

PREFACE FROM THE ISSUE EDITORS

This article was originally published as Chapter 13 of Thomas Mathiesen’s (2017) *Candenza: A professional biography* published by the European Group Press. The editors wish to thank Thomas Mathiesen for his generosity in allowing us to reproduce such an important piece of work, and so soon after *Candenza* was released. As we briefly explained in the introduction to this special edition of the *Journal of Prisoners on Prisons*, we sought to re-publish this chapter due to work we are developing as members of British Convict Criminology (BCC) with the Norwegian Association for Penal Reform (better known by the acronym KROM), which is noted by Mathiesen towards the end of the chapter. Mathiesen is widely cited in law and criminology as one of Europe’s principle critical thinkers on prisons and prison abolitionism. Less well known outside of Norway is the activist work he has developed through his involvement with KROM. Mathiesen was co-founder and president of KROM in its formative years. He remains an active member today. In this piece, Mathiesen draws attention to the fact KROM was established in the late 1960s as a grass-roots movement where critical scholars, prisoners, former prisoners and practitioners collaborated on radical criminal justice reform. Through its annual conference, it aims to create a public space for critics of the penal system to air their voices and to learn from each-others’ perspectives. Over the past few years, the current authors have presented papers on BCC at three of KROM’s annual conferences in sessions dedicated to exploring parallels between the two groups. At the 2014 annual conference of the European Group of the Study of Deviance and Social Control in Liverpool, a number of KROM members, including one former prisoner activist, joined BCC and Italian colleagues on a panel entitled “Developing Insider Perspectives in Research Activism.” We have adopted this title for the introduction to this special edition.

Similar to Convict Criminology, prisoners and former prisoners play a central role in KROM’s research activism, and have equal presence with academic criminologists on its board. In 2000, twenty percent of KROM’s 500 members were prisoners or former prisoners. Up to 30 serving prisoners are granted temporary release to attend its annual conference each year. These collaborations have resulted in less academic research produced

or co-produced by prisoners and former prisoners than has Convict Criminology. However, prisoners and former prisoners have been at the centre of KROM's activism, including the publishing of an annual or bi-annual newspaper, depending on the year, as well as a number of volumes of prisoner writings. The history of the KROM conferences below provide insights in and serve as a model of how to organize with current and former prisoners to affect social change in matters of direct concern to them.

1969. THE FIRST CONFERENCE

The year after the Norwegian organization was started, and the conference in Uddevalla, we organized the first Norwegian conference, at Spatind Mountain Hotel in Valdres in 1969 (it so happens that Valdres is the mountain valley which my mother fled to with me as a six-year old boy when Norway was occupied in April 1940). A bus load from Sweden came also. We were altogether 150 people – teachers of criminology, students, ex-prisoners and many other groupings.

Now is the time to focus on a particular board member with us, Odd Wormnaes, a philosopher by training but also a “prison visitor”, for the Red Cross. He knew the hotel and its owners, and had some years before organized a so-called “Winter University” for a number of university people at Spatind. Odd had lots of courage, while also maintaining that something fundamental had to be done with the politics of crime. We were all to meet at the University campus outside town and take a large bus to the mountains. I was a little worried – would all go well? It all went more than well. At the time, the University was a center of unrest – particularly with regard to the politics of crime and Odd was the right man with the right spirit to make an impression on us. The autumn colours were wonderful, creating an atmosphere around it all.

We spent all three days at the mountain hotel, in an almost euphoric state. KROM-members and others arrived in great numbers. The prison authorities and prison employees were largely absent – but some guards from the prison factories and others came. Odd Wormnaes was a leading figure for several of the coming large Spatind conferences (later on Arne Heli took over this task, carrying it out almost until his death in 2006; in later years Knut Olav Haraldsheim took on the job. Their organizational talents were remarkable indeed). We managed to alter the Spatind hotel from a

holiday destination into *an institution for the policy of crime* – anyone who wanted to know what was happening in the policies of crime “had” to be there. This lasted for years on end, and it still continues, though we have now – finally – changed hotel because Spatind went bankrupt after 2006. We were worried when this happened, but managed to keep the symbolic aura of *institution* about the meetings taking place there.

