

LIFE STORIES: AN EXAMINATION OF SOME NARRATIVES OF FOUR MEN SERVING A LIFE

SENTENCE

By

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A thesis submitted in partial fulfillment
of the requirements for the degree of

Master of Arts (MA) Interdisciplinary Humanities

The Faculty of Graduate Studies
Laurentian University
Sudbury, Ontario, Canada

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Laurentian Université/Université Laurentienne
Faculty of Graduate Studies/Faculté des études supérieures

Title of Thesis Titre de la thèse	Life Stories: An Examination of Some Narratives of Four Men Serving a Life Sentence		
Name of Candidate Nom du candidat	Langer, Jeffrey		
Degree Diplôme	Master of Arts		
Department/Program Département/Programme	Humanities	Date of Defence Date de la soutenance	January 20, 2016

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Abstract

In 1976, the death sentence was abolished and replaced with mandatory life sentences with specified minimum periods for parole eligibility for those charged with murder. Although many lifers (those serving a life sentence) are released upon reaching their parole eligibility date they spend the rest of their lives under supervision and they face the prospect of being returned to prison for a violation of parole conditions. The notion of 'serving time' takes on a different dimension for lifers than it does for other offenders.

In this study I interviewed four lifers and applied a grounded-theory research approach to the analysis of their transcripts. The systemic violence they endured contributed to a sense of hyper-vigilance which became inscribed in their persons and persisted in their post-prison demeanour. Their prison experience was tantamount to a limit-experience (a type of action or experience with approaches the edge of living in terms of its intensity and its seeming impossibility) and it is the difference derived from this experience that is one thing that sets lifers apart from others in the community.

Inside, the prisoner learns to self-regulate his conduct in order to avoid punishment or have his behaviour read as normal but he also engages in overt and covert forms of resistance. Outside, the panoptic gaze has a powerful effect and self-regulation has become ingrained into the lifer's being. Nonetheless all four of the

participants talked with pride about their acts of resistance, even if the act was relatively insignificant.

All the participants talked insightfully about the meaning of time. Penal time becomes 'time served' and an instrument of disempowerment. The mind numbing, repetitious routines of institutional life eventually become ingrained into their being to the extent that they can hardly conceive of any other manner of existence.

Consequently reintegration for lifers is fraught with effects of time served and even the most successful of the participants reported he could never shake the ravages of 'time in'.

Ricoeurian theory and the use of narratives firmly anchors this thesis in the disciplines of the humanities. Narrative is a way of understanding life as it is lived. The use of narratives provides a means of gaining an in depth understanding of the lives of these participants and how the various dimensions of the life sentence have shaped their identities over time, while serving time.

Key Words:

Life sentence, Parole, Prison, Ricoeur, Narrative, Foucault, Panopticon, Limit-Experience, Time, Trauma, Social Death

Acknowledgements

I am most grateful to Harry, Don, William and Ron who invited me to share their stories and share their lives, complicated as they are. This was not an easy task for any of them. I want to also thank Larry Nault who also, because of his willingness to share his stories, lent me great insight into the world of those serving time. Incredible thanks to Alain Beaulieu my most patient and understanding supervisor whose gentle guidance made this entire project possible. Thanks to Diana Coholic for the use of her transcribing tools. I probably would still be transcribing without them. I would be remiss if I were not to offer thanks to John Rimore and the hard working staff of the John Howard Society of Sudbury for their support. And of course thanks to my life long partner Rosanna Langer who was always encouraging and willing to discuss critical theory often before her first cup of tea in the morning.

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Introduction

I come to this research project after a lengthy and wide-ranging career with the Correctional Service Canada (CSC) where I worked as a parole officer in the community; as a psychometrist conducting psychological assessments in prisons, I designed and delivered correctional programs and I conducted a variety of management oversight functions and management training both in Federal Prisons and in Community Parole offices. It was during a brief stint as a parole officer that I developed an interest in the consequences of incarceration on those being released into the community. What is life in the community like after the violent conventions of prison have become your epistemic base?

I became particularly interested in individuals who have spent long prison terms, especially those serving life sentences, or 'lifers' as they are known within the correctional system. While most offenders¹ face a defined period of time under the scrutiny of the institutions of the penal system, lifers are compelled to be under surveillance until death. There is no finitude to having to report to the police and Corrections Canada, to submitting to regular urinalysis testing or having restrictions on where you can live, work, travel or with whom you can associate, etc. There is no end to

¹ The term 'offender' seems to be the official label used by the CSC (and others in the criminal justice business) to describe those who fall under their jurisdiction. I use it here and sporadically throughout this work because of its common usage as a frame of reference, but not without a critical awareness of the pejorative connotation of the term and the role of language in the subjugation of incarcerated populations.

the possibility that you may be re-incarcerated for a mis-understanding, on the whim of a vindictive acquaintance, or for a violation of the 'special conditions' that govern your conditional release. The notion of 'serving time' or 'doing time' takes on a different dimension for lifers than it does for other offenders. However, in spite of the onerous nature of the life sentence, there is a huge liberatory component to being on parole for lifers. Moreover, they seem to have a sophisticated appreciation for the power dynamics that governs their relative and tenuous freedom on the street.

Offenders serving a life sentence tend to be a high profile group both inside the prison and in the public forum. There are a variety of reasons for this status, one being the grave nature of their crimes; another being the media scrutiny related to their transgressions and their reintegration into the community. However, I observed something intangible about the lifers I met that set them apart from other inmates and parolees. For one thing, they were by far the most compliant and co-operative people to supervise. It is a parole officer's dream to have a case load mostly comprised of lifers. But more significantly, from my experience, lifers comport themselves with a unique philosophical perspective. Lifers do not tend to get upset at the myriad of injustices and travails that impact most offenders who try to navigate their way through the arcane prison and parole system. Lifers seem to be, in spite of their onerous sentence, positive people. They are generally calm, rational, thoughtful and accepting. While lifers are noticeably different, it is difficult to attribute reasons for it.

I would like to be able to understand the amorphous and unique qualities that set lifers apart from other offenders and people in the larger community. Thus I have chosen to interview individuals who are serving life sentences for murder but been deemed by the Parole Board of Canada (PBC) to be of sufficiently low risk to the public to be safely released into the community. I have taken transcriptions of these interviews and apply a grounded-theory research approach to conduct an analysis of the participants' stories about their experience as lifers. Once the interviews were completed I 'immersed myself' in the transcripts and composed a condensed 'life story'² for each of the participants and shared these with them to get feedback on accuracy and veracity. The final copies are attached as appendices. I then returned to the transcripts and identified emerging themes within the texts following the techniques described by Glasser and Strauss in their seminal book *The Discovery of Grounded Theory: Strategies for Qualitative Research*. These were then developed in the analysis section and once again shared with the participants for their input into the process.

Research Goals

Narratives, grounded theory and other qualitative research methods into crime and punishment are often used in Social Science. For example Fredrick J. Desroches, in *Behind the Bars: Experiences in Crime*, uses interviews of incarcerated bank robbers in a

² See Appendix 2

criminological inquiry to examine the factors and processes that influence criminal behaviors, lifestyles and recidivism. Others have used qualitative approaches in participatory or 'Action Research' projects, (cf. *Women on the Row*, O'Shea, 2000, in which one of the goals of the project was aimed at facilitating offender literacy). However this study uses a humanities approach to the narratives of lifers. It is an analysis oriented toward the examination of existence, lived experience, meaning, subjectivity, etc.

One of the objectives of the correctional system is to facilitate 'safe' reintegration of the offender into the community based on an actuarial approach to the assessment of 'risk factors'.³ Consequently one of my research goals is to get a sense of the meaning of this process of reintegration for lifers. What is involved in re-defining their lives in the community after having spent many years in jail? How does a person deal with living under the sanction of being paroled for life and simultaneously strive for a normative existence? This research proposes to give this marginalized population an opportunity to voice their own experiences of being subject to mechanisms of

³ The language of risk was dominant during my tenure as a parole officer. We were frequently told our job was to conduct 'risk analysis', by analysing 'static' and 'dynamic' risk factors in the cases assigned to us. However, risk is an ambiguous concept. The understanding of risk differs across disciplines, theories, etc. At a micro level of analysis, risk management is associated with probabilities, calculations, risk reduction etc. According to this view risk calculations are used to regulate the behaviour of human agents within organisations, to help the design of mechanisms to 'track' blame, monitor roles and assign responsibilities. With lifers, it is generally understood that the risk of re-offense is low, but the consequences are high. The long sentence is therefore based predominantly on punitive rather than deterrent or rehabilitative premises. Nonetheless the long sentences impose profound formative and transformative effects on the individual.

governance. I also want to explore participants' concepts of identity, self and self-understanding as constructed through their experience of being in the community and simultaneously not being afforded the same opportunities as other community members. A study of this nature will also contribute to current discourses on rehabilitation.

Overview

This study begins with a brief history of the Life Sentence in Canada followed by a discussion of conditional release and parole processes. These discussions give some background to the legal and procedural environment that lifers must grapple with. They contribute to the social structures that guide and control lifers as they serve their sentences in prison and in the community. The next section addresses the theoretical background to this study. I found Michel Foucault's writings (primarily *Discipline and Punish*) particularly useful in providing the theoretical underpinnings that undergird this study. I start with an explanation of Foucault's use of 'micro-practises', (the historically situated every day taken for granted things that we do) and the way he uses micropractises of the past to study the present. Foucault's genealogical method consists of examining these everyday practices to demonstrate the ways in which power relations are not only the conditions, but also the effects of the production of 'truth'.

I go on to discuss one of the micropractices for which Foucault is best known, 'le regard', or 'the gaze.' Foucault first used the term "medical gaze" in *The Birth of the*

Clinic to explain the process of medical diagnosis, power dynamics between doctors and patients, and the hegemony of medical knowledge in society. He elaborated on the gaze in *Discipline and Punish* to illustrate a particular dynamic in power relations and disciplinary mechanisms (such as surveillance) and the function of related disciplinary mechanisms and self-regulation in a prison or school as an apparatus of power. I go on to discuss Foucault's notions of the dynamics of power and resistance and how resistance shapes the subject. However, as germane as these concepts are to the study of individuals serving a life sentence in the community, Foucault's genealogical methods and socio-critical views in *Discipline and Punish* do not allow me to address the individual's life experience. Consequently, the Foucauldian theory in this study is augmented with the interpretive framework found in the hermeneutics of Paul Ricoeur.

Ricoeur's tensive style addresses the tensions running through the very structure of human being. His focus is on a hermeneutic of the self, fundamental to which is the need we have for our lives to be made intelligible to us. Ricoeur's flagship in this endeavor is his narrative theory which I discuss with an emphasis on his major concepts: Ipse and Idem, and Mimeses 1, Mimeses 2, and Mimeses 3. According to Ricoeur, the intentionality of human actions creates lives that have or seek the coherence of emplotted stories. The stories people live are not only conscious in their minds. They also concern wider consequences and structures. Therefore, narratives link agents to the background of historical forces in lived time.

Next I discuss methodological concerns. I start with a discussion of the interview and the techniques used to engage the participants in discussing their life histories. I move into my experience with the transcription of the recorded interviews after which I talk about my methods of analysis, namely Grounded theory. Grounded Theory is a research methodology used for developing theories derived from data. It is more than a recipe of procedures for working with discourses, rather, it is a way of thinking about and conceptualising research information. It is premised on the use of inductive methods for creating hypothesis from the data rather than the deductive methods of hypothesis testing. "Typically, the application of the method involves understanding the meaning of texts of various sorts whether as notes of participant observation of social conduct extant writings or transcriptions of interviews" (Rennie 481). Rennie (484) discusses the interrelated and iterative processes of interviewing, transcribing, coding etc. and argues for a conceptualization of grounded theory as a methodological hermeneutics: "Usually the primary investigator is both the inquirer into the phenomenon of interest and the analyst of information about it... Thus, when interviews are used... the analyst already has a sense of the text given."

I then talk briefly about the procedures used for selecting and interviewing the participants. This is followed by a brief biography of the participants noting that a more thorough 'life history' for each is included in the appendices. Next I discuss the Analysis and Findings.

I begin this section by reporting on the prison experience which is highlighted by the endemic violence occurring within the walls of the institutions. I discuss the effects of violence on human being, the physical and emotional scarring, the fearfulness, the sense of hyper-vigilance and the trauma. I next move on to talk about another Foucauldian notion called the “limit experience”- a term originally used by Blanchot and Bataille to literally describe the limits of experience. It is an experience that goes beyond the ability to de-scribe. A limit experience breaks the subject from him or herself. While I contend that long term imprisonment itself constitutes a limit experience I go on to explore an extraordinary example related to me by one of the participants. Next, I move on to other Foucauldian themes under the section entitled ‘Panopticism and Resistance’. I start by talking about the relationship between power and resistance, and how, according to Foucault, the act of resistance is the nascent source of subjectivity. As Haenfler (429) notes:

at the individual level, resistance entails staking out an individual identity and asserting subjectivity in an adversarial context. ... individualized resistance is symbolic of a larger collective oppositional consciousness.

I go on to discuss the role of the panoptic gaze and resistance in the carceral system.

The next section deals with time and how the prison experience changes the experience of time. The colonization of prisoners’ time-sense is an ongoing and punitive

experience for the duration of their sentence. It is the nature of prison to produce repetitive experience and enforce normalization practices (Foucault 1995). 'Life-time' is appropriated by the Correctional Service and during a life on parole they take on the role of the 'criminalized other' in a process that Gordon (10) describes as 'social death'. Social death refers to the condition of people when they are not accepted as fully human by wider society. The law renders punishment in units of life-time, "giving time to be done in the present and taking away a life with a future, with the right to a future time, or futurity (Gordon 13)." A lifer is dealt a life-time of punishment.

One of the ways some lifer's experience social death is by being unable to find meaningful work. Thus in the next section I discuss the nature of work. Ironically the positive, identity building consequences of work are retained while incarcerated and the full force of workplace rejection is not experienced until release on parole. Because work is intrinsically entwined with most of our identities I segue into a section on identity by using Ricoeurian theory to expand on the narratives gleaned from the transcripts.

The Life Sentence

In Canada, prior to the 1960s, a person convicted of any kind of murder was subject to a mandatory death penalty regardless of the blameworthiness⁴ of the act. However, by the 1950s over eighty per cent of those convicted of murder had their sentences commuted as an act of 'mercy', a process by which cases were subject to a parliamentary review (Strange 568). Although the law did not acknowledge mitigating circumstances, situational factors and distinguishing features of the wide range of murder cases, legal personnel in the Remissions Branch of the Federal Government were charged with the task of reviewing each murder case and categorized them in terms of 'types' of murders and 'types' of murderers for the bureaucratic and political decision makers. Strange (562) notes that some cases (e.g. men who murdered for gain or killed police officers), were considered appropriate subjects for severity i.e. death penalty; others, such as husbands who killed adulterous wives or women who killed abusive partners, were usually candidates for the prerogative of 'mercy'.

In 1961 an amendment to the Criminal Code created a distinction between capital and non-capital murder, a statutory change that formally spared convicted murderers from the death sentence in certain circumstances. E.D. Fulton, the Minister of Justice who sponsored the amendment, described it as a change "for the purpose of bringing the present position with regard to capital punishment into line with present

⁴ Blameworthiness denotes a moral culpability distinctive from a legal finding of guilt which is premised on legal criteria. For a full explanation please see Peter A Graham "A sketch of a Theory of Moral Blameworthiness".

day ideas of crime and punishment ".⁵ With this amendment the differentiation between life and death sentences resulted in murder being divided into capital and non-capital murder. Capital murder was defined as "murder that is planned and deliberate, murder committed in the course of certain crimes of violence by the direct intervention or upon the counseling of the accused; and murder of a police officer or prison warden, acting in the course of duty, resulting from such direct intervention or counseling " (Chandler 14). Such murder was still punishable by mandatory hanging, except if the accused was under eighteen years of age. All other murder, referred to as non-Capital, was punishable by life imprisonment. This shift away from capital punishment was in accord with the trend in the British Commonwealth countries and continental Europe during an era in which a commitment to shared civic values and human rights protections underpinned social changes (Diarmuid Griffin and Ian O'Donnell 612).

Although the last execution performed in Canada was in 1962, it was not until 1967 that a formal moratorium on the death penalty was passed in Parliament. In 1976, the death sentence was abolished and replaced with mandatory life sentences with specified minimum periods for parole eligibility written in the Criminal Code. However, simply having served the required number of years to reach parole eligibility does not serve as a 'get out of jail card'. The Criminal Code provisions mandate extraordinarily

⁵ An Act to amend the Criminal Code (Capital Murder), S.C. 1961, c. 44, s. 206(2).

long terms of time to be served in a carceral institution before application for parole can be made and the decision to grant or deny parole lies with the PBC.

There are four classifications of these 'indeterminate' sentences in Canada: life imprisonment as a minimum sentence with no eligibility for parole for twenty-five years, life imprisonment as a minimum sentence with no eligibility for parole for ten to twenty-five years, life imprisonment as a maximum sentence and indeterminate sentences imposed on Dangerous Offenders. The term 'indeterminate' is used because of the relative uncertainty in the date of parole release. Further, a life sentence does not have a warrant expiry date meaning that parole authorities have control over the convicted person for the rest of his or her life. Moreover, the offender may be returned to prison without any new charge being laid or conviction registered. As Roberts and Cole note (277), a breach of condition or even the parole supervisor being "satisfied that it is necessary or reasonable to suspend parole...in order to prevent a breach of [a] condition or to protect society" is sufficient to return a lifer to prison. Roberts and Cole (278) further note that there have been cases of old age pensioners who, after having been in the community for many years without incident, were returned to prison because of concerns that their behavior was deteriorating and they might become dangerous to others. I recall a situation in which a lifer was returned to prison after he became depressed and unsuccessfully attempted suicide. His deteriorating mental condition was considered by the parole officer to be an elevated risk factor.

Section 231 of the Criminal Code identifies certain kinds of murders as being either first-degree, premeditated murders, murders for hire, murders of police and prison officials, and murders during the commission of certain offences, or second-degree murder, a residual category for which there is no definition. Second-degree murders are subject to a period of parole ineligibility of between ten and twenty-five years. The distinction between first- and second-degree murder evolved from the distinction between capital and non-capital murder. After the abolition of the death penalty, the retention of first-degree murder, with its accompanying harsh penalty, was said to serve the function of appeasing those who favored retention of the death penalty (Chandler 81).

Although the death penalty has been abolished, those serving time for murder now spend significantly longer periods of time incarcerated compared to those whose sentences were commuted while the death penalty existed. From 1961 until 1975, people serving commuted life sentences for capital murder spent an average of eleven years in prison; non-capital murder offenders were incarcerated for seven-and-a-half years on average (Strange 569). Currently, the average incarceration time for first degree murder is twenty-two and a half years; the average incarceration time for second degree murder is approximately fifteen years before being granted parole. Since 1980, the population of offenders serving life sentences has more than tripled, and as a result

there were in 2006, four thousand five hundred and thirty-eight offenders serving life sentences in Canada of whom 38% of these individuals were on parole (Braithwaite 5).

While the death sentence has been abolished a life sentence remains a harsh sentence and onerous experience for those who serve it. Offenders who are paroled while serving life sentences must remain on parole for life unless parole is revoked. If parole is revoked, the offender is re-incarcerated and must re-apply to the Parole Board for another parole release. This generally takes a period of two years to accomplish. Lifers, if their application is successful, are first released on a 'Day Parole' to a halfway house where they are subject to curfews, supervision, institutional rules, and daily monitoring. After a period of gradual adjustment, they may apply for a Full Parole, and at the discretion of the PBC, they are then allowed further liberties. But they are still subject to special conditions which severely limits their ability to function in society compared to their neighbours⁶ and they must regularly report to a parole officer for the rest of their lives. Further, they are subject to having their parole revoked at any time and must live with the understanding that they can be returned to jail for reasons other than criminal behaviour. For these long term offenders the consequences of their offence must be faced on a daily basis over their entire life-span. Although they are on parole, a life sentence truly is a life sentence.

⁶ For example one of the standard conditions is to restrict all travel to within five miles of the offender's residence, except by written condition for specific purposes in which cases a travel permit must be applied for.

Conditional Release/Parole

The term 'Parole' refers to a conditional release from a prison sentence before the term has been completed in a federal prison. While the offender is released from prison before Warrant Expiry Date (WED), the sentence is to be completed in the community, with sanctions, and subject to being returned to prison. The term is derived from the French 'parole d'honneur', "word of honour," meaning the pledge of a prisoner of war not to try to escape or bear arms in return for conditional freedom. The granting of Parole is a discretionary process, a function of an administrative tribunal, the PBC, who derive their authority from the Corrections and Conditional Release Act (CCRA). The CCRA states that the Parole Board of Canada's primary mandate is "to contribute to the maintenance of a just, peaceful and safe society by means of decisions on the timing and conditions of release that will best facilitate the rehabilitation of offenders and their reintegration into the community as law abiding citizens" (Canada 2012, 1).

Most federal offenders must be released to the community at the two-thirds point of their sentence on a form of conditional release called statutory release (SR).⁷

For example if a person received a nine year sentence, they will be paroled on SR at the

⁷ If case managers at the CSC make the case that an offender is 'likely' to commit a violent offence, or a serious drug offence before the expiry of the court imposed sentence an application is made to the PBC for permission to 'detain' the offender, that is, maintain custody until Warrant Expiry Date (WED). Lifers are not subject to SR because they have no WED. Their parole release is absolutely a matter of PBC discretion.

six year point of their sentence. The remaining three years will be served in the community under parole supervision. SR, unlike day parole and full parole, is not a discretionary decision under the authority of the PBC. It is a legal requirement under the CCRA. However, if requested to do so by CSC, the PBC can impose conditions to that statutory release (for example a 'residency condition' requiring the parolee to live in a half-way house). Offenders may apply to the PBC for full parole consideration after serving one-third of their sentence, and for day parole consideration 6 months before their full parole eligibility. As noted above, an SR release does not apply to lifers.

Before capital punishment was abolished, those serving life sentences could be considered for release after serving seven years, but in July 1976 the law changed to provide mandatory life imprisonment for first- and second-degree murder. Those convicted of first-degree murder are ineligible for parole until twenty-five years have been served, although section 745.01 (commonly referred to as the "faint hope clause") of the Criminal Code, until recently allowed an offender to apply for judicial review of that parole ineligibility period after fifteen years. Offenders who committed their offence after December 2, 2011 are no longer eligible to apply for a judicial review with the passing and Royal Assent of Bill S-6 which abolished the faint hope clause in March 2011.

For those convicted of second-degree murder by a jury, the judge, at the time of sentencing, must ask the jury if it has any recommendations with respect to the number

of years an offender must serve before he or she is eligible for parole. The jury need not make a recommendation, but if it does it can recommend no fewer than ten years and no more than twenty-five years.

Ordinarily, a person convicted of second-degree murder must serve at least ten years of their sentence before being eligible for parole. Individuals convicted of multiple homicides or previously convicted of murder, or who have been previously convicted of crimes against humanity or war crimes, are not eligible for parole until twenty-five years of their sentence has been served and they cannot avail themselves of the application for judicial review of the parole ineligibility period. If released, offenders serving a life sentence are on parole supervision for the rest of their lives.

The criteria for granting parole include an assessment of whether the prisoner will present an undue risk to society while on parole by re-offending, and if the release of the prisoner will contribute to the protection of society by facilitating their reintegration into the community as a law-abiding citizen (Canada 2012, 1). The Parole Board looks to the prisoner's post release plans, the severity of the prisoner's criminal record, their behaviour in prison, and any other information provided by psychologists or psychiatrists, courts, the police and victims. Supervision of parolees is entrusted to federal or provincial correctional services, or to private-sector agencies (eg, the John Howard Society, the Salvation Army, Native Counselling or Elizabeth Fry Society) under contract to the CSC. Halfway houses are utilized as an intermediate step between prison

imprisonment and freedom, particularly for those on day parole. These are also run under contract to the CSC and operated by private-sector agencies. Lifers are always initially released on a Day Parole to a halfway-house and this condition can prevail for several years before being allowed to integrate into the community large.

Foucault

The works of Michel Foucault are immediately applicable to lifers on parole. He engaged in political activism throughout his life and helped found the Groupe d'Information sur les Prisons (GIP) to provide a way for prisoners to voice their concerns. Initially, he was intensely interested in observing carceral power but went on to stress the primacy of resistance and freedom. In *Discipline and Punish*, he describes the history of prisons and presents compelling arguments for why prisons continue to be important institutions in society when they clearly do not achieve their stated goals of rehabilitation and deterrence.

