Alexander Z. Ibsen

This ethnographic research addresses the control strategies employed by Norwegian guards in everyday interactions with inmates under institutional conditions in which the use of official negative sanctions is restricted. The article explains how a complicated informal system of favors develops that forms a new basis for punishment through the withdrawal of rewards. By distributing favors liberally, giving an inmate only what he is entitled to serves as a substitute for negative sanctions. Inmates are not opposing the informal system, and its effect on ensuring institutional control does not challenge the intentions of formal prison rules. Still, the informal system must be monitored and protected against overuse by inmates and must also be kept hidden from the officials making up the prison administration who oppose all departures from the official rules.

Institutions are never fully explicable purely in terms of their “purposes.”

David Garland, Punishment and Modern Society

INTRODUCTION

Mere common sense tells us why systems of control target unwanted acts as opposed to those that are permitted; it would simply be too expensive to positively reward all instances of expected behavior as opposed to negatively sanctioning the undesirable. This logic is mirrored in the criminal justice system, which primarily targets unconventional behavior—a fact once lamented by the Norwegian poet André Bjerke:

Alas, joyless is the Law/It threatens only to punish/If but one article alone would give promise of reward!1

Prisons are institutions that focus this penal approach on designated individuals.

Why, then, do Norwegian prison guards systematically distribute favors to inmates without being compelled or asked to do so? Equally surprising is the fact that these

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informal favors are not discriminatory but universally given. This ethnography from my work as a substitute guard at two different departments of the largest Norwegian prison facility investigates why this is and how the informal system functions. Although the distribution of favors is universal, their removal is selective. In this way, guards develop a new system of punishment through the removal of rewards.

Prisons and Control

Few institutions are characterized by the same system of constant and minutely prescribed control as prisons, yet it is recognized that departures from the official control regime by inmates and guards are commonplace and even crucial to the institutional makeup of prisons. Inmates are confronted by, and subjected to, an antagonistic and ubiquitous force that dictates their entire existence without their approval. From this it can be taken that the perennial problem facing prison administrations is the maintenance of order (Sparks, Bottoms, and Hay 1996, 2).

Whereas the official control in prisons is unconditional and without gradation, the “normal reality” of prisons is found in the “extensive space between open rebellion and absolute consent” of inmates (Crewe 2007, 257). Within this space, power is continuously negotiated through everyday practices, behaviors, and talk by the individuals who work in or occupy the prison environment (Bosworth 1999; Carrabine and Bosworth 2001; Carrabine 2005). Informally, prisoners are able to wield counterpower collectively through coordinated actions and adherence to unwritten rules (Clemmer 1940; Benaquisto and Freed 1996; Faulkner and Faulkner 1997; Trammell 2009) but also through individual acts of resistance (Mathiesen 1965; Sykes 1969; Sparks, Bottoms, and Hay 1996; Bosworth 1999; Crewe 2007; Ugelvik 2011).

Several studies have documented that the primary daily professional concern of prison guards is the maintenance of order at their job post (Hepburn 1987; Cullen 1989). Although guards represent official power, the formal rules alone are often deficient or inefficient at maintaining order. Guards’ enforcement of control is complemented by illicit punishments or rewards of individual inmates, what Gresham M. Sykes referred to as the employment of both “‘stick’ and ‘carrot’” (Sykes 1969, 56).

Among the informal practices of prison guards, researches have revealed the use of physical abuse (Hirschkop and Millimann 1969; Marquart 1986) as well as selective favorable treatment of inmates (Marquart and Roebuck 1985; Worley and Cheeseman 2006). Whether positive or negative, however, all exercise of informal control by guards runs against official regulation and, therefore, constitutes latent institutional conflict between prison guards and the prison administration (Cressey 1959; Hepburn 1985; Benguigui 1997).

As to the adoption of informal control strategy, theories of sanctions explain that negative sanctions (or punishments) are generally more effective than positive sanctions (or rewards) for the maintenance of social order. The effectiveness of rewards depends on lasting relationships and trust, whereas punishments do not. The establishment of social order through regimes of positive sanctions is, therefore,
expected only if the relevant social group is small and stable and members are universally affected by the aggregate actions of their peers (Posner 1981; Bowles 2004, 48, 493; Ellickson 2005); however, it has been predicted that even small and stable groups will favor punishment regimes if social control is exercised asymmetrically by one faction on another because reward structures tend to undermine power (Rosecrance 1981). Psychological laboratory experiments have also confirmed the greater efficiency of punishment over rewards as a deterrent in loose associations (Gray and Tallman 1987).

A fundamental advantage of punishment is called its multiplication effect (Dari-Mattiacci and Geest 2010): a promise of reward if a behavioral pattern is followed is only effective if actually carried out. A threat to punish, on the other hand, can have a deterrent effect indefinitely even in the absence of violations. In other words, a reward has to be meted out to have any force, whereas a punishment works without being carried out and is, therefore, the superior control strategy.

The relationship between guards and inmates is fundamentally asymmetrical, and guards are officially put in charge of a penal regime vis-à-vis inmates. Furthermore, guards are not permitted to discriminate between prisoners, which means that neither positive nor negative informal sanctions are institutionally favored. In addition, the only permitted form of compensation prisoners have at their disposal to give to guards is consent, something guards can elicit with punishments equally well as with rewards. Under these conditions, one would expect the systematic informal treatment of inmates by guards to consist of selective negative sanctions.

The present study challenges theories of the use of sanctions to uphold institutional order and contributes to the understanding of informal control strategies in prisons. The aim is to enrich the understanding of the effects of institutional constraints on prison guards’ strategies to maintain order and, thus, to complement theories on informal strategies within total institutions. Although units of Norwegian prisons comprise small and asymmetrical groups, guards rarely resort to negative informal sanctions to enforce institutional control, but rely on rewards; however, they do so indirectly and preemptively. This practice oversteps dichotomous interpretations of sanctions as taking either a positive or negative form and expands the view of informal strategies to include the daily work of prison guards.

The argument will be focused on four key aspects of the informal Norwegian prison system, as follows: first, how rewards are distributed preemptively and universally to inmates in order to create a new avenue for punishment through their withdrawal; second, how this makes certain very attractive favors problematic; third, how favors must be protected from overuse; and fourth, how the latent institutional conflict between the official and informal control systems affects overall functioning.

