

Judging Prisons

The Limitations and Excesses of Denunciatory Punishment

After leaving the wing at lunchtime on my last day of fieldwork, I went to a staff office and logged into the computer's online system to find out what the people I had interviewed had been convicted of and what sentences they were serving.¹ I was interested in how people adapted to and made sense of their sentences and their convictions, and to understand that, I needed to know what their sentences and convictions were. Although I had asked interview participants to tell me what they had been convicted of, I had also stressed that they did not need to; although most did, they often spoke in vague terms which did not align with legal categories, and I had no way of verifying their stories. I deliberately waited until the last day of fieldwork to look people up on the online system, for three key reasons. First, I wanted to allow people to control what they told me. My thinking here was partly strategic, and partly principled. I thought that some people might feel more comfortable talking to me if they knew I didn't know what they were in for, and certainly a few men told me they were happy with me accessing their records as long as I only did it at the end of the project. I also believe that, unless there is a strong reason to the contrary, people should be able to choose what they tell people about their pasts. Until there was a reason for me to read the records, I was uncomfortable doing so. Second, I was worried about what I might find out. I liked most of the people I met, and the project was dependent on my being able to form trusting relationships with them, and I didn't want to learn anything which might jeopardize that. While I did not intend to be morally judgmental, and while in principle I believe that all people are more than their worst actions, disgust is instinctive and I didn't want to risk awakening it. Third, I didn't want to know anything that might contradict the stories prisoners were telling their peers, as I feared accidentally giving something away and endangering their relationships.

For the same reasons, I deliberately never googled anyone, and so for the course of the fieldwork period all I knew about people's convictions and sentences was what I was told by people in the prison.

After taking quick and sparse notes on prisoners' convictions and sentences, which I wrote in a separate notebook from the rest of my fieldwork notes, I went to the town McDonald's to wait for my train home. I was uncomfortable and restless, sad about leaving the prison and saying goodbye to people I cared about, but also confused by some of what I had just learned. It was clear that a few "*mainstream*" prisoners, who had claimed to be convicted of nonsexual offenses and who had insisted that they were fundamentally different from the "sex offenders" they lived among, had previously served sentences for serious sexual offenses. Several people had been charged with more offenses than they had told me about. Others were charged under both the 1994 Criminal Justice and Public Order Act and the 2003 Sexual Offences Act, which implied their offending had covered a span of years and complicated their attempts to neutralize their crimes as "mistakes." Even when looking at the official records hadn't revealed new information, reading lists of convictions presented in cold legal language was unnerving, and I struggled to connect the inventories of offenses to the men I had just said goodbye to.

Impulsively, I picked up my phone and googled a few of the men I had known best. I justified myself by thinking that if I wanted to understand how people responded to stigmatization, it was worth knowing how their convictions had been publicly disseminated, but I also thought that more knowledge might help me make moral sense of what I had read. It didn't. I found out that two of the men I most liked were convicted of crimes that were significantly more serious than I had assumed. Both had told me they were guilty of the rape of someone under the age of sixteen, and, because I liked them and because they seemed normal, I had automatically imagined that they must have once raped someone just under sixteen, an offense which is of course deeply immoral and damaging, but which felt comprehensible. I read that both had been convicted of offending against children under the age of ten, and in one case the abuse had involved a close family member and had gone on for years. I cried in McDonald's, and again on the train, and again when I got home.

While I was in the field, I had followed similar strategies of information control to prison officers and prisoners: I had feared that I would be unable to hold specific information about people's sexual convictions in the forefront of my mind while also having the sorts of relationships I needed to have, so I accepted the stories I was told, deliberately tried to avoid finding anything out which might contradict them, and interpreted them in line with my preexisting instincts and prejudices. My emotional response to learning the details about these offenses indicated that my caution had not been groundless. Sitting in the Stafford McDonald's, I wept out of confusion and horror. I struggled, and struggle, to integrate what I was reading with the other things I knew about the men I met: that they were

thoughtful, respectful, generous people who spoke with principle about what was owed to them and their peers, and what they owed to the wider community. I feared that this new knowledge would infect my memories of men I had truly liked and that by reading and thinking about this information I was being disloyal to them. I also worried that I had been wrong to like them, and that by doing so I had somehow been tricked into betraying the children they had hurt and putting my own moral integrity at risk.²

