

## **Old-fashioned Nordic penal exceptionalism: the case of Iceland's open prisons**

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### **ABSTRACT**

This article intends to both broaden and deepen our understanding of Nordic penal exceptionalism by bringing into the debate Iceland's two Open Prisons. Thus far, despite being one of the Nordic countries Iceland has been more or less excluded from debates on Nordic penal practice which is remiss, as due to its isolation, Iceland may well offer a different perspective on it. Both open prisons are small establishments with about 20 prisoners held in each, in remote rural settings. As an immersive project I stayed in both prisons as a quasi-prisoner in order to examine their practice and culture from the inside. I conclude that in both establishments the social environment is characterised by both conviviality and familiarity between staff and prisoners. I argue that whilst Nordic penal exceptionalism is defined more widely, this culture of 'living together' is in fact most defining of it, at least in open prisons.

## INTRODUCTION

This article focuses on Iceland's two open prisons. Despite being one of the Nordic countries, Iceland has largely been ignored in the burgeoning literature on Nordic penal exceptionalism (Pratt, 2008a,b; Pratt and Eriksson, 2011; Ugelvik and Dullum, 2011; also Scharff Smith and Ugelvik, 2017). Nordic penal exceptionalism refers to both low rates of imprisonment in the Nordic countries (typically including Denmark, Finland, Norway and Sweden) and relatively benign prison conditions. This article will argue that the study of open prisons in Iceland can add to our understanding of Nordic penal exceptionalism to which it subscribes in some essential characteristics, but in other ways less so. This mixed picture helps us identify the core essentials of Nordic penal exceptionalism more clearly.

In this article I will discuss Nordic penal exceptionalism first. I will then consider the role of open prisons within this exceptionalism thesis. After that I will introduce and describe Iceland's two open prisons specifically. Open prisons in Iceland literally and figuratively represent the far end of the exceptionalism spectrum. Both prisons are exceedingly small, highly remote, very low on rules and from an academic point of view, virtually unexamined (with Pakes and Gunnlaugsson, 2018 a rare exception). There is no academic research that examines these prisons from the inside. This project therefore pulls in both Iceland extending the reach of Nordic exceptionalism and open prisons, providing it with a focal point within prison systems from which to examine penal exceptionalism.

This research has been carried out as an immersive project in which I have stayed in both prisons, for a week, in the agreed role of quasi-prisoner. I will use my immersive research experience in the two open prisons to position them within the Nordic exceptionalism thesis and to conclude that they are, in essence, exceptional, but at the same time lack some of the characteristics associated with Nordic exceptionalism. I will suggest that exceptionalism comes with some core characteristics that need to be separated from more peripheral or incidental ones. It highlights that the essence of exceptionalism is to be found in levels of conviviality and familiarity between staff and prisoners. Historically and culturally this is more defining of Nordic penal practice than other characteristics such as bespoke education, high levels of staff training or a strategic focus on re-entry into society, important though they are.

## NORDIC PENAL EXCEPTIONALISM AND OPEN PRISONS

Nordic penal exceptionalism has become a well known paradigm in penology. However, a short introduction remains useful to pinpoint its essential features by analysing its developing descriptions in the penological literature. John Pratt initially emphasised two aspects (Pratt, 2008a). The first is the argument that the Nordic countries (Pratt's initial research carried out in 2006 was limited to Finland, Norway and Sweden) had lower rates of imprisonment than in many other countries was the case. The second aspect concerns the conditions in the prisons in these countries. Pratt found that staff-prisoner relationships were better and more based on equality, the food was better and that there were more options for meaningful activity for prisoners.

Pratt and Eriksson provided further texture to these descriptions of Nordic exceptionalism by adding for instance a relaxed attitude towards a prisoner escaping or at least absconding. The story of Mr Larsen (a prisoner) is telling. Mr Larsen was seen ambling off the open prison premises whilst Pratt was speaking with the governor but it didn't cause any sort of alarm (Pratt and Eriksson, 2011). In

this article Pratt and Eriksson listed seven features typical of Nordic penal systems: 1. Prisons are smaller; 2. There are more routine interactions between officers and prisoners; 3. The quality of life is better (e.g. food, space, hygiene); 4. Prisoners are more likely to work or take classes; 5. There is a higher proportion of prisoners in open conditions; 6. There is less of a military history among officers; and, 7. Security is less of an overriding concern in Nordic prison systems (Pratt and Eriksson, 2011).

There was substantial critique of Pratt's thesis (see Ugelvik and Dullum, 2011). In this edited collection, reference is made to prisons in the Nordic countries that fail to live up to the positive descriptions by Pratt (e.g., Mathiesen, 2011). The heavy use of remand in custody and of isolation is also at odds with the exceptional thesis (Scharff Smith, 2011). Further, there are pressures on the system from populism and also due to a changing prison population much more consisting of foreign nationals or non citizens who Ugelvik refers to as liminal prisoners (Ugelvik, 2011).

More recently Ugelvik (2016) summarised the Nordic exceptionalism thesis as having five components. They are 1) Nordic prisons tend to be smaller; 2.) Officer/prisoner relationships are better; 3.) The quality of prison life is better; 4.) Prison officers are better trained; 5.) Prisoners in the Nordic countries are more likely to be involved in education or training to prepare them for a life outside. It seems that Pratt and Eriksson and Ugelvik would agree that prisons that are small in size and open prisons are the settings in which exceptional conditions can be most easily discerned.

Countering the widespread appeal of Nordic exceptionalism, scholars like Ugelvik and Barker have problematised the perhaps too comfortable notion of superior Nordic penal policy with a basis in solidarity, the welfare state and cultures of equality. In fact Barker argues that the Nordic state was always simultaneously mild and repressive, both generous and intrusive: Janus-faced. Its harshness, well documented in Barker (2013) is often reserved for outsiders, frequently foreign nationals. It therefore questions the link between welfare state generosity and mild penal climates. In addition, Barker highlights high levels of individuality in Sweden, which is at odds with the notion that penal policy is built upon high levels of collectivity, something that is likely to apply to Iceland as well, with freedom delivered *through* the state not *from* the state. However, Barker does acknowledge the relative penal leniency in Sweden but problematises its boundaries, origins and beneficiaries.