Foucault's work on governmentality, power, incarceration and the constant state of surveillance (panopticism) is relevant to the situation of long term offenders serving their sentence in the community because the residual effects of long term incarceration and the power relationships developed with staff and other inmates in the institution can become deeply entrenched and indelible. As Victor Serge (117) referring to his own incarceration remarks: "old chains have tortured us so deeply in our flesh that their mark became a part of our being." While being on parole represents a significant change for the living conditions of lifers, it does not fundamentally change notions of power relationships established in jails. Moreover, lifers on parole must be constantly vigilant

to comply with the conditions of their release or face the prospect of being returned to prison. They are subject to regular reporting to parole supervisors, psychological assessments, urinalyses testing, participation in programs, limitations on their travel, or any other discretionary restriction directed by PBC. However, after lengthy periods of incarceration lifers are generally well versed in the roles required to maintain an appearance of positive relationships with the supervising authorities and generally conduct themselves accordingly.

The implementation of parole conditions is a control mechanism which promotes responsabilization through self-regulation while simultaneously existing alongside the expectation of governability. As Turnball and Hannah-Moffat (537) put it:

the paroled subject is recognized and expected to be independent, self-regulating and willing to change, but is also constituted as requiring close monitoring and direction on how to make the necessary changes and choices. Thus, parole conditions are a technique of discipline and self-governance within an integrated exercise of penal power that is simultaneously responsabilizing and de-responsibilizing.

It is in this way that the lifer takes on self-limiting, self-regulating

modes of being in the community. The restrictions imposed by the penal system are accepted as their own. They are never free of the shackles of prison because, in the community, they become their own jailors.

Micropractises

Micropractices is the term Foucault used to describe the social practices which comprise everyday life in modern society. Foucault's genealogical method consists of examining these everyday practices to demonstrate the ways in which power relations are not only the conditions, but also the effects of the production of 'truth'. Moreover, he lays out the ways the effects of power are utilized by designated experts and authorized professionals. As McCarthy (51) observes, "Indeed, what is distinctive of the modern disciplinary regime, in his view, is just the way in which coercion by violence has been largely replaced by the gentler forces of administration by scientifically trained experts, public displays of power by the imperceptible deployment of techniques based on the detailed knowledge of their targets", a process Foucault calls going from a sovereign⁸ form of power to a series of decentred disciplinary exercises of power. The parole system, with its layers of administrative apparatus and its web of expert functionaries (risk assessors, urinalysis testers, psychologists, police, etc.) extends the

⁸ Sovereign power involves obedience to the law of the king or central authority figure. Foucault argues that 'disciplinary power' gradually took over from 'sovereign power' in the eighteenth and nineteenth centuries. Even now, however, remnants of sovereign power still remain in tension with disciplinary power

reach of the modern penal system outside the walls of the jails into the larger society. In fact there are almost as many subjects currently living under the indirect gaze of the Federal Parole system in Canada as are actually incarcerated (Canada 2011, 33).

The Panopticon and the Gaze

One of the micropractices for which Foucault is best known is 'le regard', or the gaze. Originally conceived by Jean-Paul Sartre as 'the look' in his *Being and Nothingness* to address the phenomenological problem of how one can conceive the other as a subject, the notion of the gaze was given a Freudian dimension by Jacques Lacan to describe the anxious state that comes with the awareness that one can be viewed. The psychological effect, Lacan argues, is that the subject loses a degree of autonomy upon realizing that he or she is a visible object (Manlove 90). Foucault embellishes on the concept, and gives it a clear socio-critical dimension by introducing the notion as a technique of power/knowledge used by administrators to manage their institutional populations. He uses the Panopticon as an illustration of this in *Discipline and Punish*.

The Panopticon is a type of institutional building designed by English philosopher, social theorist and jurist, Jeremy Bentham, in the late eighteenth century. Bentham described the Panopticon as "a new mode of obtaining power of mind over mind, in a quantity hitherto without example" (Bentham 1). Bentham originally designed the panopticon with jails in mind but the concept and organization of space

applies similarly to other institutions like schools, asylums, workshops, etc., to facilitate the control of populations through the perception of being visible and monitored.

Foucault further describes this concept of visibility as either synoptic or individualizing. Synoptic visibility is premised on architectural and organizational features which enable a comprehensive overview of the population and the relations among its elements. Individualizing visibility, on the other hand, is aimed at exhaustive, detailed observation of individuals, their habits and histories. However the ability to observe is only one factor in the system's efficacy. The knowledge of potential visibility of the tower and its windows informs the prisoner of the possibility that they are being watched but the tower is constructed so the prisoner cannot verify whether or not he is actually being watched. The result, according to Foucault, is that the prisoner experiences a feeling of constant surveillance. And this is the very basis of 'panoptic power'. As Foucault notes in *Discipline and Punish*:

He who is subjected to a field of visibility, and who knows it, assumes responsibility for the constraints of power; he makes them play spontaneously upon himself; he inscribes in himself the power relation in which he simultaneously plays both roles; he becomes the principle of his own subjection (202-203).

The spatial organization of the panopticon always creates and perpetuates a sizable distance (both psychological and physical) between the observer in the watch

tower and the inmates in the cells. But what surveillance means, in Foucault's words, "is not that the beautiful totality of the individual is amputated, repressed, altered by our social order, it is rather that the individual is carefully fabricated in it, according to a whole technique of forces and bodies" (1995 217). Panoptic power is the effect achieved through the realization that one is subjected to 'the gaze'. Foucault claims that this visibility succeeded in constituting the individual for the first time as a 'case', a new object of bureaucratic inquiry and a new target of power. For Foucault, "the individual is no doubt the fictitious atom of an 'ideological' representation of society; but he is also a reality fabricated by this specific technology of power...call(ed) discipline" (1995 194). But in a society of discipline, the subject is never dissolved. The will to knowledge on which the panoptic institution thrives does not dispense with the subject but continuously draws attention to it.

The great transformational years that ushered in the panopticon also reversed the axis of individualization from an 'ascending' individualization, which depends on the accumulation of power, to a 'descending' individualization fostered by that very obfuscation of power ; "as power becomes more anonymous and more functional, those on whom it is exercised by surveillance tend to be more strongly individualized" (1995 192-93). In the panopticon, the collective group is replaced by a collection of separated individualities. What is lost in the process is not the individuality of the subject, but the collective effect of individualities.

Foucault postulated that both kinds of gaze, synoptic and individualizing, were micropractices linking together new processes of production of new knowledges with new kinds of power. They combined scientific observation of population and individuals (hence a new science of man) with surveillance. This link depended upon the asymmetrical character of the gaze; it was unidirectional: the scientist (or warden) sees the inmate but not vice versa. In the Panopticon the uni-directionality of visibility denies the inmate knowledge of actually being watched. He/she internalizes the gaze and thus becomes self-regulating. Crossly (402) notes that Foucault identifies at least four functions of surveillance techniques in *Discipline and Punish*: In the first instance, they effect a certainty of capture and punishment amongst potential deviants and are thereby instrumental in achieving what we might term, a deterrent effect. Secondly, they service the observational exigencies effected by the "correctional techniques" which Foucault discusses in *Discipline and Punish*: i.e., correctional techniques, if they are to work, require a careful and meticulous observation and examination of subjects, and surveillance techniques provide for this. Thirdly (and particularly in the form of examination techniques) they provide a basis for the creation of knowledge about human subjects. Finally, Foucault appears to identify an intrinsic power effect within the surveillance relationship itself. Less overtly, the forms of scientific observation in other institutions objectified their targets and pried omnivorously into every aspect of their experience. There is a distinctive use of coercion to obtain knowledge and of knowledge

to coerce. However, because everyone (including those who are conducting the surveillance and collecting information) is under scrutiny, there is no absolute certainty, no 'God's eye point of view': "In the panopticon everyone is watched, according to his position within the system, by all or by certain of the others. Here we have an apparatus of total and mobile distrust, since there is no absolute point"; the resultant gaze "is at once collective and anonymous" (Foucault 1995 235). However in spite of its aura of omnipotence the functional value of such surveillance within modern power complexes is neither unified nor homogenous according to Foucault's analysis. For Foucault it is an experience whereby one, "ceaselessly under the eyes of an inspector,[is] to lose the power and even almost the idea of wrongdoing " (1980 154).

Foucault's 1982 essay "The Subject and Power" presented a concept of power that stressed the importance of the active subject as the entity through which, and by means of which, power is exercised. In this conception, governmental power is not 'objectifying' but 'subjectifying'. It constructs individuals who are capable of choice and action, shapes them as active subjects, and seeks to align their choices with the objectives of governing authorities. This kind of power does not seize hold of the individual's body in a disciplinary grip or regiment individuals into conformity. Instead, it holds out technologies of the self, to be adopted by individuals who take an active part in their own 'subjectification'. These concepts have been recently illustrated in Don Eggers' dystopian novel *The Circle*. The protagonist, Mae, lands a dream job at a super

high tech company run by a group called 'the three wise men'. The company provides a cutting edge technological workplace and promotes an environment and atmosphere which cultivates creativity and positivity for its privileged community of workers. There are no formal rules that govern the workers, no set hours of work, no compulsory activities etc., but they are strongly 'encouraged' to follow codes of conduct set out in aphorisms that underscore the corporate philosophy. Everything must be transparent, so that there are no secrets, because "secrets are lies", and everyone "has a right to know", as not knowing is damaging for humanity. Ultimately, in this cult-like environment, the workers devote their entire selves to the corporate enterprise and live within its insular confines. One of the most interesting mechanisms of the circle is the so-called PartiRank (Participation Ranking): a numerical ranking of each employees participation in extracurricular activities based on their social media participation—how frequently one posts comments, articles, and photos online. Mae is initially somewhat reluctant to participate, and one day, feeling she needs her own space, goes kayaking on her own. Of course, this comes to the attention of her 'coaches' in the total surveillance environment .

Josiah leaned forward. 'How do you think other Circlers feel, knowing that you're so close to them physically, that you're ostensibly part of a community here, but you don't want them to know your hobbies and interests. How do you think they feel?' ...'It was just kayaking!' Mae said, laughing again... Josiah was at work on

his tablet. 'Just kayaking? Do you realize that kayaking is a three-billion-dollar industry? And you say its 'just Kayking'! Mae, don't you see that it's all connected? You play your part. You have to part-icipate.'" (p.188)

As a result, Mae feels compelled to spend all of her free time on social media, trying to drive up her PartiRank. In one of its diverse projects, the Circle develops a light, portable camera that provides real-time video with minimal efforts. Eventually, these 'SeeChange' cameras are worn all day long by politicians wishing to be 'transparent', allowing the public to see what they are seeing at all times. The campus at The Circle goes transparent as well, which further positions Mae within the panopticon. "She began to think a bit harder about the clothes she wore to work. She thought more about where she scratched, when she blew her nose or how. [...] And knowing she was being watched, that the Circle was, overnight, the most-watched workplace in the world, reminded her, more profoundly than ever, just how radically her life had changed in only a few months" (p.242). It is in this way that disciplinary self-regulation is accomplished: by individuals governing themselves and by others engaging in surveillance activities. In order for self-governance to be incorporated, a sense that the panoptic gaze is upon the individual must be present.

In possibly the most disturbing section of the novel, the Circle is characterized as a potential law enforcement tool that can erase crime by 'color-coding' everyone on the ubiquitous monitors invented by the Circle hence making it possible to constantly track,

monitor and categorize those with criminal records: “The three men you see in orange and red are repeat offenders” (p. 418). While it is presented as a mechanism for ensuring societal safety, the plan disregards the cultural practices that underpin the technologies upon which it is built. It works under the assumption that the technology is itself objective and infallible; that closely monitoring former inmates is justified because the previous arrests are fair and not the result of race, class bias or unjust criminal justice institutions.

The participants in this study were keenly sensitive to and resisted the surveillance mechanisms in prison but ironically were, for the most part, more accepting of them while in the community. The characters’ adjustment to Eggers’ dystopian world provides an interesting comparison to the self-conduct of this study’s participants. In the next section I will examine the relationship between power and resistance in more detail.

Power and Resistance and Subjectification

Foucault’s concepts of power, subjectification, and resistance have received a great deal of attention in the years since his death. He wrote about the nature of resistance and freedom, particularly in his later writings and interviews. He saw his work as analyzing how individuals are made, and make themselves, into individual subjects of power. In his *Two Lectures*, given shortly after the original publication of *Discipline and Punish*, Foucault makes the point that:

the individual is not to be conceived as a sort of elementary nucleus, a primitive atom, a multiple and inert material on which power comes to fasten or against which it happens to strike, and in so doing subdues or crushes individuals.... The individual, that is, is not the vis-à-vis of power; it is, I believe, one of its prime effects. The individual is an effect of power, and at the same time, or precisely to the extent to which it is that effect, it is the element of its articulation (1980 98).

The individuation process that takes place in prison is thus entwined within the interplay of power and resistance through which a sense of self evolves and is carried into the street by the parolee. For Foucault, resistance was inherent within relations of power, and resistance was itself predicated on the existence of a free subject. He argues that resistance must be inherent within power relations. Even when the power relation is completely out of balance, when it can truly be claimed that one side has “total power” over the other, a power can be exercised over the other only insofar as the other still has the option of killing himself, of leaping out the window, or of killing the other person. Thus, according to Foucault, power relations necessitate the possibility of resistance because if there were no possibility of resistance (in any form including violent resistance, flight, deception, strategies capable of reversing the situation etc.), there would be no power relations at all (Foucault 1997 292). As Butin (159) notes, “Resistance is not an isolated quixotic event; rather, Foucault (poses it as a means of) self-transformation through the minimization of states of domination.” Thus, the

antithesis of domination is not necessarily liberation, but simply the ability to resist. The transcripts show the formative and transformative experiences of lifers and demonstrate Foucault's perspective on individual resistance and transformation; that the individual is not passively made by power, but makes him/herself by being able to resist within power relations.

Limitations of Foucauldian Methods

The power of Michel Foucault's work is undeniable. Through his genealogical methods he shows hitherto previously hidden mechanisms of domination and discipline. As Nancy Fraser notes, "It (genealogy) has opened up some new areas of inquiry and problematized some new dimensions of modernity; as a result, it has made it possible to broach political problems in fruitful, new ways" (272). Genealogy, according to Foucault, does not inquire into the timeless conditions which endure in the subject throughout history, but rather examines "the constitution of the subject across history which has led us up to the modern concept of the self" (Foucault 1993: 202). Foucault understands the individual as an historically situated self, constructed through relations of power. While these thematic elements resonate especially effectively with lifers as carceral subjects, Foucault's theorization remains unable to capture aspects of the narrative construction of identity which become profoundly resonant for the individual precisely because of their subjective impact. In order to accomplish a more nuanced analysis of the self-construction of these lifers, we must augment the discussion with the theoretical

contribution of Paul Ricoeur, who writes of narrative identity as a dynamic accomplishment of coherence over time and multiple perspectives .

Ricoeur and Narrative Identity

Narrative is a term that has many wide ranging interpretations about what actually constitutes a 'narrative'. Moreover, scholars have developed differing approaches to the relationships between narrative and life, narrative and subjectivity, narrative and culture etc. However, there seems to be agreement that all forms of narrative share the fundamental task in making sense of experience and that narrative accounts give us access to individuals' identity constructions. These two aspects of narratives are centrally germane to my research goals as I have used narrative accounts of lifers' experiences obtained through transcribed interviews in which they tell their life stories. The use of empirically derived narratives enables "a sophisticated philosophical response to the complexities and ambiguities of the human, lived situation" (Atkins 341). As historian Hayden White (1980 5) notes, "To raise the question of the nature of narrative is to invite reflection on the very nature of culture and, possibly, even on the nature of humanity itself." Consequently narrative understanding involves not only methodological matters but is also related to epistemological and ontological concerns.

According to Bruner (692) "we seem to have no other way of describing 'lived time' other than in the form of a narrative". It is a thesis powerfully argued by Paul Ricoeur in his three volume *Time and Narrative*. According to Ricoeur, the intentionality of human actions creates lives that have or seek the coherence of emplotted stories. The stories people live are not only conscious in their minds. They also concern wider

consequences and structures. Therefore, narratives link agents to the background of historical forces in lived time. He writes: "Time becomes human to the extent that it is organized after the manner of a narrative" [and] "narrative, in turn, is meaningful to the extent that it portrays the features of temporal experience" (1989 3). The most important application of narrative is thus to human experience. Ricoeur's central thesis is that, on a more aggregate scale, historical consciousness itself finds its meaning in the search "by individuals and by the communities to which they belong, for their respective narrative identities" (1989 274). Further, in *Oneself as Another*, Ricoeur asserts that narrative identity analysis is perhaps the most useful single method of exploring identity and how it changes over time. This perspective on narrative is particularly applicable to lifers' renditions of their experience. Not only do narratives structure the temporal character of human experience by ordering the emplotment⁹ in past present and future, it also brings "to a summit, in narrative identity, a transitional and relational function between the description and prescription of lived human experience, its suffering, and its possibility" (Sonsino 193). The life stories in this study cover the time span through incarceration and into the community relating experiences through each period and are thus renditions of the emplotment of the participants' identities. These stories

⁹ The term 'emplotment' was taken from Aristotle's *Poetics*. Ricoeur describes emplotment as a balance between a demand for concordance and the admission of discordances (1992 142-143). Emplotment is the translation of the French expression "mise en intrigue".

demonstrate an understanding that is consistent with the complexity of Ricoeur's narrative model.

According to Ricoeur, the narrative model is not simply a first-person report of an individual's subjective experiences and point of view, it is a complex model that interweaves the first-person subjective perspective with the second-person perspective of the communicative situation of social existence, along with a generalizable or third-person perspective presupposed by a shared world of meanings with public standards of objectivity. Ricoeur's narrative model is geared to representing the complex temporal and conceptual continuity of a person's life. Understanding who a person is, Ricoeur tells us, is a matter of

...understanding how the self can be at one and the same time a person of whom we speak and a subject who designates herself in the first-person while addressing a second person . . . The difficulty will be . . . understanding how the third-person is designated in discourse as someone who designated himself as a first-person (Ricoeur 1992 34-35)

When I asked for the participants to give an account of themselves, I found their identities to be constructed according to the narrative structure as described above - a nuanced, situationally located rendition of their life history interwoven with poignant identity- building episodes based on their experience as lifers and perceived from the multiple perspectives of first and third person.

Ricoeur notes that “narrative identity is not a stable and seamless identity...It is...always possible to weave different, even opposed, plots about our lives” (1989 248). Thus narratives can not only be vehicles of construction and opposition but also can be devices of ‘image management’ as in the case of ‘spinning’ a narrative or constructing an identity. Narrative identity is fluid in that it is always making and remaking itself through the challenges of others and the reflexive self-understanding of the self and the world. Clearly, there is also give and take between subjects and the interlocutor which is reflected in the exposition of the stories. Moreover, contradictory elements of the narratives emerge as an impact of the complexity of the situations rather than an indication of weakness in the veracity of the stories.

Ricoeur (1992 143) wrote that narrative identity is evidenced in the dialectic between selfhood and sameness, and extends from a concern with the emplotment or scripting of action through to a dialectic of character. He emphasized his conception of character as “the set of distinctive marks which permit the re-identification of a human individual as being the same” (1992 119). In the examination of the dialectic between selfhood and sameness we are thus directed to consider how the interconnectedness of events constituted by emplotment in the narrative brings into opposition elements of the self that are “permanent in time”, or stable, with elements that are diverse, variable, discontinuous, or unstable. Narrative identity is a construction of the ‘self’ which gives

people direction, meaning and value to their lives. This identity helps people to relate to the world, other people and themselves.

Iipse and Idem

Ricoeur distinguishes between two fundamental aspects of the self: 'ipse' and 'idem' (1992 117-8). Ipse is identity understood as selfhood, close to our individuality, that kind of inner inexpressible core that marks us out as what we really are. Idem is identity understood as sameness, as a more external possibility of identifying the self as self despite loss or mutability of the attributions of that self in time. While Ipse identifies "who" the self is, idem is "what" the self consists of. Who I am changes with time, the ways in which I act, perceive and interpret may alter from moment to moment (ipse identity). However, I remain the same person throughout my life, the solo actor in my autobiography. In this respect there is a sense of sameness to experience, memory and expectation (idem identity). In everyday life, how I act, what characteristics I exhibit, may vary a great deal, but there is a 'permanence-in-time' which means that I remain the same individual. Ricoeur's self-reflexive conception of narrative mediates between these two 'poles' of identity and within his discussion of a threefold hermeneutic process of mimesis which involves prefiguration, configuration and refiguration.

Mimeses 1, Prefiguration

Prefiguration refers to the pre-narrative understandings we have of everyday practices through which identities are constructed. They include expectations of the self and more generally of narrative conventions. Ricoeur argues that there is an important symbolic element to prefiguration, that human action can be narrated (and 'read') because "it is already articulated by signs, rules, and norms" (1984 57). There are pre-narrative expectations of what, for example, a lifer may be like. These pre-understandings will be reflected in the participants' constructions of their identity narratives.

Pre-narrative understandings are traditions, the taken-for-granted forms to be found in new experience, the assumed way to make sense of events. In this sense they represent what has become sedimented in one's approach to understanding experience. As Ricoeur puts it, "to understand a story is to understand both the language of 'doing something' and the cultural tradition from which proceeds the typology of plots (1984 57)."

Mimeses 2, Configuration

Where prefiguration involves narrative expectations, configuration refers to the emplotment or ordering of events, which "brings together factors as heterogeneous as agents, goals, means, interactions, circumstances, unexpected results (Ricoeur 1984 65)" and are coordinated into intelligible and coherent narratives. Ricoeur argued that

configuration “opens up the kingdom of the ‘as if’ (1984 64).” It is here that narrative allows for experimentation, the development of new stories, the trying-on of new senses of the self. As part of our personal narrative, it “draws a meaningful story from a diversity of events or incidents” (Ricoeur 1984 65).

Mimeses 3, Refiguration

Mimesis3 marks the completion of narrative representation in reading, “the intersection of the world of the text and the world of the hearer or reader” (Ricoeur 1984 71). Narrative refiguration aims to mediate the world of the text and the world of the reader. Here the narrative traditions and patterns generated in mimesis2 are made concrete, brought to life through reading. In reading, we enter and inhabit narrative worlds and bring them to life. In this sense, the reader completes the story—the imaginative world.” Thus the world generated by the story is actually a “joint work of the text and reader (1984 76).” Ultimately the reader is compelled to see life through other eyes, through the eyes of the text, and this alien perspective becomes the reader’s. This negotiation between the familiar and the unfamiliar changes us. We are “refigured” by the world of the text, and we return to the everyday world with an altered perspective.

In the next section I will discuss the interview situation in which the narratives are exposed and co-constructed.

The Interview

The interview (see appendix 1) consists of general questions organized roughly by the significant events which form the emplotment of a lifer's sentence: incarceration, parole board hearings and living on parole in the community. My intent was to have the questions be open-ended and iterative. I drafted a number of standard questions to stimulate discussion about the past and present. I encouraged the participant to do most of the talking. I began the interviews with a review of the informed consent form. I then turned the recorder on and made 'small talk' about myself, the participant and or the immediate situation. After I established a rapport I directed the conversation to the participant and his circumstances. To draw out participants' stories McCracken (35) suggests the use of neutral probes and floating prompts for clarification purposes. Such techniques as the repetition of key words, the raising of an eyebrow, phrases like 'tell me more' are considered as neutral prompts. I also used active listening techniques such as paraphrasing and empathic reflection to help develop and communicate shared understandings of the reflected reality.

My intent was that the interview would be open ended enough to prompt the participants to relate their experiences. At the same time I acknowledge that the interview is a "socially and linguistically complex situation" (Alvesson 3) and that I inexorably have an influence on what is being told to me. Consequently, the interviews often deviated from the scripted questions. However, I am satisfied that, in spite of the

convoluted path of the conversation, the topics I wanted to address were more than covered. I also encouraged the participants to relate relevant stories or incidents in an effort to draw out qualities or dimensions of personal experiences that are poignant for that person. Livia Polanyi's distinction between stories and reports provides a good starting point for articulating how and why interviews become occasions to ask for life stories. She writes that "stories are told to make a point, to transmit a message... about the world the teller shares with other people (12). "Telling the story, the narrator takes responsibility for " making the relevance of the telling clear" (13).

I have adapted Jones', 'life history method' as a methodology because it "offers an interpretive framework through which the meaning of human experience is revealed in personal accounts, in a way that gives priority to individual explanations of actions rather than to methods that filter and sort responses into predetermined categories" (147). He writes, "it is a technique that explicitly recognizes the collusion of the researcher in the research process and allows the researcher access to the processes involved in meaning" (152). I was conscious of the need to maintain a high degree of reflexivity during this project. As soon as practicable after the interviews I made extensive notes about my impressions to and reactions from the particular interview.