The reward system is the result of ongoing practices motivated by pragmatic approaches to situations rather than the result of an overarching design adhered to by guards. The reward system emerges through work and it persists because it works, but is not explicitly taught or articulated. In Norwegian prisons, surveillance comes with mutual visibility, which means that generosity must be universal in order to be perceived as legitimate. The informal system emerges as a byproduct of the guards’ occupational experience of having to constantly present themselves as individual givers in a collectivity of keepers.
Unlocking the Gates

This study is based on my work as a substitute guard at Norway's largest prison facility during the summers of 2007 and 2008. Although surrounded by the same continuous walls and sharing the same headquarters and highest administration, the facility consists of two departments. Apart from some shared functions—such as a common food delivery system and transportation service—the two departments are functionally and operationally separate. Transfers of inmates between the two is, on the other hand, common.

Importantly, each department has its separate workforce of guards who never mix except during emergency situations. The oldest structure of the facility dates back to the mid-nineteenth century and was originally built according to the Philadelphia model for penitentiaries. It has today been modified into a short-sentence prison. An adjacent brewery was converted to a jailhouse in 1934 and today holds detainees awaiting trial and postsentence transfers in addition to numerous foreign citizens on remand.

In 2007, I worked at the custody department; in the analysis below, this department is referred to as the "jail" and its inmates as "jailmates" when characteristics peculiar to this department are highlighted. In 2008, I worked at the short-sentence department, referred to as the "prison" that holds "prisoners."

Both departments are usually filled almost to capacity, which together amounts to 392 inmates more or less evenly divided between the two. Furthermore, both departments are classified as high-security prisons, which, in the Norwegian context, means that inmates are placed in individual cells within closed wings containing fewer than thirty prisoners. All units are typically staffed by four guards during daytime hours.

At both departments, a significant number of the inmates are not ethnically Norwegian. In 2007, official statistics listed foreign citizenship for 18 percent of all inmates in Norwegian prisons, though ethnicity of inmates is not officially registered (Anon. 2007). Due to the high turnover of occupants at both departments—an inevitable characteristic of both custody jails and short-sentence prisons—it is impossible to give an accurate figure for the ethnic distribution at any given time, though a rate of only about 20 percent Norwegians at the entire facility was widely accepted and communicated by the staff.

Most prisons in Norway rely on substitute labor from mid-May to mid-August as the regular staff use most of their five weeks of yearly vacation time during these months. Most substitute guards are college students or recent graduates (thereby, unwittingly fulfilling Aristotle's prescription that jailorship should be entrusted to the young [Politics, book VI]). The fact that students are eligible for prison guard work has been used to illustrate the unique Norwegian "relaxed conditions to be found in most prisons and the socially acceptable nature of prison work" (Pratt 2008a, 121). Clearance for substitutes is gained through interviews and background checks of applicants. The admittance has, however, become consistently stricter in the last couple of years due to a growing presence of inmates connected to international organized crime networks.

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2. Some of the theoretical motivation was planted already during my two earlier assignments as a substitute guard at the same facility in 2006, and at a different long-sentence prison in 2004.
For this study, the agreement with the prison authorities was that a field diary could be kept and that I could take notes while at work at both the jail and the prison. This procedure was facilitated by the fact that it is quite common, even encouraged, for prison guards to take copious notes while at work in order to keep track of events at the work post. This significantly helped on-site note taking, the greatest challenge of the ethnographic method (Goffman 2001). No technical equipment, such as recording devices, was permitted by the prison authorities.

Although my research was conducted overtly, the prison administration enforced limitations on consenting procedures. Because of security concerns, the distribution of consent forms was not permitted in order to prevent the identities of guards from being accidentally disclosed to inmates. In Norwegian prisons, guards decide the extent to which inmates know their names and the administration did not wish to jeopardize this right. It was, therefore, agreed that my presence would be disclosed to inmates and guards by oral communication along with a written statement on the announcement board on the floors to which I was assigned. Guards and inmates had the opportunity to anonymously complain to department officers or the administration, but no one took advantage of this option. On the contrary—to the extent that they cared at all—both guards and inmates expressed approval of research on prison life.

For ethical and scholarly reasons, I decided not to venture any analysis of the inmate culture and to focus my analytical attention on inmates exclusively in their interactions with guards. Prisoners constitute a disempowered group who might not feel or fully comprehend their rights in situations outside of ordinary institutional arrangements—such as implicit participation in a sociological study. The presence of many inmates of foreign nationality, with limited proficiency of Norwegian, further mandated a cautious evaluation of the study's nature as did the fact that inmates cannot change their residence, whereas guards can easily rotate their daily floor assignments.

As far as theoretical advancement goes, no guard fully knows how inmates organize their lives, privately or collectively. Guards will have an idea as to who socializes with whom and the habits and interests of most inmates, but aside from noticing its complexity, guards are not privy to the intricacies of the prisoner culture or the stratagems inmates employ within it. My role as guard-researcher made it impossible to analyze the collective of inmates because all information disclosed to guards by inmates is potentially strategic, selective, or misleading and no corroborative effort is available.

At the same time, my conviction informed by my work experience is that valuable insights into prison guard work will be gained through the testimony of a researcher who has been subject to the peer socialization of fellow guards and personal habituation of the many tacit practices of the uniform.

The study of workers with whom the researcher works has a long tradition in sociological ethnography (Burawoy 1982; Desmond 2006; Sallaz 2009). Working in the field one studies provides analytical benefits to the researcher, but also presents challenges. On the one hand, familiarity with processes at the site is facilitated through professional participation, and one might overcome social barriers by cooperating with the group studied. On the other hand, this intense form of involvement can make the researcher misrepresent the site by focusing too much on personal experiences. Perhaps
more than any other ethnographic strategy, the “working researcher” must constantly
reflect on his or her engagement with other members of the site and personal role in
shaping its character (on reflexive ethnography, see Burawoy 1998).

