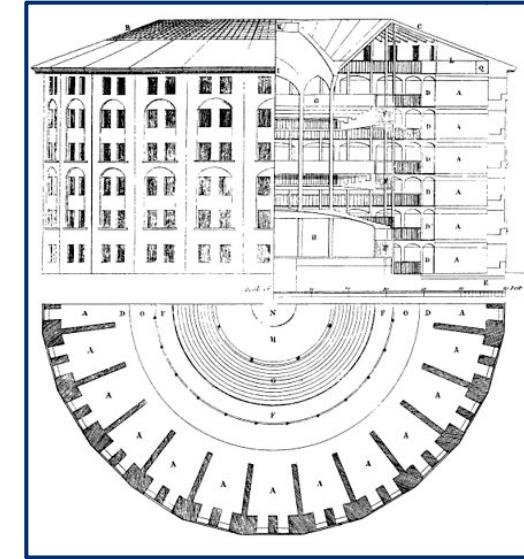
Sees you as bad

- Misrecognition, plus
- Objectification, plus
- Stigmatisation



Projects your badness

- Misrecognition, plus
- Objectification, plus
- Stigmatisation, plus
- Reification, plus
- Projection



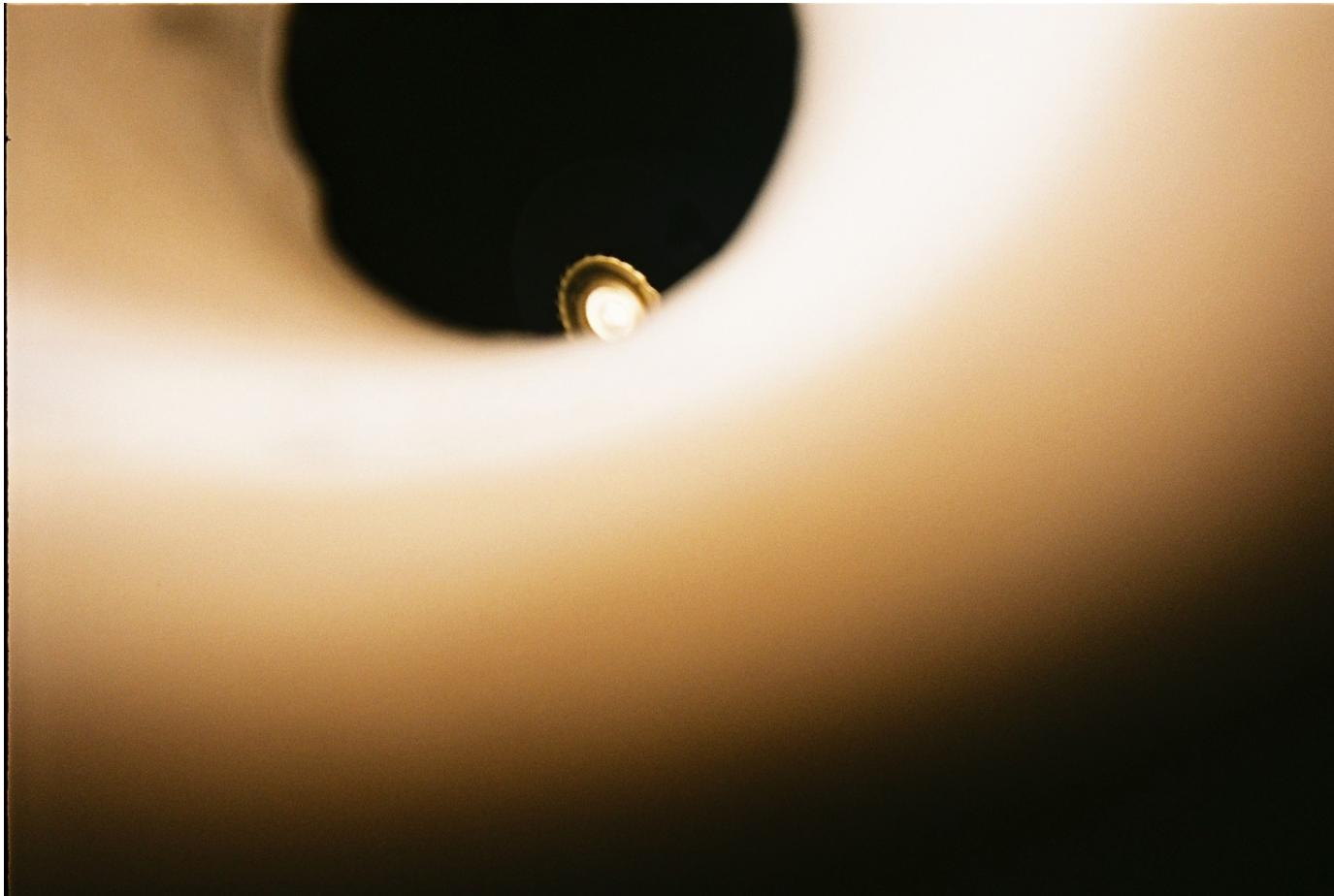
# Pains of supervision

- Supervision hurts (even when it helps):
  - Being constrained (and held in limbo)
  - Being judged (and degraded)
  - Being threatened (and suspended)
- ‘Half-citizens’:
  - Liberty preserved conditionally, but autonomy and status reduced
- And the **possibilities of supervision?**