Because the interview process is a complex social situation, interview conversations may say more about role-playing and adapting to social standards (impression management) than how people really feel or what social reality is really like

(Alvesson 4). The participants in this study have had many years of talking to professionals in the criminal justice system: police, lawyers, psychologists, parole officers, and prison officials, such that their stories have become well rehearsed and they are well versed with the protocols and nuances involved in the interview situation. Consequently, as Alvesson (4) warns us, "it is important not to simplify and idealize the interview situation or assume the interviewee is primarily a competent and moral truth teller...the interview... calls for a theoretical understanding... in which a set of various theoretical viewpoints can be considered and, when there are reasons for doing so, applied."

Jones's life history method helps to investigate ways of finding a balance between the theories in the real world, the researcher's theories, and the various constitutive forces involved in the development and interpretation of theory and themes which emerge from the material. The technique uses accounts of individuals' lives or portions of their social world as data and documents the relationship between an individual and his or her social reality. Thus my methodological orientation can be seen as a 'structural phenomenology' (Forester 235) because it attends not only to the social construction and negotiation of intersubjective meanings, but also to the "historical stage on which social actors meet, speak, conflict, listen, or engage with one another" (Forester 235).

The interviews took from three to six hours to complete. Only one of them was completed in one session, the others required two visits to complete. They took place in a private room at the John Howard Society. All the participant's names have been changed to help protect their identities. In one of the interviews (with William) the participant's wife was present and took an active part. As it was my intent to focus on the experiential components of the participant's life sentence I left it up to each interviewee to decide how much or how little to say about the murder that led to the life sentence. It was not my intention to dwell on the sensational 'True Crime' aspect of the interview. Nonetheless all of the interviews were evocative for the participants and I was, at times, quite moved by the expression of emotion. I was touched by their pain and suffering and was aware that I could never fully understand or empathize with their experience.

These moments returned to me when I was transcribing the interviews and again when coding and analyzing the results. In some cases, during the interviews, the experiences related to me did not fit with my expectations or ideas and led to my probing further to help me understand the perspective. Similarly I prompted the participants to elaborate on topics that were not necessarily central to my original research goals but appeared to hold particular significance for them, which in turn led to some nuanced findings documented in the analysis.

Transcription

Transcription for a non-professional like myself can be an onerous task. I would prefer to have hired someone to do this, but professional transcribers are quite expensive and I could not afford this luxury. In the end, arduous as it was, I benefited by the process because it forced me to become immersed in the texts and intimately familiar with them. I completed the transcription using the foot pedal control and typing the transcript into a Word document.

But I was taking short cuts that a professional transcriber would not, which resulted in an edited transcript that could be interpreted as deviating from a full and faithful transcription. For example, I did not transcribe pauses, stutters, repetition of words, etc. and most significantly, as mentioned above, I did not transcribe my utterances in the dialogue¹⁰. Nonetheless, I was conscious of trying to stay faithful to the substance of the interview, that is “the meanings and perceptions created and shared during a conversation” (Oliver, Serovich and Mason 1273). And although my transcription is somewhat minimal, I believe it is adequate to help me conceptualize and interpret the experiences of the lifers in this group and to get at the insider meanings that are attached to the social phenomena these people experience. With these goals in

¹⁰ It is not my intent to obfuscate my influence or contribution to the interview situation by this procedural choice. I do not take the stance that I am an invisible, objective observer of the process, although not including my voice in the transcript may give one this appearance. Clearly I draw insights from my experience and have made notes or ‘memos’ during every stage of the process. However, I have not coded or analysed these as that would be another study. I suppose this can be called a ‘pragmatic reflexivity’.

mind I acknowledge that “transcripts do not speak for themselves, they must be made to speak. And they can be made to speak only if they are given something to speak about. This is, I would contend, the job done by theory” (Sarat 356).

Grounded Theory

Grounded Theory is a research methodology used for developing theories derived from data. It is more than a recipe of procedures for working with discourses; rather, it is a way of thinking about and conceptualising research information. It is premised on the use of inductive methods for creating hypothesis from the data rather than the deductive methods of hypothesis testing favoured by those in the social sciences who favour techniques rooted in the experimental method of analysis.

“Typically, the application of the method involves understanding the meaning of texts of various sorts whether as notes of participant observation of social conduct extant writings or transcriptions of interviews” (Rennie 481). It was developed by two social scientists, Barney Glaser and Anselm Strauss and introduced in their ground breaking book : *The Discovery of Grounded Theory: Strategies for Qualitative Research* first published in 1967. Since then it has evolved both in technique and theory and is now widely used in a broad range of research fields.

Rennie (481-482) observes that “Glaser and Strauss have always maintained that a grounded theory is relative to the perspective(s) of the persons producing it, and that different sets of investigators working with the same information may derive alternative

theories from it” and that this perspectivism is acceptable so long as each theory is accountable to the information. He concludes that “the grounded theory method amounts to a union of hermeneutics and method or methodical hermeneutics” (Rennie 482).

While collecting and coding the data I kept a journal, or “memos” as Glaser and Strauss refers to this process (108). Memos are a reflexive and introspective component of classic grounded theory as they allow researchers to journal about any and all ideas they have concerning their data. Strauss and Corbin (198) observe that “memos represent the written forms of our abstract thinking about data.” In this way they provide a mechanism which allows movement from the concrete data to abstract thought processes and back to the data in which to ground one’s abstract notions.

After the interviews were transcribed I used *The Ethnograph* software to code them using traditional “constant comparative techniques” described by Glaser and Strauss (101-115). Briefly this consists of: “ (1) comparing incidents applicable to each category, (2) integrating categories and their properties, (3) delimiting the theory, and (4) writing the theory” (105), with the understanding that these steps do not occur in a linear manner. Once the codes are identified, they were grouped and the categories named. The identification of categories and their properties is aided by the ‘constant comparative method’. The basic rule of this is: “While coding an incident for a category,

compare it with previous incidences in the same and different groups coded in the same category” (Glaser and Strauss 106).

Rennie (484) discusses the interrelated and iterative processes of interviewing, transcribing and coding to further his argumentation for conceptualizing grounded theory as a methodological hermeneutics:

Grounded theorists represent their understandings in the form of categories and relations among them. Usually the primary investigator is both the inquirer into the phenomenon of interest and the analyst of information about it... Thus, when interviews are used... the analyst already has a sense of the text given...

Moreover, the act of transcribing deepens the understanding of it so that the analyst has a sense of the meaning of the text as a whole. Thus, the hermeneutic circle is entered...the understanding of the whole of the text influences the understanding of a part of it, and the understanding of each part in turn influences the understanding of the whole.

Procedure

Participants were recruited through the host agency, The John Howard Society. John Howard Society staff were briefed on my study by the Executive Director and were asked to approach clients who match the participant profile (serving a life sentence on parole) to determine whether or not they wish to participate in the project. If they expressed an interest in the project I contacted them by telephone, e-mail, or through a

letter to arrange a time for an interview. Face-to-face interviews were conducted in a private office space at the John Howard Society. Before the formal interview took place I further explained the circumstances of the interview and obtained a consent as outlined in the procedure approved by the Research Ethics Board for this project. At the end of the interview participants were also asked if they were familiar with any other lifer who might be interested in the project. This technique is often referred to as 'snowball sampling' and is commonly used to access populations that are difficult to reach (Atkinson and Flint 3). This manner of accessing subjects is also consistent with comparative analysis techniques of analysis as described by Glasser and Strauss (22-23).

The Participants

The first interview was with Larry. Larry is sixty-seven years old and is a volunteer with the John Howard Society. Technically, he is not a lifer but he has spent more time in prison than most lifers; over thirty years in a series of charges that is referred to as 'doing life on the installment plan'. Consequently I did not use his transcript in the analysis. But Larry is an extremely analytical person and possesses a great deal of insight. His input was invaluable in helping me understand the circumstances facing long term offenders and my questionnaire is based largely on our discussion. The other participants were all men living in Northern Ontario. I have assigned different names to them in order to help protect their identities.

Don

Don grew up in southern Ontario, but moved to a northern Ontario city upon release from prison. Don came from a middle class dysfunctional family. Both his parents were alcoholics and Don also became an alcoholic. In spite of his addiction, Don breezed through school and joined the armed forces where “he really learned how to drink.” He was always fascinated by insects and obtained a Master’s degree in biology. He is creative and artistic and won music competitions in his youth for his accomplishments on the keyboards.

He left the military and returned to Southern Ontario where he fell in love with a women who shared his love of booze. They wanted to leave town but were broke and hatched a plan to perform a home robbery to get the cash. But during the robbery the occupant of the house, an elderly women, woke up and confronted them. Don struck her with a table leg he was carrying. He intended to hit her on the shoulder but he struck her on the back of the head and she died from the injury. He was found guilty of second degree murder and spent twelve years of his life sentence in prison.

William

William was born and raised in a rough Northern Ontario mining and logging town. He came from a broken home and was raised intermittently by a grandmother and in a variety of government care situations. His upbringing was rough in a myriad of ways including sexual abuse by a family member. As he put it “I didn’t have no Tonka

Toys, or pop guns, whatever you wanna call it..... I'd been raised in violence..... I been raised no tolerance".

He was emotionally and materially deprived but he was a quick study, physically strong, imbued with a strong work ethic, independent, and highly competitive. He learned young that he could not rely on anyone and success was achieved by being tough and aggressive, ultimately by being the toughest and the most aggressive. But William did not perceive himself as differing from mainstream society. "Well, values was the same as everyone else: family, work, a little bit of money, home, security, being loved...all that stuff that is all normal".

William was sentenced to life fifteen in 1991. "I had a three and a half year old son, and a newborn daughter at the time. I was twenty-three years old." I asked William to talk briefly about the offence he was convicted for. He answered, "Well briefly, I was convicted of 2nd degree murder, I killed a family member who sexually abused my child...our child. The cops didn't do nothing. So I dealt with it my way. So I had to suffer the consequences.... I needed to do what I did.... And I have to carry this for the rest of my life."

Ron

Ron M. was 58 at the time I interviewed him. Originally charged with first degree murder in 1978 he was convicted of second degree murder after appeal and spent 10 years in Federal Institutions before being released on day parole in 1987. Even though it

was proved that Ron was not at the scene of the crime and did not have any reasonable knowledge that the crime was to occur, he was found guilty because, at the time, there was an objective standard which stated that he 'ought to have known the crime would have happened' by virtue of briefly being with the culprits earlier that day. This standard no longer applies in the Canadian Justice system ("Canadian Justice system...It is more like a Canadian Legal system, because there is no justice in Canada, especially for First Nation's People") and by today's standards Ron would not have been convicted. In fact he would have never been charged. Yet he is still serving his life sentence. Ron continues to lobby the government for a review of his case and lives with the hope that he will be exonerated. He is a highly ethical and moral person and is much aggrieved by the serious harm he has suffered at the hands of the criminal justice system. He has garnered much support for his cause and is a bit of a local celebrity in Sudbury and Sault Ste. Marie.

Harry

Harry was born in the Niagara region of Ontario, but his family moved to the U.S. when he was five and he spent most of his formative years there. He comes from a poor working class background and he describes his neighbourhood as "really tough". "My early teen years were spent basically running from gangs and hiding in the back alleys". Harry said that he was "sort of a rebel" as a youth, but he never talked about what motivated him to quit school and join the U.S. Marine Corps, an act which would be

considered, conservative and normative at the time. Nor did he talk about his combat duty in Viet Nam. Harry returned to school and became interested in police work as a career. "It use to bother me to see the poor taken advantage of, for anybody to get taken advantage of. And I grew up seeing a lot of that. And I think that's one of the main reasons I was attracted to police work because I thought I could make a difference. Which a lot of people think when they start out." He applied to a regional Police force in southern Ontario and was hired. For the most part, he liked police work and was very good at it, although it irked him that corruption and dishonesty were tolerated on the police force.

Harry's career in police work came to an abrupt end. Harry received his life sentence as the result of a 1973 shooting of a 19-year-old man. Harry was off duty and drinking during a pub crawl with fellow officers when the fatal shots were fired. " It is very strange I went to jail on a murder charge because, because that isn't me. That isn't me. You know, all the time I was on the job I had plenty of opportunity to shoot somebody". An investigative expose by the Toronto Star, published in 1977, posited Harry had been drugged by his drinking companions and was extremely impaired by a combination of a substances at the time. The context and circumstances leading up to this shooting are fascinating, but are so complex that it would take many pages to describe them. Harry maintains there was much animus and hostility against him

because of his investigation into a pedophile ring involving some fellow officers and he was set up by his drinking companions.

After being released from prison Harry attempted to resettle in Southern Ontario. However his inability to find meaningful work combined with the hostility of the community towards him caused him to decide to move to Northern Ontario where he lives somewhat reclusively in a rural area.

After the recorded interviews were transcribed, I composed a brief 'life history' for each participant using the information from the interviews (Appendix 2). Much of the material in these stories is comprised of direct quotes from the participants. These narratives were composed from disparate speech units gleaned from different parts of the interviews so it was possible I may have been quoting them out of context. To address this concern and to ensure that I was not distorting their intended meanings I sent copies of the drafts to the individuals for them to check for content and accuracy. After feedback was received I edited accordingly and again shared the finished product with the participants to approve for publication in the thesis. Thus, the life stories are, to some degree, co-authored and approved by the participants.

Three of the participants are serving life sentences for second degree murder. The fourth (Harry) is serving a life sentence for non-capital murder as his offense occurred in 1973 when the death penalty was still legal. I make no claims that these four narratives are representative of all lifers. Poignantly, each of the participants made

statements to the effect that theirs was a unique story; that they were different from other lifers. Nonetheless, I believe that each individual voice represented here helps shed light on the range of human responses possible to those given a life sentence. With this in mind I tender the following findings.

Findings and Analysis

I intended to focus this study on Lifers' experience of parole. I purposively ordered my interview questions to address the parole component of their sentence before discussing their experiences of incarceration. However, in spite of the nature of the questions being posed, they seemed to invariably turn the conversation to their time in prison. After these tangential conversations were completed I would re-direct them back to the topic at hand but it seems that the prison experience overshadowed everything we discussed. Consequently I am initiating this section with a focus on the prison experience and the conditions therein that have had enduring effects on the participants.

While listening to these prison stories I was frequently reminded of the depiction of prison conditions at the turn of the twentieth century described by Victor Serge in his autobiographical novel *Men in Prison*. It seems that modernity's technological advances in methods of control and domination have only served to make more efficient the appalling conditions described in this book. In the forward to the most recent edition

David Gilbert notes that “In this historical novel, a wonderfully principled revolutionary and vibrant writer takes us into the culture and realities behind bars in a different time and place but in ways that still resonate with relevance today” (Serge xiv). Indeed the narratives describing, warders, fellow inmates, survival, resistance, food, work, and the prisoner’s endless problem of dealing with passage of time remarkably correspond to the narratives in our interview transcripts. To Serge, prison life was a permanent fight against becoming insane and it never failed to leave an indelible mark on the prisoner’s psyche. In the most recent English edition, translator Richard Greenman comments in the introduction: “Prison is ‘imperfectible’, writes Serge in ironic praise of the formidable institution, anticipating Foucault’s *Discipline and Punish* by half a century “(Serge 7). More currently, Damien Echols writes in the epilogue to his book *Life after Death* (389):

Prison is designed to separate, isolate, and alienate you from everyone and everything. You’re not allowed to so much as touch your spouse, your parents, your children. The system does everything within its power to sever any physical or emotional links you have with anyone in the outside world .They want you to sit alone grieving in a concrete box, unable even to say your last farewell at a parent’s funeral. It’s not just that things work out this way---they are designed that way.

Prison Violence

The regulations could be summed up in three peremptory words: Living is forbidden. But is it possible to forbid living men to live? With all the weight of its mighty edifices of stone, cement and iron, the hulking prison affirms that it is possible (Serge 53).

There is no way of understating the significance of living with the level of violence that prisoners are subjected to on a daily basis. Like most lifers, none of the men interviewed had been to prison before they were arrested for the charge which landed them their life sentence. Consequently, the inculcation into prison culture was abrupt, violent and devastating. This rupture from their every day existence had a profound effect on their sense of self. They were disoriented and vulnerable.

And I end up in jail and I end up in this uh psychological drainage of the brain, I don't know how to put it, It overwhelms youYou get emotional and all these things are flying through your head at once....From a person who never been in jail my whole life then all of a sudden to a super maximum security like Milhaven where everything is shut down. Tense. ...And the range I was on, everybody on that range was a lifer. And for some strange reason they didn't like me one bit. They wanted to kill me. Right away ...calling (me) stool pigeon and rat and everything else, I didn't even know those terms until I got to prison. When I was

on the street I was naive. I didn't know anything about prison life. What rats are. What stool pigeons are. All those kinds things.... (Ron)

My experience of incarceration was not fun. The first day I was in there I got punched out. A violent place right from the start. That was something I figured out right away, that violence is the operative (Don).

...it is a warehouse, you know violence is high, if you are not good with your ones and twos you are going get beaten, whatever, I mean it's jail, it's normal....Anything goes, you disrespect somebody you're dying today, you just signed your own death certificate. (William)

While some are able to adapt to this environment it can be relentless for others. It was different for me, being in there, because I was an ex cop. So I was actually at the bottom of the...I have no doubt that there is nobody in Canada that has had more attempts on their life than I have. I mean they tried to get me with knives, hit me over the head with chairs, throwing shoe polish and lighting it, throwing it under my cell door hoping to catch the bedding on fire. I broke, I don't know how many bones I had broken. Anyways it was brutal.

A common theme discussed by the participants was the emotional and psychological scarring brought about by witnessing and being subject to stabbings, hangings, beatings, suicides, etc. All the participants related stories about witnessing violent episodes that deeply scarred them.

One Sunday morning.... a fellowhe got a shank stuck through his neck and all I could hear was a rasping noise, him pulling oxygen in through the hole in his throat. And this is a well-built guy, but two guys took him out. And the sound of him trying to breathe. I was laying in bed but I couldn't move. You don't stick your nose in where it's not supposed to be. So when I heard that I didn't move. I had to ...clean out his cell as a range cleaner anyway. The smell of two-week-old blood in a hot cell. Stunk. Specially when you had to pull his mattress out and get hit by a tidal wave of blood. It stinks. But that didn't bother me. But hearing someone gasping for life and knowing nobody was going to do anything about it...." (Don)

The physical harm and violence is not restricted to inter-prisoner conflict or self harm; prison staff are often in collusion with or perpetrators of this violence through excessive use of force and reprisal beatings. Sometimes the violent culture is not even acknowledged as such. Don describes the following incident as an example of commaraderie:

so they stripped me and tied me to the door and put Vaseline in my ass and told the guard to slide me on the door, open and close, open and close.(Don)

But the violence is systemic. Even though the official use of force has been bureaucratized and overt corporal punishment has been curtailed, the deep roots of systemic violence feed the current conditions.

...when I first (was incarcerated they) were still using the strap. Now, here is an interesting contraption made out of a piece of tire, it's about three feet long and they cut holes in it. And when they hit the guy with it your skin would pop through the holes so you had all these scars on you, these little round scars. There was a guy there at the same time as me, he got the strap three times, you should have seen the mess it did. Three times. They tied people naked to a table and then they beat you with the strap. Simple as that. And they did that right up until the early seventies. So is that justice?The proper question would be do you believe there is control? Yes, I believe there is control. (Harry)

Fear

Living in the hostile prison environment naturally evokes a state of fearfulness. Harry tells how the sense of helplessness from being at the mercy of the guards takes its toll on a physiological as well as a psychological level.

I was sleeping one night and –blam- one of the guards fired a 12 gauge shot gun, fired at a guy who was supposedly trying to escape. I remember that, it woke me up from a dead sleep. It was so loud. Things like that happen. It gives you the creeps. Because you are totally at their mercy. They can do anything to you that they want. And there is nothing you can do about it. And they come and kill you in your cell, which happens sometimes, they can always write up as you attacked them, they always had a story, and it was very hard to prove, and nobody really

wanted to prove it anyway. So it was pretty creepy. Like your adrenaline was always, at least mine was, it never stops. And it wears down your body after a while. Holy. (Harry)

Don talks about how that fear stays, how it changes one's way of dealing with the world. Even after being out for over fifteen years it regulates ways of dealing with the world. Situations most people would take for granted are cause for great deliberation.

But I do approach things with fear. If I go into any new situation I'm always looking for that next boot to fall. But that is what keeps you safe, being cautious. You stand back and reflect. That's what time in, being a lifer, does. You get to sit back and think. You think about your actions before you ever do them. Is it worth it, is it not worth it, what's it going to cost me. What it would cost others. And there are scars everywhere in my mind and in my heart. Especially in my heart (Don).

The physical and psychological violence that is endemic to prisons evokes fear for personal safety, and thus elicits a reaction of hyper-vigilance that pervades lifers' ways of experiencing their environment . Don reports living in the shadow of fear as a result of being locked in a dangerous place where both physical and psychological threats exist around every corner. These men calculate each and every action with a potential reaction, and develop a reflexivity that dwarfs those of people on the street. They know

themselves and their potential in extraordinary ways. They read and evaluate situations, they can quickly determine the potential for harm. This reflexivity is what sets lifers from others, this is what 'time in' does to a person. But when Don talks about the scars, he is referring to an irrevocable damage that leaves traces, residual mutations that invoke that damage. Lifers become hyper-vigilant for their own safety.

Hyper- vigilance

The inherent dangers in prison (from which there is no exit or escape) lead prisoners to become perpetually alert for signs of threat or risks to personal safety. And because the stakes are so high (literally life and death) , and because both prison staff and other prisoners exploit weakness, carelessness, or inattention; prisoners learn to become cautious, distrustful and suspicious. The lifers I interviewed report never losing these attributes even after decades of being outside on parole.

You have your faculties pinpointed. All the time, aware of everything around you.

World War III could be going on right now or when I'm sleeping at night but if you first came here somehow and breathed quietly (demonstrates) I would be up right away with my hands around your throat. Survival instinct. (Don)

The stress in the joint is extremely high. Because your life is always at risk.

Always. Every day. Every night. Doesn't matter when, you can go in a corner, you might have looked at somebody wrong, doesn't matter. You have to be on

high alert as soon as the door opens. That's the way it is. ... So in the joint you got to be on high alert. You are running on adrenaline. All the time. (Harry)

William's wife remarked that " Even when we go out to restaurants he has to be sitting in certain areas. " And William added: "I still do that. I have to have a visual. I don't have to be against a wall, I just need a visual." He goes on to describe how he was playing with his son one time and the child made an unexpected move which provoked an aggressive reaction:

I was play fighting with my son. He's trying to get one up on me and stuff like that's no problem, we are playing around. I threw him in this big arm chair, big and fluffy. I threw him in there and I turned around and he went to attack me from the back. Well I turned around so fast I knocked him in the forehead before I realized it was him, so I pulled back and he was literally whoa ho. In my mind like I'm going through your skull, I'm not going for your skull, I'm going through it, right, so it was like whoa. He's laughing and everything, a little dazed. But he's like how the hell did that happen and I'm it's like this for me..... if you are behind me and I don't care who it is, I feel it right away, I know it's there. I got that sense and he's like wow. I said it's intense in the joint. (William)

I mean I was responsible for my own livelihood inside. I had to watch everything I did. Who I was around, who was around me, what was being said. When I got out I wouldn't take my boots off, my boots were my weapons inside, that's all I

had, steel toe boots. They don't allow now, steel toed boots, but they did back then and I wore them and I wore them when I got out of prison, I couldn't take them off. I wore them in the house. I wore them all day until I went to bed,.... you are still in that frame of mind, that you are going to be attacked. (Harry)

Trauma

While hyper-vigilance in and of itself does not warrant a diagnosis of post traumatic stress disorder (PTSD), it is a major indicator of this kind of disruption in a person's ability to function. Those serving long term prison sentences are subjected to daily and repeated traumas and as noted above have residual effects of having to deal with the conditions of imprisonment. Herman argued:

The current formulation of post-traumatic stress disorder fails to capture either the protean symptomatic manifestations of prolonged repeated trauma or the profound deformations of personality that occur in captivity The responses to trauma are best understood as a spectrum of conditions rather than as a single disorder (Kupers119).