Two characteristics of the prison guard community were valuable in averting
these methodological challenges: first, its hierarchy and, second, the influx of substi-
tute guards during the summer. Officially, prison units—or “floors”—are commanded
by one officer who is in charge of the guards. Informally, there is a further status
demarcation among guards between regular guards, or “regulars,” who rank above
substitute guards, or “subs.” It is expected that the subs will need time to adjust, but
no mentorship system or follow-up interviews are provided. Officially, there is an
attempt to team up new subs with experienced guards and to “spread the subs around”
on the floors but, in practice, the strategy is simply one of “learn as you go.” In effect,
experienced guards, who typically work together in stable units, take little notice of
the subs and rarely initiate conversation with them or interrupt the talk among them-

A sub’s status as a “stranger” gives him or her a certain degree of “objectivity”
(Simmel 1971). My role as guard-researcher, as one who was not fully included nor
shunned by the group of regulars, provided me with unique possibilities for candid and
uninhibited observation at the same time as I learned what I observed really meant and
felt like in practice, thereby exploiting a senior guard’s advice that “this job you learn
by doing.”

REGULATION, OFFICIAL AND UNOFFICIAL

Two minutes in the hallway [before lock-in] is enough to make our lives bearable.

Repeat Offender, Jail (July 5, 2007)

Prison work in Norway is regulated by a vast body of enactments collected in what
guards interchangeably refer to as the “manual,” the “rules,” or simply the “book.”
Herein are official laws, regulations, and guiding principles in addition to less perma-
nent memos and reports peculiar to individual prison facilities—all of which are
compiled in binders available to the prison staff at all floors. The most important of all
is the national Law of Correction (Straffegjennomføringsloven) and its related regula-
tions. Although of varying importance in day-to-day operations, the entire digest
comprises several hundred independent charters, many of which prison guards are
required to know by heart and all of which the prison administration expects guards to
consult when unexpected situations occur.

In terms of material provisions, inmate life for a captive in both jail and prison is
quite similar. The inmates will receive hot water, three meals a day (with provisions for
a fourth prepared individually), and a meager daily allowance with which phone cards
and groceries can be ordered from the prison kiosk. Inmates are entitled to one hour of
recreation in the prison yard. Jailmates and prisoners occupy solitary cells in larger units
each with a capacity for twenty to thirty individuals on basic floors or around ten
dwellers in special divisions that house inmates who, for some reason, are unable to
occupy more crowded departments. Provided no disciplinary or court restrictions have been enforced, all inmates are allowed to receive visitors for half an hour every day.

According to the prison manual, these provisions are everything a prisoner is strictly entitled to receive from guards whether in jail or prison. To paraphrase the infamous welcoming speech to new prisoners by the warden at Alcatraz, anything else “is a privilege.” In Norway, however, many of these “privileges” have become standard and, in practice, constitute part of the ordinary entitlement a prisoner expects. For instance, although the law does not guarantee a private television set in the cell, access to exercise equipment, or two hours of social time with other inmates, it does recommend such benefits, and only inmates under formal institutional penalty will not receive them. Such “humane” arrangements have been characterized as an aspect of “Scandinavian exceptionalism” of penology (Pratt 2008a; Ugelvik and Dullum 2011).

In reality, however, prisoners in custody receive more than this. An inmate who receives only his entitlement provisions—including customary benefits—will either not communicate with guards as an act of defiance (a rare incidence) or be under informal punishment by the community of guards. Aside from regulating customary benefits of Norwegian prisons, the manual does not specify how and when guards should grant additional favors to inmates or describe alternative ways to enforce disciplinary sanctions to recalcitrant inmates. This omission would not be of great importance if favors were given rarely or sporadically. As new guards learn, however, the granting of additional favors to inmates constitutes one of their greatest professional burdens.

Informal Control

The overarching objective for guards is a peaceful floor and even small interruptions in the daily prison routines can create great stress. Every negative and formal reaction toward inmates involves ensuing meetings and report writing—something guards view as a major nuisance—and incidences such as a misplaced keyset or physical injuries to an inmate can keep the entire workforce on the job for hours after the normal end of the shift. Guards, therefore, do everything they can to uphold work predictability and tranquility. This requires general complacence from inmates, something that must be attained through informal favors. Such favors frequently target a particular grievance expressed by an inmate.

An inmate requested a new pillow, stating that the one he had was too soft and caused him neck pains. A sub, who received repeated pleas from the inmate, asked

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3. The Regulations to the Law of Correction (Art. 3.15) recommend individual cells but do not require it; prison units comprising individual cells are characteristic of high-security facilities such as the ones at which I worked.

4. The Regulations to the Law of Correction (Art. 3.19) state that the prison shall try to accommodate inmates’ needs for leisure activities and recreation and, “insofar as this is practically feasible,” provide each inmate with opportunities to listen to radio and watch television.

5. The manual does, however, imply that individual discretion can be used; for instance, by restricting physical force against inmates to situations where (unspecified) “less intrusive” measures have been tried unsuccessfully or are not likely to be efficient (Regulations to Law of Correction, Art. 3.11).
an officer if this was something that needed to be taken care of, and learned that it was only necessary if a nurse had prescribed it, which had not happened this time. The inmate kept nagging until he was told that he would not get one in the absence of a nurse’s prescription. During lock-in, when another guard at the floor had some duty to take care of at the laundry, the officer told this guard to bring a new pillow back to the inmate from the storage next to the laundry, “now that he’d stopped complaining.” (Jail, May 29, 2007)

An inmate had received news from his girlfriend that their daughter had been sexually abused by his brother during his stay in prison. The story sounded dubious to the guards and the police had not been able to verify the girlfriend’s account, but the psychiatrist prescribed additional medication to him. The inmate—looking deeply distressed—implored if he could not walk around outside of his cell for a while during lock-in to “clear his head.” The guards agreed to make exceptions for him and keep his door unlocked whenever he asked for it the next couple of days. (Jail, July 2007)

There are some important differences between the jail and the prison department—something captured in the frequent quip related by guards at both locations that “it’s really two separate prisons.” Prisoners enjoy greater diurnal liberty since their cells normally remain unlocked during the day, whereas jailmates are only locked out for a total of five hours daily. Even during periods of lock-out, the practice in jail is to limit the number of jailmates out to fewer than ten. In addition, prisoners have greater access to the inmate phone than jailmates, although the number of individuals sharing the same phone in practice thwarts this advantage somewhat.