Ugelvik emphasizes a selective focus on resettlement depending on 'deportability'. Ugelvik discusses Kongsvinger prison in Norway, the country's prison for foreign nationals (Ugelvik, 2017, Ugelvik and Damsa, 2018). He does mention that the principle of normality here is meant to mean, in keeping with other Norwegian prisons so as to not offer foreign nationals a second rate prison. Kongsvinger prison has a section with open conditions to demonstrate that open conditions are offered to foreign national prisoners too. So, in terms of prison conditions in a narrow sense, the welfare orientation remains. In terms of resettlement, the story is very different, with little in place for those assumed to leave the country after completing their sentence.

However, with Barker acknowledging the relative lenience in relation to Sweden and Ugelvik in particular emphasising a lack of thought on resettlement for some prisoners, neither argument particularly invalidates the idea of Nordic exceptionalism *inside* prisons in terms of prison size and climate and, up to a point, material conditions. It is these things I set out to explore in Iceland's open prisons.

Already in 2008 did John Pratt (2008a) emphasise that life in open prisons in the Nordic countries can be quite different from that in closed conditions. Open prisons, he explained serve as inducements for good behaviour and as an opportunity to prepare for release. He emphasised a lack of security features, a history of farming as the quintessential rehabilitative activity and the normality of going out to work in society to return back at the prison at dinner time. He found that between 15 and 20% of prisoners were recalled to closed conditions due to violation of rules. However, Pratt and Eriksson's influential book *Contrasts in Punishment* (Pratt and Eriksson, 2013) only makes cursory mention of Nordic open prisons.

Scharff Smith and Ugelvik (2017) do mention Nordic open prisons specifically and mention the visual aspect of their penological attractiveness: "[a] visually striking practice is that of open prison where a number of specific institutions are based in old farm buildings, barracks etc. sometimes lacking a surrounding perimeter fence or wall. Hence these institutions appear very open and very different from the archetypal Western prison" (Scharff Smith and Ugelvik, 2017, p.6).

You could make the case that open prisons exemplify the exceptionalism thesis best. Pratt (2008a) said that the open prison in the form of a farm first appeared in Finland in the 1930s and soon spread through other Nordic countries. Fransen (2017) described their rise in Denmark. and highlighted the lack of hard security features and free movement in and around the prison as essential characteristics. Today, there are numerous open prisons in the Nordic countries that catch the eye of the world's media at one time or another. These include *Suomenlinna Island* and *Kerava* in Finland (Bichel, 2015) *Jyderup* and *Søbysøgård* in Denmark (e.g., Larson, 2013) and most of all, *Bastøy* in Southern Norway (e.g., James, 2013, Dreisinger, 2016) despite the fact that it is in fact classed as a low security prison.

Pratt famously called Bastøy the shining jewel in the crown of the Norwegian prison system, an oft visited prison that by now has a global reputation. It is set on an Island in the Oslo fjord. The town of Horten is only a short ferry ride away and the ferry is operated by prisoners. There are 70-some prisoners in total living in houses scattered over the North West part of the island. Much of the work involves farming. Farming is essentialised as skill building as well as empathy building and instilling healthy life habits. There is a good degree of education in place too. Important to the establishment are the music band that plays gigs off site and events like shared barbeques, cordial relationships between prisoners and staff, and communal living between prisoners in each house for around six prisoners. Its island setting, the abundance of nature and the farm animals play to the Nordic notion of a rural idyll: the idea very much being that healthy lifestyles have a strong rehabilitative and life-affirming effect. Bastøy prison may well have had a disproportionately large effect on the penological imagination: highlighting, perhaps even inadvertently marketing, Nordic exceptionalism thanks to its attractive setting and distinctive atmosphere.

#### ICELAND'S OPEN PRISONS: FINDINGS FROM PREVIOUS VISITS

The, often jubilant, descriptions of Bastøy prison offer a good starting point for the introduction of the two open prisons in Iceland. In this section I discuss size, setting and material conditions further to a small number of visits that I made to both establishments prior to the immersive part of the research. Subsequently I will use my observation and interview research data to portray more deeply both prisons as social environments.

It is fair to say that both prisons, like Bastøy in Norway, have a visual attractiveness to seduce the incidental visitor. This is mostly true for Kvíabryggja prison. Kvíabryggja is a small open prison near the town of *Grundarfjörður* in the *Snæfellsnes* peninsula in Western Iceland. It started operating as a penal establishment in the 1950s. It is set in a former farm building and its identity as a farm-like establishment is clearly established, not least because of the presence of sheep on the prison land. Its perimeter is approximately 7 kilometres, and next to the sea. Immediately to the South East of the prison is iconic *Kirkjufell* mountain and adjacent to this the spectacularly photogenic waterfall *Kirkjufellsfoss*. It is not an exaggeration to say that its location is stunning. At the same time it is also frequently described as remote, some 180 kilometres from the capital Reykjavík in a sparsely populated area. In the daytime there are usually three members of staff overseeing about 18 prisoners. Overnight there is only one member of staff present on site.

Sogn prison is a small open prison in the South of Iceland, located between the small towns of Hveragerði and Selfoss. It is set in a former Sanatorium at the foot of a hill. It started operating in 2012. The views it offers to the sea are vast, and despite its proximity to several small towns, its location remains relatively secluded. It is quite close to downtown Reykjavík (about 50 kilometres to the West). It is also near two closed prisons, long-established Litla-Hraun (about 25 kilometres South), and newly built Hólmsheiði (about 35 kilometres to the West). That is significant as that offers the possibility of joint management and the sharing of prison officer shifts. Overnight there are two members of staff present on site, overseeing 20 prisoners.