Moreover, it has been established that there is a clear link between trauma experienced in childhood and trauma experienced in prison (Kupers 196). Perhaps it is a coincidence, but it is poignant that all four of the participants in this project reported experiencing episodes of childhood trauma (see life stories in appendix two). Also, all four participants reported spending prolonged periods of time in solitary confinement,

either as a form of punishment for administrative violations, or for their personal safety. Kupers (191) also reports that “solitary confinement can lead to severe psychiatric morbidity including perceptual distortions, hallucinations, hyper-arousal, depression, paranoia, delusions, suicidality, and aggression.” The experience of solitary confinement warrants a section on its own, but for brevity’s sake I am using one excerpt of a transcript as an illustrative example of the traumatic rigours experienced in solitary. Here is an excerpt from Harry’s transcript:

Ho. I’ve heard guys scream for three days in a row and never stop. You want to know what prison is like, spend it in the hole. A guy committed suicide next to me. He got the paint, well I think he started by lighting his pillow on fire. The pillow is just a thin sheet of that foam rubber crap.... But son of a bitch, the paint, the lead paint on the walls in there caught fire. I mean I had to listen to him scream and scream until he died.... And that happened to me twice. Guys cut off their fingers, smashed their heads against the wall, smash their heads against the bars. They take blood and smear it on the walls. Or their shit. I spent three and a half years like that. Sure gives you a different outlook on human beings. We almost all got killed one night because that guy who killed himself there, the hole, it wasn’t that big, ... filled up with smoke. And the guards left us there. We would have all died. And I am hollering get the fuck down here. And one finally crawled down under the smoke to get to my cell, it was a good thing I

was at their end or I don't think he would have done it. He opened my door up and I had to run up, I knew there were windows up top, they were crank windows, and I got up there, and I am right in the smoke, and I got to get the window open; I finally got the window open and stick my head out, I was near dying, and I finally got the windows open to get the smoke out, and they finally got there with the fire hose and it took so long we would have all been dead (Harry).

As Harry noted above, the horror of solitary confinement is a condensation of the prison experience. Haney and Lynch, having reviewed the extensive literature on solitary confinement noted the extensive psychological effects include "increases in negative attitudes and affect, insomnia, anxiety, panic, withdrawal, hypersensitivity, ruminations, cognitive dysfunction, hallucinations, loss of control, aggression, rage, paranoia, hopelessness, lethargy, depression, emotional breakdowns, self-mutilation and suicidal impulses "(530). While trauma is not specifically mentioned, it is clear from the list above that trauma can be a long term consequence. In the words of psychiatrist Judith Herman, traumatic events

shatter the construction of the self that is formed and sustained in relation to others. They undermine the belief systems that give meaning to human experience. They violate the victim's faith in a natural or divine order and cast the victim into a state of existential crisis" (Herman 1997 52).

She further suggests that a new diagnostic category- what she has termed "complex" post traumatic stress disorder be used to describe the trauma -related syndrome that prisoners are likely to suffer in the aftermath of their incarceration because it comes about as a result of "prolonged, repeated trauma or the profound deformations of personality that occur in captivity" (Herman 1992 119). Moreover, Jamieson and Grounds (2002; 2005) found that the experience of being a prisoner was similar to being a soldier in war and as such, the prison experience itself was so damaging that it was difficult to resettle afterwards. And for lifers the knowledge that they are more vulnerable to going back to prison can exacerbate this inability to re-adjust.

But for a lifer you're screwed. It's automatic if you go back, if a lifer goes back, it's automatic that he gets two years. Nobody else gets that. Nobody else doing other sentences gets that automatic time. It is automatic for a parole violation, you are going to do two years for a parole violation. Not even a crime. So, ya, I mean and that plays on your head all the time. ... An automatic two years back inside.. It's hard to relate that to people because if you don't have that fear you're not going understand. It's like a guy who has been to war. There is no explaining. So don't even try. (Harry)

We can readily see the agony and suffering behind the attempt to express the ever present prospect of being returned to prison for a minimum of two years.

“Suffering challenges the limits of language as a medium for translating the experience: not only because of the limits of particular languages but also because suffering lies in part in a realm beyond language and is ultimately unknowable to someone else” (Corin n.p.). While I did not find any other ‘war’ metaphors to describe their prison experiences all the participants were at a loss when attempting to describe the fear of being returned. “Trauma takes place precisely when our ordinary narrative abilities fail us—when an event not only goes beyond, but actually destroys, our schematic understandings of the world, disabling our ability to create and trust the stories, categories, and time-space delineations necessary for normal functioning” (Zaikowski 199).

Limit Experience

One of the hallmarks of psychological trauma is its inability to be contained within conventional linguistic and narrative structures (Zaikowski 199). The concept of transcending the boundaries of linguistic and narrative structures calls to mind the notion of ‘limit experience’ discussed by numerous philosophers. Theorist Maurice Blanchot (1995 7) states: “The disaster... is what escapes the very possibility of experience—it is the limit of writing. This must be repeated: the disaster de-scribes.” According to Blanchot, the limit-experience seeks to contest and eventually transcend the boundaries accumulated during everyday experience. Blanchot states, “The limit-experience is the response that man encounters when he has decided to put himself

radically in question" (1997 203). Tobias (79) points to the distinguishing features of torture – indeterminable duration, lack of control, senselessness – as a mode of limit-experience which differentiates it from ritual or purposive pain because the subject is unable “ to act upon itself to open a field of understanding and action whereby a meaningful relation to self can be conceived and enacted.” The protracted prison and parole experience endured by lifers is not unlike that of torture in which the agentive freedom of the subject becomes severely compromised. Moreover, the constraints imposed by lifelong parole further compromise the subject. While I would contend that the trauma induced by the deprivation and suffering of living under the cloak of a life sentence constitutes a limit experience for all of the participants in this study, the narrative in which Ron talks about his attempted escape from the exercise yard at Millhaven is a compelling illustration.

.....and all of a sudden you had all these people that wanted to kill you and they had nothing to lose because they were already in there for life.... they had the whole institution against me except for a couple of people that knew meand all you hear is the chatter that's going on and when the doors open(ed) at 1:20 in the afternoon everything appeared to go in slow motion. I started walking out and the inmates come rushing to my cell to try to kill me. For some reason they were blinded and couldn't see me right away....and I walked out to the yard and I saw a couple of guys I use to hang out with and they shook

their heads . I walked out to the yard and looked up the fence, and then I walked around the yard because I chickened out. Then I got back there and the entrance was blocked off by a dozen guys and there was another dozen or 20 guys coming at me. They swarm you, stab you and walk away like nothing happened. Then I got back to the fence, I thought to myself, well if it's my day to die, then let it be my day to die - nothing I can do about it. Then I touched that fence and everything went silent. Couldn't hear a darn thing. Got over the first one no problem and started the second one and the barbed wire was pulling me back and I got tired up there and I fell 25 feet and landed on my left ankle, or my left foot and blew right up and it was just sprained real bad and as I was laying between the two fences the guard came up and it was like he was looking at me but he didn't see me. It was one of those weirdest things. Drove off. Then I started up the second fence again and got over and then I hopped across the field, tumbled a couple of times and when the guard saw me, I heard him stepping on the gas, stepping on the gas, and he jumped out of the car with his shot gun in his hand, but he's not pointing it at me. And he's trying to talk to me but his words aren't making sense because of how the mind can block things out. And then when his words started making sense he said the guards in the tower are going to shoot me. I said I don't care, let them shoot me. Then I turned to him and I said to him shoot me-- five times. He wouldn't even raise the gun. Then I saw his supervisor running across the field.

He's running across the field with his six shooter in his hand, right hand, it was a long barrel. The other guard was making his way around behind me..... They didn't street charge me because they would have got embarrassed¹¹. Right underneath a tower. Number two tower, that's where it was. In broad daylight. Over two fences.

Throughout this experience Ron seems to have lost his sense of self, although his reminiscence is marked by a sense of pride and accomplishment. Martin Jay characterises Foucault's account of limit-experience as "an experience that undermines the subject ... because it transgresses the limits of coherent subjectivity as it functions in everyday life, indeed threatens the very possibility of life - or rather the life of the individual – itself" (158). Interruption, unpredictability, irrevocability suggest that the limit-experience is an uncomfortable and possibly even violent experience. Ellen Corin (n.p.) notes that

feeling(s) of breakdown or rupture, of lack of intelligibility experienced in the present can be represented by a sharp discontinuity in the person's life.

Narratives of suffering are done, as well as life stories, of a mix of history and fiction through which the possibilities buried in the past are re-opened and linked to the present situation.

¹¹ He is talking about criminal code charges of escaping lawful custody.

It is noteworthy that Ron, convinced he was facing certain death at the hands of the inmates, sought to literally transcend the boundaries of the prison. His story takes on a surreal and mystical tone when he describes how events seemed to take place in slow motion; the silence that descended when he first touched the fence, how he was not seen by others when the cell doors first opened and when he was between the two fences. And it was truly bizarre, firstly, that he was not detected until he breached the perimeter and secondly that he was not shot when he eventually was detected. Ron refers to that episode as a poignant event that changed his very being.

Paul Tobias (74) referring to Foucault's notion of desubjectivation notes...

[Limit-]experience is trying to reach a certain point of life that is as close as possible to the 'unlivable', to that which can't be lived through. . . . In Nietzsche, Bataille and Blanchot, experience has the function of wrenching the subject from itself, of seeing to it that the subject is no longer itself, or that it is brought to its annihilation or its dissolution.

Limit-experiences, as proposed by Foucault, have to do with a break away from our selves, and therefore, a change in our relationship to ourselves. Foucault suggests in the 1978 interview that the notion of limit-experience underlines the idea of the subject by revealing its contingency and fragility. Referring to Nietzsche, Blanchot and Bataille he notes:

What did they represent to me? First, an invitation to call into

question the category of the subject its supremacy, its foundational function. Second, the conviction that such an opinion would be meaningless if it remained limited to speculation. Calling the subject into question meant that one would have to experience something leading to its actual destruction, its decomposition, its explosion, its conversion into something else. (Foucault 2000 247)

The notion of limit experience extends the phenomenological focus on the 'lived experience' of everyday life by directing attention to 'unlivable ' experience –a form of experience that involves “the maximum intensity and the maximum of impossibility at the same time” (Foucault 2000 241).

The absolute desire for freedom after years of incarceration is an experience of limit experience some of the lifers talked about. Harry describes this feeling when he related how, on the first day of release, he illicitly (against parole board restrictions) hopped on a train to visit his wife.

To this day I can't really explain why I did that except other than the fact that I just needed to feel free. Just to feel that there were no restrictions. That train ride felt so good. It was like I was floating. I looked out the window. What a feeling to feel that. There were no guards around. No nothing, you know (Harry).

As a cop in prison Harry faced an exceptional circumstances shared by only the most despised of incarcerated. Yet he remained whole if not fundamentally changed by the experience.

You know when I made my full parole they told me , at the time there were doctors, psychiatrists on the board, they told me at the time, they said that as far as they knew I was the only police officer that had done a long sentence that came out of prison 1) alive, or sane. And I have heard of cases where it was so bad they had to send him to a mental institution, to get him out of the prison. They never did that with me. I don't know how I stayed strong enough. Must have had 40 fights all the time.

Victor Serge (61) notes that:

Among those who succeed in resisting madness, their intense inner life brings them to a higher conception of life to a deeper consciousness of itself, its value, its strength. A victory over jail is a great victory. At certain moments you feel astonishingly free. You sense that if this torture has not broken you, nothing will ever be able to break you. In silence you struggle against the huge prison machine with firmness and stoic intelligence of a man who is stronger than the suffering of his flesh and stronger than madness.....

The limit experience is what sets many lifers apart from others. When I asked William how lifers are different he replied "Inside they are on top of the food chain,

outside the difference is...we took it that far. That's it." Ron attributes a transformative spirituality to his attempted escape. He described it as an event that changed everything from that day onward.

I have previously discussed Foucault's writings on Panopticism and the role of resistance in its relation to power and in the next section I would like to flesh out this discussion with excerpts from the transcripts.

Panopticism and Resistance

According to Foucault, where there is power, there is resistance, and this resistance is never in a position of exteriority in relation to power.

[There is] a multiplicity of points of resistance: these play the role of adversary, target, support, or handle in power relations. These points of resistance are present everywhere in the power network. Hence there is no single locus of great refusal, no soul of revolt, source of all rebellions, or pure law of the revolutionary. Instead there is a plurality of resistances, each of them a special case (Foucault 1990 95-96).

Resistance is understood to be generated by the very power that it opposes. In other words normalizing-disciplinary power, as is created by the panopticon, is productive of that upon which it acts. As Foucault (95). explains in *Discipline and Punish*, "the man described for us, whom we are invited to free, is already in himself the effect of a subjection much more profound than himself"

Under the panoptic gaze of the carceral system prisoners learn to adopt 'normal' behaviours so as not to draw attention to themselves. But the performative aspect of behaviour overshadows its genuine expression in acts of resistance. Foucault metaphorically describes the cells of the Panopticon as "so many cages, so many small theatres, in which each actor is alone, perfectly individualized and constantly visible" (Foucault 1995 200). The 'actor' prisoner is encouraged to perform the role of the model prisoner by the carceral system. However prisoners have internal traits, qualities, thoughts and attitudes that can remain unknown to the institution and be used against it. All the participants talked about evading surveillance and cloaking their activities of resistance. In this way they are able to construct and maintain their own subjectivity.

You always found a way around it, you were always very well aware of where the guards were, where the cameras were, that sort of thing. You didn't talk to a guy like I am talking to you now, you talk over the side of your mouth without moving your lips, you know, con talk (Don).

Consequently, much of the resistance in the institution is covert. Don talks about being a 'brewmaster', making illicit alcohol for sale or trade amongst the prisoners. He establishes his identity through a covert activity of resistance which affords him an elevated status amongst his peers.

I was hiding mashes for making brews...So I would get peanut butter jar and shine it up....and it would be about 120 over proof, blue flame.... and I would sell it for a

nice piece of hash or smokes and that's what I did, but I wouldn't drink inside (Don).

But as Harry astutely noted “resistance comes in all kinds of forms.” In his demonstration of resistance below he covertly reclaims his dignity and achieves a private source of self satisfaction in foiling the system even if it is in a minor way.

When I first started as an orderly at the psych unit, the cell they gave me had a light right in front of it on the wall. I asked them, could that be turn out at night because I can't sleep, it shines right in my eye? No. Blah blah blah. And I almost got it turned out but there was a certain crew there that would always come back,... no you are not getting treated different from anybody else, the light stays. So I came up with the idea and got a piece of clear plastic, don't remember where I got it, and put it right at the end of the socket. I had to get up on a chair to do this and make sure no one could see me, so I had to pick the right time to put the plastic in, put the bulb back. So this one guy that was being a real hard ass, it drove him nuts this light didn't work. And he kept changing the bulbs in it as if he was going to hit a magic bulb somewhere. What an idiot. So he got an electrician. The electrician came down and said everything is ok.... I don't know why the damn thing won't work. Little things like that. It doesn't mean much but it does mean much. It was a little victory (Harry).

Perhaps the most poignant forms of resistance inside are overt; where letter writing, redress systems, participation in inmate committees and advocacy efforts on behalf of others are pursued. All the participants reported taking part in these kinds of activities. As Haenfler (429) notes “. . . at the individual level, resistance entails staking out an individual identity and asserting subjectivity in an adversarial context. . . . individualized resistance is symbolic of a larger collective oppositional consciousness.” William took a leadership role and educated himself and others about the arcane procedures and rules that governed the institutional processes.

I learned quite a few things in the system. The system taught me how to manipulate the system. Taught me how to use the system against the system, that's not manipulating, that's (using) their own rules. So ah, over the years in Warkworth, I've basically learned to, ah, the rules. That's when I became more dangerous to the system because now I was able to be ...the guy that writes up all the grievances (William).

And it is this kind of resistance that took on significant meaning for these lifers. The thing I remember most about my prison experience, it wasn't the solitary confinement, the fights.... it was fighting the system. That's what I remember most. It was so frustrating. ...(but) It kept me going.....A few bright moments out of the whole thing (Harry).

Sometimes resistance took the form of purposely bizarre types of anti-authoritarian acts which would symbolically display their autonomy and self-direction.

We used to do things to screw up the cops. Turned our plungers around, put a piece of string on them, and put them in the toilet, and they would see us sitting on the end of the bed fishing in the toilets. Ha ha. It would screw them right up. Ha ha Ha. Or guys would sit there playing with themselves in front of the female guards and it would really turn them off. These females started charging the guys at first for being flagrantly abusive. And then they stopped doing that because more guys started doing it. They were in there for breaking the law, not being Boy Scouts.

However, after they achieved parole all the participants' acts of resistance became less strident. The self-regulating effect of the panoptic gaze remains strong, perhaps even stronger once the participants were released and on the street.

You can't get away from it. You are on parole for the rest of your life so you are always going to have the parole officer there, he represents the system. So it is always in your face. Not real bad like it is being hammered into you, but it is there, it is subtle; but it is there. It doesn't go away. It is always in the back of your mind that you have restrictions.... You are under their thumb and they don't let you forget it. (Harry).

Consequently, acts of resistance can take on a different tenor on the outside. Ron is well known in the community for continuing to try to get his life sentence repealed. Not only does he use the media effectively to champion his own cause, but he is keenly interested in criminal justice and human rights issues. And even though he has clearly been mis-treated by the criminal justice system, the local police keep him in their purview.

If a murder happens in town you get three or four police cars around my place. They just pop up all of a sudden, sitting there, waiting for orders from somebody to come arrest me or something.....I'm walking down the street somewhere and someone ... commits a crime ... I am going to get thrown in jail. And if something happens anywhere in town that they don't have no suspect they are going to come ask me questions..... That's why when I go to rallies, I'm careful when I go to rallies or protests.... most of the cops know me. Most of the time I go I take pictures, I'm the photographer. I am watching, watching. I don't do the wrong thing .

William does not express too much concern about being monitored: “The surveillance, I am not worried about it ...because I am not doing anything wrong.” However, like the others he self-regulates so he can remain inconspicuous under ‘the gaze’. Since he has been outside he has curtailed his advocacy activities and focuses on trying to reclaim his lost time with his family.

As long as you realize your position, right, you should be ok. If you don't realize your position then you are going to go back. You got to know your place. And I know my place. According to society, I should be quiet. And I am quiet. I do my own thing. I don't bother anybody and that's the way it's got to be. Once you are in the bright lights that's when the danger is on..... And that's why now I don't want to do too much.

Don has also adopted a low profile.

Just the thought that I can be yanked back keeps me on the straight and narrow even if my own self ethic or moral is not enough, that thought alone will absolutely will keep me on the straight and narrow. So I'm not going to chance it (Don).

Time

I think of the mystery of time's passage. There are minutes and hours which have no end: the eternity of the instant. There are many empty hours: the vacuity of time. There are endless days and weeks which pass without leaving the least memory behind them, as if they had never been. I cannot distinguish the years that are behind me. Time passes within us. Our actions fill it. It is a river: steep banks, straight path. Colorless waves. The void is its source, and it flows into the void. We, who build our cities on its banks, are the ones who raise dike against it, who color its waves with the beacons upraised in our hands, or

with our blood. Time could not exist outside of my thought. It is whatever I make it (Victor Serge 160).

In prison, time is regimented and imposed upon inmates as a means of a punishment which usurps 'autonomous time'. Prison routines; the rigidity of timetables, the preoccupation with the counting and observation of prisoners, the constant documentation and compilation of personal files; these are all disciplinary measures by which autonomy is curtailed and lives are appropriated. The colonization of prisoners' time-sense is an ongoing and punitive experience for the entire duration of their sentence. It is the nature of prison to produce repetitive experience and enforce normalization practices (Foucault 1995). 'Life-time' is appropriated by the Correctional Service.

Time doesn't go by in jail, you don't pay any attention to time. Time is winter spring summer fall, when breakfast is coming when supper is coming. Times are regulated by your circadian rhythms and by what's happening at the moment. Not by regular time. Regular time dictates nothing. It means nothing. In an institution things are very regular and all that is taken away from you so you don't have to worry about time. You sort of lose your sense of time. Five years and Millhaven went by like that. The largest part of my bit at one joint, and to me it was the smallest part of my bit (Don)

As Don clearly stated, our experience of time is related to the rhythm of our daily lives and our actions. Waking and sleeping, washing and eating, going to work and coming home, special events, the change of seasons etc., all contribute to the creation of a dynamic and textured temporal field and this experience of time is radically and abruptly disrupted by a prison sentence .

I mean when you are inside, time basically stops for you. If you stop the average person on the street and say what were you doing five years ago today, he wouldn't remember. Maybe if it was Christmas eve or something, but your average day, you say what were you doing five years ago, how many people could tell you that? They couldn't. But you are in prison and somebody asks you what were you doing May the fifth five years ago, they could tell you exactly: same thing you are doing today. So it becomes...you become numb. Time becomes, I don't know, it becomes very difficult to explain. It doesn't have the same meaning that it does when you are outside of prison (Harry).

A prison sentence is often referred to as 'doing time' "because time itself becomes something that must be served, an instrument of disempowerment. This is true not only on the macroscopic scale, but also in the intricate management of daily time to which an inmate is subjected" (Leder 55). Serge (2014 44) describes the resulting relationship of unreality with the landscape of time:

Here I am back in a cell. Alone. Minutes, hours , days slip away with terrifying insubstantiality. Months will pass away like this, and years. Life! The problem of time is everything. Nothing distinguishes one hour from the next: the minutes and hours fall slowly, torturously. Once past, they vanish into near nothingness. The present minute is infinite. But time does not exist. A madman's logic?

Prison life consists of endless repetition, and prisoners are aware that their free lives in society have been usurped while their bodies and identities continue to age and change (Medlicott 211). To cope with prison life is to cope with the terror that time can represent. "Numb. You become numb. I don't know how else to describe it" (Harry). The phenomenon of the emptiness of time which paradoxically moves too fast seems to be something that many prisoners experience and causes them great discomfort particularly during their initial periods of incarceration.

.....at first you are still living your outside life, you are thinking of time in that way. And that is why some of the guys that first go in commit suicide in the first few months. They just can't. It is that trying to change over, you got to change your mind over to that prison time which is: ...what were you doing five years ago?.... same thing as I am doing today. It takes a long time to adjust to that. You don't do it over night. Give a guy three, four years inside, then he's starting to. And then you don't want any change. You want every day to be the same, everyday to be the same (Harry).

It is as if that embracement of the sameness of every day is an attempt to stop time in terms of their own physical and mental states of being. The seemingly endless repetition of prison time unfolds in a cyclical manner rather than in a linear progression. Moreover, according to Medicott (211), time is integrally and internally bound up with our sense of identity. Psychological definitions of personal identity, such as “I am all that I inherited as well all I have acquired” (Mann 211) are propositions about the temporality of identity formation and development. These take place against the backdrop of two experiential principles, (1) that certain phenomena repeat (2) that certain life changes are irreversible (Leach 125). Prisoners must live chained to prison time, unable to choose freely how to spend time inside, and unable to participate in the chronology of events that made up their life on the outside; events that help construct and maintain their identity; work, family birthdays and other marker events, vacations etc. And while the chronology of birth, life and death continue outside prison, the prisoner remains forcibly abstracted from it. The mismatch of one's life time-consciousness and prison time produces an uncomfortable dissonance in many, but ironically as Harry points out, prisoners learn that they can cope with inside time but not with outside time. Trying to understand outside time without being able to experience it is a source of psychic distress.

Oh, its like a bubble. You are in a bubble and everyone else is out of the bubble, so you cannot see. You are spinning like a mad hatter and I am inside this

bubble. Things are going on but I have no idea. Like the paper is there, the t.v. is there but it doesn't really affect you because you are not there. You are just reading it, ah ok its just bullshit, whatever, but you are not there feeling the effect. You are not there to experience income tax increase, the property tax increase, or the gas increase. You are not there to experience any yelling at because your wife can't afford food in the fridge. You know what I mean, you are not there to experience anything (William).

In order to evade the dissonance many prisoners (especially long term prisoners) embrace the repetitive mundanity of prison routine and disconnect from relationships that make them confront 'street time'. Consequently, the prospect of being released to the street becomes a major concern for them. In fact, they can never really leave the experience of prison behind. Victor Serge (201) talks about how the memory of prison hurts like a physical memory which has replaced his knowledge of how to live outside to the extent that he fears the transition to a world where he has to re-learn how to function on the most basic levels.

I feel the mark of jail too deeply within me. They no longer brand your shoulder with a hot iron; it is an inner world that will start to ache tomorrow. For years I was nothing but a thinking automaton whose thoughts and actions were totally separate and unrelated. Now I will have to make decisions every minute, the thousand little everyday decisions I have unlearned. I feel the same panic as a

swimmer who hasn't swum for ten years and must dive in. He has forgotten the taste of the bitter, salty water that washes away our dirt, heals our wounds and replenishes our being.

Prisoners are compelled to live in a world where individual decision-making has been usurped by institutional imperatives. For many, leaving prison can begin a process of difficult and confusing transition (Downing, Polzer and Levan 489). The disruption of space and time created by imprisonment ends abruptly, but the colonization of autonomous time remains ingrained. The machine-like repetition of prison routines effectively replace autonomous being. William's wife talked about how the residual effects of the prison routine had become embedded in him.