The institutional situation of jailmates and prisoners also influences the popularity of different types of favors. Broadly speaking, since prisoners have received their final sentence, they are in a better position to make plans for the future and control their lives; moreover, prisoners typically have longer institutional experience. In jail, on the other hand, the inmates with the longest sojourn are foreigners whose unverified citizenship obstructs their remandment—hardly a position for life planning, regardless of institutional familiarity.

For prisoners, the range of favors distributed is, therefore, wider and characterized by greater individual variation: More access to the weight-lifting equipment is frequently given, as is permission to partake in certain sporting events (with limited participation) hosted by the leisure department. Personalized favors, such as assistance in interpreting police letters, help with finding a person’s phone number, and help with conducting basic online searches for information on the housing situation, are also more common in prison.

In jail, on the other hand, the gift most lucrative to inmates is additional call minutes exceeding the twenty-minute weekly limit, with extra minutes out of the cell in second place. When it comes to inmate phone use in jail, guards monitor and tap all calls and deduct the minutes from the inmate’s call log. Guards are supposed to read from a call timer that records the exact number of seconds used, but I have never witnessed experienced guards enter the actual time spent. Instead, regulars usually report about half the minutes used, unless they want to discipline an inmate. Subs will often miss this informal practice at the beginning of their employment, much to
inmates’ distress (which they have nowhere to address). Gradually, through professional socialization, subs learn to show generosity. I know of several subs who had not expected acts of generosity to be part of the informal job training but, like me, experienced it as a relief as it makes encounters with inmates less threatening and intimidating. The practice, however, is never expressed openly, but is shown by example or intimated.

An inmate was just done with a call I had administered. I recorded fifteen of the eighteen minutes logged. The regular guard peeked over my shoulder to notice my deduction, but did not confront me about it right away. As the regular guard moved to secure the inmate back in his cell after the call she declared to him that this was a 10 minute call—loudly enough for me to hear. I took notice and corrected the figure down. (Jail, May 28, 2007)

All subs experience similar situations of work socialization. Since the lives of inmates are more tightly controlled in jail than in prison, which means that guard-inmate interactions here have a more direct and isolated character, the informal professional education here typically occurs during discrete episodes, as in the example above. In prison, on the other hand, the work socialization takes the form of a gradual learning experience through the subs’ systematic observance of the greater leniency for regulars in many different situations.

It should be noted that the initial strictness on the part of new subs has a rather logical origin; subs’ formal three-day training does not explain informal practices but consists of teachings of the formal prescriptions of the manual. All leniency, therefore, feels like violations of the rules to fresh subs.

In his classical analysis of institutions of confinement, Goffman found a pattern that resembles the one I describe in which senior officers were more prone to show leniency toward inmates than inexperienced guards from the lowest rank; however, Goffman’s interpretation differs from my own. The “avuncular kindesses” of senior officers, he explains, “are possible simply because, like all uncles, higher staff do not have the immediate task of disciplining inmates, and their contacts with inmates are so few that this leniency does not disrupt general discipline” (Goffman 1961, 114).

Sykes, noting similar phenomena, interpreted guards’ nonobservance of official rules as an expression of strategic neglect. A guard, he remarks, “finds that one of the most meaningful rewards he can offer is to ignore certain offences” thereby making “‘deals’ or ‘trades’ with the captives in his power” (Sykes 1969, 56–57).

Contrary to the situation described by Goffman, the informal generosity of, for instance, call minute deduction grows with the extent of guards’ exposure to inmates, and all subs experience that it is the lack of such leniency that threatens to disrupt the general order. In contrast to Sykes’s explanation, call minutes and other favors are not a matter of neglecting minor transgressions by inmates but an active contribution given by guards before any violation has taken place.

From her research on a Norwegian women’s prison—a site more comparable to my own—Basberg (1999) interpreted the many favors given by guards as an expression of “care” for individual inmates. Interest in the well-being of inmates certainly accounted for some of the leniency I observed too, but this motivation can account for only some of the times favors are given and not why they are frequently and actively removed.
Both the act of giving and the act of withdrawal need to be considered as two sides of the same practice in order to account for the logic of guard leniency in this study.

The informal system of call time deduction consists of two considerations: first, how many minutes above entitlement well-behaved inmates will receive and, second, which inmates are to be disciplined. I heard several subs and new guards ask for an appropriate threshold for additional minutes but, interestingly, never heard a clear response. A veteran guard who was asked about the “policy” for extra phone time for a young and demanding inmate stated: “Sometimes I grant him a call, sometimes I don’t. I think that is the best way to deal with him” (Prison, August 8, 2008).

Favors Retracted

Although the types and extent of favors has to be learned by experience, information sharing about inmates is institutionalized in the daily meetings between guards going off shift and those starting their shift. These sessions, called “overlap meetings,” are particularly important in prison where favors must be tuned specifically to the individual needs of the inmate to have any force; here, they cannot be attained by the mere turning of a key (to give some time outside the cell) or the stroke of a pen (to deduct call minutes) as in jail. In both jail and prison, however, it is during the overlap meetings that withdrawal of privileges from certain individuals will be suggested. As guards sit together, the behavior and mood of every inmate on the floor is discussed. If an inmate is “grumpy” or “unpleasant,” guards going on duty will implicitly be advised to refrain from giving favors to the inmate in question.

Another more subtle reason for favor withholding is that a prisoner has become too accustomed to them—or has “warmed up,” as guards use to say—causing favors to lose their force. Of course, some of the motivation for disciplining these inmates also stems from the need to repair the strict boundaries between the groups of guards and prisoners, but since the formal and informal systems are based on protection of the same hierarchy and closely overlap and fuse, the two strategies are only analytically—not factually—separate.

Although targets for sanction will be identified during overlap meetings, the appropriate form of sanction is only occasionally recommended. In jail, punishment typically involves no additional call minutes, something all experienced guards tacitly understand. If dissatisfaction with an inmate’s behavior is more specific, a particular sanction is suggested, for instance, the breaking up of cliques by refusing members community time simultaneously. This can be suggested for two boisterous friends: “Keep the two Chilean guys apart today” (Jail, July 25, 2007). It can also be used for certain kinds of leisure activities: “Don’t let him [cranky inmate] exercise any more today” (Prison, May 20, 2008).