In 1967, sociologist Howard Becker wrote a famous article, “Whose Side Are We On?”, in which he discussed the tendency of sociologists of deviance to sympathize with the underdog. He said that sociologists were often accused of bias for exploring the perspectives of those with a low position in the “*hierarchy of credibility*” (241, emphasis in original), even if their sympathy did not infect their findings. Sitting in that Stafford McDonald’s, my confusion stemmed from the fact that not only did I not know whose side I had been on, I also did not know whose side I should be on. Wherever I placed my sympathy, it cast a shadow—over the victims whose stories had been obscured or over the prisoners whose moral identity had been stained—and I couldn’t even decide who was placed lowest in the hierarchy of credibility. I didn’t want to betray my participants by allowing their offenses to shape how I saw them, but I also worried that liking someone who had been convicted of such serious sex offenses implied that I thought their offenses didn’t matter.

It was so difficult to work out how to incorporate my new knowledge about people’s offenses because being convicted of and imprisoned for a sex offense functions as what American sociologist Harold Garfinkel (1956) called a status degradation ceremony. Such ceremonies are ways of expressing denunciation, and denunciation involves assigning someone a new identity, in our case, that of the “sex offender”:

The other person becomes in the eyes of his condemners literally a different and *new* person. It is not that the new attributes are added to the old “nucleus.” He is not changed, he is reconstituted. The former identity, at best, receives the accent of mere appearance. In the social calculus of reality representations and test [sic], the former identity stands as accidental; the new identity is the “basic reality.” What he is now is what, “after all,” he was all along. (421–22, emphasis in original)

In other words, once someone has been successfully denounced as a “sex offender,” a “sex offender” is all we accept they can be. Any attributes which appear to contradict the implications of this stained identity cannot be acknowledged, and if we do acknowledge them, then the “sex offender” label must have been inaccurately applied. Either people are guilty and therefore “sex offenders,” with all of the discrediting attributes which go with that label, or they do not fit properly into the “sex offender” category and therefore their offending either didn’t happen or wasn’t serious.

During fieldwork, I had tried to control what I knew about the men I interviewed in order to stave off the effects of the denunciation which their conviction and imprisonment had imposed on them, and to see them as they were—as people who had, in most cases, done awful things, but who were not reducible to them. Blocking out this knowledge had only provided temporary relief, however, and as soon as I found out what people were in for, I was confronted with the false choice imposed by the denunciatory label. I was unwilling to do what some officers had done and interpret people's visible respectability and kindness as acts of manipulation. At the same time, I didn't want to follow in the footsteps of some prisoners and, at best, minimize the offenses these men had committed, and at worst, assume that their decency to me meant that they must be innocent. I tried to find a different path, one which took the middle ground between the two sides and allowed me to take the convictions and the harm seriously without allowing that acknowledgment to overrule everything else which I could learn about life in Stafford. While I am sure I have stumbled while writing this book, I hope I have done so equally in each direction.

In the remainder of this concluding chapter, I explore the relationship between denunciation and justice, and argue that I was not the only dupe of the false choice the denunciatory label created. I draw on empirical research on what victims of sexual violence think justice is, as well as on the normative work of penal theorists about the messages that imprisonment could and should send, to argue that a just response to sexual violence would involve people who have committed sexual offenses acknowledging their acts and recognizing their wrongness—in other words, realizing that rape means rape. I then summarize the research presented in this book and argue that imprisonment in Stafford and the denunciation it entailed made such acknowledgment harder and was more likely to shame wrongdoers than to focus their attention on the wrongness of their acts. I end by briefly considering how to generate more effective moral communication, both by looking beyond prisons and by changing them.