He said to me when he first came out, because he was able to stay with me on weekends but be back at the halfway house during the week, he said to me..... at first, if you see that I am quiet, it's not that I'm ignoring you. Or if you happen to see me stand up for no reason just give me a nod of your head to show you acknowledging me,..... because in his mind he's been in the system for so long it's the routine (Wife)... The routine wasn't there..... The routine, the door opens so you can get a coffee, or the door opens you can go eat, or the door opens that you have to go to work. You don't have to think about it..... So you get out (of prison).....you are on your own (William).

Harry talked about the bewilderment he experienced when confronted with the changes that had taken place on the outside while he was doing time inside. It reinforces a feeling of alienation, that one does not belong to the larger community. It affirms the stigma of being an ex-con. It confirms the difference between the incarcerated self and broader society. It is humiliating and degrading.

If you are living in a society that changes so fast, when you get out you are almost done by it. I mean you go the bank and they got cards and things and you wonder what do I do? And you feel silly because you keep asking well what do I have to do ? You need a pin number. What the frig a pin number? And the increase in prices.... You notice that too. The car insurance that use to cost you a hundred dollars cost you six hundred. A lot of things just slap you right in the face (Harry)

And yet there is no question about the sense of liberation and meaning connected with the liberation of personal time that occurs upon being released.

And when you come out of prison that time is different because you don't have to wake up in the morning and get breakfast if you don't want to, you don't have to get dinner, you don't have to go to the exercise yard, you don't have to go back to have count. You go out whenever you want to and it can take you all day long if you want..... The National Parole Board only gets me for half an hour once

every three months. That time is for them. Anything else is my time. Whatever I do with my time is important (Ron).

Don talks about the transition from prison to the street in which time represents a forward looking refiguration, a comparative perspective of time that differs from those who have not been to prison.

In the (armed) forces time was very precise. But when I went to the joint, time disappeared. When I got outI was putting a clock in every room. Every single room in my house a clock, a timepiece. I was very interested in time. Because I had something to live for. Back then I didn't. Time gives you meaning... gives you a sense of continuity. ..I think I understand time differently than people on the street in as much as it affects me (Don).

Time and Social Death

Like all prisoners, a lifer's experience of time becomes different from those on the street. However, what differentiates lifers from other prisoners is that they continue to 'do time' once they are released. In fact, during a life on parole they take on the role of the 'criminalized other' in a process that Gordon (10) describes as 'social death'. Social death refers to the condition of people when they are not accepted as fully human by the wider society. Gordon discusses the concept as related to her work on

imprisonment and captivity and “the question of what futurity might mean for those prisoners subject to the social death sentence” (1). She further defines it as:

.....the process by which a person is socially negated or made a human non-person as the terms of their incorporation into a society: living, they nonetheless appear as if and are treated as if they were dead. The notion of social death aims to clarify what kind of person the prisoner becomes as she or he is civilly disabled or dead in law and in the broader social domain (Gordon 10).

While she limits her analysis to incarcerated persons, the concept is particularly applicable to lifers on parole as well since the domination experienced in prison, while not as overt, is nonetheless carried over into their lives on the street.

In an interesting examination of the phenomena, Orlando Patterson discusses the notion of social death, which he posits comes from the initial enslavement process, most likely originating from capture during a battle. A captive would be spared from death and enslaved. Although this was a conditional commutation since death was only suspended as long as the slave acquiesced to his state of powerlessness. This pardon from physical death was replaced with social death, which would manifest both physically and psychologically. “Archetypically, slavery was a substitute for death in war. But almost as frequently, the death commuted was punishment for some capital offense” (Patterson 5). This makes the concept particularly poignant to the life sentence

in Canada as I have previously traced origins of the life sentence to the commutation of the death sentence. Just as the condition of slavery is never absolved, there is no pardon involved in the life sentence. Patterson (5) notes "Slavery was not a pardon; it was, peculiarly, a conditional commutation." William discusses the sub-serviant attitude a lifer must take to survive in the world.

Even though you are innocent you are a lifer. According to society, you took that step of killing. The way I look at it they know when they sentence us we are society's trash..... As long you realize your position.....If you don't realize your position then you are going to go back. You got to know your place. And I know my place. According to society, I should be quiet. And I am quiet. I do my own thing. I don't bother anybody and that the way it's got to be. Once you are in the bright lights that's when the danger is on.

Harry gives some insight into how, upon being released to Kingston he was treated like an outsider with no future.

So is it kind of an illusion, you are getting out? It's a big illusion. Because you are really not going anywhere. And one the main reasons is you are going to be discriminated against.....(T)he realities hit real quick. As soon as you start looking for a job. And with me, I think it was about the third day I was out or something, I went to open a bank account, I was standing in line and in the line next me I notice there is a woman, a guard from(one of the Federal Penitentiaries) . And

she is staring at me and giving me the worst look you have ever seen in your life.

And there is no reason for it. I never had anything to do with her. But she knew.... and she is staring at me like I am a rat or something (Harry) .

The stigma of being a lifer sticks and impedes personal growth and development. It is indeed a social death for some lifers.

.....you asked the question about what it is like when you first get out. And you know, it is a euphoria. But it only lasts 24 hours. It is short lived. 48 hours? That's all it lasts. I wouldn't even give it 48 hours..... because you are never going to be accepted again (Harry).

Ron likens the restrictions of a life sentence to being in jail, only on the outside. He feels the restrictions on his liberty in much the same way as he did when he was inside. Here again he describes a restricted life without a future.

I feel stuck, like I'm being held back. Well I am different because a lot of people don't understand it. A lot of people when they find out they want to know what a life sentence means. Because they all believe that when you are out of jail, your sentence is finished. They don't realize you have to report to a parole officer, it's like being in jail on the outside. It's another jail, but you are outside instead.

(Ron)

Harry also talked about how his parole was similar to prison.

I was married. Living on welfare, in a basement apartment. So I use to think, I'm out of one prison and back into another. One is more restrictive than the other.

(Harry)

The state of social death is well recognized by the parole board. When Harry had to appear before them for a violation of parole conditions he commented: "all they said to me was that you forgot that you weren't free." And when he was rejected from a job he was qualified for because of his record, he marched into his MP's office to complain.

I was pissed. And I told him. I says look, I did my fucking time for my crime, you are not going to keep me from having a piece of the pie just because of my past.

You know, I want a piece of the pie too. I have the ability...

He talks about how he found it impossible to obtain a decent job and how the stigma of being recognized as a lifer quickly oriented him to a harsher reality.

A criminal record can be a huge detriment to the access of resources and functioning in the community. It particularly limits opportunities for making a decent living. After five years most criminal records can be expunged through obtaining a pardon. But a lifer's record is never expunged. Their opportunities for future participation in society are truncated.

...(T)here is an enormously complex practice and discourse of time. Perhaps the most obvious or seemingly definitive is the way in which the law renders

punishment in units of life-time, giving time to be done in the present and taking away a life with a future, with the right to a future time, or futurity” (Gordon 13).

While some lifers like William are able to integrate back in the workforce, many, including Don, William and Ron are never able to obtain secure employment and are reconciled to living in poverty for the rest of their future.

Oh ya, that's the big problem right now. It's people that, they don't want a lifer working for them even. It's just one of those things about a life sentence. It deters you, it stops you from getting reasonable employment (Ron).

Social death limits the possibility of social discourse because, in the case of lifers, it totalizes their identity. It reduces their complex being to a single, stigmatized dimension:

The only identity you end up with is you are an ex con. You don't have any other identity. No one will let you have any other identity (Harry).

Thus, as well as the material deprivations that come about as a result of limitations on employment opportunities there are also social and psychological consequences. As Freud (10) noted : “ ..his work at least gives him a secure place in a portion of reality, in the human community.” Given Freud`s identification of work as a social, meaning making enterprise, it is not surprising that narratives about work were interwoven with the participants` notions of identities as lifers.

Work

The relationship between our sense of self and our work is complex. In Western society, almost everyone works at least as a means to living. But work takes on other dimensions of meaning as well as the mere provision of a material existence. The lifeworld of work is a contradictory and constitutive social environment. Kovacs (1991) developed a conceptual base for understanding the main dimensions, structures and levels of the meaning of work. He writes:

1. Human work can bring forth (it can create and shape) immediate, special, concrete meanings and some foundational values (universal meanings); It can also destroy (remove) and distort (falsify) meanings and values.
2. The second dimension of the meaning of work may be described as ontological, that is a way of being in the world; it is the primordial (pre-axiological) meaningfulness of work as a human activity, as a way of being-in and concern with the world.
3. The third meaning of work is psychological. Work creates a way of life; it is also the shaping of individual and social existence (186).

Harry was a police officer before his incarceration. His identity was very much wrapped up in being a 'good cop', one who was fair, honest and trying to make a difference in the world.

I would have gone right to the top in police work. I was a good cop. I can say that, I can say that because four days before the shooting happened I was told I was the best cop in the department, there were four hundred and fifty guys and they promoted me, 2nd class, they promoted me to detective, I wasn't a first class yet, and I had more arrests than the entire department combined..... The thing is that I always treated people fair. The only reason that I had so many arrests was because I grew up on the street. I knew how people worked.

For William work has been an enduring component of his identity throughout his life history. It has been a redeeming and stable force in his violent, unstable existence: "my work ethic was always good." His work ethic also represented a connection to normative values even though he considered himself, in many ways, different from the mainstream.

values was the same as everyone else, family, work, a little bit of money, home, security, being loved...all that stuff that is all normal. (Things) normal everyday people hold, but that was important to me too (William).

When he was 'inside' he worked on physical plant maintenance. He was trained as a millwright before going to prison so he was qualified to look after the air conditioning, plumbing, heating and mechanical in all the institutions he was held prisoner. And when he got out he wasted no time finding employment.

...after I got my day parole...I was in the half way house here. Couple months down the line, I was bored. My mind was super racing..... I said I gotta work or I am going to freak here. I just called up one guy and I says well, before you hire me there let me tell you the situation. I am in a halfway house here. So before we went to work, I went in his truck ...I introduced myself and told him what I was in for what I was out for. He says thank you for being honest but I am not afraid of you. I just know you are a worker (William).

He was residing at a half way house for about a year before he obtained full parole and was permitted to live with his family. Since his release, he has been working steadily. He has a good, secure job in which he makes a decent wage.

Well look, look at it this way. I come out of jail, I go to work, I make sure the bills are paid, boom, boom, boom..... We can buy a house now, it is cheaper than renting. OK everything is going good. We need a vehicle, I buy her a vehicle. How often can a guy in my position buy his wife a brand new car? That's how I tell it.

Indeed William's ability to maintain his identity as a worker has enabled him to reintegrate into the community in ways that many lifers are unable to. However this did not come easily to him. "It's just that I always had to work at whatever I had to do. Always had to work hard." He had the support and documentation prepared to go "on a burn out pension.....I could of had it, but I refused it. The reason is, I think it is an easy way out (William)".

Incarcerated Work

Yvonne Jewkes in her excellent article *Loss Liminality and the Life Sentence: Managing Identity Through a Disrupted Lifecourse* posits the notion that receiving a life sentence is similar to the experience of chronic or terminal illness in that the lifer loses control over significant life events. She uses the term 'lifecourse' to "embrace the notion of 'social' (as well as 'physical') existence and include life trajectories beyond the fixed moments of birth and death" (367). The social world of work is certainly one of the events that would be marked in most people's lifecourse of "expected events" (367) and while work is continued (in kind) during the period of incarceration many lifers are excluded from this social venue once they are paroled. The rupture in the lifecourse of a lifer, in most cases, tears the lifer from the familiar work world and places him in the alien environs of the prison. However, the socially constitutive facets of work are not eradicated because work continues within the prison. All the participants had numerous institutional jobs during their time inside, and they all talked about the prison jobs with pride although there are elements of 'forced labour' to prison work. Even though some of the jobs would have been considered menial there was a sense of importance of the meaning of work that was being done.

We worked from seven in the morning to eleven at night. Every day. Never got a day off. We did all the meals, we made sure the place was clean. We had to watch the crazy inmates, the ones that were giving staff a hard time. We were

body guards and cleaners, and cooks, then on Saturday and Sunday mornings we had to cook the breakfasts ourselves. So we had to get up earlier to cook six hundred eggs, you know, this type of thing eh? (Harry)

And not all the work was menial. As noted above, William worked in physical plant maintenance. He showed himself to be competent and reliable and was given quite a bit of privilege because of his competence. "My boss was very forgiving. I did the work I needed to do. He didn't have to do the work so he was happy, whatever, stuff I did on the side he didn't care. Bottom line he was happy with it." So, not only was William able to practice his skilled trade while he was inside, he spent his time doing advocacy work, wood carving, and engaged in illicit money making endeavours to support his family on the outside. Don talked with pride about how he "ran the greenhouse" and helped in the construction of the institutional composter, jobs that were fulfilling and tapped into areas of his expertise. Harry recalled working in the psychology department and noted "They say I was the best orderly they ever had. I helped a lot of guys. I could sit down and talk to them. It worked out pretty good."

Thus, while incarceration colonizes many dimensions of agency, the meaningfulness of work as a way of being in the world is not necessarily lost upon incarceration. However, after lifers are released back in the community many find it difficult, often impossible, to find meaningful employment.

Lack of Work in the Community

Finding and keeping meaningful work in the community can be problematic for lifers. William was the only lifer I interviewed who was able to maintain meaningful employment after release. The stigma of being a lifer with an ongoing criminal record prohibits many employment opportunities but also the effects of time and a changing economy have made it difficult to readjust to the new job market. Before serving time Ron recounts how he had no trouble finding good paying work.

End of 74.... I started working at Weyerhaeuser. I didn't have a problem getting jobs. Then I uh booked a day sick at Weyerhaeuser and went to the steel plant, filled out an application there. Back then you didn't need a diploma. You got hired on right away, so..... You had a job and you went to another job and they see your working they say ok let's take him (Ron).

However, when he was released, he never found meaningful employment in spite of re-training efforts while on day parole.

Oh ya, that's the big problem right now. It's people that, they don't want a lifer working for them even. It's just one of those things about a life sentence. It deters you, it stops you from getting reasonable employment. But I have people that help me. I am on Ontario Works. And just last month there when I went to an employment counselor for a meeting she put in her report that I am unemployable because I am 58 and because I am a lifer.

Harry echoes some of those sentiments when talked about how the initial 'rush' of finally being in the community upon release is short-lived. He noted:

I had plans. I was going to get out and get a really good job and I was going to make something of it. Make up for what had happened more or less I mean I went to St. Lawrence College, I went to the one in ah Belleville there, Niagara College....you are really not going anywhere..... And one the main reasons is you are going to be discriminated against.....who the hell is going to hire an ex-con. It wasn't as bad back then, I mean people couldn't get on their computer and do a check. But now, (anyone can get a record check).(Harry).

So it was a bit of an eye opener for Harry when he found it difficult to find work in spite of having successfully trained as an industrial maintenance mechanic.

I was so mad when they told me they were not going to accept me at ...at Goodyear. I left there and went right the local MP's office.... and I told him. I says look, I did my fucking time for my crime, you are not going to keep me from having a piece of the pie just because of my past. You know, I want a piece of the pie too. I have the ability to do it.

After a number of disappointing episodes he came to the conclusion that he would never be able to pick up where he left off and was resigned to live his life as an outcast and leave the community where he had lived most of his life for an isolated existence in Northern Ontario.

Interestingly, Don talked with pride about a short lived job he had in a laundry facility. Although the work was menial and fell way below his skill and education level he narrated it in a way that depicted his core identity as a highly intelligent and knowledgeable scientist.

And I made my name as the best wedding dress presser in (the city). I was there mainly because of my innate knowledge of chemicals and chemical reactions how to remove stains more than anything else. I could get mildew out of whites and wedding dresses, I had a knack for getting stains out.

The pride he expresses in his work is interwoven with his identity. Even though the job was menial there was a sense of self-importance in that his special abilities, those core features of himself that remained stable throughout his life history which enabled him to 'excel' in his work.

Identity

Steven Sansino (2005 176-178) has developed a three stage framework for the analysis of Narrative Identity using Ricoeurian theory as its basis. Stage one considers the dialectic of selfhood and sameness. It considers how the interconnectedness of events constituted by employment in the narrative brings into opposition elements of the self that are "permanent in time", or stable, with elements that are diverse, variable, discontinuous, or unstable. This analysis begins to develop what Ricoeur calls a dialectic

of character that is internal to the character, where the narrative appears as the path of the character and the character appears as the path of the narrative.

They called me Dr. Don, I smoked a pipe, I was the only one with a degree, all bikers. And one guy got smart with me one day he said “what was the last planet in the system?” I said “Pluto.” He goes “wrong. Pluto is inside the orbit of Neptune. And it will be inside its orbit for the next ten years.” (Don).

In this narrative excerpt Don sets himself apart from the other inmates by emphasizing one of the core elements of his identity- specifically his intelligence and education. He brings into opposition the dialectic of sameness and difference, the sameness that they are all prisoners and his uniqueness by virtue of his IQ and education. However, he notes how he is challenged on his points of difference and adopts the identity of the prisoner, the same as the others. His narrative takes on those diverse dimensions, his uniqueness and sameness within the prison setting.

In stage two, Sonsino (177) notes the analysis begins to develop what Ricoeur calls a dialectic of character that is internal to the character. This is where the narrative appears as the path of the character and the character appears as the path of the narrative. Part of this character analysis also involves an analysis of what Ricoeur calls “role,” in which a character passes through the stages of (i) possibility, (ii) action or inaction, and (iii) completion or incompleteness. Don takes on the role of the prisoner and his character begins to meld with his story:

can't really say I enjoyed my time because I didn't like doing time in captivity. But I was a prisoner I wasn't an inmate. I did not work for the guards. I was a convict, I was a prisoner, I was held against my will (Don).

To further illustrate this stage of analysis I want to refer back to the narrative excerpt which describes Ron's attempted escape from Millhaven- the excerpt I used to illustrate the concept of limit experience. Ron referred to this experience as a 'mystical experience' or a 'spiritual awakening'; in other words a completed action which radically altered his consciousness. And as he told the story (I have heard him recount it several times) it became evident that he was narrating a part of his self in a nascent moment during which he passed through the stages of possibility, action and completion. He talks about this experience as if it has become ingrained into his very being. His escape attempt has thus become part of his character. It is also an important aspect of his self that he uses to describe his character, his strength of will, his resistance, and his spirituality. It is an important element of the plot of his narrative as a lifer and his role as a spiritual being.

Sosino's third stage (178) involves interweaving and refiguring: what are the mutual implications of emplotted actions and character especially as regards the ethical intentions of the character. The narrative component of self-understanding derived from analyzing character, plot, and the relation between them is contrasted with the ethical drivers that motivate characters. It Sosino's third stage (178) involves

interweaving and refiguring: what are the mutual implications of emplotted actions and character especially as regards the ethical intentions of the character. The narrative component of self-understanding derived from analyzing character, plot, and the relation between them is contrasted with the ethical drivers that motivate characters.

To illustrate this I want to use narrative excerpts that refer to the prevailing normative discourse of rehabilitation during the time all the participants were incarcerated. By looking at this aspect of the participants' narratives I can unveil some of the contradictions in the layers of meaning and the discrete experience of the lifers.

Yeah. I wasn't going to go out like I saw some of these guys, I seen them doing life on the installment plan, doing two years here three years there. I'm not going to do those kinds of bits. And I was going to make sure I went out better than when I came in. If I didn't, that person's life which I took, was a waste. If I learned to become a better person for it, then to me it was worth something. If I was just going to turn it over like these other guys there would be no hope for me (Don).

This is an interesting excerpt because Don again talks about differentiating himself from the criminal others but at the same time adopts that identity in aspiring to make use of his time and come out a better person. In *Time and Narrative*, Ricoeur suggests that narrative identity encompasses both harmony and dissonance, in history and in fiction, especially when the discordance in question is temporal. Don had been on parole for over sixteen years when he was recounting this aspect of his prison

experience. He was interweaving the dominant discourse of rehabilitation into his experience as a melding of fiction of history. Ricoeur extends his interest in narrative and time in *Oneself As Another* by suggesting that narrative identity mediates between two kinds of permanence in time: first the idea of selfhood as character, with its unbreakable habits, but also the idea of self-constancy, or keeping one's word, which Ricoeur perceives as more of a voluntary action.

Time just goes by too fast. Prison, time is slow until you start doing things with your life, changing your life, healing your life or whatever you are going to do, make sure that you don't come back. You just have to keep your mind thinking (Ron).

Here Ron refers to the rehabilitation narrative which opposes his primary narrative of innocence and unjust incarceration. If he was innocent (and there are no doubts about his innocence) why would he need to refer to the 'rehabilitative narrative' to ensure he does not return to jail, if not only because it is the dominant discourse? Ricoeur claims that narrative is a condition of human temporal existence. Perhaps Ron is referring to a personal change, from a negative resistance to a positive resistance in which his self has become established over time.

The injustice? Well it affects you in everyway in your life. Because even if I get exonerated after all this fight is over, it is still going to be part of my life, for the rest of my life (Ron).

In this excerpt Ron shows how the emplotment of fighting his unfair sentence has become ingrained into his character and his character has become ingrained into his story. And being a lifer has become another component of his identity along with other negative stigmas pre-figured into his character.

I am a lifer, doesn't matter how you look at it. I am stuck with that stigma of murderer....It's a label, a title. It's like all the other labels I wore all my life; retard, slow learner, you will never accomplish anything like my dad use to say over and over to me. It was like a broken record....and so on and so on (Ron).

In spite of his innocence he has had to live with the title and consequences of being labeled as a lifer. The character has become part of the story. William also talked about how the emplotment of being a lifer has become incorporated into his identity.

I am a lifer. Bottom line. How does it form a sense of who you are? It's hard to explain. Bottom line I was convicted and did the time. And there you go. I sum it up, ya I'm serving life-fifteen. That's all there is. There is no way around it. Like the skills I got I brought with me to jail and the skills I got in jail I bring back out to society; so you know what?.... I benefit from it, society benefits from it. I always try to adapt what I have to, to the situation....A lot of things I learned, so I am applying it to everyday living...At that time (of the murder) in my mind...it was a tooth for a tooth and an eye for an eye. Now it is totally different. I don't even think that way. (William)

Like Ron, William talks about a refiguration of the self. When he refers to the 'skills' he learned in prison he refers to the cognitive based skills like anger management that he believes helped him address situations which he previously would have reacted to with physical violence. He has adopted the things he learned in prison and has refigured himself to address concerns of obligation, duty and personal conviction.

Humour was a major factor in my life. Honesty... When I was going through the system I pretty well honed my communication skills, interaction skills. The violence went less and less because I knew how to, well I had a bigger tool box. More precise (William).

Here he talks about those pre-figured parts of his self that have remained constant, and those he has acquired through the period of his incarceration and how he has changed to become the person he has. In a way it is his redemption story, although he has not restored himself to a previous iteration, he has used what he originally had, enhanced and refined those skills so that they have become ingrained into his character and his character into his story.

Like Ron, Harry has carried with him a strong sense of justice.

So issues like justice were important, very important. I was always getting discussions going with people about it. Because I mean, I've seen a lot of injustice. Even when you are a kid you learn fast. I still have a strong sense of right and wrong. I know that. And what is correct and what is not correct. But

with age I have mellowed. That's for sure. My core beliefs haven't changed.

Regardless of everything I went through I haven't changed (Harry).

And although his experience with the justice system has made him cynical:

It doesn't mean I've lost my core beliefs. It is very strange I went to jail on a

murder charge because that isn't me. You know, all the time I was on the job I

had plenty of opportunityIt wasn't me (Harry)

Conclusions

I depend largely on Foucauldian concepts in this work and I limited my use of Paul Ricoeur's work to the section on narrative identity. Nonetheless his influence on my thinking can be seen throughout the entire body of this thesis. It is Ricoeurian theory and the use of narratives that firmly anchors this thesis in the disciplines of the humanities. The events described by the narrators were important to the extent that they contributed to a plot (Ricoeur 1984 65). Narrative is a way of understanding life as it is lived. It is rich in texture because it focuses upon highly particularized images which enables us to imagine the situatedness of the lives being experienced.

When we use narratives for research purposes, we open a living past to interpretation and reinterpretation as well to meaning making in and for the present.

The use of narratives provides a means of gaining an in depth understanding of the lives

of these participants and how the various dimensions of the life sentence have shaped their identities over time, while serving time.

While I set out to focus on stories about parole experiences, it seems that most of the material related to me had to do with the participants' experiences of incarceration. It was as if imprisonment was something that could not be left behind, a set of experiences that became interwoven with the participants' identities; a set of experiences which occurred in the past but regulates how they exist in the present while simultaneously truncating their futures. In particular, the systemic violence endured by the participants contributed to a sense of hyper-vigilance which became inscribed in their persons and persisted in their post-prison demeanour. It was my impression that their prison lives were tantamount to a limit-experience, described in Wikipedia as a "type of action or experience which approaches the edge of living in terms of its intensity and its seeming impossibility." The limit-experience is what sets lifers apart from others in the community. There exists already a substantial literature on the trauma inducing violence that takes place in prison and the narratives in this thesis add a rich dimension to that work. But there seems to be a paucity of research into the limit-experience, particularly as it applies to lifers. The small number of narrators in this study narrowed the scope of this inquiry and further research into this notion is warranted to broaden and deepen the understanding of the phenomenon.