Sometimes, it is hard to discover a suitable favor to withdraw for a particular inmate. In prison, where there is no weekly call limit and cell doors are open most of the day, guards have to be more creative than in the custody units. Some jailmates in
custody who do not wish to make any calls might pose a similar challenge. On the other hand, prisoners are involved in numerous activities, such as workshop duty, library visits, sports, and so forth—none of which are part of prisoners’ entitlement. Such activities provide opportunities for guards in prison to impose restrictions to sanction inmates.

Off duty guard: The Polish guy has been really grumpy today. He didn’t even go to school.
On duty guard: Why?
Off duty: I don’t know. I think he said he was sick or something.
On duty: Too bad. Is there any gym session on today?
Off duty: No, we had that yesterday.

The logic in the exchange above is as follows. The off-duty guard implied that he did not believe in the authenticity of the alleged illness of the inmate. Rather, he thought it was a subterfuge to dodge the duties at his work post and enjoy a long morning’s sleep. To foil his plan, the off-duty guard implicitly recommended that the next shift take care to give this inmate only his entitlement, which does not involve such popular activities as gym sessions. The on-duty guard was disappointed that there was no gym session for this floor that day, and so other ways of withdrawing favors would have to be invented.

Although the informal system is explicitly based on unequal treatment—albeit only as a response to inmates’ behaviors—I never witnessed blatant discrimination on the part of guards. Entitlements were not withheld for reasons other than general discipline on the floor. In a work environment where virtually all controllers are native Norwegians and, on several floors, the vast majority of prisoners nonwhite (a situation once jokingly referred to by one guard as “prison apartheid”), many would probably expect some discriminatory practices to have taken hold.

It is true that my own Mediterranean complexion seems to have invited some inmates to suggest that I was able to “understand them better”: moreover, inmates would readily accuse guards if they sensed unequal informal treatment with comments such as: “Does he get this because he is white?” “Is this because I don’t speak Norwegian?” The same rebuke would also, more frivolously, be encouraged with: “Do you have to be a rapist or a snitch to get help around here?” By any measure, such remarks suggest that inmates are aware of the favors they receive—and probably accept some kind of informal system behind their distribution—and that they understand that even vague intimations of misuse might caution guards that their practices are in peril of losing legitimacy. The source of inmate power in holding officials to their own normative standards in Norwegian prisons was observed earlier by Mathiesen (1965).

In reality, though, I never saw any lasting selective relationships develop between guards and inmates based on the skin color or linguistic proficiency of either. Some of the reason, undoubtedly, can be traced to the fact that inmates reside for a relatively short time in both the jail and the prison I observed, which curbs the establishment of individual relationships.

Equally important is the fact that guards fear being seen as agents of favoritism. Since the withholding of favors is only effective to those who have received them in the
first place, they must be distributed liberally and preemptively from the moment an inmate arrives to a floor if the sanction is going to be realizable. Otherwise, there would be no favors to withdraw from some inmates and the practice would be seen as unjust. The community of guards will always warn against practices that might turn favors on themselves. Put more academically, they make sure to uphold the legitimacy of the informal system. Regulars would sometimes caution subs to restrict themselves somewhat in their treatment of particular inmates but never in a manner to suggest favoritism; rather, a warning that a particular inmate had warmed up would be given or sometimes a claim that a particular inmate was being “manipulative.” The one exception to the avoidance of permanent inmate-guard relationships is found with inmates with special privileges and responsibilities (see below).

**Gift Givers, Risk Takers**

It follows that the punishment associated with the withdrawal of a reward increases in proportion to the perceived value of the reward. The preemptive nature of the informal system, as well as the severity of sanctions, is visible when it comes to the appointment of a unit’s two “floor boys.” These are inmates with additional cleaning and practical responsibilities who also enjoy fewer confinement restrictions and greater access to exercise equipment, shared DVDs, and so on.

Most floor boys guard their privileges dearly, and their appointment is lengthily discussed between guards and officers during overlap meetings before an offer is made. It is common to request inmates from other units if candidates considered suitable cannot be found within a unit. Aside from punctuality and willingness to work, guards favor inmates who are not members of any strong cliques and who get along well with inmates and guards alike.

A floor boy nomination constitutes the greatest gift guards can award to an inmate. The consequence is that this also creates the possibility for the greatest informal punishment should guards decide to degrade a floor boy. Technically speaking, guards are free to appoint new inmates whenever they deem it necessary, so it is not the nomination itself that worries them. A disgruntled quondam floor boy, on the other hand, poses a threat to the peace on the unit. The consequence is that floors risk being stuck with an unsuitable floor boy for a long time, since he is highly unlikely to be degraded.

One prison unit suffered from an unfriendly and inefficient floor boy for two months in the summer of 2008. The person refused to perform some of his duties, was hostile toward the guards, and distributed food rations unevenly among inmates to the advantage of his friends. He was the subject of complaint every overlap meeting and the floor officer desperately sought solutions. Guards would ask the floor boy if he was interested in changing to other positions, but he brushed away all suggestions, since every alternative would afford him less access to the weight-lifting equipment.

The despondent guards at one point even debated letting him keep the floor boy privileges without the associated duties and find a replacement. The inmate himself

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agreed to a deal of this kind. It was, in the end, decided that this form of unequal
treatment would send out the wrong signals to the other inmates who would surely
consider such arrangement entirely illegitimate. By a stroke of luck, by early August, the
guards learned that the floor boy would be transferred to a different prison within a week
or two. The guards immediately seized this opportunity to degrade him, since he would
not be able to repay this disfavor to them by being unpleasant due to the short time he
had left at their unit.

A similar situation took place in June 2008 at one of the “improvement floors” of
the sentencing prison. Inmates who are unable to function socially on one of the
ordinary floors will be sent to one of these small units where they do not need to work
or socialize with other inmates. Their time outside of the cells is highly restricted and
only a handful of the floor residents are allowed out of the cells at the same time. This
particular floor boy was inefficient and aggressive and, therefore, ripe for removal. Even
though the improvement floors have a poorly developed informal system between
guards and inmates, the floor boy still kept his position for a long time.