These two prisons are a substantial part of Iceland's prison infrastructure: With approximately 40 places out of 131 overall, they represent 30% of the country's prison capacity. They will hold a large proportion of all prisoners at one point or other during their sentence.

It is a truism to say that Nordic prisons are often materially better equipped than those in most other countries (Pratt, 2008a). The situation in these Icelandic open prisons is interesting to consider from this perspective. In one respect they very much provide prisoners with material comforts: the food, for international prison standards, is excellent. Is it fresh, cooked on site by prisoners and often locally sourced. It is abundant in quantity. There is choice. Fruit and biscuits are available at various times in the day. There is a seemingly unlimited supply of strong coffee available throughout the day too. There is abundance, not rationing. Food is eaten in a communal dining area where staff and prisoners eat together. Breakfast is laid out, as are the other meals, in a buffet style where prisoners fill (and refill) their own plate. Breakfast can consist of bread and cheese, but also yoghurt, various cereals and tea and coffee and juice. There are two hot meals a day, around midday and at dinner time. Prisoners and staff tidy their plates and cutlery away. It is considered bad form not to make a point of thanking the prisoner chefs. The Icelandic phrase for 'thanks for the food', '*takk fyrir matinn*' is picked up quickly by most foreign national prisoners.

When prisoners work, their pay for international standards is very good. Work also seems generously awarded in the sense that the time afforded to do certain jobs seems often quite overestimated. Most work is manual. It can involve mending things, cleaning, cooking, and tending to animals. All this work offers clear benefits to the prison. Prisoner study can be paid too, at the same wage as work.

Prisoners have access to the Internet and carry mobile phones, unlike in Iceland's closed prisons. This is the principal material condition that prisoners talk about in most approving terms. It is the biggest plus of being in these open prisons as it allows them to play games, speak with relatives for extended periods of time every single day, learn and, for some, try to sustain a business or a profession. Smartphones and social media are, however, banned. On top of this, the scenery, the

outside space, the gym and the animals all are, if the word applies at all, 'generous'. These prisons are a world apart from the grim, dark and places that prisons, even open prisons, often are elsewhere.

In other ways the material conditions are not quite so exceptional. For instance, the rooms are not *en suite*. In *Kvíabryggja* they are quite small with toilets and showers (which are in excellent condition) down the corridor. This prison also lacked a classroom. There was little in the way of specialist education provision, or accredited programmes. Work was rarely focused on certification or employability. I was struck by the fact that virtually no prisoner actually works off the premises. Both open prisons did not generally serve as places from which you go to work in the community.

While first impressions are telling and important as I have argued elsewhere (Pakes, 2015) there is a limit to what can be achieved through visits in terms of getting under the skin of these establishments. In order to place both prisons properly within the exceptionalism thesis I wanted to experience them more deeply. I therefore devised a method of research that was more immersive and intensive. I wanted to stay in both prisons, as a quasi prisoner, for a short space of time in order to understand them better and experience their atmosphere, their routines and rhythms more directly.

#### MY IMMERSIVE RESEARCH

How do you get to spend a week in a prison in Iceland as a quasi prisoner? Because both prisons are tiny, with up to 20 prisoners and no more than three or four staff at work at any one time, I felt that I could get to know them within a relatively short amount of time, a week. This would allow me to undertake several interviews each day, experience the weekend, as well as visits and other activities, and of course, morning, noon and night, something rarely accessible to prison researchers. Having previously established contact with Iceland's Prison and Probation Administration (*Fangelsismálastofnun ríkisins*) and having visited both prisons before, I requested permission to spend a week in each of the two open prisons in 2018. I owe gratitude for the idea for this to Rod Earle (2014). I was struck by a point he made on immersion in prison:

*"How would they process their research experiences, if they included a week, say, spent continuously in the prison, using a prison cell and living under the regime as prisoners do, albeit as a "guest"? Even such short-lived and elective experiences could, I think, provide valuable insights currently unavailable in the methods of immersion and patterns of access that characterize most contemporary prison research"* (Earle, 2014, p. 431).

I followed Earle's advice and did exactly this. I asked the authorities if during this time I could be treated like a prisoner. I explained that that would involve having a room (the word cell is not in use in these facilities and in addition they lack virtually any feature that you could describe as cell-like, like bars, a peep hole, or heavy locks) and engaging in daily activities. In addition, I intended to interview everyone present who was prepared to speak with me. The authorities agreed to my request.

Researching prisons on the inside brings a multitude of ethical challenges many of which have been discussed elsewhere (e.g. Sloan and Wright, 2015, Liebling, 2001, Ugelvik, 2014). To engage in prison research in such tiny prison environments brings added considerations, in particular in relation to voluntariness, confidentiality, anonymity and positioning.

The obvious point is that true voluntariness is at odds with any coercive environment as prisoners simply do not want to be in the very place where their participation in research is sought. It is also

true that privacy in prisons is hard to find. This was certainly true for both prisons that I studied. The small size of both prisons brings a certain transparency to life inside them. Most interviews took place in communal rooms such as a dining room, a games room or sitting on benches outside. In a few instances fellow prisoners served as interpreters for prisoners who preferred not to speak in English or who could not do so. Interviews with staff usually took place in staff offices. On one occasion an interview with a prisoner had commenced on a bench adjacent to the prison but the interview had to be continued elsewhere due to other prisoners coming into ear shot which made the prisoner who I was interviewing uncomfortable. The interview continued in a nearby workshop. In all cases a space was found where all interviewees could speak without being overheard, with only the odd brief interruption. However, it was impossible to ensure anonymity to the extent that colleagues or other prisoners would not know who I interviewed. This was quite obvious in many cases and could not be avoided.