RAPE MEANS RAPISTS: HMP STAFFORD AS A DENUNCIATORY INSTITUTION

Antiviolence activist and playwright Eve Ensler (2019a) was sexually and physically abused by her father from a young age. Decades after his death, she wrote the apology he would never make. The book which contained it is both brutal and generous. In her father's voice, she describes his childhood, the abuse he perpetrated, and its devastating effects on her. In a TED talk which accompanied the release of the book, Eve says that she used to want her father to be punished, to go to prison, or to die (Ensler 2019b). By writing the apology, she realized that she had actually wanted her father to repent and change:

The apology I wrote—I learned something about a different lens we have to look through to understand the problem of men’s violence that I and one billion other women have survived. We often turn to punishment first. It’s our first instinct, but actually, although punishment sometimes is effective, on its own, it is not enough. My father punished me. I was shut down, and I was broken. I think punishment hardens us, but it doesn’t teach us. Humiliation is not revelation. We actually need to create a process that may involve punishment, whereby we open a doorway where men can actually become something and someone else.

In this TED talk, Eve suggests that apologies might be the route by which both perpetrators and survivors can be liberated. She says that successful apologies allow people to take responsibility and make amends, but they start with people saying what they did, saying why they did it, and feeling the pain that they caused. Her book ends with her father living “in the torturous limbo” he made inside her and realizing the harm he has done and how he harmed himself in the process: “I am nothing. I have no family. I have no place. I have no father. I have no mother. I am badness. I am shame. I am disgraced.” Prompted by this awareness, and by seeing the stars “breaking through this dark” (2019a, 111), he apologizes to his daughter:

Eve,

Let me say these words:

I am sorry. I am sorry. Let me sit here at the final hour. Let me get it right this time. Let me be staggered by your tenderness. Let me risk fragility. Let me be rendered vulnerable. Let me be lost. Let me be still. Let me not occupy or oppress. Let me not conquer or destroy. Let me bathe in the rapture. Let me be the father.

Let me be the father who mirrors your kindheartedness back to you. Let me lay no claims. Let me bear witness and not invade.

Eve,

I free you from the covenant. I revoke the lie. I lift the curse.

Old man, be gone. (112)

Imagined by Eve, this apology is not intended “to elicit understanding or forgiveness” (9), nor is it intended as a precursor to personal reconciliation. Shortly after publishing the book, Eve decided that she no longer wished to be known by her father’s name and took the name V, demonstrating her wish to no longer feel bound to him (Akbar 2020). One effect of the apology is to liberate V: in the preface to the book, and in her own voice, she describes the letter as “my attempt to endow my father with the will and the words to cross the border, and speak the language, of apology so that I can finally be free.” But her father is also freed by it, released from the agony of being the man who did those things to his daughter and to himself.

In her creative response to the sexual violence she experienced, V shared with other victim-survivors a desire to have the wrong which had been done to her recognized, and a skepticism about the ability of punishment and the legal system to fully deliver this recognition. In recent years, a small but significant amount of

research has been conducted on how victim-survivors of sexual and gender-based violence imagine justice.³ These studies suggest that, to victim-survivors, justice is multifaceted, and includes the ability to have a voice, to control what happens to you, and to have the wrong acknowledged. This acknowledgment often includes the perpetrator receiving a conviction, but it is not reducible to it. A criminal conviction symbolically marks that the state understands what happened and that it was wrong, but the recognition which victim-survivors seek is fuller than this. It involves being “taken seriously” (McGlynn and Westmarland 2019, 188) as a person who matters and needs support, and recognition can be granted by the perpetrator, family members, and the community as well as by the state. This desire for acknowledgment is often accompanied by a desire for the perpetrator to face consequences, but it is rarely expressed as a desire for harsh punishment. These studies suggest that victim-survivors often do not even want their attacker to go to prison; when they do, it tends to be because they believe that incapacitating the person who hurt them is the only way they can be protected from them, and not because they desire them to suffer.⁴ There is even some anecdotal evidence that their desire to avoid the person who hurt them being sent to prison actively discourages them from reporting their victimization (Sered 2019), although it is not clear if this reaction is widespread.