In late June, he exchanged a few punches with another inmate, which means
automatic degradation. The guards insisted that they had no one to fill his position,
which meant that someone had to be transferred from another floor. This became
something of a headache to the prison officers since the improvement floors are the least
popular units of the whole facility. For a couple of days, floor boys from other floors
would rotate to fill the position while remaining in their old cells and were, in effect,
commuting to the improvement floor to work. Finally, the administration solved the
problem by cutting a deal with two Polish inmates who were close friends but occupied
different floors. One of them agreed to fill the position if his friend would also transfer
to the improvement floor.

The power of the floor boy appointment was also seen on a standard prison floor on
June 11, 2008. During routine inspection, guards had discovered heroin in a soap
dispenser in one of the communal showers. Due to the greater freedom the floor boys
enjoy in the common area of the floor, and since the two floor boys at this particular unit
were young ethnic Norwegians (most ethnic Norwegian inmates have a history of
substance abuse), the two immediately gained status as chief suspects. They were both
separately interrogated by guards from the floor and officers from the prison adminis-
tration. No physical evidence or testimony could link either of the two to the narcotics,
but officers were so convinced of their culpability that they were temporarily degraded.
The guards on the floor asked their favorite inmate if he would like to replace the two
as floor boy, a position they informed him would almost certainly become his perma-
nently. He accepted the job with great appreciation.

Interrogations of the two suspended floor boys led nowhere, and upon completion
of the investigation two days later, the administration was forced to reinstate both.
Although he had not been guaranteed the position, and despite the fact that he had
served only for one full day, the temporary floor boy was not removed. Consequently,
the unit had three floor boys, which, in the narrow prison space, is counterproductive.
Still, the guards were afraid to degrade any of them and began asking other floors if they
were in need of a reliable floor boy, which would give them an opportunity to transfer
one of theirs. After a couple of days, there was an opening at another unit. The one with
the shortest tenure was consequently transferred and resumed his duties at his new floor.
Rule Creation

In here, rules are changed quicker than most people change their clothes.

Senior inmate, Prison (June 30, 2008)

“Rules” is the phrase used by inmates and guards alike to characterize all behavioral prescriptions that lie outside any person’s individual discretion, including, of course, the actual rules of the manual. In an institution engulfed in law and written mandates, all parties understand the semantic weight of the word “rule.” This is probably why it is summoned to add force to requisites and demands that would otherwise appear arbitrary. The withholding of favors is justified with reference to the rules of the manual, but guards will also frequently designate individual and improvised arrangements as “rules.” Such rules are created when neither the manual nor the informal system of favors by themselves can solve situational problems. Rules are often made up if an inmate is behaving in an unusual way without the guards understanding the reason. By guards, rules are used to demarcate favors from nonfavors to inmates and, thus, to convey what form of sanction they are put under at any given time.

One particular prison inmate, in May 2008, would request several pens from the guards every day. He was writing letters and keeping a diary and kept destroying pens in the process. The guards discussed “this problem” in the guards’ room. Although the manual does not establish the precise number of pens inmates can receive or possess, the guards were growing worried about the fact that he was receiving too many—whatever that meant. An earmarked rule was established, though referred to as official, that required this particular inmate to hand in a broken pen for every new one as “mortgage.” The word the guards chose for the trade is somewhat ironic given the fact that guards would simply discard the destroyed pens. The inmate considered the ritual a nuisance but complied with the rule.

In a particularly illustrative altercation I was able to record by eavesdropping while taking notes, one will notice how both inmate and guard are huckstering the definitions of rules as well as future consequences. The conversation itself is not unique, only the opportunity I had to document the interaction in its near entirety. Obviously, in a stricter penal regime, the responses from the inmate below would not be tolerated. This type of rule creation is, therefore, dependent on a prison system, such as the Scandinavian, that is characterized by “humane” inmate treatment (Pratt 2008a) and somewhat “democratic” guard-inmate interactions (Ugelvik 2011, 54).

Just prior to the evening shift, one of the Norwegian veteran inmates walked up to the guards’ booth to see if the morning shift had finished inspecting and approving his three letters and taken them to the mail central for delivery. They were all still there and most likely still unread. This made him furious.

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8. The Norwegian regler (pl.) is homologous to the English term “rules,” but used semantically more flexibly to denote customs, habits, and expectations; interestingly, alternate meanings were intended even more frequently in the prison parlance than it is in the general vernacular.

9. The fact that this “rule” was specifically designed for this one particular inmate would never be perceived by other inmates, as none of them consumed pens to the same extent. But, to be sure, the guards would have subjected any other inmate to the same regulation.
Inmate: What's the point in handing the letters in on time [8 o'clock in the morning, according to the manual] if you are so incompetent that you can't get them out in several hours? I did my part! You do your job or hire more people! People who do their job.

Guard: Don't be ridiculous; you know I would have finished your letters if I had found the time. Things happen that are outside my control. You know this.

Inmate: Obviously, you don't do as you are required!

Guard: Now, hold on; I am not required to do anything! If there's no time, there's no time.

Inmate: You can't choose to do whatever you please. I handed the letters in on time. Now you do your job.

Guard: The rules don't say that I am required to have your letters out the same day. Even if you hand them in on time.

Inmate: This is bullshit. What's the point for me to make sure they're in before eight if you are incompetent and don't do your job?

Guard: You want to talk about rules? Well, why don't I ask you how many stamps you have in your cell?

Inmate: Oh, so now you want to turn this back on me, huh? I don't have too many stamps, but that has nothing to do with this.

Guard: I've seen your cell. You do. You were the one to bring up the rules.

Inmate: You're changing the subject! What's my stamps got to do with the fact that you're not doing your job?

Guard: You know that I don't care too much for such rules. That's why I don't make a fuss about your stamps.

Inmate: So how can we be sure that our letters will be out on time?—By handing them in the evening before?

Guard: That might be a good idea if you want to be more certain.

Inmate: Are we guaranteed to have them out on time if we hand them in the evening before?

Guard: It might not be a bad idea.