Both imprisonment and parole are carceral experiences, although the self regulating

behaviours Foucault attributes to governmental power relations appear to manifest more poignantly on the outside of prison than on the inside where sovereign forms of power relations remain. While the overt forces of power inside the walls of prison elicit self-regulating behaviours and resistance, the gaze which penetrates life on the street is a powerful mechanism for insuring compliance. Inside, the prisoner learns to self-regulate his conduct in order to avoid punishment or have his behaviour read as normal but he also engages in overt and covert forms of resistance. Outside, the panoptic gaze appears to have a powerful effect and self-regulation has become ingrained into the lifer's being. Thus, the goal of social control apparatuses becomes not only the exercise of power, or the discipline of individuals, but also the responsabilization of each individual so that he is amenable, accountable and answerable. This compels the individual to embrace dominant ideologies while simultaneously resisting them. Indeed all the participants (even Ron who did not commit a crime) adopted the dominant discourse of rehabilitation while at the same time being highly critical of the carceral system.

Nonetheless, according to Foucault, where there is power there is resistance and this resistance is never in a position of exteriority in relation to power. All four of the participants talked with pride about their acts of resistance, perhaps intuitively recognizing that they were productive and meaningful, even if the act was relatively insignificant. Resistance on the inside adopted both covert and overt acts, whereas resistance on the outside had a more cautious and reserved tenor. I believe that the

difference in forms of resistance between being on the inside and being on the outside warrants further examination. We must also expand this field of exploration to the emancipated body to understand how this freedom conditions their presentation of self and sense of identity.

All the participants talked insightfully about the meaning of time. Those of us not serving a life sentence tend refer to time in its casually commodified form. We use tropes like 'spending time', 'saving time' 'buying time' 'wasting time' etc. but we give little thought to the meaning that time takes on for us. The lifers I talked to all came to understand time differently. In 'doing time' their 'life time' has been colonized by the correctional system. Penal time becomes 'time served' and an instrument of disempowerment. The mind numbing, repetitious routines of institutional life eventually become ingrained into their being to the extent that they can hardly conceive of any other manner of existence. Reintegration for lifers is fraught with effects of time served and even the most successful of the participants reported he could never shake the ravages of 'time in'. The sheer magnitude of time being served must be addressed by penal policies. Current statistics indicate that those serving life sentences are increasingly spending longer periods of time in prison. Nafekh & Flight (2007) noted that "the average incarceration time for 1st-degree murderers was found to be 22.4 years, an increase of 6.6 years over sentences that fell under the capital murder definition" (n.p.) and they predict an increase in time served for those convicted of second degree

murder. Duration of sentence is an important point of consideration for successful reintegration. With the exception of Ron (who was unjustly convicted), the men in this research did not argue against their imprisonment, but maintained that they succeeded in spite of its duration. The magnitude of the sentences can be seen as primarily retributive and therefore, counterproductive in terms of reintegration. Given this, we should consider other alternatives (eg. shorter sentences, community-based initiatives, earlier parole eligibility) since incapacitation is not the only means of protecting the public and there may be more effective and efficient ways of doing so. Nonetheless current policies have taken the opposite approach and time in for lifers is becoming longer with less and less consideration for rehabilitation and reintegration. In the year 2015 we are witnessing for the first time consecutive life sentences being administered, effectively rendering no chance for parole. The ethics of these kinds of policies is another area that can be addressed in further research.

I originally coded the transcripts for 'stigma' and 'ostracism' but the notion of Social Death is a much broader and complex concept that I encountered rather late in the research process. Consequently I had to review and re-code the transcripts. While some rich descriptive material emerged from my second reading, I believe a more in-depth examination of the phenomenon could have been elicited from the participants during the interview process. Talking to lifers about the social death they experience, would enhance this fascinating literature.

I segued from Social Death into the arena of work and identity because it is through the working world that many lifers feel the sting of being ostracized and denied an intrinsic place in the world. This was clearly expressed by Don, Harry and Ron. However William has been successful in finding himself a place in the work world and hence, to a degree, larger society. Unlike the section on Social Death, which I discovered in reviewing literature on time, the ontological aspects of work clearly emerged through the transcripts. What I found particularly surprising was the prideful feelings connected with work on the inside, and how this positive, identity forming aspect of work was lost for three of the four participants upon release. Once outside, exclusion from the economic sphere of society has had profound limiting effects on the participants' social reality. Living in poverty is a fact of life that they have had to begrudgingly accommodate to. Don, Harry and Ron all expressed a profound frustration with the lack of opportunity they have had since being released. At least part of this frustration is a result of their perpetual parole status. Given the extremely low rate of recidivism for lifers one must question the practicality of the life sentence. Clearly it succeeds in keeping the lifer in a permanent state of criminalization effectively 'othering' him/her but it has questionable value in protecting the public in the overwhelming majority of cases. Without a doubt, there are a few individuals who have no chance of redemption or whose crimes are of such horrific consequence that they must be incarcerated for their lifetime, but for the majority of lifers to be lumped in with these under a

mandatory minimum lifetime sentence is unjust in its broad sweeping approach to those facing charges of 1st and 2nd degree charges for murder. The entire notion of mandatory minimum sentences should be revisited so that individual circumstances can be taken into account. Further research into this can include a review of Paul Ricoeur's work on Restorative Justice specifically his look into the notion of the 'pardon' and *Memory and Forgetting*.

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Appendices

Appendix 1: Interview Questions

INCARCERATION PERIOD

How long were you in jail?

I would like to know what your experience of incarceration was like. Can you tell me about it? Did it change over time?

Can you tell me of an incident or something that happened inside that captures what it was like for you, or something that happened that made it all click for you, that enabled you to understand what it meant to be inside.

Did you have to change the way you relate to other people?

Does your penitentiary experience form a part of who you are today? In what ways?

Can you describe in what ways you changed as a person from the time you entered prison to when you were released?

There are various terms for a jail sentence: a bit, a beef, doing time, etc. I want to focus on the expression 'doing time' and get your sense of how time goes by in jail and when you are released.

Does the sense of time have a different meaning before, during and after your jail term?

Do you think you understand time differently than people on the street?

When you were in jail, you were constantly being watched and reported on either directly by staff, or indirectly through surveillance cameras or listening in on your telephone conversations or having your correspondence read.

How did this affect you?

Were you able to find ways to resist this kind of intrusion?

Can you recall what it was like to try to imagine life on the outside?

How did you cope in jail?

Were you active in a lifers group or inmate committee, creative activities like art, writing etc.?

PAROLE HEARINGS

When did you first apply for parole?

What was it like for you?

How long did it take to get a hearing?

At the hearing, and through correspondence, what was it like dealing with the parole board?

How did you present yourself to them? Did you get advice on what to say and how to say it?

What kinds of things were you trying to get across to them?

What kind of arguments did you make?

What was their response?

PAROLE

I am particularly interested in what your life is like now that you are on parole and in the community.

How long was your day parole?

What was it like living in the halfway house?

Do you think living in the halfway house changed you as a person? If so, in what ways?

How did you go about re adjusting to being on the street.

What was it like moving from the inside to the outside?

How long have you been on full parole?

How did you go about re-claiming your life in the community?

Can you talk briefly about your financial situation? What does lifetime of parole mean for your ability to make a decent living?

Has your parole ever been suspended or revoked? If yes tell me about it. How did it affect you?

Now you are out on parole, surveillance is less obvious, but you are still being watched by the CSC and PBC; you have conditions and report to the parole office. How does this affect you?

Now you are out on the outside, does it still feel like you are doing time? How? Is it different than the time you were doing when you were inside? Explain.

How do you cope on the outside? Are you part of a support group, play a musical instrument, do artwork, write or any other creative activity?

Can you tell me of an incident or something that happened to you since you have been out that captures what it was like for you to be on parole for the rest of your life?

Can you describe how you have changed as a person since you have been on parole?

ON BEING A LIFER

How are lifers different?

What does it mean to you to be doing a life bit?

Do you think of yourself as a 'lifer'? Does this form a sense of who you are? How? How has it shaped who you are in relation to the community?

Do you feel like you are different from most people on the street? In what ways?

How successful have you been in putting your life back together again on the outside.

How do you see the future?

Is being paroled for life a freedom, is it liberating, or is it a sanction, is it restricting, with the conditions and requirements to report etc., or is it something altogether different?

Do you feel like a part of you is still inside?

Do you fear being returned to prison? How do you deal with this fear?

What do you think of the life sentence as a form of justice?

I am going to read you a short passage from a book I recently read about a guy who was wrongfully convicted of a murder in the U.S. and spent eighteen years on Death Row.

I can't pinpoint exactly when I began to lose my flexibility, my ability to bounce back from an unsettling incident; I can only look back and see that it's gone...But I survived it intact, more or less. Don't get me wrong - my heart, soul, body, and mind all have scars that will never properly heal. Still, I survived. I'm not so sure I could do that if the whole thing had happened to me later in life. I believe would've been entirely possible for me to drop dead of shock and trauma right in the courtroom.

If I hadn't been sent to prison at such a young age there's no way I could've ever adapted to it... As it is, I grew up in this place. Perhaps that's what robbed me of my inner flexibility.

I no longer approach each situation in life with an open heart, ready to learn. Instead I come like a wary old man scared of being knocked on his ass again. An old man knows that at his age those bruises don't heal as quickly as they used to. I used to learn as a youth because I was curious. I didn't necessarily even think about learning; it was more like being one of those baby animals you see on the nature shows. They almost learned by accident, just from being wide-eyed and playful. Now I court knowledge out of fear. I

figured the more I know, the more I'll be able to control a situation and keep from getting hurt again (Echols 27).

I was really moved by this passage. It describes how the way he understands the world is shaped by the time he did.

Can you identify with what he is saying?

How do you feel your experience with the justice system has influenced the way you live in the world?

That is all for the questions I have prepared. Is there anything you want to add? Would you like to re-visit some of things you said?

Appendix 2: Participant's Stories

1 Don's Story

Don P.

Don grew up in southern Ontario, but moved to a northern Ontario city upon release from prison. "So I applied to (a half way house specializing in addictions treatment)..... I thought I'd drift north, you know like everybody else going to Alaska. I figured that if I went north everybody would forget about me". He is the second child of British Immigrants. His father was a denturist, a very good one by Don's accounts, and materially, they had a comfortable existence. However, his home life was fraught with scenes of domestic violence and alcoholism. "It was so dysfunctional, but I did not know that this was not normal."

He recounts that one of his father's cheeks was a mass of scar tissue as a result of it being repeatedly raked by his mother's nails during their violent arguments. But he also noted that his father never struck his mother, it was only his mother who was physically violent. Don had a lot of respect and admiration for his father who he portrayed as a normally reserved individual but still harbors resentment towards his mother who he depicts as the instigator of the constant drama and the terror he

experienced at home. In spite of this tumultuous existence he excelled at school and consistently brought home top grades. He craved positive acknowledgement and attention from his parents but never seemed to receive adequate responses to his achievements. At a fairly young age he started playing piano and soon excelled at this as well. In spite of winning competitions he felt his parents were not genuinely appreciative or respectful of his talents. He recounted that they would often come home drunk with company and wake him at all hours of the morning to play for them, 'showing him off like some trained animal performing tricks'.

At a young age an aunt sponsored him in Mensa and he achieved an exceptional IQ rating notably in spatial orientation and creativity. Don's creativity and brilliance is readily evident. His apartment is full of his paintings and drawings and he has an encyclopedic knowledge of a wide range of topics, particularly insects, about which he has had a lifelong passionate fascination. Since "the age of five when I went to kindergarten and the kindergarten teacher came in with a cecropia moth hanging off her finger, I knew from that moment what I wanted to do with the rest of my life . And it was very reassuring, you know, specializing in entomology ". His nick name in jail was "Bug Man" because spent a lot of time capturing, mounting and identifying insects, particularly moths and butterflies. But this handle had an ironic connotation to it because in jailhouse slang a 'bug' is someone who has mental health problems and is

medicated for it. As Don said, “but I was an honorary bug (because) I could flip at any time I guess”.

Academically, he breezed through high school although like many gifted persons he never felt he fit in with the mainstream. Socially, he associated with the `freaks`, a group of kids who were pre-occupied with smoking pot and hashish. After he completed high school he enlisted with the naval forces “because Niagara-on-the-Lake didn't hold any attraction for me anymore, I drank the town dry, basically and had relations with all the available women.” It is hard to imagine someone with Don’s intelligence and disposition thriving in the armed services and he agreed that “the forces --I didn't like, but compared to jail it was a good thing “. It is no surprise then that it was at this stage in life when he became a serious alcoholic. But in spite of this he also managed, during this period, to complete a BA and an MSC in biological sciences, specializing in entomology. But his alcoholism was so severe it came to the attention of the military authorities and they compelled him to seek treatment. He remarked that he celebrated his first year of sobriety by getting drunk.

He left the military and returned to Southern Ontario where he fell in love with a woman who shared his love of booze. They wanted to leave town but were broke and hatched a plan to perform a home robbery to get the cash. But during the robbery the occupant of the house, an elderly woman, woke up and confronted them. Don struck

her with a table leg he was carrying. He intended to hit her on the shoulder but he struck her on the back of the head and she died from the injury. He was found guilty of second degree murder and spent twelve years of his life sentence in prison.

Like many people found guilty of murder, Don's life sentence was his first experience of incarceration. He had no sense of jailhouse culture, the values or the expectations of behaviour. "There were lots of unspoken rules....first rule, keep your eyes front, you don't look at what's none of your business.....the first day I was in there I got punched out....you get tuned in." He quickly learned to stay out of other people's business, to stand up for himself and how to get along with others in the violent culture.

.. Everybody finds their way of surviving. They put up defenses. They try to curry favor with the people that mean the most to everyone else, the movers and shakers.... And I did pretty good. I became the Jail house lawyer at one point because the guys trusted me enough to tell stuff they would only tell their lawyers and keep my mouth shut, and I did... They called me Dr. Don, I smoked a pipe, I was the only one with a degree, all bikers. It was pretty interesting, I was in there with double and triple lifers, bikers (mostly). I was (also) what they called a brewmaster. So I would get a peanut butter jar and shine it up. And I would shine it and it

would be about 120 over proof, blue flame it was, and I would sell it for a nice piece of hash or smokes and that's what I did.

So he was able to illicitly obtain all the necessary materials to make a mash, ferment it, distill it and trade it without getting caught. This kind of underground activity engenders a form of solidarity and camaraderie as well as establishing an identity and function within the prisoner population. But he also found legitimate ways to pursue his interests and to serve his time productively.

Yeah. I wasn't going to go out like I saw some of these guys, I seen them doing life on the installment plan, doing two years here three years there. I'm not going to do those kinds of bits. And I was going to make sure I went out better than when I came in. If I didn't, that person's life which I took, was a waste. If I learned to become a better person for it, then to me it was worth something. If I was just going to turn it over like these other guys there would be no hope for me.

In spite of having "to live for the moment" he maintained the hope and conviction that he would be released in the future. He completed an apiary course through Guelph University and kept busy with painting and craft work. He became involved in Institutional projects, notably the construction of a large composting plant and started a greenhouse that sold bedding plants to the public

as well as for landscaping the Institutional grounds. He worked on the inmate committee and was chair for a term. He was engaged and active, but also, significantly, he received acknowledgement from the prison authorities and was given privileges to access insect specimens. ..." during nighttime, twelve, two, four o'clock ...I'd be up and around the joint climbing telephone poles to get my moths, for my butterfly collections because they were attracted to lights . So at two o'clock in the morning they would see me on top of a light pole and the other guys would be, oh that's Don, don't worry about him". So he became a "big frog in a little pond", successful in adapting to the institution, but this did not work in his favour when he was released.

You get out here and you're in a huge pond and your little tadpole. How can you protect yourself against everybody? So you have to give up a few things that you thought were concrete. You have to give up any kind of manipulation, basically you have to become an honest person who toes the line.

Don talked about the profound impact of serving a life sentence, how it takes time to come to terms with it and what meaning it has for the individual.

The joint demeanor, the attitude is something you pick up not when you...

Well a guard told me this once; he was in KP and he saw this guy who was

in like for 25 years and it didn't click because the guy was all happy and all this when he got there and everythingt. Then, one day he saw the guy standing outside his cell looking up at the (cell) card. The card shows how much time you doing. Stuck in a little frame above the door. And he was just standing looking at and he wouldn't move. And the guard tried to push him away and he wouldn't move. Finally he broke down crying. The guard said what was it? And he said, I finally realized how much time I'm doing . And it finally got through to him ... People don't realize how long they have to do until (after) about five years You sort of lose your sense of time. Five years and Millhaven went by like that. The largest part of my bit at one joint, and to me it was the smallest part of my bit. I learned more towards the end than the beginning.

While he was able to adjust, accommodate and manage to carve out his niche on the inside, spending over twelve years in jail has had an indelible effect on Don, both psychologically and physically. It is an understatement to say that inmates live in a perpetual state of stress throughout their terms of incarceration. They can never let their guard down. They perpetually fear for their safety and well being. They witness and are vulnerable to a level of violence (beatings, stabbings, suicides, murders etc.) not imaginable by most of us. Not only does it

make one wary and cautious, it hardens a person. It inures them to their immediate natural responses of compassion, empathy and mutuality. It changes their attitudes and values. Don was no different in this regard, and perhaps was even a little more vulnerable due to his high level of intelligence, sensitivity, and his childhood experiences.

And what that means is you live for the moment. You do what you can afford to do because every moment is sheer terror. You have your faculties pinpointed. All the time, aware of everything around you. World War III could be going on right now or when I'm sleeping at night but if you first came here somehow and breathed quietly (demonstrates) I would be up right away. Survival instinct. One Sunday morning... a fellow got shanked. He got a shank stuck through his neck and all I could hear was a rasping noise, him pulling oxygen in through the hole in his throat. And this is a well-built guy, but two guys took him out. And the sound of him trying to breathe. I was laying in bed but I couldn't move. You don't stick your nose in where it's not supposed to be. So when I heard that, I didn't move. I had to clean out his cell as a range cleaner. The smell of two-week-old blood in a hot cell. Stunk, but that didn't bother me. But

hearing someone gasping for life and knowing nobody was going to do anything about it.....

And now that he has been out for over twelve years, he maintains that hyper-vigilance; he remains alert and wary, but he does not see that as a negative trait. He has ameliorated it to a reflexivity, being cautious and rational rather than being impulsive and naive.

I do approach things with fear. If I go into any new situation I'm always looking for that next boot to fall. But that is what keeps you safe, being cautious. You stand back and reflect. That's what time in, being a lifer, does. You get to sit back and think. You think about your actions before you ever do them. Is it worth it, is it not worth it... what's it going to cost me. What would it cost others. And there are scars everywhere in my mind and in my heart. Especially in my heart. When I got over the joint I was a bit hardened and ... fearful and I still am a bit fearful.... There will always be a part of me inside. I fear being returned to prison.

The negative effects of long term stress on health are well documented. Exposure to chronically elevated levels of cortisol and other stress hormones put a person at higher risk for anxiety, depression, digestive problems, heart disease, sleep problems, weight gain, memory and concentration impairment. Don suffered a severe

stroke at the age of forty. And while he made a remarkable recovery, he has residual impairments that have further degraded his already meagre standard of living. He is partially paralyzed, his speech is slurred his respiratory system is compromised and there are areas in his brain stem that are atrophied and continue to degenerate. His prognosis is not good.

Living feels like I am doing time... because of the state I am in. Because the stroke took so much of my humanity away from me. The things I worked for years ...the keyboards, the painting and everything, even my cognitive abilities. Forty years old and who expects to have your diapers changed. And to have your dignity stripped away. And not being able to talk.... That's what that stroke reminded me of, being inside mentally, being inside. I've had twelve years of freedom now I would like to enjoy some more. And He's taking everything He gave away from me. And if you ever want to hurt a man, don't kill him, take something away from him, break it, and then give it back. Every time he looks at it it will remind him what he did wrong. ... I'm in my own prison now because of the stroke.

Like most people who spend lengthy terms in prison, Don had a very difficult time adjusting to life back out on the street.

Readjusting to being on the street, it took time, time and figuring things out. Like having to come to peace with a lot of crap. Having to erase a lot of old tapes in my head and take over them. New behaviors and everything else. Part of the problem is how successful I was in jail. I let myself become institutionalized and when I got out and that's what I was doing, I was sitting with my back to the corner stealing sugar, cutlery, stuff like that when I went to restaurants. Typical joint behavior

And when I first got to the halfway house a girl.....came running down. When I first got there on my first UTA I said hi everybody and she came running through the kitchen and ...hi and I went whoa, stand back please I need space. Because I couldn't take it I didn't have that kind of contact from anyone in a while. It took me some time before I could let people pass those borders, you know.... the inside

He spent an unusually long period of time at the halfway house and had some trepidation about moving out on his own in the community.

I was on day parole for 18 months. It was pretty intense living in the halfway house because it addressed my alcoholism. I mean I didn't drink for a longtime while I was in jail but it was white knuckle sobriety more than anything else. I had to learn reasons why.

And in spite of the fact that he has remained sober and has formed strong ties with the AA community, Don was never really able to become fully integrated in the larger society. Other than a brief period of working in a laundry he has been unable to hold a steady job. And he has had numerous relationships with women, but has never been able to settle into a long term relationship with a significant other.

I think the services that are being offered, like ODSP and some of these other services have to be available to people when they get out of the joint. Like they say they have PTSD and I would say nine times out of 10 it is true..... But (even) if you're fairly strong-willed you can go for a long time but it can still get to you.

Like it did to me, it didn't set itself in me it didn't carve me, but it left its impression on me. A lot. More than what I thought it would

Nonethe less he is grateful for his relative freedom and compared to being in jail, he doesn't mind being on parole. He is able to take joy in the limited life he has and appreciate the support he receives.

I'm surrounded by a bunch of decent people who know why I'm here. And sometimes I don't think I deserve that friendship. Because of what I had done. I don't think I'm worth their time. I don't think I ever earned these people, I don't know what it is, but I wouldn't be here without them. Feels good to be loved.

2 William's Story

"I am a very strong minded person. I never lost that."

My interview with William was a bit unusual compared to the others because of his wife, Fay's participation. I was a bit concerned about how the presence of a third party might influence the dialogue but to my surprise the dynamic with three was not much different than the dynamic with two. Fay's presence actually added a degree of depth to the interview. Fay and William were living together when the murder took place and they continued to maintain a strong relationship throughout his fifteen years of incarceration and subsequent period of release and reintegration. Fay has stayed with him and given him unfailing support every step of the way. Referring to his reintegration he remarked:

If it wasn't for her it wasn't going to happen. I would still be there, maybe not, but I am just saying it would have taken longer to move on because the support wasn't there. The support, the information wouldn't have been there. She made sure the information was there at a certain speed so I could pick it up and make sense of it.

When he was moved within the prison system, Fay relocated in order to be close to him. But the relationship has not been completely smooth and easy. They have had to adjust

to each new development. For example Fay noted: "when he came out, we had to get to know each other all over again. We are married, yes legally, but it is like we are being back to dating, being engaged". William said that even after six years of being out they still have to work at things. But William's story and Fay's story are co-existing. Listening to Fay made me think of how the impact of a life also has severe consequences for the intimate others in that person's life; the spouses, parents, children etc.. As Fay noted: "I did it all by myself on the outside while he was struggling as much as I was on the inside". When setting up the interview William said that Fay was involved just as much as he was so it would likely add to the story and he was right about that.

William was born and raised in a rough Northern Ontario mining and logging town. He came from a broken home and was raised intermittently by a grandmother and in a variety of government care situations. At one point in the interview when William was using the example of how parents influence a person's values, attitudes etc., Fay humorously remarked: "except he is government issue". But his upbringing was rough in a myriad of ways including sexual abuse by a family member. As he put it "I didn't have no Tonka Toys, or pop guns, whatever you wanna call it..... I'd been raised in violence..... I been raised no tolerance". He was emotionally and materially deprived but he was a quick study, physically strong, imbued with a strong work ethic, independent, and highly competitive. "I could probably lift the ass end of a car back then. I can't do it

now. Not much could stop me. Violence, I knew how to fight. I had the strength and I had the knowledge of picking it up. I had the ... ability I could pick up certain things really fast”.

