

A potential for democratic emancipation?

Policy and discretionary practices in probation service

Asbjørn Storgaard

An abstract painting featuring a large, dark blue oval shape that frames a central area. The central area is filled with textured, layered brushstrokes in shades of brown, orange, and red, creating a sense of depth and complexity. The background is a light, textured beige color with some faint, darker lines and marks. The overall style is expressive and painterly.

LUND DISSERTATIONS IN SOCIAL WORK

A potential for democratic emancipation?

Policy and discretionary practices in probation service

Citizens undergoing state-sanctioned punishment often find themselves relegated to the margins of society. Research has demonstrated that regardless of the extent to which citizens retain their formal rights while serving a prison sentence, or the extent to which the prison environment mimics the conditions of normal life, a significant consequence of their punishment is a general inability to exercise their democratic rights. Additionally, studies have shown that individuals who eventually become entangled in criminal lifestyles have often been marginalized for years prior to their involvement in criminal activities.

During their punishment, citizens are required to visit probation offices where they engage in various rehabilitative exercises. Many of these exercises are explicitly designed to encourage participation and motivation.

The author investigates how rehabilitative programs in probation service incorporate democratizing practices, aiming to inspire participatory citizenship among disenfranchised clients. Thus, the research project strikes a balance between an interest in emancipatory social work and the probation service practices. Simultaneously, the study remains attuned to recent developments in Scandinavian policy on punishment and rehabilitation, including the emergence of penal populism and increasing managerialism.

Asbjørn Storgaard graduated from the University of Copenhagen with a master's degree in philosophy in 2016. This is his PhD dissertation in social work.

SOCIALHÖGSKOLAN



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LUND
UNIVERSITY

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Abstract:

How can offender supervision in the execution of state-sanctioned punishment integrate instances of democratic emancipation and thereby inspire participatory citizenship for disenfranchised clients?

This project balances an interest in social work and its prospects for delivering emancipation through motivational agency, on the one hand, with an attentiveness to recent developments in Scandinavian criminal policy, on the other. In an attempt to “bridge” these interests, the research focuses on offender rehabilitation. The dissertation comprises two empirical parts. Firstly, it presents a document analysis in a Scandinavian context wherein certain developments toward penal populism and managerialism (a managerial turn) in the discourse on offender rehabilitation are identified. The empirical basis for this part are policy documents such as white papers, organizational strategies and political framework agreements. Secondly, it consists of an ethnographically inspired analysis of empirical materials collected during field work in two local Danish probation offices where I took part in the daily routines, incl. supervisory meetings and team exercises, as well as conducting semi-structured interviews with probation officers and their clients. The dissertation is based on a social constructionist perspective and the analyses primarily rely on discourse and discretion theory. The policy documents studied in the first part constitute a distal context for the day-to-day work in the offices. Yet, through the various analyses it is argued that the managerialist tendencies identified in the documents are reflected in the offices and impact the beliefs and practices of the probation officers via the intensive presence of office manuals. These manuals, it is argued, link the distal to the immediate as they micro-manage and streamline not only documentation and case-handling but also the probation officers’ rehabilitative efforts. It is argued that insofar as these rehabilitative efforts are so comprehensively scripted, the prospect of such efforts facilitating platforms upon which clients may genuinely and sustainably realize their democratic worth and participatory ability is questionable. Consequently, particular interest is paid to subtle instances in which the probation officers’ rehabilitative or emancipatory practices, and the motivations behind them, appear to transgress the manual-based reality of the offices. These transgressive acts are theorized and conceptualized as instances of “democratic emancipation”, as they produce a less scripted situation that allows for genuine participation and greater self-determination. In the offices, democratic emancipation manifests in exceptional social situations in which the probation officers, in their own words, “go out of their way” or “help outside the box”. Yet, these are also elusive situations, not always recognized or intended as such by the probation officers, as they manifest like everyday interactions between client and probation officer where they seemingly “go off script”. Identifying these situations empirically, describing the ways in which they disrupt the manual-based reality in the offices, as well as theorizing their emancipatory potential, constitute the main findings of this dissertation.

Key words: probation service, offender supervision, emancipation, social work, managerial turn

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MADE IN SWEDEN 

For Bosse & Aske

Preface

Many of the ideas I initially conceived for my PhD dissertation have undergone significant transformations or have been altogether abandoned throughout the phases of researching and writing. I believe that this is not only common, but even an integral and healthy part of pursuing a PhD. That said, there still are basic ideas that have persisted with me throughout the entire study. They relate to the democratizing elements within probation services and their connection to broader policy ideals concerning punishment and rehabilitation. These basic ideas first took shape when I wrote the initial project description. At the time of writing, I was reading Ulla Bondeson's *Kriminalvård i frihet – Intention och verklighet*, a book that skillfully explores the potentials and challenges within the probation service at the intersection of political intentions, legal practices, and actual realities. This book greatly motivated me to focus on policy and discretionary practices in contemporary scandinavian probation service in my own research.

Delving into Bondeson's work was part of the initial research that I conducted before applying for a research grant from the *Ulla V. Bondeson's stiftelse for rettsociologisk og kriminologisk forskning*. It still feels surreal that the board of the foundation, then composed of three prominent Scandinavian researchers, Britta Kyvsgaard, Jerzy Sarnecki, and Ditlev Tamm, decided to support my project. I cherish the opportunity to dedicate five years to this study, that I was given by the Bondeson foundation, and through this dissertation, I aspire to reciprocate the generosity. In any case, I firmly believe that Ulla Bondeson and her approach to studying probation service in Scandinavia serve as the implicit yet ever-present backbone of this dissertation.

This research project, however, would never have been possible if it were not for the fact that The School of Social Work at Lund University allowed me in, regardless that my knowledge of social work was limited. The Head of Department at the time, Staffan Blomberg, played an important role. He negotiated the final details with the Bondeson foundation and ensured my position as a PhD student. Since then, I have been fortunate enough to engage in numerous enriching discussions with him and receive highly inspiring comments from him on my work. Staffan never got to see the final

product, and I never got to thank him properly. Tragically, he passed away just a few months before my defense. Thank you, Staffan.

It is also very important for me to heartily thank my two supervisors, Kerstin Svensson and Susanna Johansson. I genuinely believe that I couldn't have been more fortunate. Not only have you consistently challenged me, which has been instrumental in bringing me to this point where I can now present a PhD dissertation, but you have also stood by me during the challenging moments. At no point did I doubt that you had my back. It's really strange that this journey has now come to an end. I sincerely hope that our paths will cross in future projects.

Next, I absolutely must acknowledge the numerous probation officers, office managers, and, not least, the clients who generously allowed me to be a part of their everyday lives during four highly inspiring, and also incredibly enjoyable, months. Without your courage, curiosity, and cooperative attitudes, I would have had nothing to write about. Due to obvious reasons, I cannot mention names (but you know who you are!). Thank you immensely for your vital contributions.

Throughout the course of this project, I have received invaluable support and inspiration from my colleagues at The School of Social Work. I want to thank you all, but I will also take this opportunity to highlight Christel Avendal, Anders Persson, Kristina Carlsson Stylianides, Anders Jönsson, Johan Assarsson, Petter Karlsson, and Kristin Arve for their thoughtful feedback on earlier versions of the text. Additionally, I am deeply appreciative of Ellen Parsland, Ingrid Sahlin, Rishi Jha, Hanna Edgren, Lisa Wallander, Yeonjin Kim, and my partner in (phenomenological) crime, Karl Eriksson.

I would like to extend my gratitude also to external colleagues who have provided guidance and input at various stages of the project. My sincere thanks go to Anita Rönnelning, Jan Førde, Christian Gade, Berit Johnsen, and Julie Laursen for their advice. I also wish to express a special appreciation to Lars E.F. Johannesen, the opponent at my final seminar, who adeptly identified both weaknesses and potentials in my research that I had not recognized myself.

I should also like to thank the assessment committee consisting of Dorte Caswell, Thomas Ugelvik, Kristina Göransson, Ole Hammerslev and Björn Johnson for insightful and motivating comments at the final seminar and for examining the dissertation. And, I will express my gratitude to Nicola Carr for scrutinizing the dissertation at the defense.

Lastly, I must thank my family. My wife, Lærke, deserves special recognition for her unwavering support and patience throughout this journey. I owe you one! And, I

believe that our two sons, Bosse and Aske, will be seeing a little more of the father in the next couple of months. I cannot forget to thank my brother, Sigurd, for always being there for me and my mother (and shadow supervisor), Anette; if it were not for you, I would not have been writing this dissertation.

Asbjørn Storgaard
Vedbæk, September 2023

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1 Introduction

West Bridge, February 28, 2022

Entering the courtyard, paved with concrete, I see the massive wooden door. On both sides of the door is a small window with intersecting metal bars, prison bars obviously reminiscent of previous uses of the building, I think to myself. Leading up to the door are eight steep and wide steps made of large slabs of stone. Next to the door, on the right, is a sign that says “KiF¹ West Bridge, Entrance.” On the left side is a big red button and a surveillance camera. The door is locked, so I push the red button guessing it is some sort of doorbell. A quiet alarm-like sound goes off. A few seconds later a female voice bids me welcome and a loud buzzing sound clearly indicates that the door is now open.

I step into a hall. From here I continue into a waiting area that looks very much like the ones you see in hospitals, dentists, etc. I continue a bit further until I reach what appears to be some kind of reception area. A woman greets me politely.

Me: “Hello! I’m Asbjørn!”

Woman: “Welcome!”

Before we get to talking, Solvej, the office manager, determinately approaches me from a long and straight hallway that is separated from the waiting area by the reception desk. I recognize her face from our planning meetings on Skype. She is smiling. We shake hands and she welcomes me. As we walk along the hallway back toward her office she explains that the first couple of rooms on each side of the hallway are for supervisory meetings with clients. There are four of these rooms and they are all quite similar. They are equipped with 5–7 chairs around a table and one or two paintings on the wall.

We cross a threshold in the form of a doorstep.

Solvej: “From this point on, it’s staff only.”

Me: “Clients don’t come here?”

Solvej: “No!”

As we continue down the long hallway, I get to look around. Here the employees work either from individual offices or from larger offices with up to three desks. I notice how everything seems really clean and neat. The deep blue wall-to-wall carpets, the glass walls,

¹ Commonly used acronym of “Kriminalforsorgen i Frihed” [the Danish Probation Service]

the very high ceiling (more than 5 meters) and the many large sphere-shaped lamps that dangle uniformly from it add a very formal touch to the general atmosphere. It could have been a bank, I think to myself.

The above describes my first experience of visiting one of the probation offices that are of central interest to this dissertation. The office is located in a Danish town that I refer to as “West Bridge”. In the dissertation, I explore the practices of the employees of such offices as they engage with the clients that visit them on a regular basis. Before presenting the aim and research questions of this study, I will describe in greater detail its empirical context and analytical points of departure.

Probation Service in Scandinavia

Before being promoted to office manager, Solvej had worked as a probation officer for many years. Probation officers work in probation offices like the one in West Bridge. Probation offices are local departments within the Prison and Probation Service. In the probation offices the probation officers meet citizens, or clients, as they are often termed, in so-called supervisory meetings. The clients visiting the probation offices are mostly either under supervision after conditional release from prison, serving a conditional sentence or performing community service. The supervisory meetings may be considered – at least in part – as a rehabilitative service that society offers to citizens who have received formal punishment for committing a crime. The point behind such a service is to reduce the risk of the clients relapsing, that is, committing new crimes, thereby making for safer societies. This is the case, on a very general level, at least in Scandinavia.

Attending such meetings, however, is in general not optional for a citizen who is being supervised. When undergoing release from prison, serving a conditional sentence or performing community service, the citizen will have to meet with a probation officer on a more or less regular basis, depending on the individually assessed risk of reoffending. Further, other and more specialized treatment programs such as anger management courses or psychological and sexological treatment may also be added. And, seeing as these forms of formal state-sanctioned punishment are alternatives to imprisonment, the citizen risks (re-)instatement in prison if a new crime is committed while they are under supervision.

Being predominantly social work professionals and thus possessing a combination of basic administrative, legal and social skills, the probation officers employed by the Danish Prison and Probation Service are well suited to their task of checking client

compliance with conditional programs, as well as the more elusive rehabilitative work. By committing to this two-faced task of control and care, the probation officers serve a societal role by implementing sentences and resettling or reintegrating citizens into society so that their chances of living a law-abiding life is improved – or at least not worsened because of their punishment. By carrying out conditional and community service sentences, a probation officer can assist a client who may be about to embark on a criminal career by “nipping it in the bud” as they can provide tools and motivation that may indeed be life-changing for their client (Nygaard and Hansen 2017).

Solvej works in a Danish probation office. And, while this dissertation focuses on the case of the Danish probation service by ethnographically investigating the day-to-day life of two Danish probation offices, it makes sense to locate the Danish case within a broader Scandinavian context. By doing so, the dissertation may be explicitly placed within a scientific tradition for treating the Scandinavian penal system and criminal policy as a coherent entity in wider European and global comparisons (e.g. Pratt 2007, 2008; Smith 2012; Ugelvik 2012; Bruhn, Lindberg, and Nylander 2012; Mathiesen 2012; Reiter, Sexton, and Sumner 2018). However, in the course of the document analysis that precedes the ethnographic study of this dissertation, in which documents from Sweden and Norway are included alongside Danish documents, interesting national distinctions regarding policy and organization are also elucidated.

Formally, there are many similarities between the systems and regulations for the probation and community service of the Scandinavian countries. Sidestepping a lot of technical details that are not relevant here, it may be noted that when not deemed inadvisable by the Prison and Probation Service, a prisoner in Scandinavia may be released on probation when two-thirds of their sentence have been served (Johnsen and Fridhov 2019: 254; Persson and Svensson 2019: 329; Storgaard 2019: 73). Also, the form and extent of the use of community service sentencing is very uniform in Scandinavia where it is a more common sanction than a prison sentence, but less common than a fine (Lappi-Seppälä 2019). This reflects a tendency that has been developing throughout Europe in recent decades where citizens under supervision now “ (...) heavily outnumber those detained in custody.” (McNeill and Beyens 2013: 1) While all of this may clarify the use of alternatives to imprisonment in Scandinavia on a general level, underlying and easily neglected tendencies regarding the use of such sanctions may appear if the statistics were more closely examined. In Denmark the use of both conditional sanctions, community service sanctions and probation has steadily decreased.² Meanwhile, Danish prisons have been using all of the capacity or even

² On December 31 in 2012 there were 2665 clients with conditional sentences, 2273 serving community service and 1762 undergoing release from prison. Ever since (until 2021 – the 2022 statistic is not available yet) these numbers have decreased almost every year. And, in 2021 there were 1592 clients

slightly surpassing it since 2018 (cf. Kriminalforsorgens Statistik [Statistic for the Prison and Probation Service], p. 18).

This dissertation

The Scandinavian Prison and Probation Services are based on humanitarian principles such as *the principle of normality*, which states that life “on the inside” of a prison should, as far as possible, be similar to life “on the outside”. In key documents for or by the Scandinavian Prison and Probation Services³, the principle of normality is often further explained so as to involve a principle of rights stating that imprisonment, or another kind of state-sanctioned punishment for that matter, should not involve the loss of a citizen’s rights apart from the deprivation of liberty. As such, punishment whether by imprisonment or otherwise does not formally imply a deprivation of political personhood or citizenship. Nevertheless, scholars of law and society have come to discuss whether particular informal kinds of civil disenfranchisement, that is, severe political and social marginalization leading to societal and civil disconnection, may follow on from punishment, imprisonment in particular (e.g., Clear 2008; Chin 2012; Haase 2015; Schmidt 2020).

This dissertation balances an interest in the potential of probation service practices to enhance their clients’ ability to be self-governed citizens by delivering relief from stigma and marginalization with an attentiveness to potential managerial developments in the Scandinavian policies that regulate such work. “Bridging” these interests empirically I have come to focus on practices of and policies for offender rehabilitation: Generally speaking, I have been particularly attuned to the ways in which this key task of the probation service is framed and motivated in recent organizational policies for and by the Scandinavian Prison and Probation Services, such as white papers, parliament framework agreements, internal strategies and financial plans. Further, I have studied how rehabilitation is carried out, thought of and talked about by the probation officers. In other words, I set out to explore what probation officers do to re-awaken a “sleeping citizenship” (cf. McNiell and Velasquez 2017) of their clients in a policy context in which the discursive developments signal an increasing need for expedience in the handling of cases, the control of client compliance with the individual conditions, documentation of non-compliance, etc.

with conditional sentences, 1759 serving community service and 1238 undergoing release from prison (cf. Kriminalforsorgens Statistik [Statistic for the Prison and Probation Service] p. 27).