In advance of and during the conference of 1969 lengthy articles appeared in the newspapers, especially in the daily *Dagbladet* (Daily Mail), and a major interview with an MP from the Labor Party, saying that “Parliament is out of tune with the opinions of the time” (referring to the forced labor situation which still existed in 1969), and so on.

What was the program of the conference? Everything took place in plenary sessions (with a few exceptions we have always relied on plenary sessions to get everyone committed to the same information). The conference was opened on Friday at 10 in the morning. From 10.15-12 the issue was “Does society get the crime it deserves?” The program does not say who gave the lecture – it was probably professor of law Torstein Eckhoff. The lecture could well be given again today. Next, we discussed “Alternatives to prison: Critical views“, with sections on the “Evaluation of the treatment philosophy” (with the American guest professor David Ward), and “Charity: A sleeping pillow for the State?”

Saturday followed up first with a section on “The institutional environment as a rehabilitation measure” – going into more detail on “experiments for those living in hostels” and “Synanon – an AA for drug addicts?” Saturday’s topics were: “The institutional framework blown apart”; “Differentiated treatment in freedom“; and “Law breakers as helpers”. The day ended with discussions on major questions such as “Ambulatory aid to criminals”; “Alternative society: Structuring and societal prevention”; and “Conclusions: On shaping people”.

Every year from 1969 till 1977 we held similar conferences, with up to 150 participants every time and a great variety of themes. Then there was a two-year gap. But in 1980 we started over again. I called the hotel owner and asked if he once more had room for us. Yes, said the owner, but we are opening a new mountain lodge now – would that interest you? It did indeed. Its name was Synnseter. We held our conference meetings at the old hotel and had our room and board at Synnseter (the two places were close to each other). In 1980 and for years to come we held our conferences this way.

1980. ON POLITICAL SURVEILLANCE: ON CONTROL POLICY DURING MODERNITY

This time, during January 1980 and during all the years afterwards, right after Christmas, until 2010 (people wanted to go skiing!), we held our conferences at Spatind/Synnseter. There was skiing between 12 and 15 (during the lunch break). I remember Nils Christie, who was often there, once said to me: ‘It’s interesting to see the Head of Prisons go skiing with a prisoner!’ There was something symbolic about it.

But most of the conferences dealt with core issues of the politics of crime. In the morning, from 9 to 12, there was a lengthy program – and again between 15 and 18. I remember very well the conference in 1980. The title is given above. We had an audience of 100 people, actually the lowest we ever had. On Saturday night, we had a “costume ball”. The hosts (the son of the Spatind owner and his wife) were a bit worried – would lamp shades and curtains used as garments be ruined? But nothing went wrong. The social workers at Ila detention institution, who were there, were particularly noticeable – they dressed in elaborate costumes. In the coming years an increasing crowd would come there – many more than 100 participants each time, and in the end we had use of the old hotel Spatind’s facilities for older people (the personnel from the Ministry of Justice had now started to come but wanted, I think, to keep at a certain distance).

The general program in 1980 was divided into sections. After the opening at 9, a general introduction was given by a teacher at Oslo Prison, with several others, on “the control measures of the prison”, “on criminal justice in freedom, on “private watch duty”, on “surveillance” and on “data control”.

In the afternoon (after lunch and skiing) there were group discussions, and on Saturday we discussed “the prison – the visible control” and “Surveillance – the hidden control”. On Sunday, there was time for a “Summary – future perspectives and counterstrategies”, with three introducers and discussion. Altogether there were 145 lecturers and people giving introductions. The lecturers (names are shown to indicate the types of people involved) were Nils Petter Gleditch (sociologist, peace researcher), Sturla Falck (sociologist, drugs researcher, for a number of years a noteworthy activist in KROM), Arve Fpyen (from the Data Inspectorate), Kato Holand (from the Prison Board), Magnus Hole Jacobsen (personnel manager of a large

private company, himself a victim of secret surveillance), Ivar Johansen (manager of Gyldendal Publishers) and Svein Blindheim (high ranking military officer). A major book came out of the conference (edited by Sturla Falck and myself), *Vekterstaten* (the Watchers' State), with Pax Publishers.¹