Some normative penal theorists have also suggested that the right response to crime is to acknowledge it, and that punishment could be justified if its aim was to declare that the crime was wrong and that it mattered. As discussed in chapter 2, many morally communicative penal theorists suggest that punishment should focus its expressive energies at people who have committed crime and tell them either “what you did was wrong” or “you should feel guilty about what you have done.” In the case of people convicted of sex offenses, this would involve sending the message that “rape means rape,” and teaching perpetrators to align their personal moral evaluations of the past with those made by the state and by their victims.

If it were successfully sent and received, this message should result in remorse, which is defined by philosopher Miranda Fricker (2016, 167) as “a pained moral perception of the wrong one has done.”⁵ Remorse is both cognitive and emotional. It involves accepting intellectually that one did wrong and feeling the appropriate guilt and distress about it. Margaret Urban Walker has argued that remorse “is the minimal condition for those who have harmed or offended against others to ‘set things right’ with them” (2006, 191).⁶ She states that this is the case because morally adequate social life can only take place when people are confident that they share standards with others, when they trust others to live in accordance with these standards, and when they hope that people merit the trust we place in them. Our confidence, hope, and trust are all damaged when we are the victims of injustice and violence, but when responsibility is placed with wrongdoers, when remorse is expressed by them, and when the community attempts to reinstate standards, trust, hope, and moral repair can take place.⁷ The expression of remorse would make clear that the wrongdoer is responsible, and would contribute to the

reinstatement of standards, trust, and hope, as it would involve the person who has committed the harm painfully recommitting themselves to shared moral norms.⁸ Remorse could therefore be generative and bring us closer to the sort of moral repair which Walker describes and which V and other victim-survivors desire. By demonstrating that the wrongdoer now sees the past in the same way as the state and the victim, this remorse would make it possible for the wrongdoer to continue to live in a moral community with the people they have hurt.

The empirical research discussed in this book suggests that Stafford failed to produce or nurture remorse. Only one person interviewed for this project said that he started his sentence believing that he was innocent and shifted to see himself as guilty, and very few said that they felt more guilty about their crimes as their sentences continued. While many prisoners were deeply remorseful, it was rare for these emotions to have been generated by, or even birthed in, the prison. That Stafford failed to persuade people that “rape means rape” does not mean it said nothing, however. As this book has described, it was a denunciatory institution which sent the message “rape means rapists,” declaring to prisoners that “you should be ashamed of yourself.” The individual actors working in Stafford or for the Prison Service did not intend for the prison to send these messages. Instead, they resulted in part from the institutional distortions described in chapter 3. Stafford only held people convicted of an especially stigmatized category of offenses, and thus it stained them in a way which was profoundly visible and potentially permanent, but which also adhered to all aspects of prisoners’ behavior and character and carried implications which were both mortifying and unspecific. It appended this stain to them following a legal process which felt both alienating and capricious, and which therefore made it easier for prisoners to distract themselves from the moral connotations of what they had done (if they had done it) and instead to focus their attention on the fairness of their convictions and imprisonment. The prison then attempted to coerce moral transformation, pushing them to prioritize the performance of change rather than genuine engagement in it, and providing them with the alibi of incentivization to excuse any behaviors which implied guilt.

The denunciatory message also resulted, paradoxically, from the efforts of people living and working in the prison to avoid expressing condemnation and to live as though offenses did not matter. In chapter 6, I showed that prison officers attempted to de-moralize punishment in Stafford, and to avoid thinking or talking about prisoners’ offenses in order to prevent unnecessary punitiveness. However, this strategy reinforced officers’ sense that the prisoners in Stafford were a different category of person, and thus inadvertently deepened the stigmatizing message which the prison sent. Similarly, chapter 7 described prisoners’ collective attempts to ignore offenses so that they could continue to form social relationships with each other. Their efforts at overlooking offenses were more successful than those of prison officers, but in doing so, they promoted dangerous myths about sexual violence and supported and upheld individual acts of denial.