³ Cf. The Norwegian white paper nr. 37 of 2007-2008 (p. 22) and the *Code of Principles* of 1998 for the Danish Prison and Probation Service (p. 17).

The aim of this research project is not to evaluate the particular legal rights that clients of the Scandinavian probation service may have lost or gained access to while undergoing punishment. Nor has it been to assess whether such clients are provided with sufficient information about their rights and enough counseling during probation. Rather, based on the contention that access to rights, or justice indeed, may be: “(...) impeded not only by lack of resources, but also by constructed social meanings, such as the stigmatized identity of rights claimants (...)” (Albiston and Sandefur 2013: 119-20), I have investigated how probation officers facilitate civil and social participation for and with their clients. My basic interest in such democratic and potentially democratizing practices is inspired by and aligned with research on access to justice and the idea that maintaining formal access to rights by no means entails having *real* access to them. Thus, the so-called “democratic thesis” of access to justice asserts that *the ability to participate* in the institutions, mechanisms and dynamics of society is integral to the constitution of societal rights *as such* for a citizen in the first place (Storgaard 2022). Or, as the scholar of law, Jennifer Leitch, explains: According to the democratic thesis, delivering access to justice is a matter of enhancing peoples’: “(...) participation and ultimately their ability to affect justice as an end in itself (...)” (Leitch 2013: 229).

Leitch (2013) is assuming here a very broad definition of “democracy”. More or less indirectly, she argues that according to this view on the problem of access to justice, democracy is not merely a political model for societal governance. Rather, the democratic thesis emphasizes the public condition for democracy, that is, that democracy is upheld by the public’s awareness of individual rights and the individual’s ability to participate in the realization of such rights. When I refer to democracy and, later, to democratic emancipation, an equally broad appreciation of the concept is evoked.

The broad notion of democracy also anticipates the notion of “citizenship” deployed in this dissertation. Observing the definition of *medborgerskab* (citizenship) provided by the The Danish Authority of Social Services and Housing, by *citizenship*, I am not referring to legal nationality. Rather, I mean:

Citizenship is about the individual citizen having the opportunity to exercise their rights in accordance with legislation and opportunities in society. It is also about the individual citizen having the skills to make use of these rights, and in practice having the opportunity to participate and be co-determining in communities, for instance, by taking responsibility and by contributing to society based on their own prerequisites. In other words, citizenship is about inclusion.⁴

⁴ (DA) “Medborgerskab handler om, at den enkelte borger har mulighed for at bruge de rettigheder, som den pågældende har i henhold til lovgivningen og samfundets tilbud. Det handler også om, at den

Thus, preliminarily stated, the aim of this research project is to assess how offender supervisory practices integrate democratizing aspects (later to be conceptualized as instances of *democratic emancipation*) and thereby facilitate participatory citizenship for disenfranchised clients.

Setting the scene in a more detailed manner, in the following I will unfold and discuss some of the legal, political and theoretical intricacies surrounding the work conducted by the probation officers. Further, paving the way for the final presentation of the aim and research questions to be pursued in this dissertation, I will provide initial definitions of some of the key concepts such as “civil disenfranchisement”, “responsibilization” and “democratic emancipation”, which serve as central motivating factors for the research aim and/or guiding tropes for the empirical analyses and discussions.

The legal framework around offender rehabilitation in Scandinavia

In the European Prison Rules⁵ a basic rehabilitative principle is stipulated in relation to imprisonment: “(...) the regime for sentenced prisoners shall be designed to enable them to lead a responsible and crime-free life.” (No. 102.1) And, in the European Probation Rules such a basic rehabilitative principle is further described so as to involve: “(...) establishing positive relationships with offenders in order to supervise (including control where necessary), guide and assist them and to promote their successful social inclusion. (...)” (Basic Principle no. 1).

The imperative to balance punishment with the rehabilitative measures that are emphasized in these rules is also clearly incorporated into national legislature that regulates imprisonment in the Scandinavian countries. In Scandinavia, the resettlement process is regulated by acts concerning the execution of punishment. Whereas Denmark and Norway have particular acts for the execution of punishment including imprisonment, *Straffuldbyrdelsesloven* and *The Execution of Sentences Act* (respectively), punishment in Sweden is governed in very general terms by the Swedish Criminal

enkelte borger har kompetencer til at gøre brug af disse rettigheder, og i praksis har mulighed for at deltage og være medbestemmende i fællesskaber, fx ved at tage ansvar og bidrage til samfundet ud fra egne forudsætninger. Med andre ord handler medborgerskab om inklusion.” (website: <https://sbst.dk/handicap/udviklingshaemning/temaer/medborgerskab> – visited on August 12, 2023)

⁵ The European Prison Rules and The European Probation Rules guide the member states of the Council of Europe in matters related to imprisonment and resettlement after prison. They are not implemented in the national legal systems as “hard law” like The European Convention on Human Rights. Their status as “soft law” means that even though a state cannot be held legally accountable for not conforming to them, the member states should adhere to them.

Code. In reference to the Criminal Code, more detailed regulation of imprisonment including release from prison is provided by the *Act on Imprisonment* [Fängelselag (2010:610)]. Further, the measures in relation to probation, supervision and surveillance are specified in another act and the general tasks for the Swedish Prison and Probation Service in a third.⁶

Aside from constituting the authority within the Prison and Probation Services of Denmark, Sweden and Norway to carry out formal punishment, these acts establish certain rights and interests for the convicted citizen to be respected by the Prison and Probation Services during imprisonment and while under probation. As shown in the excerpts below from Norwegian, Danish and Swedish legislation, the basic respect for the rights and interests of the sentenced citizen is framed by stipulating that the execution of punishment should be conducted in a way that helps or influences the person to live a crime-free life.

A sentence shall be executed in a manner that takes into account the purpose of the sentence that serves to prevent the commission of new criminal acts, that reassures society, and that, within this framework, ensures satisfactory conditions for the inmates. (*The Execution of Sentences Act*, Section 2)

Execution of a sentence must be done with due consideration for both the execution of the sentence and for the need to help or influence the convicted person to live a crime-free life.⁷ (*Strafffulbyrdelsesloven*, Section 3)

Enforcement shall be devised so as to facilitate the prisoner's adjustment in the community and counteract negative consequences of deprivation of liberty. Enforcement shall, so far as possible and without neglecting the requirement to protect the community, focus especially on measures intended to prevent re-offending.” (*Act on Imprisonment*, Section 5)

These excerpts also show that the Prison and Probation Services of Scandinavia are required to strike and maintain a balance between “hard” and “soft” measures. This idea is explicated in the 2017 edition of an annual executive strategy for the Danish Prison and Probation Service called “Plan for Aims and Results for the Danish Prison and Probation Service” [“Mål- og resultatplan for kriminalforsorgen”]:

The enforcement of sentences implies implementation of the control necessary to carry out the sentence and by supporting and motivating the convicted person to live a crime-free life. (...) The basic value of the Prison and Probation Service: “the art of balancing

⁶ Cf. *Förordning (1998:642) om verkställighet av frivårdspåföljder* and *Förordning (2007:1172) med instruktion för Kriminalvården* (respectively).

⁷ (DK) “Fuldbyrdelse af en straf skal ske med fornøden hensyntagen såvel til straffens gennemførelse som til behovet for at hjælpe eller påvirke den dømte til at leve en kriminalitetsfri tilværelse.”

between the hard and the soft” reflects this dual task that employees of the Prison and Probation Service have to deal with in their daily lives.⁸ (*Plan for Aims and Results*, 2017, pp. 2–3)

The so-called Janus-face paradox is thus built into the very core of the self-perception of the Scandinavian Prison and Probation Services (Järvinen and Mik-Meyer 2003b: 19): The organizations deploy two very different tasks, that is, carry out court-ordered sentences, control and enforce disciplinary sanctions on offenders on the one hand, and rehabilitate, support and enable offenders to choose a crime-free life on the other.

Recent tendencies in Scandinavian criminal policy: A punitive and a managerial turn?

Scandinavia, it has been famously argued, is exceptional regarding criminal policy and penal enforcement: Upon recognizing a distinctive manifestation of the Scandinavian culture of equality and cultural homogeneity in Scandinavian prisons, Pratt (2007; 2008) coined the *Scandinavian Exceptionalism thesis* which, in turn, has come to denote the way in which Scandinavian prison regimes and criminal policy are exceptionally lenient. From an outside perspective, Scandinavian criminal law, policy and actual prison conditions may be perceived as exceptionally humane and egalitarian. Regardless, discussions have been taking place in Scandinavian academia regarding whether recent developments in the political landscape toward penal populism have led to a “punitive turn” in Scandinavian criminal policy discourse (e.g. Tham 2019b, 2019a; Andersson 2019b, 2019a; Todd-Kvam 2019). In a feature issue on penal welfarism in the Nordic countries in the journal *Nordisk Tidsskrift for Kriminalvidenskab*, Tham (2019b) argues that while we are indeed witnessing a still more pungent culture of control in Sweden, this is neither accompanied by increasing crime rates nor can it plausibly be viewed as a consequence thereof. Rather, he argues, this development was severely intensified in the 2018 parliamentary elections in Sweden, characterized by a political right-turn and the most explicit law and order agenda in the history of parliamentary elections in Sweden. In a similar vein, studying the Norwegian government’s discourses on punishment and its purpose, Todd-Kvam (2019) argues that since the right-wing populist party, i.e., the Progress Party, took over the Department of Justice, an upsurge in penal populism has been observed, albeit in a limited sense.

⁸ (DK) “Strafffuldbyrdelsen sker ved at gennemføre den kontrol, der er nødvendig for at fuldbyrde straffen og ved at støtte og motivere de dømte til at leve en tilværelse uden kriminalitet. (...) Kriminalforsorgens grundlæggende værdi: “kunsten at balancere mellem det hårde og det bløde” afspejler denne dobbelte hovedopgave, som medarbejderne i kriminalforsorgen skal håndtere i dagligdagen.”

This academic discussion on penal populism in Scandinavia reflects a view that has matured through quite a few new classics of criminology. Todd-Kvam (2019: 297) neatly sketches out key features of this discussion. He compares it with Loïc Wacquant's (1999) writings on how the rise of neoliberalism and its accompanying representations of endemic social insecurity have given way to an effective export of "prison works" and "zero-tolerance" discourses from the US, via the UK, to continental Europe; to Dario Melossi's (2000) theory of changes to the representation of the offender and how it anticipates certain negative evaluations of the offender in relation to a rise in prison rates; to Feeley and Simon (1992) and the advent of a new discourse on and around offenders based on managing the risks of the inherently 'dangerous offenders' and aggregating them accordingly; to Jock Young's arguments suggesting that we have been witnessing a transformation from a society that was based on "(...) assimilation and incorporation to one that separates and excludes (...)" (Young 1999: 10, cited from Todd-Kvam 2019: 297) and of course, finally, to David Garland's diagnosis of the eroded correctional ideologies and:

(...) the turn to expressive justice and punitive measures; the return of the victim; the stress upon public protection and the management of risk; the changing objectives of community corrections and custodial institutions; the politicization of penal policy discourse; the commercialization of penality; the drift towards mass imprisonment. (Garland 1999: 7)

Having said that, researchers also hesitate or even refuse to acknowledge the existence of a "punitive turn" in the Scandinavian countries (Andersson 2019b, 2019a; Todd-Kvam 2019). Others who have investigated the personal experiences of imprisonment in Scandinavia or have reflected on the questionable leniency of the "peculiarly Scandinavian phenomenon" (cf. Evans and Morgan 1998) of pre-trial solitary confinement, critically discuss whether Scandinavia has *ever* been that exceptional (Smith 2012; Reiter, Sexton, and Sumner 2018). Others still refer to the fact that Scandinavian (here exemplified by Danish) criminal policy and the prison and probation service have been characterized by historical pendulations between treatment ideologies and incapacitation strategies (Kvsvgaard 2001) – much like it has been argued to be the case on a grander international scale (Melossi 2000).

While we may be witnessing an increasingly populist discourse in Scandinavian criminal policy involving aspects of a tough-on-crime-rhetoric, researchers are rather undecided as to whether this entails an actual punitive turn. Thus, a less conceptually ambitious and perhaps more empirically adequate question to pose could be whether the rising expectation in Scandinavian politics for the justice system to get tough on crime and criminals, to protect society and victims of crime, to manage risk and to separate and exclude, entail increased pressure on the Prison and Probation Services to

talk and act in accordance with a more retributive and managerial framework. This question presumes the idea that while the occasional surfacing of a harsher consequence discourse and the destabilization of the support discourse may indicate a subtle and intensifying punitive turn, it seems (at least) equally empirically sensible that the upsurge in political demands for systematicity, continuity, efficacy and control substantiates the idea that since the 1980s, the Scandinavian Prison and Probation Services have experienced another kind of turn; a managerial turn (Svensson 2016).

While the question regarding the existence of a punitive turn has received considerable academic attention in Scandinavia, interest in a managerial turn appears to be much less prominent in research about crime, the probation service and prisons. Also, when compared with famous turns such as “the linguistic turn”, “the cultural turn”, “the political turn”, “the ethical turn” and “the literary turn” in social theory and the humanities (cf. Chaney 1994; Clark 2004; Royle 2011), in other areas, the more specialized “managerial turn” has enjoyed considerably less amounts of academic traction. However, when discussed, a managerial turn has been ascribed to the state level as processes of the bureaucratization of national governance and the streamlining of cooperation between ministerial departments, as well as on an institutional level, where similar tendencies have been identified (Bezes 2017). Thus, on a strictly conceptual level, the “managerial turn” may be taken to denote an internal reorientation of general organizational logics, communication and administrative outlook in public organizations for instance the Prison and Probation Services toward issues that solely concern the organizations (Ball, Owen and Gray 2000, Brunier 2016; Bezes 2017, Jacquot 2020). Thus, there may be some affinity between the managerial turn and the advent in the public sector in general of New Public Management (e.g. Christophe 2013; Huguée et al. 2015; Gerber 2016; Duarte and Dejours 2019).

The client in the system

I'd like to get an education, but it's impossible with that tiny blemish on my record. I have received my punishment and of course I have some “blemishes on my record”, but I just feel that it's enough that I was punished and so why do I have to be stained like this? It could destroy me. (...) For someone like me, it's already destroyed a lot, like really a lot, such as work and everything. I had a job and it's a tiny blemish, but the rules state that you have to have a clean record. I'd been working as a driver there for a few months but I had to show my criminal record. I kept putting it off. But there comes a time when you can't keep putting things off – so they said that I had to show them my criminal record. But there's a stain on it, they said. Then it doesn't matter how good you

are at your job. You have to leave. I've been in contact with High:five⁹, but there's not much they can do now as I have a new case pending. (Martin, client, West Bridge).

Martin is a young client at the West Bridge probation office, serving a conditional sentence. In the excerpt above he is reflecting on the consequences of having a criminal record as I asked him about his hopes for the future. Martin committed a petty crime but finds it hard to be admitted for education and even harder to find work. He is determined to quit crime but has a case pending for court assessment, which he is sure will result in him being behind bars in the near future. Seeing such prospects, there is not much, at least Martin feels, that the organization that facilitates matches between previously sentenced citizens and employers (High:five) can do for him. While Martin, according to his own testimony, is already experiencing societal marginalization due to the “stain” on his record, there is also a general resignation in the way in he conveys all of this. He would like to find work, but does not really believe he will, it seems. And he is not being very specific about what he wants for the future. Instead of telling me about the kind of education he wants and the kind of work he likes, he just focuses on the bleakness of his future. It seems as if he has accepted “the fact” that it will all be downhill from now on.