Inmate: This is bullshit. This is bullshit... alright. I also need to call my lawyer.

Guard: Do you have new cases coming up? I hope you do, or else you're paying for it [the call] yourself.

Inmate: Damn right I have. (Inmate leaves)

The inmate was allowed his call. After the incident, the officer of the floor—who had been present in the background during the altercation—ordered that we move the mail shelf back to the guards' room so that no other inmate would see if mail had been processed or not. (Prison, June 10, 2008)

This exchange reveals a few things typical to confrontations between inmates and guards. First, the guard refused to have his behavior evaluated against the manual by the inmate—all his dealings with his letters should be judged as a matter of favor. Second,
as is very common, the inmate tried to seal a personal agreement with the guard, namely, a guarantee for inspection of letters the next day if he hands them in the evening before. In a commonplace response, the guard refused to close any deal and simply stated that it “might be a good idea” to do so. Contractual obligations, however informally sealed, are not compatible with the asymmetry required to maintain the principle of favors—something this particular guard, as all other guards, knew full well. It should also be noted that I never encountered local rules on any floor detailing the number of stamps a prisoner might keep in his cell, as the guard above indicated.

Protecting the System

For the informal system to be efficient, guards must distribute favors liberally, but there is a point of diminishing returns. If inmates grow so accustomed to favors that they no longer notice them as such, they begin complaining about not receiving any. This problem is always felt and discussed by guards. The term used to describe a situation in which favors have begun to lose their force was that they were taken “as given.”¹⁰ The only solution is to impose restrictions, though this time not in order to punish but to protect the system. Most of the time, particular inmates who have warmed up are targeted but, occasionally, guards recommend imposing a stricter regime for entire floors when things have “gotten out of hand.”

A particularly illustrative practice of protecting the informal system that is executed routinely has to do with the lock-in procedure in the evening. Lock-in typically takes ten to fifteen minutes, depending on the floor, the staff at work, day of the week, and occurrences throughout the preceding day. Guards will commence the procedure a couple of minutes before the last call at 9 p.m. (8 p.m. on weekends). Guards proceed by locking the doors of inmates who are already in their cells for the evening. Next, guards will single out particularly cooperative inmates or inmates who are standing close to their cell.

Prisoners in the remaining group will conduct all sorts of last minute evasive preparations, such as fetching tobacco from a friend, getting hot water from the kitchen, finishing a game of pool, using the bathroom, and the like. Guards will address themselves to select individuals (rather than to the whole group) and demand that they go to their cell. Some inmates will give mild resistance with comments about how “the other ones are still out” but are brushed away with replies such as “well, I am talking to you now,” or “I only have one set of keys, you know.”

All guards, however, know the importance of not letting the same persons be locked in last several evenings in a row. Inmates can gain up to ten minutes outside their cells by postponing their lock-in, something guards often purposively exploit to appease depressed inmates or inmates they feel have deserved an extra favor. Inmates, however, are never allowed to manipulate the lock-in order themselves. If an inmate has been locked in last for two consecutive evenings, the guards will let their coworkers know that this person should be secured in his cell first on ensuing nights.

¹⁰. Literal translation from the Norwegian for gitt frequently used by the guards; in Norwegian, the phrase is generally used to adversely characterize someone’s unwarranted demands for help, goods, or service.
Officer: I always tell my wife that if something doesn't work, look in the manual.

Guard: So you mean that we should only look in the manual when something goes wrong? (laughter).

Guards' meeting, Prison (June 2, 2008)

Adler and Longhurst (1994, 240) theorized how “the centrality of internal power struggles between dominant groups within the prison system” affects the functioning of these institutions. Of such groups, the prison management and ordinary guards are of the most important. In the Norwegian penal system, management and ordinary guards share many of the overarching goals for prisons, such as peaceful units and individual safety for both inmates and guards; however, the pursuit of these goals often differ for the higher and lower echelons of the institution. Broadly speaking, ordinary guards desire discretion in their work performance, whereas the administration wants supervision and ultimate command. A similar conflict was found in French prisons by Benguigui (1997), who discovered that management and staff differed in the extent to which they desired to let organizational rules dictate the actual enforcement of prison control.

The potential for institutional conflict between guards and management might have increased over the last two decades due to changes at the top. In his historical survey of Norwegian prison administration, Hammerlin (2008, 643) notes a shift toward greater reliance on institutional efficiency and modern management practices, which has caused institutional prescriptions to be more detailed and rigorous and the work obligations of guards to be heavier. Simply put, the latent institutional conflict between management and guards is a matter of the status of and control over the official rules.

Drawing on the study of warfare, French sociologist Michel de Certau distinguishes between “strategies,” the regulatory force of official power, and “tactics,” “the art of the weak,” which consist of the improvised reactive ploys to counter systemic power (de Certeau 1984). The establishment of an informally enforced favor system is, in essence, the “tactic” of guards. They are certainly not a “weak” group in the same sense that inmates are, but since the institutional setting is not established by the intentions of guards, they have to improvise within the limits set by a remote authority. Normally, the disagreement over the manual is latent, and defiance to it is conducted covertly, exemplified by the informal opposition, of inmates and guards alike, against a guard who is seen as a “rule rider.”

Interaction between the top and bottom of the prison hierarchy is rare and mostly limited to documents with new guidelines and prescriptions being circulated down to the floors from the administration. Obviously, both guards and top-ranking officers share a common concern for the safety and well-being of those in direct contact with inmates, but most encounters and large meetings are somewhat conflictual, triggered by the administration’s dissatisfaction with ordinary guards’ execution of their instructions.

11. All Norwegians are familiar with the idiom regelrytter, which unequivocally signals someone’s obtuse, unnecessary, or unimaginative compliance with rules; a “rule fanatic.”
The following incident, involving a dispute over the manual, will serve as an illustration for this latent institutional conflict becoming manifest. In the beginning of June 2008, the prison administration had noticed that many of the provisions in the manual were not observed properly by many guards—a situation exacerbated by the high influx of summer subs who typically emulate the behavior of senior workers. The administration took action.