A person who was important at this and several other conferences was the prison teacher who introduced the overall 1980 theme (see above), and whose name was Ellen Hanssen. This was a few years after the publication of Michel Foucault's important book on surveillance and punishment (in French in 1975 and in Norwegian in 1977).² We discussed Foucault's book avidly in KROM, and Ellen Hanssen took part and had an important role. At the same time, she took part in several other KROM issues – she was among other things a leading force in a visiting group in the prisons which was very important. For a long while it meant that we had an important pipeline of information from the prisons. The participants were prisoners. She was very engaged in Foucault's perspective, and she gave quite a few lectures introducing Foucault to a generation of prison activists. She had a load of information, and thoughts and ideas, from Norwegian prisons.

Then, one day, she disappeared rather suddenly, engaged in other issues in Norwegian society generally. Her contributions were great, and we missed her sorely.

1992. PILLOWS UNDER PEOPLES' ARMS? ON "SNILLISME", OR MISUNDERSTOOD KINDNESS³

In 1991, Rune Gerhardsen, the son of Prime Minister Einar Gerhardsen, was interviewed by *Dagbladet*, and coined the phrase "snillisme" (misplaced kindness), which he used to characterize *inter alia* parts of the Norwegian welfare state. Somewhat later he wrote a book about "snillisme" in Norway.⁴ The concept created an uproar of anger and protest, but also support, for example against foreigners, and was eventually used to characterize all kinds of misplaced kindness in Norway (and Sweden). KROM took the challenge seriously, also at our conference in 1992.

Friday

The main topic for the first day, first sub-theme was "Do we make pillows under people's arms? On kindness and misplaced kindness". Kirsten Rytter,

city representative for the Labor Party has a first introduction, then Helge Hjort, at that time health and societal *ombud* in the municipality of Oslo (now a lawyer), who in a major talk “slaughtered” Rune Gerhadsen’s last book.

The next topic, was “Those weak in terms of resources, as a resource”.

- First by a prisoner about his experiences with regard to information among youth,
- Then by the head of the clients’ action group who attacked the social service, the prison service and so on, because he thought they did *not* utilize the resources of the weak.
- Then by the director of Bastpy Prison who referred to the “Leira Project”, where prisoners are used as a resource in the running of the institution, etc.

Saturday

The first topic was “Crime Control as Industry – is the GULAG the next step in the West?” Nils Christie gave a lecture on American conditions in the prison system. He showed *inter alia* how private entrepreneurs prepare complete package solutions at pre-arranged prices *per cell*. People were surprised at how “big business” is created in connection with sentences.

Sissel Kofoed, next in command (byrisjef) in the Prison Bureau, reassured the audience that conditions like these will not be introduced in Norway. After this, ministerial chief Leif Eldring introduced a new white paper on the struggle against crime, “Does it provide something new?” He underscored that little will be new. Supreme court lawyer Arne Haugestad had a few comments on this, but then State Attorney Georg Fr. Rieber-Mohn disagreed. Saturday evening there was a party get-together. Sam O. Kjenne read some of his own poems.

Sunday

The topic of Sunday was opened by a man from Morocco who was prisoner at Ullersmo prison, who talked on “Foreign workers sentencing– is the toleration level reached?”

HOW MANY PEOPLE?

You may ask how many people altogether attended these conferences? From 1969 to 2017 we held in total 48 conferences. I am not counting 1978 and 1979, as we had a two-year break, but I do count the conferences after 2010 (when we changed hotel – see above).

We do not know precisely how many participants we have had, but we estimate the average to be about 120. This is a modest guess. Regularly there have been prisoners on leave, released prisoners, law students (the Law Bus), employees in the prisons, criminology students, other student groups, lawyers, social workers, personal secretaries to ministers (Minister Inger Louise Valle's personal secretary twice – one of the two times after she had been called to another Ministry in 1979), Minister Dprum's personal secretary a series of times (he liked to go skiing!) Minister Storberget's personal secretary at least twice (Minister Storberget once himself), Minister Anundsen's personal secretary once, and several other politicians.