This section provides a description of the concept of civil death alongside a presentation of the academic discussion as to its alleged new iterations. In turn, this serves as a general presentation of the way civil death may constitute a very real problem for clients of the probation service – including in Scandinavia. Civil death has its origins in British common law¹⁰ and denotes formal punishment that intentionally includes civil disenfranchisement, i.e., the loss of many, if not all, civil rights (Belt 2021: 866). It will be argued that such (civil) disenfranchisement may be the product of much more general instances of democratic marginalization caused by the very instances that the welfare system set in motion in order to support citizens on the fringe.

The re-emergence of civil death

Even when zooming out and briefly considering the Western world as a whole, civil death is no longer operational as a form of punishment. In the rare cases in which a civil death statute is still part of the corpus of law, it is considered archaic; as *medieval fiction in a modern world* mitigated by a wide array of contemporary provisions which

⁹ High:five is a Danish organisation that assists former sentenced citizens in finding employment.

¹⁰ Unlike the Scandinavian model that images the so-called continental tradition where judicial practices are legitimized by codified laws (“statute law”), the British legal tradition, referred to as “British Common Law”, is based on case law and precedent. (Frandsen 1996: 41–42)

in concert enshroud its use and obscure its point. It has even been argued that the sporadic perseverance of formal civil death is more likely to lead to public confusion and general oblivion as to its existence than actual deterrence (Civil Death Statutes. Medieval Fiction in a Modern World 1937; see also Kovach 2019). Nevertheless, regardless of the constitutional developments of the mid-twentieth century, discussions have been forming in academia whereby criminologists and scholars of law have once again come to consider civil death as a very real consequence for offenders, including in contexts in which civil death statutes are not part of the law (anymore). In fact, as Chin has explained, a *new* civil death has “surreptitiously reemerged”: “It no longer exists under that name, but effectually a new civil death is meted out to persons convicted of crimes in the form of a substantial and permanent change in legal status, operationalized by a network of collateral consequences.” (Chin 2012: 1790; see also Haase 2015; Belt 2021; Hampton 2021)

Thus, while traces of civil death sentences are steadily vanishing from the formal foundations of our legal systems, scholars have started to recognize ways in which severe civil disenfranchisement may manifest as an informal side-effect of imprisonment, a collateral consequence, regardless. Surely, such a new civil death may take many shapes and forms depending on the legal context. While explicit disenfranchisement is quite common in the UK (Schmidt 2020), it is not formally possible in Scandinavia. Nevertheless, as I will show in the following, it has been argued that informal side-effects are discernible in a Scandinavian context in the form of concrete stigmas that remain with a citizen for years, as well as in the form of invisible impediments to civil participation.

Research and academic discussion have shown how a criminal conviction is accompanied by certain concrete stigmas that cause citizens to (also) leave Scandinavian prisons with democratically disengaged identities and disenfranchised personhoods (Reumert 2009; Storgaard 2009; Ryberg 2009; Minke 2012; Olesen 2013; Fridhov et al. 2013; Storgaard 2013, 2014). It has been argued that actual disenfranchisement is very real in Scandinavia as limitations and disqualifications may be forced upon a citizen due to a “blemished” criminal record. Even though such concrete stigmas may only “follow” the citizen for a relatively short period (depending on offence, but up to 10 years post-release), it may have dire consequences. Ex-offenders may be barred from certain jobs and certain political positions and may therefore face both social exclusion and structural discrimination, which may be considered an informal supplementary punishment that has no legal basis (Storgaard 2009). As such, it has been argued that a criminal record is both impractical and immoral (Ryberg 2009). Such informal punishment, or collateral consequence, can be related to the formal disenfranchisement sentences of other justice systems (cf. Schmidt 2020).

Yet, what is perhaps more important is that when released from prison in Scandinavia, citizens may not only be marred by such concrete stigmas. Additional habitual, attitudinal or psychological and therefore objectively invisible impediments to democratic or societal participation are also likely to be a consequence of imprisonment. While it has recently been argued that the egalitarian culture of Norwegian society is such a manifest fact that it permeates the walls of Norwegian prisons (especially those “enclosing” open wards) and causes prison society to be governed by the same democratic and moral codes (Mjåland and Laursen 2021), most Scandinavian prison research that has studied the social organization of Scandinavian prisons finds that illegitimate hierarchies are commonplace. More specifically, Ugelvik (2014b: 10–14, 189–235) has suggested that power relations on the inside are reproduced through narratives of a classic self-righteous paternalist morality on the basis of which for instance “sex-offenders” may be constructed as socially inferior. These dynamics of symbolic designation, social exclusion and, consequently, *hierarchization* based on ideals of masculinity and valuations of various types of offences are further presented and discussed in papers with forceful titles such as “Be a man. Not a bitch” (Ugelvik 2014a) and “The rapist and the proper criminal” (Ugelvik 2015). Other prison researchers in other contexts have been examining social instances as indicators of segmentation and power division such as ethnicity (Haller and Kolind 2018) and gender (Lindberg 2005; Mathiassen 2017).

These recent findings reflect a classical line of thought in criminology and prison research where one of the main threads is a contemplation of how imprisoned individuals steadily conform to the deviant norms and behavioral patterns of prison culture, which are characterized by highly localized self-regulation by the prison population, covert hierarchies among inmates (Clemmer 1938: 870; 1958: 152) and an extraordinary asymmetric power relation between the disciplining and the disciplined (Goffman 2012: 14). ‘Socialization’ within the undemocratic culture of prison may reach such fundamental depths in the personality of the sentenced person that re-integration with the outside world can be extremely difficult and the risk of recidivism increased (Clemmer 1958: 299). Indeed, with the famous (at least to Scandinavian criminologists) dictum “A prison; a crime school¹¹”, the Norwegian criminologist Nils Christie (2005) devised a critique of prisons which is perhaps as old as the institution itself (see also Foucault 1975: 241–248).

Thus, regardless of the degree to which citizens maintain their formal rights when serving a prison sentence and regardless of the degree to which a prison stay is scheduled and designed so as to imitate normal life on the outside, a general inability for prisoners

¹¹ (DA) “Et fængsel en forbryderskole”

to exercise their democratic rights and obligations is likely to be a consequence of their incarceration (Minke 2012; Olesen 2013; Storgaard 2013, 2014). Naturally and quite unsurprisingly, therefore, problems arise when a sentenced person is to be released from prison. Somewhat suddenly, the daily routine, the adaptation to society's explicit and implicit rules and the carrying out of personal interests and rights is once again subject to personal conviction and social abilities.

In concert, I believe, these views compellingly demonstrate how the Scandinavian prison system may not be as overly exceptional as is sometimes suggested. However, it would be excessive and misleading to blame prisonization alone, that is, socialization within the prison culture (Clear 2008; Minke 2012). I would like to make the case that such diffuse disenfranchisement that is discernible after release from prison may not primarily be a consequence of a particularly harsh prison system, but one of broader societal structures. Regardless of the obvious risk for "(...) adding yet another layer of social, political and economic disenfranchisement that push[es] them further in to 'the margins' (...)" (Schmidt 2020: 74), while citizens are literally being kept away in the margins, it has been suggested that most offenders experience civil disenfranchisement a long time before being sentenced and imprisoned (Belt 2021). As demonstrated in the next section, it has been argued that those citizens who end up in a criminal lifestyle have been *outsiders* for years until the point in their deviant careers where they actually commit a crime (cf. Becker 1997).

Processed people and democratic marginalization

Edwin S. Schneidman, a modern pioneer of suicidology and thanatology, is often cited in relation to these kinds of issues (see Schmidt 2020: 74; Liebling 1992: v) as he claimed that: "Social death begins when the institution (...) loses its interest or concern for the individual as a human being and treats him as a body – that is, as if already dead." (Schneidman 1973: 159) Accordingly, in the context of Scandinavian welfare institutions, Järvinen and Mik-Meyer (2003b: 15–19) have clearly identified paths by which citizens are institutionally transformed *from* persons to be heeded as persons *into* clients and ultimately "cases" to be solved. This, they argue, is a consequence of the problem-solving design of welfare institutions, meaning they cannot appreciate the whole person but rather merely "handle" specific problematic sides of them. This process of identifying a problem requires standardization and categorization or typification which, in turn, may lead to reifying and overly simplified brandings such as "addict", "criminal", "migrant", etc.

Hasenfeld (2010: 12–16) acknowledges the role played by a certain kind of moral agency in the process of constructing clients. Institutions, he argues, base their client

categories on norms that delineate “right” from “wrong”. Discerning who is entitled to a service is based on decision-making in terms of who is deserving; it might not be enough to simply need the service (see also Egelund 2003). In this sense, human service organizations come to look like “moral entrepreneurs” (Becker 1997: 147–164), meaning that the agents of human service organizations set up, convey, surveil and enforce the rules that deviants (per definition) break. It could even be suggested that human service organizations not only seek to care for the deserving deviants but actually produce or construct them as such: On the basis of: “(...) inherently moral prescriptions about the “good” society and the social rights of its various citizens (...)” (Hasenfeld 2010: 28–29) people, in turn, come to be objectified by the institution; constructed as “good”, “right” and “proper” in a sense so real that we do not dispute them on a day-to-day basis.

In his seminal work *Street-Level Bureaucracy: Dilemmas of the Individual in Public Service* (first published in 1980), Michael Lipsky expounded similar views as he explains how frontline workers’ (street-level bureaucrats) discretionary reasoning and action manifest a *client-processing mentality*.

Chronically unemployed men are described as shiftless and unwilling to work when their situations might be attributed to the structure of unemployment and previous job availability. Students’ learning difficulties are explained by focusing on their lack of motivation rather than on the skills of the teachers and the atmosphere of the school. (...) If the client is to blame, street-level bureaucrats are shielded from having to confront their own failures or the failures of the agencies for which they work. (Lipsky 2010: 153)

According to Lipsky (2010), frontline public service workers, or street-level bureaucrats, are placed in the schizophrenic position of having to fulfil the ideal of bureaucracy i.e., treat all citizens alike and equally, while maintaining the possibility of meeting an individual on their own terms. On the one hand, the work of the street-level bureaucrat is often highly scripted in order to achieve policy objectives that have their origins in the political process. On the other hand, the work requires improvisation and responsiveness to the individual case (Lipsky 2010: xii). This dilemma is treated under many different aliases in the course of Lipsky’s book (e.g., as a tension between “client oriented goals” and “organizational” or “social engineering goals” (Lipsky 2010: 40–54), as a contradiction between delivering policy through people to people advocacy while maintaining the alienated (and *alienating*) structure of bureaucracy (Lipsky 2010: 71–80). Mediating between policy and the individual case requires discretion. In this way, Lipsky asserts that there is an intimate link between discretion and the client-processing mentality, as he frames it. Thus, in addition to Hasenfeld (2010), Lipsky claims that even if it is caused by the top-down requirements of the individual case worker, the client-processing mentality should not be merely

associated with the faceless or machinist function of the system, the policy or the institution, but also with the individual case worker since it is they who carry it out.

The concept of a *client-processing mentality* neatly captures the way in which a symbolic distance between the the helping institution and the citizen has, allegedly, been forming and growing along with the acceleration of the processes of organizational rationalization in the public sector. In order to illustrate this point, a short excursion to Stefan Morén’s two-type model of social work may be useful. Morén (2015: 51–62) suggests that in the motley field of social work, which is obscured by many different local traditions and personal convictions, it is possible *in theory* to discern two forms of social work, or more precisely, two fundamentally different types of aid provided by social workers. Whereas *aid type one* denotes the somewhat mechanical problem-solving approach where “(s)ome pre-determined action is put into the client’s life situation”, *aid type two* is an approach where “(a)n opportunity for change is emerging and created in a lived relationship between social workers and those in need of assistance.¹²” (Morén 2015: 51) While social workers at large, Morén argues, may likely (or idealistically prefer to) act in accordance with aid type two, the organizations in which they are employed are often structured according to aid type one. It could be reasonably feared that this may very likely entail an inherent disintegration of purpose within organizations: a fundamental mismatch between the official purpose of a human service workplace and the personal motivation of an employee to work there (Morén 2015: 61).

When simply managing problems, or processing people indeed, the citizen seeking help is kept socially and democratically dead. In other words, the problem-solving approach molds the citizen as someone incapable, a passive receiver. As such, the quest for expedience, streamlining administration and cost reduction appear to have further alienated the service provider from the client or, to be more precise, alienated the client from society. When reduced to a case to be “passed around” in and between institutions in order to be “spat out” at some point, the citizen *is* no more; they are a product on a conveyer belt rather than a cog in society’s wheel (Schmidt 2020: 74–75).

¹² (SE) “Någon i förväg bestämd åtgärd sätts in i klientens livssituation” & “En förändringsmöjlighet växer fram och skapas i en levande relation mellan socialarbetare och bistandsbehövande”

The fundamental problem

As is reflected in the global definition of social work of 2014, still promoted by *The International Association for Social Workers*, emancipatory practices may be considered to be one of the main tenets of social work:

Social work is a practice-based profession and an academic discipline that promotes social change and development, social cohesion, and the empowerment and liberation of people. (...) From an emancipatory perspective, [...] this definition supports social work strategies [that] are aimed at increasing people's hope, self-esteem and creative potential to confront and challenge oppressive power dynamics and structural sources of injustices, thus incorporating into a coherent whole the micro-macro, personal-political dimension of intervention.¹³

Does this ideal cohere with the actual situation? What capacity does a social worker have to increase clients' "creative potential to confront and challenge oppressive power dynamics and structural sources of injustices" if their discretionary ability to consider the individual case as such is reconfigured in such a way that instead of liberating citizens and facilitating the ability to participate in society, it reinforces socially dead and disenfranchised identities for the clients? Surely, the ways in which an organization impacts an individual case worker's use of discretion is not one of necessary causality. There may very well be exceptions where highly idealist and resourceful social workers are able to resist or perhaps even revolt against the contradictory consequences of organizational rationalization, as highlighted by Lipsky (2010) and other researchers (Ferguson and Lavalette 2004; Jordan 2004; Ponnert and Svensson 2016). This, however, provides little relief to the general public because should it really be up to the exceptional few to carry the entire ethical core of social work, the entire function of facilitating participatory help?

The practices

I just feel like this: Get away from your desks all of you who are coming up with these plans and come out and be with those of us who are doing it in practice! That's how I feel about some of these things, that these people are just too far away behind their desks at their fancy addresses and they often have no idea at all about how things are out here in the real world. I mean, sometimes we have to go on walks with the clients; we simply have to meet them where they are and if they can't be here in time for the meeting, well then, we try to solve it as best as we can so that they can get through this process anyway,

¹³ Cf. <https://www.ifsw.org/what-is-social-work/global-definition-of-social-work/> (visited May 1, 2023)

right? So, yes, and I actually think that you get further with that kind of attitude. You don't rehabilitate someone simply by implementing even more sanctions and rigid rules. No, I think that they should allow us to assess things ourselves and of course the clients shouldn't cross the line all the time, but I mean, come on ... (Aya, Probation Officer, East Ville)

Aya is an experienced probation officer. In the above excerpt from my interview with her, she states her very spontaneous reflections on the increasing number of manuals, procedures and problem-solving programs that have appeared in the office in recent years. And she construes these manuals and procedures as originating from “fancy addresses” (presumably referring to the headquarters of the Danish Prison and Probation Service, which is located in central Copenhagen) as being out of touch with the reality within which they are supposed to function. While not all of her colleagues exhibit such outspoken views about the increased amount of attention from the top of the organization to the managerial and controlling aspects of the work, many of them do explicitly value and trust their own professional *fingerspitzgefühl*. And, they describe how they sometimes must go beyond the scope and mandate of the programs by, for instance, going on walks with their clients in order to build a relationship and achieve the rehabilitative results that motivate many of the programs and procedures.