Prisoners responded differently to the messages the prison sent, as I described in chapters 4 and 5. Those I classed as *repentant prisoners* had started their sentence pained by remorse and were desperate to use their imprisonment as an opportunity for atonement and change. As they realized that the institution would not live up to its symbolic promise and that it would never recognize how they felt they had transformed, they grew frustrated. The most discouraged of these men, *redeemed prisoners*, did not change how they felt about their offending past, but they became increasingly cynical about the state, its agents, and the integrity of institutions of punishment. Most other prisoners felt much less strongly about their convictions and were much more focused on themselves. *Fatalists* were frightened of the dangerous effects of being treated as a pariah by people outside and inside the prison, and were preoccupied by avoiding that fate rather than by reckoning with their pasts. *Negotiators* wanted to avoid the implications of their stain, whether by trying to make their sentence as bearable as possible or by arguing that they weren't like other stained people. Some *negotiators* went as far as rejecting the label altogether: "*mainstream*" prisoners insisted, sometimes incorrectly, that they had not been convicted of a sex offense and thus that they were not "sex offenders." *Resigned prisoners* and *activists* also resisted their denunciation, insisting on their innocence when speaking to others, and seeking to embody it in their interactions with morally communicative penal power.

The message which was sent by Stafford took this denunciatory form for two key reasons. The first was that the symbolic function of punishment was "submerged" (Garland 1990, 73) by the bureaucratized and professionalized form which modern imprisonment takes. Prison officers, the members of staff with the most frequent contact with prisoners, actively avoided speaking to them about their offenses. These discussions were hived off to specialist staff like probation officers, psychologists, and treatment providers, and took place in a rehabilitative context which turned prisoners' conversations about offending into a target of penal power. The second reason was that the social and legal connotations of being convicted of a sex offense meant that it permanently, personally, and painfully stained them. Research on shaming discussed in chapter 2 suggests that people are more likely to feel remorse when they know what they have done wrong, when they do not fear that their identities will be overwhelmed by it, when they feel like they can do something to make amends, and when they feel that they will be reintegrated (Ahmed 2001; Harris 2001). Being convicted of a sex offense in England and Wales in the twenty-first century does not create these conditions. The result is that people have very little motivation to accept their moral responsibility and lots of reasons to resist it.

The denunciatory context in which men are punished for sex offenses may mean that accepting responsibility for one's offenses makes desistance from offending less likely. This claim contradicts many of our instincts about how people give up crime. V was not alone in her belief that true acknowledgment of the wrong that one has done is the first step to change. This principle was shared by the early

reformers of the penitentiary, has formed the basis of rehabilitation programs, has influenced penal theorists' attempts to justify punishment (Duff 2001; Hampton 1984), and lies at the heart of the modern insistence that people who have done wrong should take accountability.⁹ Nevertheless, there is very little empirical evidence that taking responsibility for the wrongs we have done helps us stop committing crimes (Ievins forthcoming; Maruna and Mann 2006). The very small amount of research conducted into desistance processes among men convicted of sex offenses suggests that neutralizations are common among people in the early stages of desistance from sexual violence (Hulley 2016), and that desistors are more likely to externalize blame for their offenses onto causes like substance abuse and mental health problems (Kras and Blasko 2016) or other situational causes (Farmer, McAlinden, and Maruna 2016) than they are to insist that the responsibility was their own. Other research has suggested that those who maintain that they are not guilty of their sexual offenses are no more likely to commit further offenses (Yates 2009), and may even be less likely to do so (Hood et al. 2002; Ware and Blagden 2020).