Our Goal

A main goal at the conferences has been to allow prisoners, ex-prisoners and other criticizing the penal system from outside the system *an opportunity to express publicly their opinions*. Usually their opinions are silenced by the system. The voice from the system has been framed in a special, polished, bureaucratic form which gives an impression of balance. The voice at the KROM conferences, on the other hand, has partly been inelegant, people's usual style of speech has made itself clear and even had the upper hand, *and made the tone of the whole conference into something different from the balanced form*. More on this below.

Another goal has been to mix different groups to teach ourselves and others to see and understand different peoples' perspectives. At times, this goal has been quite central. Some people have brought their families to the mountains.

In between there has been a little too much to drink (including among the journalists present). This has been tightened up. We understand that the prisons have contributed to the sharpening of such claims. At times, there have been small revolts. Once an ex-prisoner – a very talkative and political individual when he was sober, but undeniably somewhat difficult when he had been drinking – took a taxi from Oslo and all the way to the hotel with the police in their own car following him. But we were prepared. It must

have been a remarkable show – one line with uniformed police against a similar line of experienced lawyers. As far as I remember, we had to pay for the taxi, but other than that the result was positive; we utilized various forms of compromises and “restorative justice”.

But episodes like this were rare. Conflicts of this kind were almost always “solved”. I remember a few episodes which may now be mentioned, long afterwards:

- We were at Synnseter mountain lodge. A man went completely berserk, and wanted to crush tables and chairs and attack people. Nils Christie and I chose, after many attempts to persuade him, to hold him until he quieted down. It took some time. Inside a prison, it would have been much worse.
- Again, we were at the Synnseter mountain lodge. An intoxicated man talked and talked in a microphone from the speaker’s desk. Nils Christie and I discussed the matter. We decided to let him speak, even though we did not support him directly. We felt that this was a forum which also was his. But the man also behaved extremely impolitely towards women at the conference. His behaviour towards women was so extraordinary that the board discussed the matter and decided to refuse him entry to the next conference. *This is the only time we had to take such a step.* He died before this was necessary.
- Once, holes were pierced in the tires of two cars which belonged to the prison department. We asked for forgiveness from the speaker’s desk. The prison director called us to the ministry later, and asked for an explanation. He said he was satisfied with what we had said, and that was the end of the story.

These examples give a distorted picture of the events, because in real time years went by between them. To repeat, if we count 48 conferences, and if we count on an average 120 participants per conference, there have been altogether about 5,760 people at these conferences. This is a fairly large number. If we count half of them as new participants each time, this gives altogether 2,880 new people. This is also a sizeable number. In addition, you have to count in other people who are informed at various work places, in prisons, in families and so on.

THE CULTURE OF THE DEBATE

One of the most significant consequences of our numerous conferences on criminal policy is probably the rather foreign and special “debate culture” – a culture which says something about how you have to behave at such debates. Something about this:

Almost all such debates – in the Lawyers’ Association, the Attorneys’ Association, the Judges’ Association, at the meetings of the more usual criminalists and so on – are sectorial. They are mainly organized by sections, they mainly cater to those who belong to the sector and are professionally engaged in it. Not so with the KROM conferences. They cater to researchers (criminologists and sociologists, some lawyers), social workers, teachers in prison, law students, and certainly ex-prisoners and prisoners in one complex unity. I am saying a “complex unity”, because they come from a variety of backgrounds. At the *rostrum* several of these groups participate in introductions and lectures. There is an emphasis on those who organize the conferences (an enlarged board meeting with old and new activists and board members, as well as special guests, who have a number of meetings during the fall and even in early January of the following year), to formulate the program. There is a special emphasis on getting prisoners to participate – those who have experienced prison life personally – and that the prison authorities have a chance to express themselves. The fact that prisoners express their views is far from obvious in other more traditional places, but of course quite natural and certainly encouraged by us. The fact that the authorities should have a chance to express themselves is obvious in other traditional places, but not obvious with us.