Responsibilization

The executive strategy (2021–2026) for the Norwegian Prison and Probation Service is framed under the vision “Punishment that changes¹⁴” and the following task is promoted:

We must carry out punishment in a way that is reassuring for society and which discourages criminal offences. Provision must be made for offenders to be able to make an effort to change their pattern of criminal behavior.¹⁵ (Virksomhetsstrategi for Kriminalomsorgen 2021–2026, p.7)

Such indirect appreciation that rehabilitation is not about reforming the client by way of active external force or coercion, but by facilitating a framework within which the clients may commit to certain changes themselves is also reflected in the Swedish Prison and Probation Service’s manifesto-like document called “Bättre ut” (*Better out*). It states that for each client a plan must be made that: “(...) encourages due diligence and taking

¹⁴ (NO) “Straff som endrer”

¹⁵ (NO) “Vi skal gjennomføre varetektsfengsling og straffereaksjoner på en måte som er betryggende for samfunnet og som motvirker straffbare handlinger. Det skal legges til rette for at lovbrutere skal kunne gjøre en innsats for å endre sitt kriminelle handlingsmønster.”

responsibility for own actions and development.”¹⁶ (*Better out*, p. 10) Also, the Danish Prison and Probation Service’s guidelines called “Køreplan for god løsladelse” (*Schedule for Proper Release*)¹⁷ highlights the fact that the individual action plan for the release from prison of a citizen:

(...) is an important tool in the work to ensure the inmate/citizen's opportunity to live a crime-free life and will give them the ability to influence and to take co-responsibility for the sentence and the time thereafter. The action plan will therefore govern the contact between the inmate/citizen and the authorities. The work with the action plan can also help to strengthen the motivation of the incarcerated citizen.¹⁸ (*Schedule for Proper Release*, p. 7)

Yet, as highlighted by Kyvsgaard as she recapitulates the 20th century’s history of the treatment ideology of the Danish Prison and Probation Service: “Beautiful theories have a way of turning into ugly practices.” (Kyvsgaard 2001: 118)¹⁹ In the following, I shall try to tease out from recent research on the issue what may be meant by “ugly practices”, as well as how organized attempts at facilitating civil and social participation among clients of the probation service may be viewed as an instance of neo-liberal waves of managerialization in the public sectors of welfare states.

The issue at hand is often framed in terms of motivation, i.e., as a matter of *making the client want* a crime-free life. Furthermore, the issue has often been associated with a critical investigation of the more or less tacit responsabilization and empowerment agendas involved in such motivation work. Recently, the issue has been empirically studied as part of the global scientific complex based on research on motivational interviewing (MI) (e.g., Forsberg, Ernst and Farbring 2011; Forsberg et al., 2011; Heseltine, Sarre and Day 2011; Ortiz and Wirbing 2017). However, it is also quite visible (with varying degrees of explication) in textbooks for social workers in Scandinavia where, for instance, issues regarding how a social worker should motivate

¹⁶ (SE) “Varje klient är väl medveten om vad som förväntas under verkställigheten och har en plan som uppmuntrar till skötsamhet och till att ta ansvar för egna handlingar och utveckling.”

¹⁷ (DK) “Køreplan for god løsladelse”

¹⁸ (DK) “Handleplanen er et vigtigt redskab i arbejdet med at sikre den indsatte/borgerens mulighed for at kunne leve en kriminalitetsfri tilværelse og vil give denne indflydelse på og medansvar for afsoningen og tiden derefter. Handleplanen vil derfor være styrende for kontakten mellem den indsatte/borgeren og myndighederne. Arbejdet med handleplanen kan samtidig være med til at styrke motivationen hos den indsatte borger.”

¹⁹ Kyvsgaard (2001) notes that this statement can be traced back to Thorsten Sellin (1896–1994), a Swedish-American sociologist at Pennsylvania University, and his reflections on the treatment ideology (Cullen and Gilbert 1982). As the founder of the *Sellin Center for Studies in Criminology and Criminal Law* (among other seminal achievements) he is considered among the founders of the modern scientific study of crime (Nelson 1986).

the un-motivated (Revsted 1995; Börjeson 2008; Morén 2015) and ways of improving a client's self-transparency regarding how only clients themselves can make the attitudinal changes necessary to lead a crime-free life, are key (Rosdahl 2011, 2016).

In the academic literature, the concept of responsabilization is often related to the advent of the neoliberalization of welfare states and the new dogmas for the management of public institutions, New Public Management, that it entailed (Kemshall 2002; Gray 2009; Sallée 2017). Neo-liberalism basically denotes the wave of transformations toward free markets that were initiated in the 1970s. The wave first hit the financial sector, causing a moderation of state control over banking, currency exchange and capital movement. Yet, as the editors of a special issue of the *Journal of Sociology on Neo-liberalism, New Public Management and the Human Service Professions* state: "Markets are hungry for new sources of profit, and under neoliberalism expand into new domains. Needs formerly met by public agencies on a principle of civil rights (...) are now increasingly likely to be met by companies selling services in a market." (Connell, Fawcett, and Meagher 2009: 331) While hardly qualifying as neo-liberal *per se*, the social-democratic foundations of the post-industrial Scandinavian states have indeed been increasingly characterized by individualizing governance strategies and the commodification of social benefits (Harsløf and Ulmestig 2013).

In societies influenced by neo-liberalism, crime comes to be viewed as an "inevitable part of everyday life to be managed (...)" (Cracknell 2023: 30). And, responsabilization strategies characterize the entire vertical dimension of crime control and governance of criminals (Garland 1996; O'Malley 1992). Responsibility for managing social problems such as crime is devolved from the state to human service organizations, within which responsibility for carrying out the task commissioned to the organization is entrusted to frontline personnel who, in turn, confer certain amounts of responsibility on the client. As a counter-balance to ensure quality, accountability and fair provision of social benefits, every part of this line of devolution is required to report upwards, by way of various performance management schemes (Connell, Fawcett, and Meagher 2009). Thus, while it may seem paradoxical, responsabilization does not come at the expense of governance and management. States by no means simply forego control over human service organizations, nor do organizations simply leave case handling to the individual discretion of the case worker. Indeed, responsabilization strategies imply strong and clear instances of governance at a distance (Garland 1996).

The academic discussion on responsabilization is often relying on the conceptual complex around the Foucauldian theory of governmentality, influentially developed and applied by Nicolas Rose (e.g. Rose and Miller 1992; Rose 2000). Responsibilization researchers argue that responsabilization strategies, whether aimed at service providers from the top of their human service organizational hierarchies or

performed by street-level service providers toward service users, encompass a disciplining logic. This logic more precisely strives to make prudent, self-governed citizens out of its target subjects who are as such well in line with the neoliberal project (Phoenix and Kelly 2013; Cracknell 2023). The neoliberal project, it is more precisely argued, requires a particular kind of individualist and prudent citizen, capable of doing their own social risk assessment and thus less prone to be depending on social benefits and centralized control. However, research on young offenders' experiences of being at the receiving end of such responsabilization practices in the UK shows that instead of reforming as responsible citizens, prudently and cost-effectively pursuing social participation and desistance: "(...) their engagement with youth justice workers, had taught them that only they were responsible for their lives and only they could do anything to change their lives." (Phoenix and Kelly 2013: 420) And, it is argued that insofar as it produces such sentiments, a responsabilization strategy is more likely to reinforce stigma and a sense of social exclusion than to facilitate societal participation seeing as it "(...) encourages practitioners to reconstruct their clients as inherently flawed (...)" (Cracknell 2023: 30). Kemshall even argues that by embracing the rehabilitative programs prompted by New Public Management, the UK probation service has become a "(...) key agency in the social control and exclusion of those citizens deemed 'intransigent' or 'irresponsible', thus assisting in the demarcation of those who can play a full role in the welfare society from those who cannot." (Kemshall 2002: 41) Also, it is asserted that while responsabilization strategies are often framed as a way of taking a client seriously as a capable and democratically entitled person, they rely "(...) on the weakening of a social logic, in the name of which society collectively took responsibility (...)" (Sallée 2017: 263) In this way, it may be argued that responsabilization strategies, purposefully or otherwise, reinvigorate theories on the cause of crime that point the finger at the individual, rather than societal structures.

The concept of responsabilization is important for this dissertation as the analyses of the probation work that is governed by managerial procedures and accountability requirements seek to capture the somewhat "ugly" consequences of the aforementioned blame-shifting and re-stigmatization. However, unlike the dedicated responsabilization research, this research project is not just focusing on probation officers' attempts to make transparent to a parolee that only they are responsible for changing their life. Supplementing such research endeavors, I do with this dissertation set out to capture empirically and also theorize the emancipatory potential of other courses of action whereby probation officers make transparent to a client that they are indeed already capable of and entitled to participation. I shall refer to this latter engagement as *democratic emancipation*.

Democratic emancipation: a guiding trope

In the following, the concept of democratic emancipation will be introduced. As for now, only a preliminary notion of democratic emancipation is tenable as the analyses and, in particular, the theorizing efforts toward the end of the dissertation will provide empirical substance and outline the scope of the concept. What is presented here, therefore, is to be considered as a guiding trope for the analyses and theorization.

The word “emancipation” derives from the Latin *emancipatio*, more precisely, the verb *emancipare*. Literally speaking, *emancipare* means “to take from the hand”, often used in the sense of “to take out of someone’s hand”. Thus, in Roman law, the word *emancipatio* denoted the legal procedure by which a son who was coming of age was released from his father’s authority.²⁰ In accordance with contemporary conceptualizations, however, where the term often describes processes and activities for the liberation of slaves (e.g., Green 1991; Levine 2005) and other more or less marginalized groups or individuals (e.g., Anderson 2013; Eriksson and Storgaard 2022), by “emancipation” I mean to denote the acts by which someone escapes socially controlling structures and becomes more self-governed. “Democratic” adds further meaning: What is achieved by the acts I wish to capture is not merely self-governed individuals, but individuals who are cognizant of and motivated by their basic entitlement to participate in society at large. Taken together, democratic emancipation basically denotes acts that relinquish civil disenfranchisement and reaffirm citizenship.

In the time of Roman law, sons were set free, legally, from their fathers who until then enjoyed a legitimate and explicit power and control over them. In contrast, the emancipatory acts studied in this dissertation release clients of the probation service from much more elusive impediments such as experience of societal marginalization and socially constructed stigma. So, the preliminary concept of democratic emancipation captures instances in which probation officers help or assist clients in renouncing labelling as different, dangerous, erratic, irresponsible, incapable, intransigent, unentitled, etc. by demonstrating a basic equality between themselves and their clients. So, democratic emancipation is indebted to the Kierkegaardian sense of help.

²⁰ Etymological dissection of *emancipare* will show that it is comprised by the prefix *ex*, which means “(out) from”, *manus*, that is. “hand” and *capere*, meaning “to take”. (<https://denstoredanske.lex.dk/emancipation>, <https://sproget.dk/lookup?SearchableText=emancipere> and <https://www.etymonline.com/word/emancipation> (all visited on 8.13.2023))

That if real success is to attend the effort to bring a man to a definite position, one must first of all take pains to find him where he is and begin there.

This is the secret of the art of helping others. Anyone who has not mastered this is himself deluded when he proposes to help others. In order to help another effectively, I must understand what he understands. If I do not know that, my greater understanding will be of no help to him. If, however, I am disposed to plume myself on my greater understanding, it is because I am vain or proud, so that at bottom, instead of benefiting him, I want to be admired. But all true effort to help begins with self-humiliation: the helper must first humble himself under him he would help, and therewith must understand that to help does not mean to be a sovereign but to be a servant, that to help does not mean to be ambitious, but to be patient, that to help means to endure for the time being the imputation that one is in the wrong and does not understand what the other understands. (Kierkegaard 1962: 27-28)

It is curious that Kierkegaard who was indeed “(...) only up to one thing: to find out who he really is (...)” (Sløk 1994: 23) in these, admittedly quite trite, passages of the posthumous *The point of view for my work as an author* expresses the social paradox inescapably invoked when one person wishes to help another person. The fact that a helper risks self-defeat when acts intended as help are too preconditioned by the helper’s own conceptions of the good, proper or true may perhaps come across as a platitude. Yet, positing that all true help begins with a humbling – *that the helper must humble “themselves” under the person “they” want to help* – is very likely to be disruptive within the ideological and discursive framework of help institutions, such as probation offices, insofar as such institutions are client-processing facilities (Lipsky 2010) that are structured according to a problem-solving concept of aid (Morén 2015) in which pre-determined programs are placed within the clients’ lives depending on whether they have been found eligible for such interventions according to an untransparent and normative organizational logic of deservingness (Hasenfeld 2010).

Democratic emancipation denotes efforts by probation service professionals or human service organizations, in general, to meet clients where they are, by dismantling parts of their own, their organization’s or the official rehabilitative program’s authority and privilege in order to solve problems with clients *in situ*. More precisely, democratic emancipation denotes social work attitudes and activities that encourage participation by recognizing the invariant inadequacies regarding pre-conceived ideas of what is best for the client. Thus, while democratically emancipatory practices share the central trait with responsabilizing strategies of basically setting out to rehabilitate by facilitating participation, they also strikingly oppose the responsabilization agenda by not assuming that there is a basic inability on the part of the client, i.e., that they are “inherently flawed”, “intransigent” or “irresponsible”. Rather, democratic emancipation constitutes courses of action that break away from the official line of rehabilitative practice and

managerial handling of cases. As such, democratic emancipation may be structurally characterized as a form of discretion that goes beyond the means of the official rehabilitative programs and case-management procedures in order to achieve the ends that are often proclaimed by the same programs and procedures.

Further, in *democracy Inside: Participatory innovation in Unlikely Places*, Albert Dzur (2019) sketches out how a radical critique of the social trustee paradigm of professionalism in the 1960s pointing to “(...) the ways professions can be impediments to the democratic expression of public interests” (Dzur 2019: 2) has paved the way for an alternative model that he calls *democratic professionalism*. The social trustee professional is someone who has skills and authority that the consulting citizen does not possess. As such, whatever help, advice, donation, etc. that a citizen receives from the consultation is the product of an economy of trust. Apart from trusting in the professional, the citizen remains a passive recipient. So, while the professional’s helping capacity is constituted by the community, they do not need to listen to the community in order to deliver services; they are dosed and measured by the professional on the basis of their expertise.

A radical critique led by Illich and Foucault called attention to the disconcerting prospects of the modern division of labor such as: “... task monopolies secured by professionals that block participation, shrink democratic authority, and disable and immobilize citizens who might occupy that space.” (Dzur 2019: 3) On the contrary, democratic professionals depend on a community’s own cultural logics and experiences in order to produce justice *with* laypeople.

The concept of democratic emancipation is inspired by Dzur’s promotion of democratic professionalism. Democratic professionalism manifests a counter “rationality” to organizational rationalism. But not only does Dzur’s problematization of the social trustee paradigm highlight the serious shortcomings of the problem-solving type of aid (Morén 2015) and the client-processing mentality (Lipsky 2010) when it comes to actually helping clients with their social problems; the call for restoring the proximity and attunement of organizational rationality in order to accommodate solutions that are already meaningful to citizens shows a way forward. However, instead of linking this practice to a certain profession, the term *democratic emancipation* is deployed here in order to prompt a closer study of the micro-social mechanisms at play and advance our understanding of what it actually means to help heavily stigmatized and disenfranchised individuals.

The research project: Aim and research questions

The scientific value of this research project must be viewed in relation to the academic discussion on recent developments in criminal policy in Scandinavia as this allows for an important political contextualization of the aforementioned “fundamental problem”, namely: How do these populist tendencies allegedly apparent in certain shifts, a managerial turn in particular, appear in the policies on imprisonment and release and how do they affect the prospects for a probation officer to deliver democratic emancipation?

Having this question as a basic leitmotif, *the aim of this dissertation is to assess how offender supervisory practices integrate instances of democratic emancipation and thereby facilitate participatory citizenship for disenfranchised clients in the wake of a managerial turn.*

Achieving this aim has more precisely involved a research effort driven by the following research questions:

1. (How) does a managerial turn appear in the institutional guidelines, strategies and other governing policy documents of the Scandinavian Prison and Probation Services?
2. (How) does the managerial discourse affect the discursive space for emancipatory practices?
3. How are rehabilitative practices performed and accounted for by probation officers working with offender supervision and resettlement?
4. How do aspirations to dismantle impediments to clients’ citizenship transpire in rehabilitative practices and how could they be further described and conceptualized in theory?

The results will be presented in three segments, which will also illustrate the research process: 1) document analysis of Scandinavian policies on prisoner resettlement practices (Chapters 5 and 6), 2) ethnographic study of two Danish probation offices (Chapters 7–10), 3) a theorization (Chapter 11). The dissertation thus consists of two empirical parts which are synthesized, discussed and developed by way of a theorization.