An early Friday morning, all guards were summoned to the “Bourse”\textsuperscript{12} for an extraordinary meeting. The general meetings are normally led by the commanding officer of the day, but this time the meeting was led by four representatives of the highest level of administration—officers who are normally not seen on any unit. The representatives expressed “horror” about the fact that several regular guards not only failed to observe the manual but were also unable to explain the appropriate way to deal with many routine activities and procedures. Numerous examples of “unprofessional behaviors” were given.

A copy of the manual accessible to the guards is located on every floor and in all common areas. The representative reiterated this fact, adding that guards still seemed to prefer “asking their coworkers and assume that they know” how to do their job. After a lengthy reprimand to the workforce, a couple of senior guards began countering.

First to speak out was one of the veterans who asked how he was to know of the periodic—yet allegedly unsystematic—updates of the manual.

Guard: Assuming I come to an evening shift, how am I to know if changes have been made to the rules?

Officer: If you open the manual, the first page contains a log [with information on which rules have been altered] with the dates [of the change]. If you simply open the manual, it’s all there.

Guard: So you expect me to read the manual every time I come to work?!

Officer: If you want to do a good job, yes.

The guard’s second question was meant only rhetorically and defiant murmurs were heard through the rows of coworkers when the officer answered it in the affirmative.

Next, the officers explained that beginning the following Friday, they would start testing guards’ familiarity with particular rules from the manual by interrogating randomly selected guards during a general meeting. This, as I learned after the meeting, had offended many of the guards, particularly the veterans. They felt it was a violation of their professional integrity and disrespectful of the fact that they are the ones who “do the actual work” in prison.

As the meeting went on, several guards began complaining about matters unrelated to the issue of the manual. Someone discussed a door with access to one of the yards that had been urinated on for years by inmates during recreation breaks and, as a result, become almost impossible to open. A guard mentioned how this posed a fire

\textsuperscript{12}. Name given to the general meeting hall; of unknown etiology.
hazard, which should be of the “utmost concern” to the institution. Others made comments about how the new work schedule made swaps difficult.

After the meeting, upon returning to the floors, the guards expressed their dissatisfaction with the meeting. They specifically disliked the announced tests of guards’ knowledge of the manual. Others perused the copies of the manual at the various posts to find out if it was true that they were all up-to-date and prefaced with a log of changes, as alleged by the administration. One senior guard took the lead in this effort and discovered that only about half the copies fulfilled the requirements. The guard triumphantly declared that he would bring this to the attention of the administration, but never did—at least not formally.

Later that summer I occasionally asked experienced guards what became of the issue with the manual and when the testing of guards would begin (it never did). Most did not know, and several expressed a desire to let the whole affair die out silently. One guard remarked that it was better “not to excite the administration too much” over these issues.

CONCLUSION

Prisoner entitlements in Norway are generous by international comparison; official Norwegian prison rules only prescribe punishments for the execution of institutional control while restricting their application. By distributing favors liberally to inmates, the guards create a new and efficient system of punishment, which consists of the withdrawal of rewards. Since the removal of rewards is not a punishment in the official sense, it does not entail cumbersome institutional arrangements, such as hearings and reporting. The persistence and intricacy of this practice challenges existing theory predicting the ineffectiveness of rewards for the maintenance of social order in asymmetric relationships.

Naturally, there is a constant danger of institutional friction between formal and informal control forms, since each is created by different factions of controllers. The reward system, therefore, has to be kept hidden from the prison administration, which attempts to maintain supervision and disapproves of lasting informal relationships between guards and inmates. No discriminatory informal treatment of inmates is officially permitted, but the reward system is easier to conceal than one based on punishments. Unlike illicit punishments, an inmate will not complain about positive treatment and cannot complain about its absence.

As Ben Crewe (2007) has noted, power in late-modern prison has been designed to “individualize prisoners.” The unofficial control strategies I have described are also based on an individualized approach to inmates, but in this case it stems from the fact that rewards inevitably must be tuned to the desires of particular inmates. At the same time, prison guards collectively have to monitor the use of favors to inmates lest habituation make them lose their force. If taken for granted, a favor is not recognized as such.

The strategic nature of any act of giving has been the subject of perennial theoretical investigations. Ever since Marcel Mauss (1990 [1923–1924]) argued against gifts as free and disinterested acts of generosity, theorists have attempted to explain what
makes gifts interesting and where their constraints lie (Lévi-Strauss 1987; Weiner 1992; Sahlins 1997; Godelier 1999). In the case of the Norwegian prison guards I studied and worked with, the two forces are inseparable. The guards not only grant favors under constraints, but they do it because they are under institutional constraint.

To account for the power of gift, the most prominent commentators have focused on the work of time in gift exchange, notably, the manipulations of the time lapses between various acts of giving and reciprocating, which serve to establish obligations and create social relationships out of that which is given (Derrida 1992; Bourdieu 1997). Manipulation of time is essential in the system of favors that I have described. It creates the field of force between the acts of giving and removing: however, this power is not circulatory as assumed in most of the literature on gifts but static and potential. It releases its force only when the gifts are interrupted.

While to a great extent motivated by the strategic concerns of guards, the informal system of favors ultimately contributes to a more agreeable social environment in Norwegian prisons. It should, therefore, be considered as an element of the “humane prison conditions” characteristic of the Scandinavian penal model (Pratt 2008a). John Pratt (2008b, 288) argues that the greatest threat to the survival of this model in Norway is demographic changes in the general population, which might undermine its traditionally strong degree of social solidarity on which the penal model depends, according to him. The full extent of these demographic changes is yet to be known, and it is still an open question whether these changes will influence public opinion and political reforms to make the Norwegian correctional system less humane. In relation to this possible development, this present study provides one important lesson.

The humane prison conditions of Norway partly emerge as informal responses by guards who interchange rewards and punishment through their work. The humane conditions are, therefore, also the result of local forces and not a mere reflection of the social bonds of a homogenous national population.

Unless guards’ opportunity to engage in informal favorable treatment of inmates is drastically restricted, they are unlikely to discontinue their strategic commitment to a humane prison. Institutional friction between prison management and guards, on the other hand, is likely to increase if guards are forced to deal with inmates only slightly more rigidly: however, there will still probably be ample room for prison guards’ informal tactics. As a fellow prison guard once stated: “The administration is far away—and they don’t work nights.”

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