This finding puts penal theorists and penal practitioners in a difficult position. Which is a more important goal for punishment: reduced reoffending, even if it means people do not take responsibility for their crimes, or remorse and acknowledgment, at the possible cost of increased recidivism? The answer is that the choice exists because of the way we punish and the messages we send in doing so. The admission of guilt has the social meaning and effect which it does because of the framework we have for understanding the relationship between sexually violent acts and moral identity. In Europe and North America, taking responsibility for a sex offense is tantamount to admitting being a "sex offender." Excuses and denials, however, enable people to absorb the blow of the conviction without surrendering their identities. Desistance scholar Shadd Maruna (2001) argues that it is by making excuses for our offenses that we avoid internalizing them and living as though they are the part of our history which determines who we are. We thereby protect ourselves from depression, low self-esteem, and the fear that we cannot do anything about our identities. In a different cultural and punitive context—one in which we made space for change, avoided denunciation, and designed systems of punishment which communicated more clearly—taking responsibility for sexual offenses could hypothetically have a different relationship to desistance.

FROM DENUNCIATION TO REPAIR: HOW TO COMMUNICATE BETTER?

This book has described how conviction and imprisonment discourage people convicted of sex offenses from focusing on the wrongs that they have done. It ends by making a few suggestions about how we could more effectively respond to sexual violence, first by looking beyond prisons, and then by changing them. One way of responding to the communicative weaknesses outlined in this book

would be to join with the growing calls to abolish prisons and replace them with institutional arrangements which might speak more clearly about the wrongness of sexual violence, such as transformative and restorative justice.¹⁰ These calls are strengthened by the fact that state punishment as it is currently envisaged fails to come close to condemning violence, vindicating victims, or engaging in meaningful or desirable moral communication with people who commit sexual violence. In England and Wales, it is estimated that 128,000 women are raped every year, but in only 1.6 percent of cases is someone *charged*, let alone convicted (HM Government 2021). Even when people are charged, it is unlikely that the wrongs will be officially recognized. The fear of conviction and imprisonment incentivizes people to plead “not guilty,” and evidentiary requirements make it extremely difficult to find people guilty (K. Daly 2006).¹¹ If people are convicted, the research described in this book suggests that imprisonment does little to talk people out of the dishonest claims of innocence promoted by the legal process. There is also simply no realistic chance that all the sexual assaults which take place in England and Wales will ever lead to imprisonment. No one is charged following 98.4 percent of rapes each year, or 125,952 in raw numbers. Supposing (for argument’s sake) that each man who committed one rape was actually responsible for an average of five, that would mean that 25,190 men are not charged with rape each year. For each of them to be imprisoned for just one year would require thirty-four new prisons of the size of Stafford to be built each year to contain them—an unimaginable prospect.

The impossibility of a mechanized and bureaucratic system of punishment ever being able to adequately respond to sexual violence at the scale it currently takes place is one reason why those who advocate for the abolition of imprisonment have suggested alternative mechanisms of justice. Proponents of different forms of informal, alternative, or transformative approaches have suggested that responses to crime which are rooted in community, and which therefore permit an “organic rather than a bureaucratic approach” (Bottoms 2003, 102), might promote accountability more effectively than the responses enacted by the state. Transformative justice and community accountability “toolkits” are proliferating, promoting responses such as naming the violence as violence, facilitating personal change on the part of the perpetrator, and providing physical and psychological safety for the victim.¹² Social justice and abolitionist activists have provided numerous anecdotal accounts of the process and its success at protecting victims and encouraging change.¹³ Nevertheless, I am not aware of any rigorous evaluations of the effects of transformative forms of justice. The approach’s success depends on the person who committed the act being willing to cooperate (Ansfield and Colman 2012) and on the community in question being “thick” enough to follow through, neither of which will always be possible. Proponents of transformative justice have asked important questions about whether we can find responses to crime which honor the wrongness of the offense, but which do not reproduce violence. However, the alternative to state punishment which they offer has not yet fully answered these questions.