Firstly, in the document analysis, certain developments toward penal populism and managerialism (a managerial turn) are identified in the discourse on offender rehabilitation. The empirical basis for this part comprises policy documents such as white papers, organizational strategies and political framework agreements for and by

the National Prison and Probation Services of Norway, Sweden and, in particular, Denmark.

Secondly, ethnographic study supports an analysis of the practices in two local Danish probation offices. I have taken part in the daily routines, including supervisory meetings and team exercises. Further, I have conducted semi-structured interviews with probation officers (n: 23) in order to investigate how they account for their rehabilitative practices. Supplementary perspectives on the probation offices and the work conducted in them have been generated through semi-structured interviews with the probation officers' clients (n: 11). Whereas the interviews with the probation officers generate empirical data that provide answers to the research questions, the interviews with the clients contribute on a more general level to the ethnographic appreciation of the rehabilitative practices and the day-to-day business in the probation offices.

The policy documents, it will be argued, constitute a distal context for the day-to-day business in the probation offices. Yet, through the various analyses it is further suggested that the managerialist tendencies identified in the documents are reflected in the offices and impact the beliefs and practices of the probation officers via the intensive presence of manuals in the offices. These manuals, it is argued, mediate between the distal and the immediate as they micro-manage and streamline not only documentation and case handling, but also the rehabilitative efforts of the probation officers. And, insofar as these rehabilitative efforts are so comprehensively scripted, the prospect for such efforts to facilitate platforms upon which clients may genuinely and sustainably realize their democratic worth and participatory ability is considered questionable.

Consequently, particular interest is paid to subtle instances in which the probation officers' practices, and the motivations behind them, appear to transgress the manual-based reality of the offices. Such acts of discretion are theorized and conceptualized as instances of "democratic emancipation", as they produce a less scripted reality that allows for genuine participation and greater self-determination on the part of the client. In the probation offices, democratic emancipation manifests in exceptional social situations in which the probation officers, in their own words, "help outside the box". Yet, these are also elusive practices as they manifest as everyday-like interaction between client and probation officer where they seemingly "go off script".

Identifying these situations empirically, describing the ways in which they disrupt the manual-based reality in the offices and theorizing their emancipatory potential constitute the main findings of this dissertation.

2 Policy, discretion and emancipatory practices in social work

The aim of this chapter is to clarify what will be important theoretical and empirical concepts of this study, namely, policy and discretion in relation to emancipatory practices, as well as to situate this dissertation within previous research on this topic. More precisely, this chapter contains discussions on the relationship between rules, policies and guidelines, on the one hand, with frontline professionals' discretion, on the other, as well as an assessment of the influence of this relationship on social workers' emancipatory practices. This involves an examination of how processes of policy implementation and its reception and enactment by the case workers whose professional practice it circumscribes have been described, analyzed and discussed scientifically. On the basis of this examination, it is argued that in studies of social work practices and discretion it may be particularly fruitful to think of discretion not merely in spatial terms, that is, in terms of the space for discretion, but as a form of practice inherently involving a temporal dimension as well. Furthermore, this view on discretion is continued and further elaborated in an assessment of the literature that treats discretion not merely as something that may be operative in the "no man's land" not covered by policy, but as a practice that goes beyond or transgresses rules, guidelines and policy. In turn, this is taken even further in a basic conception of discretion as a practice that plays a vital role in the policy-making process. Finally, I discuss how we may then qualify such constructive potential of discretion. This includes a discussion on the boundedness vis-à-vis freedom of discretion from top-down regulation and its potential capacity to produce realities in the form of case workers' private modifications to the conception of their work and their clients.

Toward the end of the chapter, I relate the constructionist notion of discretion to emancipatory practices in social work, the point being to theoretically frame and substantialize the aforementioned "fundamental problem" that motivates the investigations of this dissertation: It is well known that street-level bureaucracy is organized and governed in ways that construct clients in terms of problematic identities, leaving the emancipatory aspects of social work to the discretion of the individual caseworker in the individual case or encounter (Järvinen and Mik-Meyer 2003b;

Villadsen 2003; Morén 2015: 51–61). However, if discretion is adequately captured as an inter-personal or social activity, or agency which, in many instances, also implies the construction of clients as inherently problematic, then how can we ever characterize social work as a form of street-level bureaucracy capable of fulfilling any of the emancipatory aspects that are among this profession’s most savored vocations?

What is discretion? What is policy?

This chapter focuses, among other things, on the ways in which policies may be thought of as both limiters and conditions for the possibility of discretion. However, I will not go “head on” into this issue. It seems necessary for the discussion on the relationship between policy and discretion to reach an understanding of what discretion means on a conceptual level. In the literature on discretion, definitions are not scarce and many of them differ in a number of respects. However, there appears to be at least some form of consensus around the basic notion that discretion denotes judgement or agency that go beyond standardized conduct, norms, policy, rules, etc. (Hupe and Hill 2020: 237; Evans and Hupe 2020a: 1) Another variant, perhaps more classical, relates to the “going-beyond” position, yet has a slightly different approach: Instead of focusing directly on “going beyond”, these definitions locate discretion essentially *within* the vacuum that is left un-governed by the existing rules, norms and codes of conduct. Consider, for instance, two of the most famous conceptualizations of discretion that treat discretion as something that is possible in the more or less clearly defined “space” circumscribed by policy, law or other regulations: the definition, or perhaps rather the *complex of definitions*, related to Dworkin’s (1978) famous *hole-in-the-doughnut metaphor* (which I address in greater detail below) and Davis’ definition stating that: “[a] public officer has discretion wherever the effective limits on his power leave him free to make a choice among courses of action and inaction.” (cited from Evans and Hupe 2020a: 7). A fundamental difference between these two types of definition has to do with where they place the emphasis. Whereas the going-beyond-thesis allows for a conceptualization of discretion as an *activity* that you do, the other cluster of definitions, as visible in Davis’s definition cited above, treats discretion as *a space*, something you may or may not have at your disposal.

Discretion

One major instance in which all definitions differ concerns whether this “going beyond” or the fact that a vacuum remains is considered positive or negative. The

contemporary discussion has abandoned – almost completely – the idea that discretion is a bad thing (e.g., Evans and Harris 2004). Indeed, the words “negative” and “positive” have no ethical connotations. Instead, they often refer to a logical, semantic and perhaps even ontological schism that may be discerned in the many different definitions available.

In *Taking Rights Seriously*, which is a collection of essays, Dworkin (1978) confronts legal positivism and the notion of discretion that lies within. Dworkin engages very critically with H. L. A. Hart’s (1961) ideas that law is positive, i.e., something that may be explained bereft of any moral vocation and societal function and something that is valid purely on the basis of its inferential relationship with other laws. Against this, Dworkin argues that all legal rules are products of normative deliberations regarding how societies *ought* to be. Laws cannot be accounted for adequately without some form of recourse to the moral values and social rules that prompted their existence in the first place and cannot be explained without the inclusion of a view of their societal function and their specific construction in some historical context (Dworkin 1978: 46). Legal positivists, Hart in particular, Dworkin (1978: 40) further asserts, think of discretion as the founding of new rules by legal authorities in situations where an existing regulation is not sufficiently comprehensive. While Dworkin (1978) would agree that discretion works in situations in which no existing rules apply, the process by which new rules come into play due to discretion is by no means as simple as Hart (1961) would have liked it to be, Dworkin argues. Legal discretion when performed by a legislator or judge not only takes into account the existing body of law but is also a product of a sense of social and ethical appropriateness.

Does the fact that Dworkin’s conception of discretion is based on a charge against legal positivism make it a negative notion? Perhaps not²¹. Nevertheless, Luntley (2020: 339–340; see also Goodin 1988: 185–186) refers to the Dworkinian view that discretion is a form of conduct that operates in situations in which no rules apply as a negative account. In this view, discretion is treated as something that may become necessary when the rules or guidelines are not adequate. As such, discretion may be thought of as a “necessary evil” (again, not ethically, but this time perhaps legally or politically). Luntley (2020) and others (e.g., Kadish and Kadish according to Evans and Hupe 2020a: 4–5; Du Gay and Pedersen 2020; Evans and Hupe 2020b) argue in favor of a positive account of discretion in which it is viewed as a mark of professionalism and as

²¹ As will hopefully be evident in the succeeding discussions on the so-called positive and negative notions of discretion, the feature which is taken to be the primary indication of a negative account of discretion, namely that it is a form of conduct that can be operationalized when no other rules or standards apply is inherent in both Dworkin’s (1978: 31–39) account of discretion and the legal positivist’s (according to Dworkin).

something that actually strives to evoke the rules *in their full force* and actually achieve the purpose toward which the rules are either explicitly or implicitly aimed; not just act haphazardly in their stead. According to this view, discretion is not an evil to be avoided, but something that the welfare state policy makers may better promote and something that frontline workers may better learn (Luntley 2020). Discretionary reasoning or judgment is not something you fall back on when you do not know what rule to apply, but something you may master when you are familiar with the fundamental thinking behind the rule and have a good understanding of how the rule actually works: “It is about understanding the point behind the rule and having the freedom to ignore the letter of the law to better achieve its purpose. Discretion (...) requires actors to think about what they have been told to do make sense of it and be thoughtful rather than just obedient in handling obligations.” (Evans and Hupe 2020a: 5)

Regardless of whether this positive account of discretion is actually logically at odds with Dworkin’s reasoning²², I find it very appealing since it explicitly conceptualizes discretion as a matter of “know-how” instead of “know-not-what”. The idea that discretion is practical knowledge corresponds well with theories intimately linking discretion to *practitioners* or *workers* (cf. Lipsky 2010). Discretion is not (merely) a form of expertise carried out by the people who have rules as objects before them (politicians, policy makers, bosses and section leaders) but is a form of expertise held by those who exercise the law with and toward those subjects about which the law is concerned. The so-called positive account (which, to be clear, is by no means essentially linked with Hart (1961) and/or his legal positivism) is appealing, I think, because it accounts for the different ways in which laws may appear depending on their use and function. For the policy maker, a law or rule should be formulated so that it does not violate other laws or rules, it should be in balance with budgets, it should satisfy the political program of which it is a consequence, etc. Compare these technocratic conditions with what a frontline worker or a street-level bureaucrat sees in the law. For the street-level bureaucrat the law or rule may have dire consequences for Mr. Jones, yet open up new possibilities for Mrs. Jackson, etc. Whereas the policy maker considers the law or rule in terms of “what”, i.e., in terms of logical, political and financial consistency, the street-

²² I am not completely convinced by Luntley’s (2020) reasoning when he bases his positive account of discretion as some form of expertise in logical opposition to Dworkin’s (1978) conception of discretion. Indeed, I believe that Dworkin’s philosophy logically allows for the positive account presented Luntley even if Dworkin never really touches directly upon this issue. The difference between these two accounts, I believe, is not logical. Rather, whereas Dworkin is working on a conceptual level which is more fundamental than Luntley in that Dworkin investigates the formal dependency between rules and discretion, Luntley is interested in the substantive application and appreciation of discretion in society.

level bureaucrat will have to transform the letter of the law into practice and therefore make the law *work*; and this is where discretion comes into play. In this dissertation, therefore, discretion will be coined in terms of subjective processes rather than objective analyses, as “know-how”, rather than “know-not-what”.

Policy

Having established an initial definition of discretion to be assumed as the probation officers’ rehabilitative practices are analyzed, I shall in the following section attempt to tease out the underlying understanding of policy in the literature on policy-making and the dynamics between discretion and policy implementation. The very flexible, enactment-based and inclusive concept of policy that the investigations arrive at, motivate and legitimize the broad selection of documents that is included in the analysis of the policies that circumscribe these rehabilitative practices.

Policies, like laws and rules, cannot in themselves adequately account for all the scenarios in which they are thought to apply. Therefore, discretion is necessary in order to make the policy work in reality. I have tried to spell out the positive notion that can be ascribed to the performance of discretion. In doing so, I mainly adopt the perspective of the implementing agent, leaving to one side the perspective of the policy maker, parenthesizing the question regarding what discretion “looks like” from their perspective. Unlike the implementing agent, policy makers may well view discretion as a necessary evil. Having recognized the limits of their own control and the policy’s control and applicable scope, they may grant those organizations and professions that serve to implement the policy a certain amount of freedom within a “space”, a hole in the donut, circumscribed by the policy (cf. Evans and Hupe 2020a). Hupe and Hill explain the way in which the negative perspective may be framed in terms of an *implementation gap* which: “expresses the standard view on policy implementation, in which discretion is seen as a phenomenon to be curbed.” (Hupe and Hill 2020: 237). Thus, if a policy is failing, the default remedy is to diminish the implementation gap (swell up the donut, if you like) in order to make less room for discretionary deviance. Rather than by referring to its status as a sanctioned principle *per se*, the nature of policy is, according to such views, defined by its *use or function as a principle* that is invoked with the purpose of steering a country, organization, group or individual toward a preferred goal.

Following this outline of how discretion is both enabled and controlled (somewhat) by the policy maker, it is easy to conclude that things are neat and simple. This may hold true in a judicial context in which legislators produce laws and judges establish precedents, but according to many contemporary researchers interested in the locus of

control and discretion, things are not as clear in the context of policy implementation (Brodkin 2020; Du Gay and Pedersen 2020; Evans and Hupe 2020c, 2020b; Hupe and Evans 2020). Rather, as succinctly captured by Evans and Hupe (2020a: 8), de-centering movements, intersectional sense-making and individualization in the political and social sphere of our postmodern societies have blurred the structures of hierarchy and the division of power to the extent that the simple top-down-model of understanding governance seems still more relic-like.

A possible set of consequences for discretion of this zeitgeist is reflected in Lipsky's (2010) work. To the wider public, street-level bureaucrats come to represent government policy, perceiving these professions as delivering benefits and (at least in some cases) sanctions to them. What is very interesting is that Lipsky (2010: 13-25) appears to think of this act of policy delivery or the process of policy implementation as an integral part of the policy-making process. In delivering policy to the public, street-level bureaucrats hold discretionary power and relative autonomy from organizational authority, giving them an actual policy-making position within the organization and, consequently, in society. Policy-making, according to Lipsky, does not end with the "final" passing of policy scripture in the higher instances of organizations and governments. Rather, policy-making irreducibly involves the efforts of *making the policy work* and is carried out by street-level bureaucrats. As such, Lipsky recognizes that the policy-making process or the process of policy implementation is not unidirectional. Policy-making is not a matter of simple top-down communication, but necessarily incorporates a bottom-up perspective, of which Lipsky is considered the founding father (Ellis 2011: 222).

So, what is policy? According to Evans and Hupe (2020c), policy is *text* that sets out to guide, regulate or control actions and beliefs for a more or less clearly defined social or political entity to ensure that certain goals that are also construed as valuable in and by the text may be achieved. While policies often, literally speaking, come in the form of text, Evans and Hupe are apparently being somewhat metaphorical here. *Like a text*, they argue, a policy: "(...) only comes to life with its enactment. Practitioners (...) have to use their creative skills to achieve this." (Evans and Hupe 2020c: 336). In this way, policies are not the texts *per se*, but something that may reside in them. These characterizations allow for a very inclusive concept of policy to be adopted in this dissertation, that is, *guiding principles of authoritative origin*, yet in themselves quite powerless, *which ascribe meaning to aims and/or direct efforts in supposedly purposeful ways for the achievement of such*. On the basis of such a definition, policy may arguably be found to be instances in a very wide array of documents that are do not necessarily objectively or obviously qualify as policies (e.g., a "smoking policy" or a "policy for the use of company credit cards"). In this dissertation, documents ranging *from*

parliamentary white papers and political framework agreements for the national organizations of Prison and Probation Services, *via* strategies and parts of annual reports from within the Prison and Probation Services themselves, *to* codes of principles, have been included as instantiations of policy.