He learned young that he could not rely on anyone and success was achieved by being tough and aggressive, ultimately by being the toughest and the most aggressive. Moreover, as a young man he derived a great deal of efficacy from fighting: “assaults. ...bar fights....that was my recreation”. It felt good to compete and to fight, but it felt great to win. He eventually enlisted in the military where he further honed his aggressive and violent skills. But William did not perceive himself as differing from mainstream society. “Well, values was the same as everyone else: family, work, a little bit of money, home, security, being loved...all that stuff that is all normal. (The same things that) normal everyday people hold..... was important to me too.... It’s just that I always had to work at whatever I had to do. Always had to work hard”.

It seems that his drive to work hard and succeed is, in part, compensatory for his impoverished beginnings. It is William’s work ethic that sets him apart from others. He is willing to go the extra distance, whatever it takes, to succeed. His work gives him a great deal of meaning in life and is a strong basis for his identity. His ability to perform highly skilled and highly competent work is a source of great pride for him. When he was inside he worked in infrastructure maintenance, looking after the mechanical upkeep of

all the buildings; heating, air conditioning, plumbing etc. Because he was highly skilled and highly competent his boss (supervisor) took an interest in him and gave him a lot of leeway. In fact when William moved from institution to institution his boss was able to transfer as well. After the cumulative effects of lengthy prison terms few lifers are capable of gainful employment. It is a matter of pride for him that he has endured the prison experience and is still capable of participating in the work force and it is indeed unusual. He said he could have easily obtained a 'burn out pension '." I could of had it but I refused it. The reason is, I think it is an easy way out." So when he was released, he wasted very little time finding work.

I was in the half way house here. Couple months down the line, I was bored. My mind was super racing, she (Fay) didn't understand. So I said I gotta work or I am going to freak here. I just called up one guy and I says well, before you hire me there let me tell you the situation. I am in a halfway house here. Don't worry about it, I'll come pick you up in the morning. Ok whatever. So before we went to work, I went in his truck I told him my name is William, I introduced myself and told him what I was in for what I was out for. He says thank you for being honest but I am not afraid of you. I just know you are a worker. OK.

It appeared to me that William and Fay shared a lot of the same values and perspectives on life. They were young when they first met through a family member, but extremely compatible like “two peas in a pod” as an institutional psychiatrist once told them. They made plans to settle down, have a family, get a house, and as Fay said “make a life together”. But all their plans were put on long term hold when William was sentenced to life fifteen in 1991. “I had a three and a half year old son, and a newborn daughter at the time. I was twenty-three years old”. Their daughter was born two weeks before William was sentenced. They felt fortunate that William had the opportunity to see her before he was incarcerated. It would be many years before he would be able to see her again.

I asked William to talk briefly about the offence he was convicted for. He answered,

Well briefly, I was convicted of 2nd degree murder, I killed a family member who sexually abused my child...our child. The cops didn't do nothing. So I dealt with it my way. So I had to suffer the consequences.... I needed to do what I did.... And I have to carry this for the rest of my life. And you know what? I am fine with it. Doesn't mean I am going to do it again. At that time, at that situation, the circumstances, I had to do what I had to do.

The victim of his aggression was the same person who had sexually abused William as a child. I didn't pursue the details of the crime but there is much to be read between the lines of this statement. It is not surprising that he was infuriated by the apparent lack of response by the police when he lodged his complaint. William had a life time of not being listened to by the authorities, so he felt he had no alternative but to do what he thought was right. He had, already at a young age, numerous encounters with agencies of the 'system', as he aptly calls the institutions of government; the police, social services, Children's Aid Society, courts etc., and his perspective was never really considered in the outcomes that affected him. For example, talking about his trial he said:

What I noticed about the system is that the system doesn't listen to the accused. They only look at what they have for evidence and they don't really care what you are saying. They always check the background (record), the family history, that's all they go by. And that's what they nail you with..... Plus I didn't say what I needed to say..... because they wouldn't believe me anyways. I knew that because the cops didn't believe me the first time around. I wasn't stupid. I been through the system all my life..... You just take what they are going to give you and

that's the bottom line.... The system they don't care. All it is is a number, I got a conviction. That's what it is all about. We all know that."

For William, the system is an external force; a depersonalized mechanism that has profound effects on the body and on the self. And it is something that one cannot readily participate in other than being the un-consenting object of its machinations. This resignation in the face of an overwhelming power which negates the subject is born from his experience, but it also fostered in William a pragmatism which enabled him to look forward and make the best out his situation. His biggest concern while he was inside was how to support his family. It is not difficult to imagine the economic and social adversity facing Fay, a single mother of two young children in a small community where her husband had committed a sensational murder. But he was/ is a resourceful man and he was able to apply his skills to getting money for his wife and children by tapping into the extensive underground economy which thrives within the prison system. He also remarked how far he could reach into and have influence into the community at large using elaborate connections to the outside. " I had to break rules, mostly to get her money. The thing is she had no support whatsoever. ... there was nothing out there. Every bit of money she got from me had to come illegally".

William did not have a difficult time adapting to the prison environment. He was tough, a good fighter and clever. He quickly learned and embraced the values and

attitudes of the prison culture and he made it clear that the prison environment had little to no rehabilitative components to it, particularly for a lifer. Talking about Warkworth, a medium security prison near Campbellford Ontario where he did most of his time:

it is a bigger jail, they don 't have (time) for you. You are there to spend time. That's what it is all about. We all know that. You go through your programs and have a nice time and when a certain amount of time is in we will move you on. That's what Warkworth is all about. It's a warehouse.... you know violence is high, if you are not good with your ones and twos¹² you are going to get beaten,I mean its jail, it's normal. ...Anything goes, ...(if) you disrespected somebody you're dying today, you just signed your own death certificate. Ya, race against race, convictions, you know what I mean¹³? Guards, rats, it's all little cliques. (But) I never was in a clique... I can give you an example: I'm the type of guy, I went on the range, I had two knives taped to my hands and I call on every black man there is on the range, and I told them they were all dying today. So they all knew,

¹² Using your fists, being a good fighter.

¹³ He is referring to the low status of inmates with convictions for sexual offences, particularly sex offences with minors. Sex offenders are generally targeted by other inmates and if they are not extraordinarily tough they do their time in Protective Custody.

everybody knew who I was and that I didn't play any games... I didn't care. I make sure you just understand where you are at. Yep, it was violent. You walk down the breezeway with no guards down there.....there was always stuff happening (there). You go down to eat, or hobby craft or. Some guys get gang raped. All I can tell you, not too many guys bothered me, because I knew my ones and twos. Everybody knew me, I didn't play any games, I respected everybody until they disrespected me. So even the guards knew I don't cross the line unless it's necessary... you know like the incident going down the range calling out every black man, well there was a reason for that. There was a major reason, and enough is enough, they had to be called on it. But the violence is right to the max. There is no more beyond. The violence is real. That's what it is all about. Ya, there is a lot of horrible things in there, but that is just the way it is.

Wherever he went he quickly established himself as someone not to be messed with, both amongst the inmates and with the prison administration. Over time he learned that while the system is formidable it is not impenetrable and he put his combative aptitude to work by writing grievances and mediating disputes between the inmates and the administration.

The system taught me how to manipulate the system. Taught me how to use the system against the system--that's not manipulating-- that's their own rules. They made the rules and laws and you know what, I've learned to use them, as they use them against us. ...So ah, over the years .. I've basically learned ... the rules. That's when I (became) more dangerous to the system because now I was able to be... the guy that writes up all the grievances.... Rules are rules, laws are laws. The reason why I buck is because they didn't follow their own rules and that's when I started bucking back. This is where the resistance came in.....Because of the Freedom Act we have access to everything and it is public. They can't say no. It's against the law to say no. They tried, ah, but I told them, I said OK, because of my conviction, you are a convict you have no rights. Whoa. Stop right there. One, I was convicted of 2nd degree murder, and I am doing life, fifteen in jail. Now that consists of my, freedom, it does not consist of everything else. I was making a library.... We have a system, the CCRA (Corrections and Criminal Release Act), the CCRR (Corrections and Criminal Release Regulations), the whole nine yards. With the grievances... whoever came and seen me really liked the way I write them up. It wasn't too political and it wasn't blunt. Straight forward. This is the

issue, this is the rules this is the way it needs to be dealt with. There is no later. It is now. Or if it is not dealt with now I have to go to the next level and have a nice day.... in the joint I didn't give them any grey area. They gave me black and white and you know what? It was black and white they were getting back. You broke the rules, you think you are walking on water I made sure it was a dingy. So ya, I, everyday I had forty grievances, ah, everyday I had maybe three meetings with the warden, and other staff due to certain things that needed to be straightened out.

William garnered a huge amount of respect both from the inmates and the administration through his ability to administratively resolve disputes. But his skills were in high demand and he had to manage his time in order to have his own needs looked after. Fay noted:

There was even a point where I would go and visit him in the PFV or in the family room where some of the inmates' wives and themselves would come to see him at our table and ask him questions. And he would turn around and say I'm sorry guys but let me visit with my family first and when we are done we'll go back and I will deal with you, don't worry.

So William developed strategies to look after himself. He read a lot and had his personal interests like doing crafts and native spirituality. But most important, he was

able to distance himself from the huge emotional needs of the cons seeking his assistance. He wouldn't take on their personal problems as his own, although he would go to bat for them in trying to right a wrong or mediate a dispute.

The thing is, I was so busy.... A lot of people would come see me. And I made it a point that nobody comes see me in my cell. Only certain people and that's the bottom line. ... I didn't care what he was in for I told him, I didn't want to hear it, I didn't want to know about it, do yourself a favour, keep it to yourself, don't tell nobody, I don't care if buddy's got an issue with you, I don't want to hear it. I am here to educate you about the system. That's it. I am not here to cradle you.

In spite of his ability to read the prison environment and to develop survival strategies he was stressed by it all. Prison is a hostile environment and one has to be ready for a physical threat at all times.

The stress in the joint is extremely high. Because your life is always at risk. Always. Every day. Every night. You have to be on high alert as soon as that door opens.... In the joint you got to be on high alert. You are running on adrenaline. All the time.

But living with the ever present threat of violence and physical harm was probably the least challenging stressor of his incarceration. Somewhere in William's

'case', probably during the initial assessment, a glaring error was made and some functionary indicated that he required sex offender treatment. Even though there was no indication for this, the requirement remained on his files and he was compelled to address this 'program requirement'. So he, a victim of childhood sexual abuse, a deep trauma that was untreated, went to sex offender programming because he could not appear non compliant. Non compliance would have resulted in the denial of important privileges and jeopardize his parole eligibility.

All the programs they put me through basically made me understand what they are looking for. So when I go through all these programs, and I did a lot of programs, there is not one program I did not do, I did them all to appease them.... I understand. I know how it all works....(And) I had to go through all these sex programs. And I had to relive my past. Everyday. Are you serious? You are putting me in a room with a pedophile? And I just killed a pedophile! So in my mind I'm going, ok so you are going to tell me your story and I really want to kill you, where you sit. So he's telling his story, and the whole room is like that. I put my head down and I just sing along in my head la la la la. I don't want to hear it, right? I wanted to punch out the therapist everyday. Just sitting there thinking about

cracking your skull. I had to play the game. That's where I learned my patience.

It is not surprising that William expresses disdain towards the 'experts' in the correctional system; the psychiatrists, the psychologists, the parole officers, the guards, the program delivery people etc. They were all far, far removed from his experience, from his subjectivity, from his reality. The disconnect was incredible. And yet these are purportedly the 'helping' professions, those charged with performing rehabilitative functions.

They don't know what they are talking about. They all have this degree of sexual therapist or anger management. You know what dude, you don't know what you are talking about. But don't tell me how I should feel or.... I mean there are no set rules on how you should feel. You got the ah, well when you have farmers and dumb people try to control other people, it doesn't work. They get manipulated, they get used, they get the whole nine yards. So when you do get someone intelligent, and that's like one in about a thousand staff, one out of a thousand right, then you don't mind having someone. And I've met (maybe) five in the system.

But in spite of his efforts, in spite of completing all the programs, he was not getting recognition for his progress. Even though his security classification was reduced

and he was transferred to Bath, a minimum security institution, the administration continued to treat him as a high risk offender. They denied his applications for PFVs on the basis that he was a violent risk to his family. This was the breaking point for William. For over a decade he worked hard to comply, to appease the system so that he could get out and get on with his life.

This jumping through hoops for guys like us, it is just amazing how many hoops we have to jump through. I jumped through every one of them and more. And whatever they created again for that day I jumped through it. At that time I was just tired of it. Especially when they denied me my PFV again, so I said just stop. Everything just went. That's enough. No more. I knew what was going on. I basically told Jim (a native liaison worker), you know, I'm tired. I am just tired of the bull shit. I'm worn out. The system wore me out so much. It's just unbelievable. (And) They pushed me to that..... The game was over then. I had quite a few years in by then, I was in Millhaven and Workworth and I went to Bath and that's when the game ended. I told them, you know what it's time to warm up the van and send me back to Millhaven (a maximum security prison) which is just across... So that's when my boss intervened and other staff intervened,...they knew me, they knew I didn't play games.

He was fed up and he no longer cared what happened to him. He was ready to explode. He refused to see his Parole Officer. Rather than acquiesce to the demands of the administration he let it be known that he would rather be shipped back to a higher security institution to do his time; no more pretending about cascading through the system towards a release. After his 'showdown' things fell into place; things started to change for him. He was assigned a new parole officer, one he could relate to and who understood his situation. He got his PFV and the parole officer was able to facilitate his graduated steps toward reintegration; UTAs, TAs, and his Day Parole. Not only his new parole officer but other staff like his boss and native liaison officers were willing to speak up for him. Having this support was crucial when coming in front of the Parole Board for his Day Parole hearing. He said very little. Most of the presentations were done by his supporters. Fay summarized her presentation this way:

Well , he (a Board Member) did bring up the concern about safety for myself and my children. I said I'm not worried about myself. I said if there was any killing to be done it would be me doing that to him. That brought a laugh of course, but I told them, I said there was no issue there and I said I think the system has had him for long enough. That he needs to come home, that he served his time, all the courses that he took. It's like they were trying to manipulate the system against us and I just looked at

them and I said you know what, it is your decision, in my opinion I have no trust in your system. You guys have been playing with our minds since day one and whatever your decision is so be it. I am going according to what I want. All in all, I want my husband home and my kids deserve to have a dad.

He was released to a half way house on Day Parole after serving fifteen years. And even after cascading through the system; getting out occasionally on TAs etc., the adjustment was huge. I asked him what it was like.

Well, scary. Things are moving a lot faster. Even for her, it was scary for her too. Things are moving a lot faster for me and I'm, ok, what's going on here. (Things) are way different! It was huge learning curve. My issue was why do we move so fast? There is no need for it. Ya, it was everything, it didn't matter what it was, be a car or a person walking or a person talking, on a phone, the money, the transactions....the information was just non stop.

Overall, William has been fairly successful at putting his life back together.

...compared to a lot of lifers, I am more successful in a lot of ways. Mainly support,.....I am willing to learn and better myself, to be better in society and a member of society. I want to be a businessman, I want to do this

and that. So the dreams are still there. If the dreams ain't there, if you don't want to do anything you better go back to jail. That's the way I look at it. I look at the dreams and I say you know what, if they don't succeed, they don't succeed, OK, at least we tried. And everything is going the way it should be. ... Well look, look at it this way. I come out of jail, I go to work, I make sure the bills are paid, boom, boom, boom.We can put a little bit down on the house. We can buy a house now, it is cheaper than renting. OK everything is going good. We need a vehicle, I buy her a vehicle. How often can a guy in my position buy his wife a brand new car? That's how I tell it.

And while he has been unusually successful at putting his life back together he still feels like an outsider in society. The life sentence is a mark that brands him and limits his ability to participate in the larger community. He must always remember not to stand out or bring attention to himself for fear of the negative consequences it may bring upon him. In this way, his freedom is still bound by the life sentence.

Really there is no relation to the community. The community is basically, well this community is a little better than some, but this community is not really anything to me because they don't do nothing for me. I have to do it myself. I have my family and some friends, that's all. The community is

not here for me.... According to society, you took that step of killing. The way I look at it, they know when they sentence us we are society's trash. Even today I am society's trash because I am a lifer, but you know what, whatever. That's how I look at it. I don't give a fuck. You got to have that extra skin. As long as you realize your position... You should be ok. If you don't realize your position then you are going to go back. You got to know your place. And I know my place. According to society, I should be quiet. And I am quiet. I do my own thing. I don't bother anybody and that's the way it's got to be. Once you are in the bright lights that's when the danger is on.

He is disturbed by the 'tough on crime' agenda of the current government and the punitive attitudes of the general public. He is painfully aware that as a lifer his freedom is precarious; that he could be thrown back in jail, that legislation is being pushed forward so there will be no parole for lifers.

Then you have the Conservative party that are the bankers and the lawyers, the businessmen that want to keep everybody in. Everyday is a chance for me to go back because of these politicians. I am just living my life. But you got these bullshit politicians doing this and I am worried about it. ...So when they say life means life..... the politicians, they are so

crooked, they want to sell us out all the time. Keep us in jail. My issue is always the politicians who want to sell us out. We are the first ones to be sold out. Thrown underneath the bus....

As a survivor of the penal system he has some astute observations to make on the legal system, crime and punishment. I will let William have the last words:

(A)nd I understood exactly what they are doing. You know, they are not hiding it. Their mandates are right there. Their mandate is to basically suppress you. Ok, if you sum it up, that's exactly what it is. OK, well then I'm going to fight that. Slavery is gone, right? It is a business. Bottom line. They see the opportunity, they seize it. Our system is not really a (justice) system it's just a system to make money. It is a shame. We have the opportunity and knowledge today to start looking at things better. But people are greedy and they want to make more money, we will send more people to jail. Innocent people as well. It is criminal. The dream has always been, one of mine, a perfect society. Ya, there will be crime, but you know what, it's dealt with accordingly. You know what I mean, like you are shunned for three years, you have your circles.... there are other ways. Just throwing people away like garbage, that's retarded.

3 Ron M's Story

Ron M. was 58 at the time I interviewed him. Originally charged with first degree murder in 1978 he was convicted of second degree murder after appeal and spent 10 years in Federal Institutions before being released on day parole in 1987. Even though it was proved that Ron was not at the scene of the crime and did not have any reasonable knowledge that the crime was to occur, he was found guilty because, at the time, there was an objective standard which stated that he 'ought to have known the crime would have happened' by virtue of briefly being with the culprits earlier that day. This standard no longer applies in the Canadian Justice system ("Canadian Justice system...It is more like a Canadian Legal system, because there is no Justice in Canada, especially for First Nation's People") and by today's standards Ron would not have been convicted. In fact he would have never been charged. Yet he is still serving his life sentence. Ron continues to lobby the government for a review of his case and lives with the hope that he will be exonerated. He is a highly ethical and moral person and is much aggrieved by the serious harm he has suffered at the hands of the criminal justice system. He has garnered much support for his cause and is a bit of a local celebrity in Sudbury and Sault Ste. Marie

Ron is the middle child in a family of 5 boys. His mother lost her treaty rights when she married his non-status father so he spent his early years off the reservation moving around in Northern Ontario. His father worked on a maintenance of way crew for the railway and was rarely home. Even when he wasn't working out of town he would often disappear for days on end. He says "My childhood wasn't very good. It was one of those childhoodsI was rejected at birth by both parents". His family life was dysfunctional; marked by conflict, poverty, excessive drinking and by episodes of domestic violence. In spite of the apparent lack of love on her part, Ron felt he had to protect his mother from his father's aggression. He recalls stepping between his parents as early as the age of eight and yet on another occasion being stabbed in the leg by his mother with a kitchen knife. He also recalls a vivid image of his father bleeding profusely from the stomach after his mother stabbed him. He says he never felt any love from his parents, although his grandmother and aunt showed him unconditional love. At one point in his childhood he was looked after by some neighbours who had recently lost their only child in a car accident. He often went to school hungry and recalls an incident when he actually fainted in school because of hunger.

He notes that he felt aloof as a child, not making close connections with anyone. "I'd say, growing up and elementary school and all that stuff, right through teen age years, I was uh, I don't know, I guess I was more of a kid that had no friends. I didn't

hang out with anybody. I was a loner. I didn't hang out with my brothers, they never wanted me around. They use to call me retarded like my dad did. I had no close connection with my brothers and I had no real family ties.." However, even at an early age he had a strong sense of justice and could not tolerate witnessing anyone being mistreated..." when I went to elementary school I always punched out the bullies that picked on people." He had a great deal of difficulty with school work as it was presented at that time" I couldn't learn because even then I was more of a visual person, Native kid?.... I was more visual". He repeated grade one, was labeled a "slow learner" and was streamed to special learning, although it does not appear he achieved any degree of literacy through his school years. His considerable literacy talents came later, as an adult.

In spite of his difficult social environment, he does not describe his teen age years as rebellious or anti social in any way: " I did my own thing, I didn't do drugs, nor did I smoke. I didn't do all those negative things like some kids were into today's society". And even though he had difficulty with school work there were teachers who took an interest in him and would do things like take him out hunting. However, when he was 15 he made "a mistake" and was convicted of a sexual assault which resulted in him being sent to an open custody youth correctional facility in Toronto for 2 years. This seems to be a rather social period for him, highlighted by his interest and relationships

with girls. But there were also some inevitable conflicts while at the House of Concord. And while he was not the type to go looking for a fight he was a ferocious fighter when defending himself or intervening on behalf of another.

He achieved a high school equivalency certificate while staying at the House of Concord at about the half way mark of his sentence there and started to work for Canada Dry. Towards the end of his sentence a girl he knew from Sault Ste. Marie showed up looking for him. She was pregnant with the baby of a mutual friend who was recently killed in a car accident. Ron developed a relationship with her and upon his release they got an apartment together in Toronto. "That was my first apartment away from home and The House of Concord. My first time all on my own. With a women as well. We had a couple of friends, they were all, like I say birds of a feather flock together. Cause my other friend David was not all there, Catherine was not all there, Roxanne was not all there. And I was kind of confused and not all there. But I was enjoying it, it was nice." But, as he notes, the relationship was a huge mistake, "One of the bigger mistakes I made. I didn't understand love. I didn't understand those things, feelings, emotions, I didn't have any communication skills". The relationship ended after the birth of her second child, Ron's first son. She suffered from post partum depression and while visiting her mother struck up a relationship with another man. Ron was devastated and avoided close relationships with women for quite a while after this.

January, 1975, he moved back to Sault Ste. Marie where he worked at various jobs and met the mother of his two boys, Cindy. His son JJ was eight months old when he was arrested. Cindy was pregnant with their second child when he received the life sentence and sent to prison. It would be another four years before he would see JJ and Mark for the first time. The offence for which he was sentenced took place on June 30, 1978. An 18 year old cab driver was murdered and robbed. Ron was acquainted with the perpetrators and had even been with them earlier in the day but had no knowledge that they were to commit the offense. Although he was employed at Dennison Mines up to a month before the murder, he was unemployed at the time and had recently been involved in a particularly vicious brawl at a party to which the police were called. He was charged with causing a disturbance and released after receiving treatment for two cuts on his head, the result of being hit on the head by two different guys using glass objects as weapons. He was later charged so that the evidence could be used in the murder trial to demonstrate his capacity for brutality. Much of the evidence used to convict him was circumstantial and hearsay. Ron was devastated with the outcome of the two trials, the second more so than the first. He was confident the appeal would 'set the record straight' and he would be exonerated, so when the guilty verdict was rendered he lost all hope. "After all this hope that I had that I was probably going to get acquitted, because there was no evidence, you know, in your brain there is no evidence,

there is nothing there. And all of a sudden when you get convicted then all of a sudden these thoughts flood your mind that you probably will never make it out again .That you will probably die inside there..”

Ron has been relentless in his pursuit of justice. He has researched and composed briefs totalling thousands of pages. He has lobbied the courts and all levels of government for a re-trial, a pardon and exoneration. He is intimately familiar with the transcripts of his trials and has developed an analysis which demonstrates wide ranging discrepancies in the evidence presented during his trials. Without taking on the role of the victim (he is surprisingly upbeat and positive), he has developed cogent arguments that demonstrate flaws in the proceedings and the evidence used to convict him. His case has striking similarities to other high profile wrongfully convicted cases (e.g. Donald Marshall, Guy Paul Morin, and David Milgaard) that demonstrate systemic flaws which disadvantage aboriginal and working class people in the Canadian Justice system.