Other scholars and activists have suggested that part of the answer might be found in restorative justice conferences, which they argue provide a form of moral communication which is more meaningful than that offered by retributive punishment (Bottoms 2003; Duff 2011). While courtrooms speak in professionalized abstractions and prisons distract people from the realities of what they have done, restorative conferences bring the operations of justice closer to the people involved. The conversations they facilitate should be more direct than those created in courtrooms, as they require perpetrators to face the victim-survivor and hear their experiences in their own language, and thus come closer to the sort of recognition which victim-survivors need. They should also be less distorted than those enabled by prisons, as well-trained facilitators should ensure that people are unable to take refuge in denial and minimizations. The approach is not without its critics, though, and the past twenty-five years have seen a significant debate about the appropriateness of restorative approaches for cases of sexual and gendered violence.¹⁴ Opponents have argued that bringing together victim-survivors and perpetrators risks retraumatizing victims and perpetuating damaging power differentials, particularly in cases of intimate-partner and interfamilial violence. They have also argued that restorative justice lacks the symbolic power to replace conviction and imprisonment. These debates have proved difficult to resolve due to a lack of rigorous evidence about the nature and effectiveness of restorative justice conferences in cases of sexual violence, and a recent systematic review of evaluations of restorative justice in such cases found only one study which met their inclusion criteria (Gang et al. 2021). However, as several advocates of restorative justice have argued, many of the arguments against it fall apart if we don't think of it as an alternative to state punishment. Instead, we can treat it as something which takes place along a different trajectory and which can be pursued either as a supplement to more conventional forms of punishment or in cases where criminal convictions are either not pursued or not achieved (B. Hudson 2002; McGlynn, Westmarland, and Godden 2012; Pali and Sten Madsen 2011).

The appeal of restorative justice speaks to the communicative failures of imprisonment. However, since there is no reason to expect the imminent replacement of prisons as our primary method of moral condemnation, it is worth considering how they could be reformed to make them speak more effectively. The findings discussed in this book point us toward two potential areas of change. First, we should pay more attention to the relationship between the pains which prisons exert and the messages they send. As eighteenth-century reformers of the prison knew, the experience of excessive suffering distracts people from thinking about what they have done and pushes them to focus on their own agony. If we want prisons to send a message which is conducive to genuine reflection, repentance, or accountability, there might be good reasons to be parsimonious with the pain we inflict, and to speak more loudly about the harm we do by lengthening prison sentences, hardening conditions, and permanently staining people.

Second, prisons should provide spaces in which intimate and honest conversations about offending can be facilitated, and in which people can come closer to the form of recognition which V imagines her father reaching. As this book has described, the professional identity of prison officers in Stafford pushed them away from talking to prisoners about their offending, and the forms of rehabilitation and treatment provided were so tied up with systems of incentivization that prisoners often did not engage with them authentically. Deliberately engineering spaces in which offending could be discussed without the risk that it would affect the length or conditions of people's confinement might help promote more meaningful moral communication. One way of doing this could be through greater provision of restorative justice conferences while people are in prison. Another might be through the forms of therapy and discussion facilitated by Therapeutic Community prisons, which people convicted of murder often describe as providing them their first opportunity to process and make sense of their crimes (Crewe, Hulley, and Wright 2019). People may also benefit from participating in creative endeavors (Crockett Thomas et al. 2021), from speaking to chaplains (R. Williams 2003), or from having the opportunity for longer, more private, and more meaningful conversations with family members and loved ones. The goal of these conversations should not be to push people to take responsibility, but it should enable them "to talk of their actual history without fear" (R. Williams 2003, 3), and create the conditions in which people can express and feel remorse.

To make these changes would be difficult and any intervention should be cautious. Ever since the penitentiary was introduced as a penal technology, prison reformers have sought to reorganize prisons so that they produce the desired moral effects (Throness 2008). They have rarely been successful. More recently, decades of prison sociology have taught us that prisons are extraordinarily complex environments, and that well-meaning reforms often have damaging consequences. It is for these reasons that prison sociologists, as experts in the effects and texture of imprisonment, should be engaged in this discussion, and should take more seriously the roles which prisons play as morally communicative institutions.