Discretionary policy-making

Lipsky's claim regarding a bottom-up vector in the policy-making process begs the question of what he exactly means by *making*. In the very first section of the last chapter of the 2010 edition of *Street Level Bureaucracy: Dilemmas of the Individual in Public Service* (which is an expanded 30th anniversary edition of the original book in which this chapter was not included), Lipsky states: "Street-level bureaucrats, by definition, have an autonomous core. In a limited sense, they are the authors of the policies that are finally delivered." (Lipsky 2010: 212) Thus, the idea that street-level bureaucrats have a policy-making capacity is persistent, perhaps even enforced as, 30 years after its conception, he clearly frames it in terms of authorship, albeit in a limited sense. How are we to understand the actual power of the street-level bureaucrat in the policy-making process? In an article on the continuing relevance of Lipsky's (2010) theory of street-level bureaucracy in the context of the much more diverse set of managerialist and professional micro-cultures of current social care in the UK, Ellis (2011: 240) draws attention to criticism raised against Lipsky, stating that he does not adequately frame his theory of street-level bureaucracy within a thematic context of power. This criticism, however, is concerned with the power dynamics between case worker and user. It is one thing to identify a form of resource power over and against the service user by emphasizing the gatekeeping function of street-level bureaucracy. Indeed, discretion plays a role in this "largely private negotiation between assessor and service user." (Ellis 2011: 229). Yet, another and, to my mind, much more difficult question around the power inherent in discretion has to do with the ways in which discretion may or may not take control of policy by means of resistance or methods of transformation. According to Evans and Harris (Evans and Harris 2004: 874), Ellis et al. (cf. 1999: 277) understand discretion as a matter of filling in the gaps of public policy whereas others (e.g., Baldwin 1998: 24) may regard discretion as a matter of undermining official policy. But can a researcher really assign any kind of genuine authorship regarding policies to street-level bureaucrats or are they ultimately nothing but a puppet?

Evans and Harris (2004: 873–876) provide a comprehensive overview of how we may relate to this issue in the context of Lipsky's (2010) theory of the street-level bureaucrat's contribution to policy-making. They look at what they take to be the two

main tenets of the more recent academic reception of the views presented in *Street-Level Bureaucracy: Dilemmas of the Individual in Public Service*. Some researchers subscribe to a “continuation thesis” centered around empirically based arguments for the continuation of discretion and a favorable reading of Lipsky’s work. Other researchers have pointed to how intensified managerialism has in recent years curtailed discretion. Revisiting Dworkin’s (1978: 31) argument that discretion always operates in the context of rules and standards since it is characterized by working *in between* these, Evans and Harris (2004: 881) argue that the curtailment logic is faulty. If anything, managerialism enhances conditions for discretion. Discretion, Evans and Harris would argue, does not by nature go against the grain of policy through and through and it does not in essence imply a radical transformation of policy in terms not necessarily envisaged by the policy maker who scripted it. Thus, discretion is not an instrument held by policy implementers in a “tug of war” of policy dominance with policy makers but is an irreducible part of the policy-making process. Indeed, by promoting the continuation thesis, Evans and Harris subscribe to “(…) Lipsky’s thesis that policy is, in effect, what street-level bureaucrats do.” (Evans and Harris 2004: 874).

Have Evans and Harris (2004) brought us any closer to understanding what sort of power over policy discretion holds, or what it more precisely means to *make* policy through discretion? If discretion is nothing more than loyal adherence to the ideal or objective of a policy which is scripted “from above”, how can it be conceptualized as policy-*making*? Have we not just encountered yet another example of discretion as the fulfilment of pre-existing policy goals? Perhaps so, but through this example we have reached an understanding of the way in which discretion, unlike scripture *per se*, has a temporal dimension; it takes time and has consequences. It could perhaps be said that discretion makes policy insofar as it complements scripture with the activity necessary for it to be carried out. Thus, discretion does not (necessarily) transform policy with regard to its political, ethical or strategic vocation, but transforms paperwork and ideas into real social change. If this is so, in order to capture adequately what discretion means, discretion must be captured in its *wesen* and not just refer to how or why it is enabled through certain structures of legal and political governance. Perhaps then, the key to understanding what Lipsky means by discretion as policy-making should not be sought in the theoretical context of power and authorship, but in the very ontological notion of policy that is tacitly suggested by Lipsky (2010).

If “organizational patterns of practice in street-level bureaucracies *are* the policies of the organization” (Lipsky 2010: 144), it is necessary to redefine policy *away* from the objective connotations of scripture alone, toward a more non-substantial and enacted sense. And if, as I have already argued on behalf of Lipsky, discretion is vital to the organizational patterns of practice as the very kind of performance that enacts policy,

then *an identity, or at least a close affinity, between discretion and policy* may be carefully asserted as being a cornerstone of Lipsky's theory of street-level bureaucracy.

Discretion and emancipatory agency

In the preceding sections of this chapter, I have accounted for various conceptions of discretion. I have argued as to the specific advantages regarding this dissertation of viewing discretion as a practice that neither mimics the policy ideal in a one-to-one manner, nor turns the ideal on its head. Rather, discretion will in this dissertation be viewed as an activity which sets the policy ideal in motion in a way that is conducive to a specific reality. Now I will turn my attention to what may more concretely be set in motion. Part of this undertaking means to theoretically gauging the potential of discretionary practices to be emancipatory in managerial contexts in which strict rule abidance would produce other and less prosperous scenarios for disenfranchised service users. Thus, moving from the task of conceptual clarification to deliberations regarding the embeddedness of discretionary practices in social interaction, I will address the constructionist potential of discretion.

Discretion as a world-making activity

Discretion is a social activity "(...) and attaining a better understanding of how discretion operates requires socialization research (...)", as Oberfield (2020: 190) puts it. Yet, even though Oberfield's (2020) argument for viewing discretion through a sociological lens is motivated by a wish to better understand bureaucrats' practices, the research he refers to in his article addresses decision-making and the motivation to act, rather than acting itself. Digging a bit deeper, in this subsection I will try to establish a conceptual account of discretion as actual "outward" activity that is part of a social encounter. More precisely, I will attempt to render probable the idea that the discretionary activity is not merely a matter of forming an *ad hoc* judgment when no rule or policy applies or interpreting the somewhat static or at least highly abstract letter of the law so that it may work in a concrete situation that a frontline worker may encounter. It may indeed involve such intra-mental processes, but it means more than this: Discretion, it will be argued, is not just a matter of propositionally knowing how, but also of doing so on a practical level. Supplementing Oberfield, it could therefore be said that not only do we need a sociological perspective for studying how social contexts influence bureaucrats to make certain decisions. Rather, as the ethnographic approach would elucidate in a very concrete and vivid manner, we also need the

sociological perspective for the study of the micro-social dynamics at play when discretionary decisions are carried out.²³

Recapitulating the preceding discussions in order to build a formal framework for an investigation of the way in which discretion constructs social reality, I will address Molander's (2016) so-called anatomy of discretion. Discretion, he states, has a structural and an epistemic aspect (Molander 2016: 62). What I will argue is that while both structural and epistemic aspects may indeed be necessary for discretion, stating that they are jointly sufficient seems less plausible. This dual definition of discretion that refers to the space for discretion (the *structural* aspect) and to the cognitive process of thinking around or making a somewhat unbounded judgement (the *epistemic* aspect) seemingly neglects any view toward the actual "outward" enactment of discretion.

This, I believe, is a plausible consequence of Molander's (2016: 44–45) conclusion regarding the anatomy of discretion. Here, Molander clearly states that discretion means practical reasoning, in that in epistemic terms it denotes the special kind of justifying thinking that goes into deciding upon a course of action in a specific case where *warrants* (i.e., rules of inference from case to decision) are weak. Yet, previous investigations of the reception of Lipsky's theory led me to conclude that Lipsky's ideas of discretion as policy-making convey a sense of the temporality of discretion. Thus, discretion, it could be suggested, does not just refer to the possibility to act, but essentially incorporates the spatio-temporal enactment of an act which is not merely epistemic. For instance, in coping with a chronic lack of funds and the endemic obscuring of common organizational goals, street-level bureaucrats make private modifications to the conceptions of their work, their goals or ends, and their clients (Lipsky 2010: 29–48 & 140–56). And, insofar as these modifications are a result of the individual case worker's attempt to reconcile their own vocation and organization's goal, they may, according to Lipsky's own logic, be considered *real* discretionary accomplishments.

The idea that an act of discretion means more than an act of reasoning has also gained traction in the recent literature on discretion. One way to forcefully argue that discretion incorporates social action is to consider its obvious ethical dimension. Regardless of the normative standpoint taken (utilitarian, deontological, virtue ethical, etc.), it would be nonsensical to discuss the ethical connotations, values and implications in and of discretion if discretion was not essentially discerned as social action as we may, according to ethical standards, exclusively be held ethically accountable for the actual actions we have committed (e.g., deontology) or their

²³ Cf. Wagenaar 2020: 266-71 for examples of ethnographically inspired studies of discretionary narratives with a particular emphasis on their reflections of discretionary practice.

consequences (e.g., utilitarianism) (Calder 2020: 394–398). Yet, following from the general consensus among discretion researchers on the fact that discretionary agents hold vast amounts of power over given clienteles, I would, with little hesitation, dare to claim that all of us academically engaged in discretion would spontaneously agree regarding the soundness of demanding ethical responsibility from such actors. This leads Calder (2020: 401–402) to argue that discretion may be defined as *phronesis*, which is Aristotelian Greek for enacted practical wisdom or prudence or, as Calder himself puts it: “(...) discretion is at the core of good professional practice rather than peripheral and is enacted through practice rather than learned abstractly via manuals or textbook.” (Calder 2020: 405)

Thus, it seems that I am back where I started by basically considering discretion as know-how. But, in the course of the deeper investigation of this “(...) alternative epistemology of discretion as practical knowledge that is commensurate with the fragmented, decentered reality of public accountability in contemporary situations of governance (...)” (Wagenaar 2020: 272), I have qualified the way in which discretion is not merely *knowledge* of how, as is the case in Molander’s (2016: 44–45) concept of practical reasoning. Rather the “how” in know-how signals that knowledge is applied and, as such, discretion is a matter of not merely knowing what to do or how to act but is also a matter of *doing* so in a social context. Furthermore, and very importantly, insofar as discretionary activity is based on a form of discretionary reasoning, i.e., insofar as it aligns with a personal agenda, instigating actions that sidestep the established policy framework, discretion may mean more than mere activity. Thus, discretion may be more aptly viewed as an expression of social *agency*.

Organizational rationalization

Apart from attempting to establish that discretion is a form of social action and not merely an epistemic activity or practical reasoning, the main result of the investigation thus far, as Hupe and Evans frame it, is that “Exercising Discretion Means Exerting Influence”. In more concrete terms, after the discretionary decision made by a police officer about who to sanction and who to just warn, based on their private or professional conceptualizations of what counts as blameworthiness and as excusable behavior, follows the act of actual sanctioning, which must be understood as part of the discretionary performance. Such conceptualizations which, according to Lipsky (Lipsky 2010: 151–154), come in the form of segmentation or categorization of the clientele, are often in accordance with dominant societal views and can be said to reproduce, or rather reinforce, social stigma.

But how more precisely is it that policies of organizational rationalization and standardization such as those inherent in the evidence-based-practice movement and New Public Management not only lead to client processing but might also pose a threat to emancipatory practices? Could it be that these tendencies impede emancipatory practices because they minimize the space for discretion (thus assuming the idea that emancipatory practices are discretionary) or do they change the face of discretion (thereby assuming the idea that the practices that appear to work against emancipation are discretionary)?

The latter notion I have already addressed quite extensively in the previous chapter in the discussions on Lipsky's client-processing mentality. The former is also closely intertwined with Lipskyan thought, but frames the problem slightly differently. Viewed through the lens of Marxist alienation theory, Ferguson and Lavalette (2004) established that structural developments in the human service organizations for the sake of case expedience have been implemented: "(...) at the expense of professional discretion (...)" (Ferguson and Lavalette 2004: 304) and that this has had dire consequences for the emancipatory potential of social work:

The consequence is that social workers find they have less freedom and control over their contact and work with clients; they are subject to speed-up, bureaucratic control and regulation; their work activities increasingly confront them and their clients as a set of 'alien' practices (and one consequence of this is that violence against social workers is increasing); and all this limits the scope for social workers to stand shoulder to shoulder with their clients in the face of their oppression—the system increasingly places barriers between the social worker and the client. (Ferguson and Lavalette 2004: 304)

It seems that Ferguson and Lavalette's (2004) argument is based on two assumptions. Firstly, they assume the narrative about the shrinking effect on the space for the professional discretion of New Public Management and evidence-based practices. While this narrative is immediately appealing and convenient for the sympathetic apology on behalf of social work provided by Ferguson and Lavalette, it is perhaps also somewhat myopic and naïve. Critically reflecting Evans and Harris' (2004) stance that more rules do not necessarily entail "the death" of discretion, Ponnert and Svensson (2016) critically confront the notion that standardization outshines discretion. In their article, which is more concerned about the implications for the professionals' reception of their work in the face of standardization than with the possibility of it changing the lives of their clients, they argue that recent attempts at increasing effectiveness, quality and transparency by implementing a more manual-based practice in the social services have not made social workers more secure and certain as to how to deal with cases, making professional discretion not at all obsolete. Secondly, Ferguson and Lavalette appear to presuppose that emancipatory practices, in essence, depend upon discretion.

While there may indeed be some truth to this, such a marriage between emancipatory practices and discretion may well be problematic as it does not take account of the ways in which discretion may entail further social stigma. Given the diffuse conditions for organization and governance, care should be taken not to bluntly associate discretion with free or unbounded agency. I believe this is Evans and Hupe's *proviso* from their introduction to the anthology *Discretion and the Quest for controlled freedom* in a nutshell: "If power relationships cannot be taken for granted as hierarchies, if orientations cannot be assumed as monochrome and hegemonic, while actors serve in all kinds of representational roles, then the ideas of control and freedom suggested by the very term 'discretion' need to be reflected upon." (Evans and Hupe 2020a: 2)

Thus, Ferguson and Lavalette's (2004) argument may boil down to this: Seeing as social service professionals in the wake of the waves of organizational rationalization are now left individually powerless, they cannot bring about much empowerment with regard to their clients. Regardless of the aforementioned assumptions, which can indeed be challenged, this argument should not be dispensed with. Indeed, no explicit denouncement of the idea that organizational rationalization makes it harder for social workers to help their clients has been identified in the literature reviewed in this chapter. On the contrary, it is possible to discern many different ways of affirming a mismatch between the ideal of helping people, which is so central to social work, and that of evidence-based practices and New Public Management. What seems less agreeable is what sort of role discretion should play in this tussle. Whereas Ferguson and Lavalette think of discretion as a central component impeded by rationalization, Ponnert and Svensson merely agree with the conclusion that these "new" strategies for organizational governance have made it more difficult to conduct social work: "(...) standardization will not outshine discretion, neither will it make social work easier." (Ponnert and Svensson 2016: 596)

Discretion, help and emancipation

In the course of reviewing the literature on discretion, building some form of theoretic platform for discerning discretion as a form of social agency has been particularly rewarding. Not only has this led to a strong argument in favor of complementing traditional discretion research with a more ethnographic appreciation of *how discretion is carried out* in relation to its policy conditions, it has also highlighted the way in which extreme care should be taken not to exaggerate the emancipatory prospects of discretion in practice. Insofar as discretion is social agency, it cannot help but commit to some form of coerced reification of the subjects to whom it is directed. As such, this investigation could go further than Lipsky (2010) with regard to the client-processing

mentality as it takes discretion to be potentially stigmatizing, not merely because the organizational context within which it is placed encourages it, but because discretion, as it is social agency, cannot evade this consequence. Even insofar as it is based within the agenda of helping, it inevitably does so by identifying or reproducing the designated receiver of help as someone who is endemically problematic. This fundamental understanding of how the intention to help can contribute to stigmatization will play a pivotal role in the development of the concept of “democratic emancipation”, which appears toward the end of this dissertation. Here, however, the attempt to capture theoretically the ways in which practices of democratic emancipation differ from manual-based responsabilizing include a focus on the ways in which certain discretionary practices redistribute intentionality away from the individual client and to the client’s problems. And, in doing so, it is argued, such redistribution, or reorientation, in turn, disrupts the responsabilizing approaches’ inadvertent construction of the client as inherently problematic by instead viewing the client’s problems as problematic for the client.