The issue of my positioning concerned me a great deal prior to undertaking the research. My objective was to engage in something immersive, something akin to prison ethnography albeit on a far smaller scale than some of the classic studies by, for instance, Sykes (1958), Crewe (2012), Ugelvik (2014) or Morris and Morris (1963). I wanted to understand the establishments through spending time in them and engaging with the people who live and work in them. I was therefore equally eager to engage with staff as with prisoners. Within any prison this is a point of tension: too much rapport or time spent with jailers can negatively affect any trust that can be earned with the jailed, and vice versa. Added to this as a relative novelty was my immersive element: I had assumed the role of prisoner, or at least, as far as possible (see also Lauritsen, 2012 on immersive prison research in Greenland). On the surface I did. I dressed very casually like the other prisoners. I woke up when I had to wake up, went to sleep at the appropriate time, had dinner at the appropriate place and time and, in the prison where there was an education programme, took classes. I also tried to blend in behaviourally: I ambled slowly down corridors (a brisk walk is for the professional, not the prisoner); I chatted near the smoking areas and watched football on TV in the communal area. In one prison I was invited to play poker but as I was unable to do so, I declined.

The work was facilitated by the fact that I had visited both prisons before. I remembered and was recognised by some staff and a few prisoners who I had spoken with before. That helped in getting started. My research was advertised in both prisons via a small poster that was hung up in communal areas.

At the time of the research I was a 50 year old white male, fluent in Dutch and English, with a bit of Norwegian and no more than some common phrases in Icelandic. Both prisons were quite international environments (45% foreign nationals in one prison and 39% in the other) with English commonly spoken in both, so that did not seem much of an impediment. I spoke to all Icelandic prisoners in English which never proved a problem. With a few foreign national prisoners with Spanish as their first language, a fellow prisoner served as an impromptu interpreter. Combined, both prisons held three female prisoners. I interviewed them all, one was Icelandic with the other two being from the European mainland. Interviewing staff was to a good degree determined by shift. Interviewing of prisoners occurred throughout the week, some by informal appointment others more spontaneously. At various times I was in spaces such as a TV room or a lunch room, and asked someone present to partake in an interview, either there and then or at another time. They read an information sheet and signed a consent form. These forms had been translated into Icelandic with the help of a professional colleague at the University of Iceland.

My age I believe did have a bearing on the sequencing of interviews, with me informally building rapport with some of the older inmates first as I was closer to them in age. In both prisons, age

seemed to correlate with nationality with foreign nationals more likely to be older. I therefore initially spoke more extensively with foreign national prisoners after which I tended to speak more with Icelanders. Overall, foreign national prisoners may be somewhat overrepresented in the sample of prisoner interviews. All staff, on the other hand, were Icelandic. Two staff declined to be interviewed, as did several prisoners. Others I simply never got to ask, as I sensed by their behaviour and/or demeanour that they would not be interested in taking part. As Ugelvik (2014) also found, my informal and opportunity-based strategy may have inadvertently overlooked the most introverted and isolated prisoners.

As a white person growing up in the Dutch countryside having moved to England as an adult and having visited Iceland on several occasions including a number of prison visits, I felt I was well placed to 'get' these establishments. I had already published on prisons in Iceland (Pakes and Gunnlaugsson, 2018) and had read extensively on Icelandic culture too and had written and published about current events (e.g. Pakes and Gunnlaugsson, 2017). I had visited all prisons in Iceland prior which gave me both credibility and a useful starting point for conversations. Having knowledge of many prisons in the Netherlands, the UK and elsewhere proved useful too, having met prisoners who had spent time in prisons in both the UK and the Netherlands. I think I found a mix of being knowledgeable about prisons, whilst still able to capitalise on the role of foreigner by being able to ask basic or innocent questions, an effective and authentic presentation of myself.

In summary, while never 'really' a prisoner, in my clothing, behaviour, my whereabouts and my social orientation I was closer to the prison population than the staff, which is how I intended it to be. I had anticipated the prison population to be a harder-to-reach group, and I hoped that my closer proximity to them would facilitate more engagement (see also Jewkes, 2012). Overall I interviewed 39 people, 25 prisoners, 14 staff some of whom repeatedly. The interviews were not recorded. I was worried that an overly formal way of interviewing would put off some potential participants; instead I took hand written notes that I examined and worked out later that same day. I took field notes straight into my computer one two or three occasions each day. They effectively took the form of a diary.

In addition, I engaged in daily activities, observed interactions and activities and surveyed each prison in terms of material conditions, as well as their immediate surroundings. As others have found once relationships were formed most people were very happy to speak with me, often on numerous occasions (e.g., Liebling, 2001; Crewe and Levins, 2015; Sloan and Wright, 2015). This was also true for prison officers (Arnold, 2016). These interactions and activities did provide information over and beyond the interviews whilst conversations about these activities provided further textured insight to the point that this study in essence was fully immersive, rather than, say to say, interview-based with a small degree of observational top up.

## CONVIVIALITY

The two defining social features of both prisons can be summarised as conviviality and familiarity (see also Earle and Phillips, 2009 and Darke, 2018). By conviviality I mean both the habit and the perceived importance of getting on together. Conviviality mitigates against segregation and increases the chances of an individualised approach to people in a penal environment. Conviviality was further enhanced by high levels of familiarity. Familiarity had various components. They refer to horizontal relationships, and a certain liberty to share information associated with one's private life. Together I argue, conviviality and familiarity are the product of a relatively un-outspoken desire to have the prison work as a community in which all members are supposed to play a productive part.



This objective of getting on may well be the most defining feature of Nordic exceptionalism, and perhaps most acutely so in small open prisons.

Some of the structural conditions for conviviality were given shape in the following ways. In both places, prisoners move about freely. This means that at any point during the day and evening a prisoner can go to the communal dining area and get a coffee or a snack. The same goes for going outside, visiting a games area or a laundry room. Staff are highly accessible in one prison through an open-door policy, whereas a knock on the door is required in the other. The gym is usually available too. When it is time for work or education prisoners simply make their own way to the relevant room or building. In both Kvíabryggja and Sogn, a prison officer's work is not characterised by handling keys at all. Prisoners have the keys to their room, which is frequently left unlocked. That freedom of movement allowed for relatively natural patterns of movement and association, within the prison confines, both between prisoners and between prisoners and staff.