Unlike his co-accused, Ron had never been incarcerated and in spite of his being able to more than handle himself in a fist to cuffs, he was naive about prison culture. So Ron’s initial period of incarceration was marked by a negative social status and harassment by his fellow inmates. Consequently, he served particularly hard time during the initial incarceration period. He said, in an understated sort of way, “the first three years was the hardest because I had to adjust”. For example, when he was initially

placed on a 'lifer' unit at Millhaven (A 'super' maximum security institution in Canada)..." I was living on a range that on it, 36 cells were all lifers. And everyone of those lifers wanted me dead. For whatever strange reason that, they didn't like me. Again you can't have 100 per cent acceptance but why didn't they like me? Cause I didn't do nothing to them, maybe it was because I was innocent, they could sense that I was innocent and that is why they despised me." He was receiving death threats on a daily basis and one day, convinced that he was going to be swarmed and killed in the exercise yard, he opted to scale the two security fences and face the near certainty of being shot by the guards instead. Miraculously, he made it over the fences and even more miraculously, he was not shot at by the tower guards or the perimeter security before he was captured on penitentiary property. In institutions like Millhaven, they do not take security breaches lightly. Nonetheless he was not charged with a criminal offense for attempted escape. Ron contents it is "because no one is supposed to escape from a super maximum prison in broad day light under a security tower". Instead they gave him '60 days in the hole'¹⁴ but this was cut in half just before Christmas. After this event he was not harassed by the other inmates and his 'time' was not as hard although having an attempted prison escape on his record negatively affected his ability to

¹⁴ Solitary Confinement

achieve transfers to medium and minimum institutions and impaired his ability to receive escorted and unescorted passes to the community.

Ron cites the attempted escape from Milhaven as one of several meaningful 'spiritual awakenings' that occurred while incarcerated. The first took place when he was first transferred from Kingston Pen to Millhaven in 1979.

I had this dream. I was suffering from recurring head aches since 1973, real bad head aches. One night in April 1979, I went to my cell early. I was getting hot flashes, it was like I was overheating. I had to open my window so I could get some fresh air. It was just like I couldn't think straight. It was like I was having a panic attack. I laid down on my bed, I must have fallen asleep right away, but I remembered the doors closing for night count. I went into this deep sleep, and I started to dream of these three spirit beings with white lab coats on, pure white lab coats. It was like they were glowing radiantly and they pulled out this pen looking thing...it looked like a beam of blue white light was coming out of that pen, and they started fiddling around with my brain. When I woke up the next morning I never had a head ache again.

Another spiritual experience occurred towards the end of his incarceration while working in a bush camp while at the minimum security Institution Beaver Creek.

One day while out with the Beaver Creek bush gang, it was after a long day in the bush. While driving back from our job location in the institutional van, I was looking out of the bus window. Just around dusk, I saw this huge young buck, a ten pointer on a rock, just at the edge of the bush. He was standing there with his head high and so proud of who he was. He was a majestic animal. It was almost like he was saying to me, you can stand tall and be proud of who you are. That buck was just like a sign from the creator.

Shortly after that sighting, while clearing bush he happened to see another deer, a buck about 300 hundred yards away. He followed it and “all of a sudden this weird feeling came over me. ...And all of a sudden I started running after the deer, running. Just running and running and running..... . I ran for two miles. I must have run for at least two miles..... Cause I know when it happened, the freedom that I lost, came flooding back to me that day.” When he returned to the camp a profound change had come over him and he felt at peace with the world. The empathy he experienced with the running deer represented the freedom that he had lost.

All of these spiritual experiences marked a significant change in his approach to life. In his view, they were marker events which signified positive moves in his ability to cope in a hostile environment. He was able to shed the weights that anchored him to a distorted past and move forward in his life. Ron’s spirituality combined with his ethics

and drive for justice gives him meaning in life. It gives him a sense of purpose, self confidence and righteousness. It also allows him to put the past behind him, and appreciate the gifts that have been given to him. "Prison time is slow until you start doing things with your life, changing your life, healing your life or whatever you are going to do, make sure that you don't come back. You just have to keep your mind thinking. And there are times I heard about this positive thinking program. Your brain is like a computer. You program it to allow it to think positive. And if you don't the negative part of it comes out worse than you can imagine it. You think positive things and positive things come to you on your path. Since I been out everything just seemed to fall in place."

That is not to say that his time on parole has been without its problems. When Ron was first paroled in 1987 he continued with his upgrading and enrolled in vocational training. In his last job, he worked at the same location for about eight years, but that job ended because of a conflict with the manager. In a way, he was relieved not to work there because the exploitative conditions were taking a toll on him, but he has since had difficulty maintaining gainful employment: "It's people that, they don't want a lifer working for them even if he was found not guilty. In the back of their minds they would still think negative of the person....oh, maybe he did it. It's just one of those things about a life sentence. It deters you, it stops you from getting reasonable employment."

Another major bump on the road occurred in 1993 when his parole was suspended and he ended up being re-incarcerated for four months as a result of a false accusation against him by the sister of his girlfriend: "So I went back (to prison) for four months, my schooling was interrupted,(but) I was found not guilty of that false accusation." In the end, the Crown did not proceed against him due to lack of evidence, but the possibility of being returned to Jail for life was very real for him at the time.

While Ron did not express dissatisfaction with his parole conditions, he desires the ability live his life without restrictions. Having to report to the parole office and not being able to travel without permission are more than just inconveniences. They are humiliating and degrading reminders of the injustice that has been dealt him. For example, only several years ago, when applying for a travel pass to visit his mother in Sault Ste. Marie he was given a travel pass good for only five days with one of the restrictions being that he was not to board any bus providing public transportation within the city of Sault Ste. Marie so he would not run into any relatives of the victim. Another consequence of his life sentence particularly incensed him when, in 2006 he was informed he must submit a DNA sample to a data base as a result of having been convicted of a serious crime. Moreover, he lives with the very real prospect of being

returned to prison on the basis of a misunderstanding, a mistake, a bureaucratic error, or an act of vindictiveness.

While Ron has garnered a great deal of community support, including officials from the parole office, the local police have demonstrated hostility to him on several occasions. For example at the trial where he was falsely accused, there was a fully armed swat team member at every exit of the courtroom: "After I was acquitted of that false accusation, out of every exit of that court room emerged a heavily armed swat team member." A month later he was almost run down by an unmarked police car, and the order to provide a DNA sample was accompanied by the threat to 'use as much force as required'.

Ron has been working on a book which describes his incredible journey and experiences at the hands of the legal system. He has shared excerpts of the book with me and I was particularly awed with his description of the events surrounding his attempted escape from Millhaven. He lives with the conviction that he will be exonerated and absolved of his life sentence and have the state acknowledge the harm and damage that it has perpetrated on him. It is this hope that gives meaning and purpose to his life and he patiently but doggedly pursues this goal.

4 Harry's Story

Harry S was born in the Niagara region of Ontario, but his family moved to the U.S. when he was 5 and he spent most of his formative years there. He comes from a poor working class background and he describes his neighbourhood as “really tough”. “My early teen years were spent basically running from gangs and hiding in the back alleys”. He was a good student, and would have liked to pursue a higher education in the sciences, but this was not a viable option for him. He took a keen interest in world events and politics, and never accepted status quo explanations. He was (and still is) keen and had a probing approach to the world around him.

It's just that I wasn't stupid. I mean if you are a stupid person you walk around your whole life thinking that everything is hunky dory. You can believe everything you are told and I can go on and on about a million stories about what people are told, about a thousand different things and they think it is true and it is not true. And the thing is, I wasn't stupid.

Nonetheless, I suspect that Harry naively bought the concept of the American Dream. Not only did he want a 'piece of the pie', he believed he could fight against the injustice, exploitation and poverty that prevented so many people like himself from enjoying the good life purportedly available to all in a free and democratic country.

Harry said that he was “sort of a rebel” as a youth, but he never talked about what motivated him to quit school and join the U.S. Marine Corps, an act which would be considered, conservative and normative at the time. Nor did he talk about his combat duty in Vietnam. I sensed that this was a very difficult period in his life. It was also clearly a source of stress for his family; so much so that his father committed suicide in order that Harry be relieved of combat duty and brought home. This was a very difficult matter for Harry to deal with and to this day it weighs heavily on him. Harry returned to school and became interested in police work as a career.

It use to bother me to see the poor taken advantage of, for anybody to get taken advantage of. And I grew up seeing a lot of that. And I think that’s one of the main reasons I was attracted to police work because I thought I could make a difference. Which a lot of people think when they start out. It was so naive to think about that now but that’s the way I was.

He applied to a regional Police force in southern Ontario and was hired. For the most part, he liked police work and was very good at it, although it irked him that corruption and dishonesty were tolerated on the police force.

I would have gone right to the topI was a good cop. ... I can say that because..... I was told I was the best cop in the department,

there were 450 guys and they promoted me, 2nd class, they promoted me to detective, I wasn't (even) a first class (constable) yet, and I had more arrests than the entire department combined.... I would have had a really good career..... The thing is that I always treated people fair. The only reason that I had so many arrests was because I grew up on the street. I knew how people worked..... But nobody else did it. You got cops that are taking drugs themselves. They are screwing around with prostitutes, screwing around with strippers. If they get a chance they will steal anything that isn't nailed down. So how you going to get a bunch of guys like that to go after criminals and clean up the streets? But it wasn't the little guy I was after. I never was. It was always the big guy. And that is another reason why they just had to get rid of me. They were all bought off, most of them. The ones that weren't were the ones who quit.

Unfortunately, Harry's career in police work came to an abrupt end. Harry received his life sentence as the result of a 1973 shooting of a 19-year-old man. Harry was off duty and drinking during a pub crawl with fellow officers when the fatal shots were fired. " It is very strange I went to jail on a murder charge because, because that

isn't me. That isn't me. You know, all the time I was on the job I had plenty of opportunity to shoot somebody". An investigative expose by the Toronto Star, published in 1977, posited Harry had been drugged by his drinking companions and was extremely impaired by a combination of a substances at the time. The context and circumstances leading up to this shooting are fascinating, but are so complex that it would take many pages to describe them. Harry maintains there was much animus and hostility against him because of his investigation into a pedophile ring involving some fellow officers and he was set up by his drinking companions.

The shooting death of a young man by an off duty cop looking for a fight drew a great deal of negative publicity during an era in which callous killings of innocent youth were in the public forum. Events like the Kent State shootings and the Chicago Democratic nomination riots were fresh topics at the time and there was a widespread public backlash against brutal methods of authority. It is not surprising, then, that the home town jury found no merit in Harry's defence of drunkenness and rendered a guilty verdict on the charge of Non Capitol murder. His conviction was overturned on appeal to Ontario Court of Appeal and a new trial was ordered but Harry was never to get that new trial because the Crown appealed this decision and the Supreme Court of Canada quashed the decision of the Ontario Court of Appeal.

Going to prison was a real shock for Harry. Firstly, he believed he would be found not guilty. But the inherently hostile conditions of prison were particularly grim for him. It would be an understatement to say that Harry did hard time.

It was different for me, being in there, because I was an ex cop....I have no doubt that there is nobody in Canada that has had more attempts on their life than I have. I mean they tried to get me with knives, hit me over the head with chairs, throwing shoe polish and lighting it, throwing it under my cell door hoping to catch the bedding on fire. ... I don't know how many bones I had broken. It was brutal.and I spent three and a half years in solitary confinement. For protection. There was no where to put me so I got stuck in the hole.

Spending time in prison is tough but doing your time in the hole for protective purposes is a desperation move, taken only in preference to certain death. Solitary confinement has been used historically as an administrative sanction; to further punish prisoners who break the rules in the already punitive environment. But it is also where inmates 'check in' if they cannot get along in the population. Prisoners who are put into solitary confinement often suffer mentally as the result of social isolation, sensory deprivations, and the lack of mental stimulation. They are locked up, by themselves, for

twenty three hours a day with nothing to do. The mental health consequences of solitary confinement are well documented.

You want to know what prison is like, spend it in the hole. I've heard guys scream for three days in a row and never stop. A guy committed suicide next to me. He got the paint, well I think he started by lighting his pillow on fire. The pillow is just a thin sheet of that foam rubber crap. And I think that's what he tried to do. He was really just, like most guys say they are going to kill themselves, they just want some attention. But son of a bitch, the paint, the lead paint on the walls in there caught fire. I mean I had to listen to him scream and scream until he died. You know. And that happened to me twice. Guys cut off their fingers, smashed their heads against the wall, smash their heads against the bars. They take blood and smear it on the walls. Or their shit. I spent three and a half years like that. Sure gives you a different outlook on human beings..... I mean you got to be strong or you just lose your will to live.

It didn't take long for Harry to change his perspective on the role of prison in our society. Before he went in, he was, as a police officer, a true believer in law and order.

He felt that the prison system was there to help people get their lives in order. But it didn't take long for him to realize that it was nothing more than a cruel form of warehousing people.

I mean the prison system has got to be one of the screwiest things that human beings do. You take people and lock them up, for what? When I was there the average age was 19. Most people think that the prison system is full of old guys sitting around, really bad asses that have been in jail, no, it's just young kids who did something stupid. Most of it marijuana. Probably 60% of it, you know.

Canadians are huge marijuana smokers , the Government doesn't want to admit it. It shouldn't be illegal and it is crazy to put anybody in prison for it. If you want to give them a fine, give them a fine, but not prison. To fill the prisons up. And these kids come out of it, a lot of them are not the brightest person in the world. Prison is too much for them. It changes them. They might have been smart ass kids, but hey, they were use to coming home to mommy and daddy every night and that was they're life. They had their little room and all of a sudden they get picked up on a marijuana charge and they get stuck in a penitentiary? Over minor charges. You are doing a

tremendous harm to these people and you are doing a tremendous harm to society too. Because it adds up because there are thousands of people out there, millions that have got criminal records. For what?

When I asked Harry what kind of effect it had on him to be constantly under surveillance he replied:

If you couldn't go to bed at night and make love to your wife without it being filmed, or have dinner without it being filmed, or anything you said being recorded If you can just imagine that then you can imagine what it is like. You just become a Zombie.

Especially if you can be punished for what you do. I mean you can be punished just for thinking the wrong thing or saying the wrong thing. It's not like you got to hit somebody or try to escape or do something or do anything major. You just have to say the wrong thing. And three years later it comes up at a parole hearing or something. And you walk around like a zombie.

But in spite of the horrendous day-to-day existence he experienced in prison, what stands out most for Harry was his inability to get a new trial and the injustice he

suffered at the hands of the criminal justice system in spite of his continuous efforts to set the record straight.

...for years I was dealing with all kinds of politicians; writing them back and forth, newspapers.... The Hamilton Spectator and Toronto Star both investigated my case. I was dealing with so many people from different walks of life, even a Crown Attorney out west was trying to help me and he wasn't the type of guy that ever helped anybody. But he wanted to help me because he knew I got shafted. He knew my case right off. That was a very funny experience because one of the guards there use to be a Mountie and him and me got really close and he says look, he's a friend of mine, a crown, he says I'd like you to talk with him and they finally arranged it so I could talk with him on the phone there and he knew all about my case and he said man you got shafted. I mean this is coming from a real right wing guy you know. So I mean I had so many experiences like that and yet I couldn't get a new trial. I couldn't get over the fact that they wanted to keep me in prison because they had something to hide. And there is no way, you know. I had good lawyers too, but when you hit the politics in Toronto or Ottawa,

man they can shut the door on you so fast it doesn't matter who you are. If they want to shut that door they shut it. The thing I remember most about my prison experience, it wasn't the solitary confinement, the fights or, it was fighting the system. That's what I remember most. It was so frustrating.

Like many lifers, Harry's prison experience has left an indelible mark on him. He looked forward to his release and was sure he could pick up his life and start over again. He felt he could put the years of stagnation in prison behind, that he could get a good job and re establish himself in the community where he yearned to repair the damage and re establish his connection. But the stigma of a criminal record prevented him from getting and holding a decent job in spite of his re-training as a highly skilled trades person.

...you are never going to be accepted again. And after a while you accept that.... I had big dreams. I was going to come out and get a good job, I went to college.... I had plans. I was going to get out and get a really good job and I was going to make something of it. Make up for what had happened more or less.....(But) It's a big illusion.... you are really not going anywhere. Because you are right back into it again. And one of the main reasons is you are going to be

discriminated against. ... the first thing you have to do is find a job.

And who the hell is going to hire an ex-con?.... there are no jobs for ex cons.

And similarly, he felt he could re establish himself in the community , but the negative stigma of being a lifer seemed to hang on to him wherever he went.

I think it was about the third day I was out or something, I went to open a bank account, I was standing in line and in the line next to me I notice there is a woman, a guard from Kingston. And she is staring at me and giving me the worst look you have ever seen in your life.....(And)I tried to get involved with the boy scouts. Cause I was a boy scout when I was a kid and I always thought they run the boy scouts wrong in this country, the kids don't really get a lot of that outdoor stuff....So I got involved with that. I took the kids out a couple of times, eh? And they had fun. I took them out at night one time, I did it on purpose, and we went out before dark and I said wait until I get back and I said you guys are going to learn how to walk through the bush in the dark and if you ever get lost you will keep your heads and get home. And they loved it. You should have heard them. Afterwards, when we got back and talking to their

parents. They had so much fun! Anyhow the next week, the next meeting, I go in, there's two guys there who worked at Warkworth, two guards. They told me, you get the fuck out, right now, you leave, we are not having you where around our kids or we are calling your parole officer and you are going back in.

And he felt compelled to return to his home community to re establish his connections with friends and family, but he was met with negative press and hostility. He was eventually run out of town by the authorities.

... when I finished day parole I asked to back to St. Catherines. Of course they said no. The parole officer there...he said no. So I went over his head. And they sent me back to Saint Catherines . (And) I had a thousand dollars in the bank. I go down to get it (but the bank manager won't give it to me. She read a story about me in the paper the night before. So she wouldn't give me the thousand dollars. She phoned the cops. Cause I want to take my money out of the bank. Couldn't fucking believe it. It's my money. I said I'm taking it out. No, I'm not letting you take it out. I read about you in the paper last night. I mean it was nice in one way to be back. I mean, I never got a chance to see all my relatives. I was only there for a few

days. They put the pressure right on me. Well, right in my mother's apartment with my mother there, three parole officers from Niagara Falls come to see me and they say in the exact way I am saying it "get your fucking ass out of here or we are going to put you back in Jail within a week, because certain police officers don't want you here". That's what they told me.

Like many lifers, Harry's family life fell apart when he was incarcerated. What hurt most about this was losing his kids. His ex-wife's new husband applied to adopt them, and he had no opportunity to contest this action. After he was released from prison he made many efforts to contact his kids and establish some kind of relationship with them. But too much time had passed and they were not interested in having a father who was not there for them when they were children. Harry re married while in prison but, not surprisingly, the relationship soon became rocky upon his release and about three years thereafter fell apart. It was at that point he felt the need to return to his home town; to find some stability in the relationships with his family and old friends. But although it was good to see these people, there were hostile elements in the community that were less than welcoming and he was essentially run out of town. Some time later, he established a strong relationship with a woman from a neighbouring farming community. He was forthright with her about his past but she did not want to

share it with her family, saying that they would not understand. But one of the brothers eventually found out he was a lifer and, even though they had all gotten along well “ they turned on me like a dog on a rabbit” and the relationship was ended. Harry remarried several years ago and has a very warm and understanding spouse. This time he made sure that her family knew all about his past and this has caused strained relations with some members of her family. For Harry, the negative stigma of being a lifer has severely limited his ability to function in the world to the extent that it has impaired his relationships. “The only identity you end up with is you are an ex con. You don’t have any other identity. No one will let you have any other identity”.

But being a lifer adds yet another dimension to being an ex con. Whereas most ex cons eventually shake the yoke of surveillance and accountability to the authorities, lifers are forever subject to being returned to prison for technical violations of their parole conditions. In Harry’s case he was returned to prison for twenty-two months for a violation shortly after achieving full parole. He had become frustrated with his difficulties in finding gainful employment. Not being readily accepted back in the community and the break up of his marriage further exacerbated this frustration. After he was run out of his home town he left the country to work without documentation in the U.S.. However, after about a year he realized there was no future in living as a fugitive, and returned home to face the consequences.

you see the parole officer and you go back in on a parole violation and it is just a formality thing. And all they said to me was that you forgot that you weren't free.....You can't get away from it. You are on parole for the rest of your life so you are always going to have the parole officer there, he represents the system. So it is always in your face.it is there, it is subtle, but it is there.....it doesn't go away. It is always in the back of your mind that you have restrictions.

Consequently, being on parole for life significantly influences the way Harry goes about his day-to-day business, how he relates to others and how he experiences the world.

You got to be careful of what you say, you got to be careful of what you do, you got to be careful of who you are with.....you don't want to be involved with stupid people. Stupid people get you in trouble. So I stay away from them..... they will get you in trouble, intentionally or otherwise. ... The one thing you got to think about is that people can accuse you of doing something you didn't do and they won't give you a chance to explain yourself. You know that when you are on parole....they just come and get you...(and) It's

automatic(that) you go back. It's automatic for a parole violation,.....you are going to do two years for a parole violation. Not even a crime. So, ya, I mean and that plays on your head all the time.....You have to trust the people you are around, but you are guarded of course. The average person just doesn't go around worrying about everything they say and everything they do. And if they do get into shit it's not going to be that serious. It doesn't have that consequence. An automatic two years back inside. It's hard to believe. It's hard to relate that to people because if you don't have that fear you're not going to understand. It's like a guy who has been to war. There is no explaining. So don't even try.

So being on parole, while relatively liberating has negative psychological consequences and implications for how one self-governs on the street.

It's a life with restrictions. Actually parole is a continuation of your prison sentence..... I mean the stress inside was worse. You can't really compare the two, especially in my circumstances, cause at least when I got out I didn't have to worry about somebody sticking a knife in my gut. But when you get out it is the other stresses.....

Clearly Harry has had a lot of time to reflect on the legal system and how it functions. Given his experiences as a Police Officer and being embroiled in the legal system, his observations are particularly acute:

It's a hell of a thing to get involved with, the legal system. Because once they got you they won't let go. Whether you are guilty or not. They took the bother to pick you up, then they are going to get something.... Beatings, torture.... You got too many dirty cops. Too many psycho crown attorneys... And once you are in that system they can do anything they want to you. You can't call it justice.... It is a very violent system. It is all controlled by violence. Do what your told or you'll be locked up in the hole. Do what your told or you'll be shot. Do what your told or you'll get a beating. When I first went to prison they were still using the strap. They tied people naked to a table and then they beat you with the strap. Simple as that. And they did that right up until the early seventies. So is this justice? The proper question would be do you believe there is control? Yes I believe there is control. They have control. There is no doubt about that. Is there justice? No. Is there a legal justice? No. It all depends

on who you know and how much money you have. And even sometimes that doesn't help you.

There are some people that deserve a life sentence. There are some real psychos out there. But ...it is used too indiscriminately. It is an automatic sentence for certain crimes so they just give it out. There should be no mandatory sentences because every case is different. What is the sense in even having a trial? What is the sense of going over all the circumstances of why this particular incident happened and why this guy should go to jail. Why go through all that when all you do is give a mandatory sentence. So you think whatever you want, like this guy didn't have any choice, that there were circumstances, but no you get a life sentence anyway because it is automatic. So in the cases when they should use it..... they usually do. I mean these guys will never get out of prison. A lot of average citizens think the guy is going to get out, maybe he got a 20 year parole eligibility date. No. The Canadians have to understand it. These guys are not going to get out.

Appendix 3: REB Certificate



APPROVAL FOR CONDUCTING RESEARCH INVOLVING HUMAN SUBJECTS Research Ethics Board – Laurentian University

This letter confirms that the research project identified below has successfully passed the ethics review by the Laurentian University Research Ethics Board (REB). Your ethics approval date, other milestone dates, and any special conditions for your project are indicated below.

TYPE OF APPROVAL	New	X	Modifications to project	Time extension
Name of Principal Investigator and school/department	Jeffrey Langer (Human Development – Laurentian University) – Dr. Alain Beaulieu; supervisor			
Title of Project	<i>Life Stories: A Narrative Analysis of the Experiential Records of Some Individuals Serving Life Sentences for Murder</i>			
REB file number	2012-04-09			
Date of original approval of project	May 10 th 2012			
Date of approval of project modifications or extension (if applicable)				
Final/Interim report due on	April 30 th 2013			
Conditions placed on project	Final or interim report on April 30 th 2013			

During the course of your research, no deviations or changes to the protocol, recruitment or consent forms may be initiated without prior written approval from the REB. If you wish to modify your research project, please complete the appropriate [REB form](#).

All projects must submit a report to REB at least once per year. If involvement with human participants continues for longer than one year (e.g. you have not completed the objectives of the study and have not yet terminated contact with the participants, except for feedback of final results to participants), you must request an extension using the appropriate [REB FORM](#).

In all cases, please ensure that your research complies with the [Tri-Council Policy Statement \(TCPS\)](#). Also please quote your REB file number on all future correspondence with the REB office.

Congratulations, and best of luck in conducting your research.

Jean Dragon Ph.D. (Ethics officer LU) for Susan James Ph.D.
Acting Chair of the Laurentian University Research Ethics Board
Laurentian University