3 Methods and materials

This chapter provides a comprehensive overview of the materials that were included in the empirical investigations and the theorization, as well as a presentation of how they have been sampled and handled throughout the research process. The presentation will treat each of the three research phases, the document study, the ethnographic study and the theorization, separately. In the succeeding chapter, the epistemological framework of social constructionism and the theories applied in the analyses and the theorization are elaborated.

The document study

The documents have been analyzed in their own right, although mainly so that they may be understood as distal contexts for the practices and their inherent processes of meaning (or knowledge) construction that were later investigated as part of the ethnographic study. As such, the ethnographic study is considered the main empirical contribution of this dissertation. As a *distal* context, the documents and the policy residing within are understood as indirect, implicit and tacit conditioners that affect and limit the space for the social construction of meaning *in situ* without being external determinants that somehow remain unaffected by or exempt from the constructive interplay in practice (Juhila and Abrams 2011: 181–183). The fact that the relationship between *in situ* practices and their distal contexts is not adequately grasped by reference to a straightforward monodirectional dynamic resembles, I believe, the Lipskyan observation introduced in Chapter 2 that street-level bureaucrats in a limited sense “are the authors of the policies that are finally delivered.” (Lipsky 2010: 212)

To be clear, the point of the study of the documents (in their own right) has not been to identify and discuss what the documents say about emancipatory practices; even less about what they say about democratic emancipation. Insofar as democratic emancipation ever attains a shape or form that is empirically robust enough to be scientifically studied in the document material, it will arguably manifest itself in the presentations of rehabilitative interventions and programs and their place and purpose

in the practices of the prison and probation service. Unlike rehabilitation itself, democratic emancipation is not directly allowed (or disallowed) by the policies of the prison and probation service; “democratic emancipation” is not part of the policy makers’ indexical vocabulary. Rather, if it has any empirical significance, it will only be visible as tacit indications or subtle allusions in the document “margins”, that is, *in the discourse*. As discursive and distal contexts to certain practices, the point of the document study is to scope the “discursive space” for rehabilitative and, in turn, democratic emancipatory practices. These notions of discourse and context and their implications for the investigations of this dissertation are further developed in the next chapter on the epistemological framework and applied theories.

The document study combines an interest in the document content with an analytical sensitivity toward the way in which the content is presented. Without treating these objectives as clinically separated concerns, the content focus is indeed more central to the mapping of the documents presented in the first chapter of the document analysis (5), while the second chapter of the document analysis is more critical (6), comprising a shift of attention from *what* to *how*. More precisely, Chapter 5 offers an analysis of the document material that serves two related purposes, which in different, yet equally necessary ways, pave the way for the deeper and more elaborate document analysis presented in the succeeding chapter 6. Firstly, this means that the analysis presented in Chapter 5 lays out an empirical basis for the more critical discourse analysis of Chapter 6. However, secondly, in the course of doing so the analysis in Chapter 5 also identifies, emphasizes and discusses how a *managerial turn* appears in the documents included. In order to *know what to look for*, six indicators of a managerial turn, distilled from the scarce research from other areas of social welfare in which the appearance of a managerial turn has been studied empirically, are explicated in the beginning of the chapter. The fact that the analytical “drive” in Chapter 6 is more critical and theoretical by no means entails a departure from the documents. Rather, it means that the analysis of the documents is more engaged, posing questions as to what is accomplished or signaled by this or that development, omission, shift, introduction, etc.

Sampling the documents

The documents have been sampled exploratively by browsing the websites of the Scandinavian Prison and Probation Services, by conferring with representatives of the organizations and other researchers. Yet, the process was not just based on *ad hoc* availability or sheer convenience. Indeed, I was actively tracking down certain kinds of documents while seeking to compile a great variety of documents, thus deploying a strategy that could be referred to as a kind of “purposive sampling” (Bryman 2012:

418). Simply put, insofar as the aim of the document analysis has been to excavate, to the farthest and widest degree possible, the policies of the Scandinavian countries on the point of punishment and the role played by rehabilitation, the success criterion of the sampling was to locate as many as possible of the existing documents that would allow for such unearthing. In order to assess whether the sample of documents undergoing study is adequate, on a couple of occasions, I consulted with analysts employed by the Prison and Probation Services and relevant university affiliated researchers from Norway, Sweden and Denmark, as well as Danish probation officers. More precisely, I have enquired either orally or via e-mail whether any given preliminary sample comprised documents that they regarded as central and relevant in relation to the theme of my dissertation. So, when collecting the documents for the analysis, a view to representativeness was combined with a view to purposefulness. Being a so-called non-probability sampling method, that is, a method relying on the subjective hand-picking of documents and subjective judgement as to the adequacy of the sample, rather than some form of randomness, such a design may not accurately produce generalizable results. In other words, explorative and purposive sampling methods limit the applicable scope of the conclusions drawn from the sample. Yet, such non-probability sampling procedures are more feasible in a qualitative study of heterogenic entities (different types of documents of different origin) that you do not necessarily recognize the general characteristics of beforehand. Explorative samples, Walliman (2011: 76) argues, are likely to lead to somewhat fitting and adequate answers to explorative research questions:

1. (How) does a managerial turn appear in the institutional guidelines, strategies and other governing policy documents of the Scandinavian Prison and Probation Services?
2. (How) does the managerial discourse affect the discursive space for emancipatory practices?

The “how” of these questions is to be understood as explorative and not as presumptuous. While I expected to find instances of managerialism that could fit with the indicators of a managerial turn from previous research that are listed at the beginning of Chapter 5, the first question does allow for a negative answer in the following sense: How does the managerial turn appear? Well, it doesn't! The same goes for the second question. The point is that so little research has been conducted on this topic that the explorative approach is the only viable option.

So, before the sampling commenced, I refined my ideas as to what kinds of documents would be necessary and purposeful in relation to the relevant research questions, as advised by Billups (2021: 147). The interest of the research questions circles around

policy, that is, the visions of the Prison and Probation Service, operationalization and planning, rather than legality. Thus, emphasis was placed on organizational documents such as political deals and settlements, strategies prioritizing forms of action and practice, documents regulating the allocation of government funding, etc. The very broad notion of policy developed in Chapter 2 allows for the inclusion of such documents as they may all contain *guiding principles of authoritative origin that ascribe meaning to aims and/or direct efforts in supposedly purposeful ways for the achievement of such*. While being very flexible, this definition does not explicitly signal an interest in laws and legal regulation. Law is not positively *guiding* for certain practices. Rather, it is essentially restrictive, more abstract and more formal. So, crudely put, whereas law delimits a space for action that is lawful, policy occupies such space with rules and guidelines for the attainment of more specialized and concrete ends than lawfulness and a fair and equal share in societal equity. As such, law is less ascriptive or constructive of meaning to certain aims and practices than strategies and plans, it could be argued. Therefore, law and regulation have not been included in the document analysis. All of the documents included are publicly available.

I strived to achieve comparability between the countries. This more precisely means that when a document from one country was found to be of interest and relevance, for instance, a white paper, I would search for counterpart documents in the other countries. In that sense, I allowed for a so-called “snowball effect” in the sampling process (Bryman 2012: 424). Regardless of the fact that I would often contact other Scandinavian university researchers or analysts from within the Prison and Probation Services, it was not always possible to locate any fair equivalents. While this may challenge direct comparisons in special matters between the countries – “difference in sameness” (Sartori 1996: 24-25) – it does not rule out the possibility of making interesting comparative observations. Nor does it necessarily hamper representativeness. The fact that a counterpart document could not be located may in itself say something about the organization and the governance of the prison and probation service in the respective countries. For instance, it is only in Norway that comprehensive white papers are produced that present the general ideal framework around the Prison and Probation Service. Insofar as this may be interpreted as a mark of true parliamentary interest in the social and philosophical rationales behind punishment, this could be significant for an analysis that describes the potential appearance of a managerial turn, given that such a turn manifests as devolution. It also begs the question as to whether a managerial turn may be more pronounced in Sweden and Denmark, where much of the ideological content that is treated in the white papers may be found in more specialized Danish strategies and in executive prefaces for Swedish financial plans as “sameness in difference” (Sartori 1996: 24–25). In most

instances, therefore, comparability and relative representativeness is intact, regardless of the lack of direct counterpart documents.

The first research question asks about the appearance of a managerial turn in the documents included. A turn involves a movement from one system or basic organizational aim to another. As such, a turn implies time and the historical period covered by the document sample and the rationale behind it must be accounted for. The oldest document included is the Danish *Code of Principles* from 1998 and the newest documents were issued in 2021. Much of the analytical focus, however, is on the most recent documents. No explicit claims have been made in previous research regarding the appearance of a managerial turn in Scandinavian criminal policy – like the claims made about a punitive turn. Thus, there was no academic debate or other research findings on the basis of which I could calculate a predefined period of specific interest and legitimize clear-cut historical inclusion criteria. Yet, insofar as a managerial turn would be somewhat concordant with the alleged punitive turn in Scandinavian criminal policy, there is reason to focus on the most contemporary documents. Thus, along the temporal axis of the sampling, an explorative approach has been utilized as well: I simply started by investigating very recent documents in order to move my way back in recent history year by year, until something indicating a shift or turn disclosed itself, thus allowing for a so-called snowball sampling (Bryman 2011: 424). For such an exercise, documents that have been revised while maintaining their name, point and scope have been particularly interesting as radical shifts are most strikingly visible when the content of a document changes, while its format remains intact. For instance, as I was mapping the documents and tracing a managerial turn, I was careful to take detailed notes of the differences between the Norwegian white paper of 2008 and the newer one that replaced it. In particular, however, such longitudinal variations were discerned as attention was paid to strategies and plans that are revised annually, such as some of the Danish strategy briefs and the Swedish financial plans. In the case of such documents, the period being studied spans from 2017 to 2021. The period begins in 2017, given that something that may resemble a turn in these documents may arguably be apparent in the shift from the 2017 editions to the 2018 editions. Tham (2019a, 2019b) argued that 2018 is the year in which a punitive turn in Sweden appears to have commenced as the general political discourse became very much focused on law and order. While this may indeed be a coincidence, it should remind us that any alleged turns in content and discourse in these documents do indeed reflect greater changes in societal discourse and shifts in the political landscape. Further, the period ends in 2021 for the practical reason that the document analysis was carried out in 2021, before I embarked on the ethnographic field work.

Citing practices and document titles

The documents are published in the language of their countries of origin: Swedish, Norwegian and Danish. To a Scandinavian such as myself, these languages come across as fairly similar – especially in the written form. I have therefore experienced no problems working analytically on these texts, regardless of the language in which they are written.

When citing from the documents in this dissertation, however, I have found it most expedient to the presentation of the analysis and its arguments – especially considering my English-speaking readers – to translate the cited excerpts into English. Clear references to the publicly available documents and the relevant pages are stated after each excerpt. In this way, my translations can be validated by others. For the sake of convenience, I have also inserted the original Swedish, Norwegian or Danish text in a footnote, wherever translations of document excerpts are cited in the analysis.

The titles of the documents have also been translated into English and, in some cases, where the titles are very long and referred to regularly, I also provide shortened versions of document titles. For instance, the Danish strategy brief called “Mål- og resultatplan for Kriminalforsorgen” is translated as *Plan for aims and results in the Prison and Probation Service*. Yet, for the sake of text flow, it will simply be referred to as *Plan for aims and results*. The overview below of document names, divided by country, provides both the full original name of each of the documents, the translated equivalent and, when relevant, the shortened version referred to in the analyses.

Table 1: Swedish document titles

Original title in Swedish	English translation	Referred to as
Budgetunderlag	Budget brief	-
Årsredovisning	Annual report (SE)	-
Inslussning – en idéskiss	Inclusion – a sketch of an idea	-
“Bättre ut”: Kriminalvårdens vision och värdegrund	“Better out”: Visions and values of the Prison and Probation Service	Better out

Table 2: Norwegian document titles

Original title in Norwegian	English translation	Referred to as
Stortingsmelding nr. 37 (2007-2008) "Straff som virker – mindre kriminalitet – tryggere samfunn" (:Tilbakeføringsgarantien ²⁴) Sometimes referred to as: st. meld. 37 [2007-2008]	White paper no. 37 (2007–2008) "Punishment that works – less crime – safer society" (: The Resettlement guarantee)	The Resettlement Guarantee
Stortingsmelding nr. 12 (2014-2015) "Utviklingsplan for kapasitet i kriminalomsorgen" Sometimes referred to as: meld. st. 12 [2014-15]	White paper no. 12 (2014–2015) "Development plan for capacity within the Prison and Probation Service"	Development Plan
Strategi for faglig virksomhet i Kriminalomsorgen 2004-2007	Strategy for Professional Practice in the Prison and Probation Service 2004-2007	Strategy for Prof. Practice 2004–2007
Kriminalomsorgens sikkerhetsstrategi 2006-2010	Security Strategy for the Prison and Probation Service 2006–2010	Security Strategy 2006–2010
Virksomhetsstrategi 2014-2018	Executive Strategy 2014-2018	-
Årsrapport	Annual report (NO)	-

Table 3: Danish document titles

Original title in Danish	English translation	Referred to as
Aftale om kriminalforsorgens økonomi 2018-2021	Agreement on the economy for the Prison and Probation Service 2018–2021	Framework Agreement (for 2018–2021)
Mål- og resultatplan for kriminalforsorgen	Plan for Aims and Results in the Prison and Probation Service	Plan for Aims and Results
Kriminalforsorgen: Kriminalforsorgens strategi 2021	Prison and Probation Service: Strategy for the Prison and Probation Service 2021	Strategy for the Prison and Probation Service 2021
Årsrapport	Annual report (DK)	-
Køreplan for god løsladelse	Schedule for Proper Release	-
Kriminalforsorgens Principprogram	Code of Principles for the Prison and Probation Service	Code of Principles
Beskrivelse for Satspuljeprojekt Håndholdt Inklusion 2016-2019	Description of the "Satspulje" ²⁵ Handheld Inclusion Project 2016–2019	Project Handheld Inclusion

²⁴ This white paper is commonly referred to as the "Tilbakeføringsgarantien" (in English: The Resettlement Guarantee)

²⁵ "Satspuljen" is a certain amount of finance that, due to the rate regulation percentage (satsreguleringsprocenten), is reserved for social welfare initiatives in Denmark.

Categorizing the sample

The documents which are being studied in this project are very diverse with regard to their purpose, target group, sender, content, tone, scope, perspective, etc. Yet, they share at least one common feature: They are all related to the organization and governance of prisoner resettlement in the Scandinavian countries. Thus, they are all documents that formally order, practically or financially plan, or simply talk about the Swedish, Norwegian and Danish Prison and Probation Services. A systematic overview of the documents is provided below.

Table 4: Systematic overview of the documents

	Sweden	Norway	Denmark
White papers and framework agreements		The Resettlement Guarantee	Framework agreement for 2018–2021
		Development Plan	
Strategy briefs		Strategy for professional practice in the Prison and Probation Service 2004–2007	Plan for Aims and Results (2017)
			Plan for Aims and Results (2018)
		Security Strategy for the Prison and Probation Service 2006–2010	Plan for Aims and Results (2019)
			Plan for Aims and Results (2020)
			Plan for Aims and Results (2021)
	Executive Strategy 2014–2018	Strategi for the Prison and Probation Service 2021	
Financial plans	Budget brief (2017)		
	Budget brief (2018)		
	Budget brief (2019)		
	Budget brief (2020)		
	Budget brief (2021)		
Annual reports	Annual report (2016)	Annual report (2016)	Annual report (2016)
	Annual report (2017)	Annual report (2017)	Annual report (2017)
	Annual report (2018)	Annual report (2018)	Annual report (2018)
		Annual report (2019)	
Guidelines for and evaluations of practice	Inclusion – a sketch of an idea (2019)		Schedule for Proper Release (2010)
			Project Handheld Inclusion
Principles and value statements	Better out (2007)		Code of Principles

As shown in the systematic overview, the documents have been grouped together according to their type, on the one hand, and according to their national origin, on the other. Some of the documents are external to the Prison and Probation Services, that is, they are not produced by the organizations. These are the Norwegian white papers and the Danish “Framework Agreement for 2018–2021”, which is a political settlement for the Prison and Probation Service agreed upon by Danish government parties. There then follows a collection of documents that originates in the Prison and Probation Services themselves. These are *strategy briefs*, *financial plans*, *annual reports*, *guidelines for practice or programs* and *principles and value statements*.