Prisoners and staff spend time together in various ways. There are the regular mealtimes that virtually every prisoner attends if only for a few minutes. Mealtimes are communal between staff and prisoners and seating arrangements highly telling of the social structure. With less than 20 prisoners and at most three of four staff, these seating patterns are easy to oversee. While most staff sit together, some staff members make a point of sitting with prisoners. Staff are usually joined by one or more vulnerable or socially isolated prisoners. Other distinctions occur mainly by age and by nationality with Icelanders more likely to congregate as well as those who share a nationality, culture or language. In one prison smoking was a highly sociable activity whereas in the other poker was played in a communal area by a sizable group of prisoners most nights.

Staff were almost unanimous in playing down the disciplinary side of their role too. Instead, they explained their approach to the job as non-hierarchical and focused on communication. They talked about affording trust, and about seeing eye-to-eye with offenders, and about helping. They often used hand gestures to explain their non-hierarchical approach to prisoner-officer relations: they placed hands horizontally at the same level with palms down. They also emphasised the importance of open communication by using their hands, with fingers upwards and palms facing each other. The palm of the hands, in this gesture, symbolised the faces of both officers and staff. They also frequently refer to affording prisoners time in order for them to arrive at a frame of mind in which they are ready to make major life changes.

With several staff in particular in Kvíabryggja having had little training and no experience of working in other prisons, prison officers give shape to their work in non-prison-esque ways. One female officer discussed her way of doing discipline as 'doing the mum thing'. She used an example of a prisoner breaking a minor rule involving the supposed departure time of a visitor. Her line (which was delivered almost as a re-enactment) was: 'I said to [name], look we are here to help you. We do all we can to give you a chance. And what do you do? You break our rules. Do not do this again, this is not fair'. And afterwards, she said, when the argument had finished there were hugs. Another officer spoke of having to 'babysit' one of the younger prisoners. Officers on the one hand compared their style of discipline to parenting, whilst at the same time emphasising that they were placing prisoners on the same level as themselves, in tune with widely documented notions of egalitarianism in Nordic prisons.

Whilst adopting a lexicon of parenting to describe discipline, there was nevertheless an undercurrent of more serious punishment. This refers to being sent back to closed conditions. '*It is the one trump card they have*' explained one prisoner to me. Being sent back feels like a real threat to prisoners and indeed, between 10% and 20% each year are sent back due to rule violations. Life in

the closed prisons of Hólmsheiði and Litla Hraun is not nearly as good. Most prisoners are stark in their comparisons of their open prison with their experience of the closed prison from which they came. Thus, while discipline is not very visible in the open prison, below the surface, the threat of a return to closed conditions is real. It is here that power became particularly discernible to me. This power is named and felt by prisoners, but rarely discussed and perhaps not even necessarily 'seen' by officers.

In congruence with a non-disciplinary fashion of discussing life in prison, prisoners often presented themselves to me as not requiring discipline at all. Speaking with some of the older prisoners, they often, instead, presented with agency. These individuals tended to discuss their existence in the prison in terms of self-sufficiency. Those without major mental health or substance misuse problems often initially present themselves in terms of making a contribution. More than one prisoner emphasised how their efforts in mending, building or repair kept the prison going. For example, in one prison there was an issue with the oven. One prisoner, who runs his own building company, immediately volunteered to repair it and so he did. Another proudly showed me a fence he repaired, while in the week I was present two foreign national prisoners were busy up on a barn roof mending a leak.

In discussing their prison lives in these terms prisoners' own agency is enhanced and some of the prison-ness of their experience is negated or reduced. These prisoners set themselves apart from others who do not subscribe to the same ethos. They sometimes discussed other prisoners in disparaging terms: they lie in bed all day, do not make themselves useful and spend their time playing games online. They show up for the meals but leave again very quickly. More mature prisoners have a certain disdain for these prisoners who, as far as they are concerned might as well be in closed conditions as they fail to seek to benefit from what the open prison has to offer. Thus, where staff emphasised the importance of patience with these prisoners, fellow prisoners were often less accommodating.

Initially, prisoners were virtually unanimous that staff were friendly and caring. But when the topic was further explored, some of the more senior prisoners showed a profound ambivalence towards staff. In response to a question I asked of a prisoner as to how staff spent their day, he quipped: *'They do what we do. They're just on their phones all day'*. It was not uncommon to find a degree of disdain for officers, as has been found by others as well (e.g, Crewe, 2007). This includes their views on the selection and training process: *"they just get plucked from a local farm, they're asked if they like to work with people, they say yes and here they are."* Others question, to the point of ridicule, their professionalism. One long serving prisoner commented on the lack of ability of staff to contain violence should it ever erupt: *"Have you seen him [officer's first name]? If I say boo he'd wet his pants!"*

With many prisoners relatively self-sufficient, and with many jobs around the prison carried out by prisoners, and with discipline and order not overriding concerns the job role of the staff is both hollowed out and misunderstood. So-called relational work such as spending time with prisoners, informally supporting them and overseeing work activity, is frequently seen by prisoners as anything but work. While prisoners talking about staff in condescending terms is nothing new, the specific conditions of these prisons enhances that sense as prisoners do not quite understand what staff are meant to do, over and beyond the chores and jobs described earlier.