# Fuck it Button

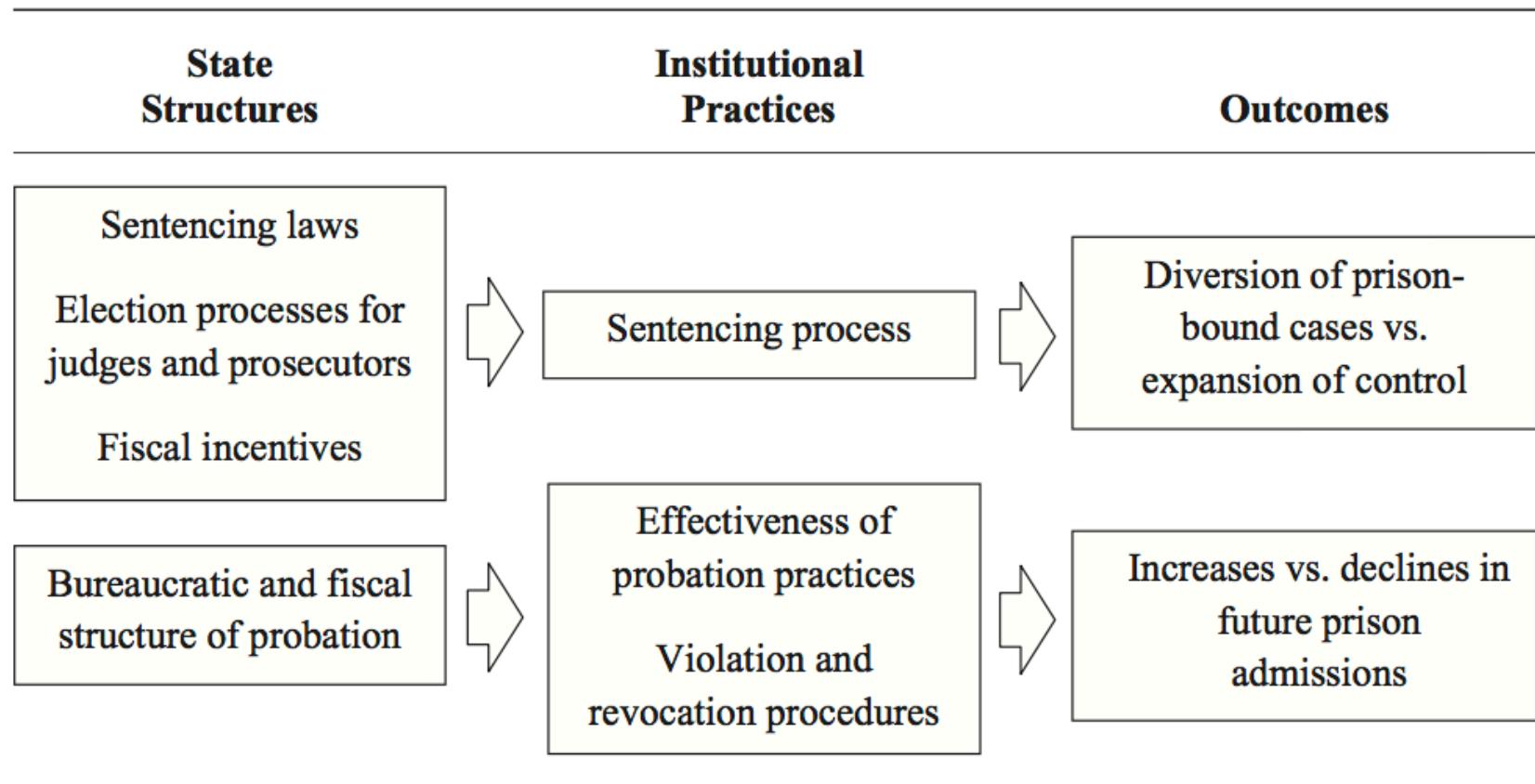


# There's Always a Way



# Escaping the Paradox of Probation (Phelps, 2013)

Table 1. The Paradox of Probation Model: Understanding the Probation-Prison Link



# Conclusions: Supervision and (Social) Justice

1. Recognise these pains and limit them (formally) by proportionality
2. Moderate them (substantively) via:
  - Legitimacy (**representation = voice/choice**)
  - Helpfulness (**redistribution = help**)
  - Respect ()
3. Tackle the paradox by changing structures, practices and (thus) outcomes
  - **Not** by promoting supervision carelessly

# Freedom is on the Way



# More information

- For more about the Supervisible project:
  - <http://www.offendersupervision.eu/supervised>
- To download an EP of songs from the “Mass Supervision: Seen and Heard’ workshop:
  - <https://voxliminis.bandcamp.com>
- To hear an audio documentary about the workshop (and all of the songs):
  - <http://www.voxliminis.co.uk/seen-and-heard/>
- For brief reports on the three Supervisible sites:
  - <http://howardleague.org/research/supervisedproject/>
- To keep in touch with the Pervasive Punishment and Distant Voices projects:
  - [www.pervasivepunishment.com](http://www.pervasivepunishment.com)
  - [www.voxliminis.co.uk/distant-voices/](http://www.voxliminis.co.uk/distant-voices/)