It does happen that the debates get a more personal flavour, and take on a form which is viewed as more offensive by those who are its victims. This, however, has not happened often, and conflicts are regularly “solved” through talks. This mixture leads to quite a different culture of debate than the usual. Our culture of debate is less balanced, and somewhat less performed by professional people. It follows that it contains more surprises and is more impulsive. The surprising and the impulsive character of the discussions makes the debates more interesting than ordinary debates. New insights and fresh angles are exchanged. The ones who listen have shown appreciation of this.

MANY PUBLIC MEETINGS

At the same time, we have organized many public meetings on criminal policy, most of them in Oslo but some in other Norwegian towns and cities and abroad. Some of them have been large and stormy meetings. Some of them have been described earlier. A large number of them have been small, and even had a seminar form. There have been lecture trips abroad, where KROM has tried to create “offspring organizations”. This happened with mixed success in the 1970s in England and Germany. During that time, it was easy to invite people to establish organizations, but it was more difficult to maintain them. The difficulty involved in maintaining organizations like KROM could be seen in both England and Germany – lack of continual resources, even quite moderate ones, represented a thorny task; and quick changes to theoretical rather than practical criminal policy work was another difficulty. A third one was the influx of prisoners, which tended to dry out. The importance of keeping up communication with prisoners is one of KROM’s most important experiences (see *Chapter 8*). Quite recently, we have had contact with a mixed academic group and a group of prisoners in England, who with some success have established a lasting organization. We have visited them sometimes (2013 and 2014).

There have been many national occasions, such as exhibitions, plays and films, especially about those living in hostels or on the streets. Thirteen so-called “reform papers”, about significant issues of reform in criminal policy, have been produced through the years. Most of them have been summarized in the mass media. Some of the most important “reform papers” have been on leave, visits and censorship of mail in the prisons, on the Youth Prison Arrest (the *Short, Sharp, Shock-Method*, which never became a reality), on forced labor, on the youth prison, on children in prisons, on remand, and on many other matters. From the middle of the 1970s “commentary papers” started to come from the ministries – where the various ministries sent out such papers for comment from larger or smaller groups. We have commented on a very large number of such papers. A disadvantage (or advantage from the perspective of the ministry in question) with commentary papers, is that they tend to limit the attention of those who are writing replies to do so to issues considered important by the Ministry in question, whereas freer comments from the outside world are made more limited. This is an important part of

“ministerial power”. The transition from free reform papers to commentary papers is in other words not without its problems.

This is only a small part of our activity. All our work has been unpaid and is something we spend our free time on. We have occasionally received some small grants to bring ex-prisoners and prisoners to the winter conferences, but that is all.

ENDNOTES

- ¹ Stural, F. and Mathiesen T. (1981) *Vekterstaten. Om kontrollpolitikken I den moderne samfunnet (The Watchers' State: On Control Policy in the Modern State)*. Kansas City: Pax Publishers.
- ² Foucault, M., 1977. *Det moderne fengsels historie*. Oslo: Gyldendal.
- ³ The program is lost, but a detailed summary may be found in Informasjonsblad for Østre fengselsdistrikt nr.2, 1992 (Information Leaflet from the Eastern Penal Region No. 2 1992). The information is interesting and I rely on this.
- ⁴ Gerhardsen, R. (1991) *Snillisme pa norsk (Misplaced kindness in Norway)*. Hjemmets bokforlag.

ABOUT THE AUTHOR

Thomas Mathiesen is Professor Emeritus in the Sociology of Law at the University of Oslo where he worked as a Professor from 1972 to 2003. He was co-founder of the Norwegian Association of Penal Reform (KROM) in 1968 where he remains an active member today. He is the author of a number of books on prison and prison abolition, many of which are published in English, including *The Defences of the Weak: A Sociological Study of a Norwegian Correctional Institution* (1965), *The Politics of Abolition* (1974), *Prison on Trial* (1990), *Silently Silenced* (2004), and *Candenza: A Professional Autobiography* (2017).