Thus, whereas levels of conviviality were high, this does not equal an idyllic harmonious co-existence. It is not like we're all friends. Instead social divisions can be quite stark. Some are along predictable lines such as age, nationality and of course, whether you are a prisoner or staff. The

notion of conviviality is tested most in relation to sex offenders. I had previously received data from the authorities to show that both prisons did contain those convicted of sex offences, a few in each prison. Predictably, no one disclosed their sex offending to me so that I had no direct confirmation as to who they were. However, prisoners regularly discussed other prisoners in a coded way which did not explicitly disclose such matters but left little room for doubt. Whilst there may have been a degree of ostracization and disquiet, a basic level of decency was afforded these prisoners too. For some prisoners this was a strain. One prisoner explained to me that a key pain of imprisonment that he felt was having to be friendly towards rapists. But another explained that in this prison he would choose to be friendly with anyone including with sex offenders whereas in other prisons he had served in he would not. Grudgingly or not, it seems that conviviality was, at least to a degree, extended to this group of offenders too.

#### FAMILIARITY

From the 1940s onwards, open conditions require prison staff to engage in the balancing act of being friendly with prisoners and keeping a professional distance (Bixby, 1961, Kelly, 1955). In both open prisons it seemed that familiarity had trumped professional distance. All staff, including the governor were referred to by their first name. While there was cordiality throughout, there were certainly moments of over-familiarity too. During one of the football games on TV an officer walked in and received a collective cheer in the form of a football chant. The officer left the room quickly, with what seemed to me an awkward smile on his face. It was clear that the social distance between both groups was so small that at times what I sensed were boundaries could easily be crossed. For example, one balding officer received a teasing rub of his bald head by a prisoner poking mild fun of his baldness. More trivial perhaps was the example when a prisoner entered the office through the open door looking for a specific item of stationary. Before the staff member could help him he had located it, leant over the desk, grabbed it and left. Afterwards, the staff member looked at me, and shrugged his shoulders in the way a parent might in case of a teenage child taking a slight liberty. As I observed several of such instances in a short time, it seemed to me that the line between familiarity and over-familiarity, in particular in mundane interaction was never far from being crossed. The impression I gained from this is that an officer's authority was likely to be mildly challenged with the result of officers being more aware of the limitations of their position of power than of having any strong powers that could be effectively used.

Particularly in one of the two prisons it was clear that prisoners and staff got to know each other quite well. I found that prison staff bring in their private life into the prison to a remarkable degree. One officer who had been unwell turned up whilst still on leave. He received a very warm welcome by both prisoners and staff, and it was clear that prisoners knew much about his health condition. Another officer sometimes brought his dog, much to the appreciation of prisoners. Another even brought their young child, I was told, who even knew some of the prisoners by name. Prisoners are aware of friendships and other social relationships between officers too. A formal or informal ban on self-disclosure did not seem in operation and was never discussed with me as problematic. This is a level of familiarity very much unheard of elsewhere.

This level of familiarity comes with a feeling of ambiguity and with a degree of distrust for the more experienced prisoners. They questioned whether the *laissez faire* environment is in place because of the professionalism of staff, or actually because of its opposite. The skirting round the edges of over-familiarity and the teasing is perhaps a consequence of that. The internal atmosphere therefore gives rise to an ambiguity that is reminiscent of what Shammas (2014) found on Norway's prison island. But here, the level of conviviality is higher, and the disciplinary element even more faint.

## CONCLUSION: SPENDING TIME AND GETTING ON

To conclude, the structural conditions of these prisons are conducive to a culture of conviviality. These conditions include remote or at least secluded locations, shared spaces, a daily structure in which time is spent together to engage in everyday activity, a lack of rules, a lack of priority on discipline or order and a focus on relationship work as part of the role of staff. The egalitarian structure of the prison but also of the country leads to familiarity as the default mode of engagement: everyone is on a first name basis, no one is afforded undue respect and no one guards privacy with excessive zeal.

This produces a specific culture in which conviviality occurs not only between prisoners but notably between prisoners and staff. This is unlike what Darke (2018) found in Brazilian prisons where conviviality mainly occurs in the absence of staff. Here in contrast it very much includes staff. This conviviality leads to familiarity and on occasion over-familiarity. This balance, already referred to by Bixby in 1961 still needs to be struck today.

Iceland's two open prisons very firmly fit the description of Nordic exceptionalism in terms of staff prisoner relationships. However, referring back to Ugelvik's five characteristics of Nordic exceptionalism we find that only three unequivocally apply to Kvíabryggja and Sogn. These are their small size, the staff prisoner relationships and the fact that life is 'better' in such prisons. The fourth, that prisoners are more likely to work or take classes may apply only up to a point. However work is limited to on site maintenance and repair type work, and not all prisoners work and those who don't do not receive severe consequences apart from a lack of pay. Finally the extent to which these prisons prepare for a life outside is to a degree questionable too. Whereas many prisoners will be restored to full health and may well have had a welcome spell without (much) drugs and alcohol, the lack of provision in terms of mental health or social care means that this will not apply to those with severe or complex needs. At best, both prisons therefore score 3.5 out of the 5 characteristics listed by Ugelvik.

But that said, the creation of a convivial atmosphere, is perhaps the key ingredient of Nordic exceptionalism. This occurs in Norway (at least in some prisons) where staff are extensively trained, and in Iceland where staff receive very little, if any, training. It can occur in prisons with extensive learning facilities and in those, as Kvíabryggja, without. It evidently can exist in an under-funded prison system that lacks resources or a vision on mental health support, education, or work or prisoner officer training, as is the case in Iceland.

What we see in Iceland, perhaps is a pre-21<sup>st</sup> century form of Nordic exceptionalism. We can describe its essence in producing a positive prison atmosphere. Prisons are quiet, peaceful settings in which the primary needs are excellently served; good food, healthy air, something to keep you occupied and a good night's sleep. Prison officers regard this as a primary achievement.

It is, however, a rather inward focused version of Nordic exceptionalism. It speaks to the prison as sanctuary, an idea that Pratt and Eriksson (2013) also refer to. Prisoners refer to it more or less as such. It speaks less to the notion of the prison as a springboard back into a competitive world. This is an environment in which you can unlearn bad habits, rather than the acquisition of new skills or competencies. For the self-sufficient prisoners this may well be enough. And those foreign nationals whose frame of reference is the prisons in their home countries may marvel at the benign atmosphere and the excellent food. However, whether those with complex needs are served at all is a troubling question.

In conclusion Nordic exceptionalism indeed stretches all the way to the *Snæfellsnes* peninsula in the West of Iceland. Both open prisons are exceedingly small, with highly cordial relationships, low on rules and where prisoners describe life as good. Because of their unique circumstances there is a tighter degree of conviviality than elsewhere in the Nordic countries and these establishments are probably the least rule-governed of any of the Nordic prisons. Perhaps even within Nordic exceptionalism, there is something about these two prisons and in particular Kvíabryggja that makes them therefore doubly exceptional.

Finally, on method. Rod Earle's suggestion of spending a week in a prison as a 'guest' turned out to be highly instructive. I would never contend that this means that I could honestly feel what it would be like to a prisoner. But at least, and only to a limited degree, I did experience the anxiety of whether I would fit in; how to behave; who to sit next to and who to avoid. I slept well, enjoyed the food and felt safe. While still an outsider, spending a week did allow for a closer look, literally in the kitchen with virtually no area unexamined. I had time to speak with some prisoners many times and the same was true for some of the staff. It allowed for a deeper immersion, if only for a week at a time. It gave me some credibility amongst prisoners too. And as I had previously visited all other prisons in Iceland it demonstrated that my interest in Iceland's prisons was neither fleeting nor frivolous. It reached far beyond individual, isolated interviews in a room at the front end of a prison that are so common in penological studies. It did, however, go against the method as described by Crewe (2018) who emphasises that getting to know the social system of a prison takes time. While granted, it is nevertheless possible to survey a very small prison in a relatively short space of time, and at least up to a point, get to know a small group of people reasonably well.

Like Ugelvik (2014), I had fun at times. I was affected by some of the stories that I heard. I sensed their anger, often at the system rather than the prison, and I understood their anxieties about the future. I was teased, but only mildly. On occasion I was challenged too. But overall, it helped me see and feel the amazing extent of the conviviality and familiarity that more than anything characterises life inside. This combination of things is very much in accordance with Nordic exceptionalism in prisons but also in tune with Nordic social and cultural orientations notwithstanding Barker's emphasis on Nordic individualism. The exceptionalism I thought I might find I did find. I particularly found it to a larger extent in Iceland than has been reported elsewhere (e.g. Pratt and Eriksson, 2013, Shammass, 2014). That is why the key point is that the original component of Nordic exceptionalism is these arrangements of living together which are particularly apparent in both Iceland open prisons and has reached a level of familiarity and conviviality that places it, along with their geographical location on the extreme edge of Nordic prisons. Conviviality and familiarity is what makes these prisons. That is both in keeping with the Nordic exceptionalism thesis, and by foregrounding this, it helps us understand and pinpoint exceptionality in Nordic prisons more precisely.

## REFERENCES

- Arnold, H. (2016). The prison officers. In: Y. Jewkes, B. Crewe and J. Bennett (Eds) Handbook on prisons. Routledge, pp. 265-283.
- Barker, Vanessa. "Nordic Exceptionalism revisited: Explaining the paradox of a Janus-faced penal regime." *Theoretical criminology* 17.1 (2013): 5-25.
- Bichel, R.E. (2015). In Finland's 'open prison', inmates have the keys. PRI's the world. Available on line: <https://www.pri.org/stories/2015-04-15/finlands-open-prisons-inmates-have-keys>, 15 April 2015.
- Bixby, F. L. (1961). Treating the prisoner: A lesson from Europe. *Fed. Probation*, 25, 7-11.
- Crewe, B. (2012). *The prisoner society: Power, adaptation and social life in an English prison*. OUP Oxford.
- Crewe, B. (2018). Process and Insight in Prison Ethnography. In *Doing Ethnography in Criminology* (pp. 83-89). Springer, Cham.
- Crewe, B., & Levins, A. (2015). Closeness, distance and honesty in prison ethnography. In *The Palgrave Handbook of Prison Ethnography* (pp. 124-142). Palgrave Macmillan, London.
- Darke, S. (2018). *Conviviality and survival: Co-producing Brazilian prison order*. Springer.
- Dreisinger, B. (2016) Norway Proves That Treating Prison Inmates As Human Beings Actually Works. Huffington Post, 3 Augustus 2016 (updated 30-10-2017). Available on line: [https://www.huffingtonpost.co.uk/entry/norway-prison\\_n\\_578418b6e4b0e05f05232cb7?guccounter=1&guce\\_referrer=aHR0cHM6Ly9jb25zZW50LnIhaG9vLmNvbS8&guce\\_referrer\\_sig=AQAAANir0YjO3ooLqRhteyNTdixv\\_ZxC0XOANIntxGrhK\\_3WTjfbJrGj5X3yLkvdmjkw\\_OybnuAHH\\_M-gVau5lzdGsDDIZG551OnAjGTPoxQvWsnzsWOCyCIEYOrWxgVLS6pcD-RgtBpvLNerXAiiXI74c2ddg06lncgUr2iJ5wRol4i](https://www.huffingtonpost.co.uk/entry/norway-prison_n_578418b6e4b0e05f05232cb7?guccounter=1&guce_referrer=aHR0cHM6Ly9jb25zZW50LnIhaG9vLmNvbS8&guce_referrer_sig=AQAAANir0YjO3ooLqRhteyNTdixv_ZxC0XOANIntxGrhK_3WTjfbJrGj5X3yLkvdmjkw_OybnuAHH_M-gVau5lzdGsDDIZG551OnAjGTPoxQvWsnzsWOCyCIEYOrWxgVLS6pcD-RgtBpvLNerXAiiXI74c2ddg06lncgUr2iJ5wRol4i)
- Earle, R., & Phillips, C. (2009). 'Con-viviality' and Beyond: Identity Dynamics in a Young Men's Prison. In *Identity in the 21st Century* (pp. 120-138). Palgrave Macmillan, London.
- Earle, R. (2014). Insider and out: Making sense of a prison experience and a research experience. *Qualitative Inquiry*, 20(4), 429-438.
- Hammersley, M. (2015). Research 'Inside' Viewed from 'Outside': Reflections on Prison Ethnography. In: *The Palgrave Handbook of Prison Ethnography* (pp. 21-39). Palgrave Macmillan, London.
- Kelly, J. (1955) Askham Grange: Open prison for women. *Howard journal*, 9, 124-130.
- Jewkes, Y. (2012). Autoethnography and emotion as intellectual resources: Doing prison research differently. *Qualitative inquiry*, 18(1), 63-75.
- Larson, D. (2013) Why Scandinavian prisons are better. *The Atlantic*, 24 September 2013. Available on line: <https://www.theatlantic.com/international/archive/2013/09/why-scandinavian-prisons-are-superior/279949/>

Lauritsen, A. N. (2012). Greenland's Open Institution—Imprisonment in a Land without Prisons. *Journal of Scandinavian Studies in Criminology and Crime Prevention*, 13(sup1), 47-56.

Leitch, A. (1951) The open prison. *British journal of delinquency*, 2, 25-33.

Liebling, A. (2001). Whose side are we on? Theory, practice and allegiances in prisons research. *British Journal of Criminology*, 41(3), 472-484.

Matthiesen, T. (2011). Scandinavian exceptionalism in penal matters: Reality or wishful thinking? In: T. Ugelvik and J. Dullum (Eds): *Penal exceptionalism? Nordic prison policy and practice*. Abingdon: Routledge, pp. 13-37.

Morris, T., & Morris, P. (2013). *Pentonville: A sociological study of an English prison*. Routledge.

Nagisa Keehn, E. and Walters, D (2019) When America had an Open Prison: the story of Kenyon Scudder and his 'prisons without walls'. The conversation.com 14 June 2019. Available on line: <https://theconversation.com/when-america-had-an-open-prison-the-story-of-kenyon-scudder-and-his-prison-without-walls-117289>

Pakes, F., & Gunnlaugsson, H. A (2017) A More Nordic Norway? Examining Prisons in 21st Century Iceland. *The Howard Journal of Crime and Justice*.

Pakes, F. (2015). Howard, Pratt and Beyond: Assessing the value of carceral tours as a comparative method. *The Howard Journal of Criminal Justice*, 54(3), 265-276.

Pratt, J. (2008a). Scandinavian Exceptionalism in an Era of Penal Excess Part I: The Nature and Roots of Scandinavian Exceptionalism. *The British journal of criminology*, 48(2), 119-137.

Pratt, J. (2008b). Scandinavian exceptionalism in an era of penal excess: Part II: Does Scandinavian exceptionalism have a future?. *The British journal of criminology*, 48(3), 275-292.

Pratt, J., & Eriksson, A. (2011). 'Mr. Larsson is walking out again'. The origins and development of Scandinavian prison systems. *Australian & New Zealand Journal of Criminology*, 44(1), 7-23.

Pratt, J., & Eriksson, A. (2013). *Contrasts in punishment: An explanation of Anglophone excess and Nordic exceptionalism*. Routledge.

Scharff-Smith, P. (2012). A Critical Look at Scandinavian Exceptionalism: Welfare State Theories, Penal Populism and Prison Conditions in Denmark and Scandinavia. In T. Ugelvik and J. Dullum (Eds) *Penal Exceptionalism? Nordic Prison Policy and Practice*. (pp.38-58). Abingdon: Routledge.

Scharff Smith, P., & Ugelvik, T. (2017). Introduction: Punishment, welfare and prison history in Scandinavia. In *Scandinavian penal history, culture and prison practice* (pp. 3-31). Palgrave Macmillan, London.

Shammas, V. L. (2014). The pains of freedom: Assessing the ambiguity of Scandinavian penal exceptionalism on Norway's Prison Island. *Punishment & Society*, 16(1), 104-123.

Sloan, J., & Wright, S. (2015). Going in green: Reflections on the challenges of 'getting in, getting on, and getting out' for doctoral prisons researchers. In *The Palgrave handbook of prison ethnography* (pp. 143-163). Palgrave Macmillan, London.

Sykes, G.M. (1958). *The society of captives: A study of a maximum security prison*. Princeton University Press.

Ugelvik, T. (2011a). The dark side of a culture of equality: reimagining communities in a Norwegian remand prison. In: In T. Ugelvik and J. Dullum (Eds) *Penal Exceptionalism? Nordic Prison Policy and Practice*. (pp.121-138). Abingdon: Routledge.

Ugelvik, T. (2011b). The hidden food: Mealtime resistance and identity work in a Norwegian prison. *Punishment & Society*, 13(1), 47-63.

Ugelvik, T. (2014). Prison ethnography as lived experience: Notes from the diaries of a beginner let loose in Oslo Prison. *Qualitative Inquiry*, 20(4), 471-480.

Ugelvik, T. (2014). *Power and resistance in prison: Doing time, doing freedom*. Springer.

Ugelvik, T. (2016). Prisons as welfare institutions? In: Y. Jewkes, J. Bennett and B. Crewe (Eds) *Handbook on prisons (2<sup>nd</sup> edition)*, pp. 388-402.

Ugelvik, T. (2017). The limits of the welfare state? Foreign national prisoners in the Norwegian crimmigration prison. In *Scandinavian penal history, culture and prison practice* (pp. 405-423). Palgrave Macmillan, London.

Ugelvik, T., & Damsa, D. (2018). The pains of crimmigration imprisonment: Perspectives from a Norwegian all-foreign prison. *The British Journal of Criminology*, 58(5), 1025-1043.

Ugelvik, T., & Dullum, J. (Eds.). (2011). *Penal exceptionalism?: Nordic prison policy and practice*. Routledge.