Such typology is never perfect. Many of the documents, especially the internal documents, could have been organized in many different ways. The external documents, however, are less problematic as they are easier to identify: The categories “white paper” and “framework agreement” are adequately determined by the types of documents and have not been created for this particular categorization. This also applies to some of the types of categories for internal documents such as annual reports. However, in cases where the type of a document is not obviously given by the document itself, I have invented categories by which the documents may be typified.

Firstly, this has resulted in a systematic classification in which documents that are taken to mostly concern strategic planning of future business such as *Plan for Aims and Results* and *Executive Strategy 2014–2018* have been categorized as “Strategy briefs”. *Secondly*, where documents have been taken to be describing specific intervention regimes or guiding practice inherent to specific pilot projects concerning prisoner resettlement, such as *Inclusion – a sketch of an idea* and *Schedule for Proper Release*, they have been categorized as “Guidelines for practice and programs”. *Third*, where the purpose of a document is *projected* budget planning (as in the case of the Swedish *Budget briefs*), documents have been separated from the *retrospective* financial documents (i.e., the *Annual reports*) and categorized as “Financial plans”. Even though the Danish *Framework Agreement for 2018–2021* formally belongs to the category “White papers and framework agreements”, much of the actual analysis of this important document has been conducted under the heading “Financial plans” because this is in fact a document that projects and legitimizes future engagements and allocates funding for these. *Fourth*, where documents primarily comprise strategic deliberations that are less concrete and more universally applicable than the “Strategy briefs”, such as *Better out* from Sweden and the Danish *Code of Principles*, they have been categorized as “Principles and value statements”.

As is clear from this presentation, when the type of document is not given in or from the material itself, the categories created for the purpose of systematic comparison do not primarily refer to the contents of the documents. Rather, the documents have been

systematized according to their *purpose*. This reflects the particular research interest of this dissertation, namely, that of analyzing these documents with a view to how they may achieve something real by affecting the discursive space for emancipatory practices (cf. research question 2) in the organization they regulate. In other words, in the analyses, a view to how the documents and policies they carry ascribe meaning to the practices for the probation officers by projecting and prioritizing means and ends is central.

I have found it quite natural to list the categories more or less strictly according to level of formality. At the very top of the table are *white papers* and the like. These documents are thus considered more formal than the documents arranged in the following three categories: *strategy briefs*, *financial plans* and *annual reports*. These documents generally serve as either contracts between a public institution (such as the Prison and Probation Service) and a higher governmental authority and thereby govern the allocation of public funds within the institution or, as in the case of the annual reports, in retrospect accounts for the institution's actual disbursements to the governmental authority (and civil society in general). However, they do allow for some kind of self-determination on the part of the public institution as the institution may be considered at least co-author or contractual party with regard to these documents. The remaining documents, that is, those categorized as *guidelines for and evaluations of practice and programs* and *principles and value statements* are, with only a few exceptions, communication material either for internal or external use, or a combination of both. These documents possess only a minimal amount of formal potency regarding the actual governance of the institution and they seem, above all, to be geared toward brand management and team-building.

It is important to emphasize that in relation to this research project's scientific interest in how the documents discursively (or otherwise) allocate actual space for certain practices, each of the documents is valuable in its own right. Those documents at the top of the table are not more important than those at the bottom. They will all be understood as controlling, governing or prompting certain practices.

The ethnographic study

Having finalized a preliminary draft for the document analysis before embarking on the field work, I entered the field with particular assumptions. Being merely indirectly allowed or prompted by policy, the emancipatory practices of the probation officers would expectedly take the shape of discretion. It was, however, not before working analytically with the material, behind my own desk, having finished the field work, that

I fully acknowledged the radicality of the kind of discretion that would later be theorized as democratic emancipation.

Given what has been established in Chapter 2, namely, that discretion may be captured as an activity, as a “how” indeed, the ethnographic approach holds a specific promise as to studying the potential, everyday-like manifestations of democratic emancipation. The prospects of the ethnographic approach in relation to this research project may be further substantiated by the fact that the research questions posed in relation to the second phase of this research project all suggest enquiry into the ways in which something is done; all of the questions are *questions of how*:

3. How are rehabilitative practices performed and accounted for by probation officers working with offender supervision and resettlement?
4. How do aspirations to dismantle impediments to clients’ citizenship transpire in rehabilitative practices and how could they be further described and conceptualized in theory?

Atkinson argues that the “main thrust of good ethnographic research is to understand *how* social action is accomplished, *how* orderly, co-ordinated activity is undertaken, *how* knowledgeable and skillful techniques are employed, *how* material goods and artefacts are made, used and circulated.” (Atkinson 2015: 21, emphasis added, AS) Accordingly, Gobo and Marciniak (2016) supplement by stating that the distinguishing feature of ethnography is the priority given to observation. In this ethnographic study, however, a more inclusive methodological stance has been taken, seeing as much of the ethnographic material that has been generated stems from interviews, or have been collected as documents.

The material for the ethnographic study has been generated through field work in two local probation offices in Denmark. These two offices are based in medium-sized cities, relative to Denmark, located approximately 200 kilometers apart from each other, “East Ville” (located in the eastern part of Denmark) and “West Bridge” (located in the western part of Denmark).²⁶ Apart from simply being present at the offices, taking part in daily routines, such as lunch and coffee breaks, my field work included:

- Participating in monthly team exercises for the probation officers.
- Observing probation officers’ interventions with citizens on parole, citizens serving community sanctions or citizens serving conditional sentences.
- Observing probation officers’ team meetings.

²⁶ The city names are pseudonyms.

- Semi-structured interviews with probation officers, interns and student trainees employed with the specific local probation office. These interviews generally lasted around one hour.
- Semi-structured interviews with citizens on parole, citizens serving community sanctions or citizens serving conditional sentences.
- Ad hoc discussions with probation officers and office managers.

To the extent that the above is quantifiable, it is included in a schematic overview at the end of this section.

Gaining access

Ethnographic research requires a researcher to become part of the social environment of interest in order to study it from the inside. This task of “becoming a part” may be divided into at least two subtasks. *Firstly*, there is the practical problem of gaining access. *Secondly*, once actually in the field, the researcher faces the more scientifically challenging issue of attaining in the best possible way the insiders’ view. In this section, I will briefly describe how actual access to the local probation offices was achieved.

Gaining access may be particularly challenging if, as in the case of this research project, the field work is to take place in institutions, such as prisons, which “handle” vulnerable citizens and/or sensitive information (Ugelvik 2014b: 21–22; Neyland 2007: 99). In this research project, permission to conduct field work in two local probation offices in Denmark was finally granted by the Headquarters of the Danish Prison and Probation Service. However, the process of gaining access involved both networking and bureaucratic application. After a couple of years of sporadic informal feedback meetings and correspondence with analysts and a program developer employed at the Headquarters, a formal application to the head of the section for rehabilitation at the Headquarters was submitted. More precisely, on the advice of the analysts with whom I had been in regular contact, the application was sent to a particular analyst who then placed it on the desk of the head of section with a recommendation. A couple of months later I was informed by the analyst that the application would be distributed among the managers of all local probation offices in Denmark to see if any one of them would be interested in hosting a researcher. Three out of thirteen managers responded positively, yet only two managers sustained their interest, in East Ville and West Bridge. From that point on I was free to communicate directly with the department managers of these

offices, Clara in East Ville and Solvej in West Bridge.²⁷ Upon settling on a few practical questions, such as agreeing on a plan with Clara and Solvej that I would visit the East Ville office in February 2022 and the West Bridge office in March, then return to East Ville in April and return to West Bridge in May, access was finally granted.

Getting “in”

Having described the practical and logistical issues around gaining access, I will now turn to my experience of getting “in” to the field in the social sense; a quest that may be referred to as that of becoming a member (e.g. Emerson, Fretz, and Shaw 2011: 129-67; Gubrium and Holstein 2012; Atkinson 2017: 43-62).

Ethnographers are interested in social worlds (Gubrium and Holstein 2012: 86–87 & 95; Silverman 2011: 113; Tjora 2016; Shaw and Holland 2014: 186; Adler and Adler 2008: 23; Becker 1998: 79; Brekhus, Galliher and Gubrium 2005: 865). Social worlds, according to Atkinson (2017: 22–29), are socially constructed. Social constructionism is therefore commonplace in ethnography. That social worlds are socially constructed means that ethnographers are not “simply” looking into private fantasies. Further, that social worlds are socially constructed means that social worlds are not simply given. In this particular, study the main quest was to become a member of the staff groups of the office in “East Ville” and the office in “West Bridge”. Rather, I wanted to attain their viewpoint. One step in achieving this was a process of social acceptance which took some time. Interestingly, my first real indication of becoming a member of the employee group was indirect insofar as it manifested as an experience of not being one of the clients. This is captured in the fieldnotes from my very first visit to the office in East Ville.

East Ville, December 15, 2021

I arrive at the station very early. As I saunter aimlessly around the town’s inner streets where cars are not allowed and the usual provincial shops selling kitchenware, women’s clothes and crime novels by Swedish authors are about to open, I’m thinking to myself that this is typically me: I’m always early! I waste so much time in random places (little did I know that in the coming months I would get to know these streets like the back of my hand).

²⁷ In order to protect the identity of the research participants they have all been given pseudonyms which will remain the same throughout the dissertation. The real names are listed in a “key-document” that enables me (AS) to connect the pseudonyms with the real names (cf. “Ethical considerations, review and approval”).

Suddenly, while in my own thoughts, beating myself, I realize that I must get going. The meeting with the department manager, Clara, starts in 15 minutes and I have no idea where I am. I reach for my phone and realize it has no signal. Needing to ask for directions, I approach a woman who is browsing for male socks in one of those big open baskets that stores place in the street with assorted items on sale. A split second before I ask her, I stop myself as I realize what I was about to ask this woman, i.e., directions to the probation office. What wouldn't she think? With a mixture of relief that I had just avoided a potentially awkward situation and shame at the fact that I did not want her to think I was a criminal, I walk right past her.

I take my phone out of my pocket once again. It really should work here. Sometimes it helps to switch it off and then turn it back on. I try that. Success! According to Google maps it will take me seven minutes to walk to the office. That's five minutes for me, I think, relieved. I will be there on time.

The office is located in an old, refurbished and horseshoe-shaped warehouse. As I enter the yard, I cannot see any signs for the office entrance. At the far end of the warehouse is a glass facade with a door. Above the door it says "GetFit" in large blue font. GetFit is an organization that provides public housing. That can't be the entrance, I think. I don't have time to take a closer look, so I simply walk through the nearest door and walk up a flight of stairs. The first door reads "Ungekriminalforsorgen"²⁸. That's better than GetFit, I reckon, so I knock on the door. I instantly hear footsteps on the opposite side of the door and it opens. I see a woman. She is smiling. I apologize for disturbing her and ask her where the probation office is located.

Woman: "Are you a partner?"

Me: "Yes! Or, yeah, I'm a researcher from Lund University in Sweden. I have an appointment with Clara, the manager of the probation office."

Woman: "Okay! Fine! I'll show you the way through our office. Everything is connected here."

The woman leads me through winding narrow corridors, a small kitchen and a couple of offices where employees are working, all smiling as they see me, and further on to a narrow spiral staircase.

Woman: "We try to not let everyone use our office as a passageway to the probation office. That would simply cause too much disturbance."

Me: "So I'm not the only one having trouble finding my way?"

Woman: "Not at all! These buildings are like a labyrinth. It usually takes new employees a couple of weeks to get to know their way around."

²⁸ "Youth Probation Service" in English, i.e., the section of the Danish Prison and Probation Service that handles young offenders aged 10-17.

As we walk, I cannot help but think about the fact that she asked me if I was a partner. And, what did she mean by “all kinds of people”? Well, clients obviously, I think to myself. Of course, they cannot have an endless row of clients going through their offices. There was also something about the way she asked me that suggested she already knew the answer. If there was, at this point in time, any remaining shred of doubt as to whether I had overreacted earlier when I did not engage with the woman shopping it had now disappeared completely. I’m not one of them!

At this point, I was not surprised to receive special treatment; or at least a different kind of treatment than I would have received had I been a client. What struck me nonetheless was the fact that even before having found the actual probation office and met with my contact person there, a demarcation between “us” and “them” was formed. The experience of not being one of “them” was the first experience I had ever had of being one of “us”. However, it was only when I came back to East Ville in April that I experienced unmistakable and general acceptance by the employees at large, which manifested in the ways in which they greeted me as if they recognized me or at least remembered me. I am not sure exactly what I did to achieve this but consistently showing up with a non-inquisitive, but rather open interest and a humble attitude surely must have helped me here. Also, when I returned to the offices in April and May some time had elapsed for the employees to talk about me and the project in confidence, allowing for exchanges to take place between those with whom I had conducted interviews and those whom I had not really engaged with yet.

Entering their social world and becoming part of the office, however, amounted to more than a process of social acceptance. I needed to learn their language, their professional jargon, so to speak, ripe with abbreviations, references to law, artificial words, etc.: “His PUS states that”, “well, he is a section 78; no sorry he is a section 95”, “but he’s serving a combi-sentence, right?”, “I’m usually giving them a risk check for that”, etc. In the beginning of my field work the employees would often be very careful to ensure that I understood what they were talking about. Even if I did not ask, they would invite me to take part in their jargon, so to speak, which they must somehow have known that I did not really understand. It was as if they took for granted that I was an outsider. The following excerpt from my fieldnotes from the first team meeting that I observed in East Ville constitutes an interesting example of such a situation.

East Ville, February 17, 2022

Clara: "Then it's time for the folder, everyone. Who has the folder?"

Aya: "I have it! Ehm, no wait, it's on the shelf. Two seconds."

Aya gets up from the table and takes a few steps back toward the shelf. She removes a white folder. On the front page of the folder it says "The folder" in large black font. Something – I don't know what – must have given away the fact that I didn't have a clue what this is because Mathilde, one of the new probation officers in East Ville, fresh out of school, starts explaining it to me.

Mathilde: "The folder, well, eh, the folder is the folder, you know? It lets us coordinate the physical inspections."

Clara: "The cases that need extra attention are in the front of the folder. This is to make sure that more than one person knows about these cases. It's about avoiding a case getting forgotten and not completed."

I can't say that I now know what the folder really is. And physical inspections? What are they even? I don't ask. I don't want to intervene and waste people's time. I can see that they are all eager to get on with the work. What dawns on me though is that incomplete cases really are considered a professional low point.

Having a folder that is called "The folder" with this name printed on it really says a lot about institutional jargon in general. "The folder is the folder, you know?", she says. How should I know? The employees all know very well what the folder is, but they find it hard to explain. The meaning of the folder is so intimately tied up with the professional or institutional jargon which, in turn, is so essentially embedded in practice and experience that relaying its meaning to an outsider becomes a real problem. Not even Clara, the department manager, explains this to me so I can understand what it is. Instead, she resorts to explaining *why* they have it. This, I believe, shows the degree to which much of the knowledge pertaining to the social world of the probation offices I have visited is closed around itself and self-referential. The folder is the folder. At that point I had a long way to go before even glimpsing the office from the inside. Yet, as time progressed, the employees stopped trying to explain everything to me. Maybe they had given up. But the fact of the matter was that as they stopped explaining everything to me, I was "in".

Organizational ethnography

The ethnographically inspired research conducted in this dissertation constitutes an instance of organizational ethnography. Given that the fieldwork conducted for the sake of collecting materials for the analyses that follows has taken place in probation

offices, both of which are “satellite” departments for a national public authority, the ethnography is an analysis both in and of organization (Eberle and Maeder 2016).

Much of what is written about organizational ethnography also applies to ethnography in general, yet a few of the universal ethnographic merits appear to be regarded as extraordinarily important for this particular strand of the discipline. Apart from highlighting the fact that ethnographies in and of organization often include more than just observational methodologies, Eberle and Maeder state that organizational ethnography: “(...) is a multi-method approach (observation, interviewing, document analysis, examination of the use of artefacts) whose pivotal feature is participant or non-participant observation of actions in the natural settings.” (Eberle and Maeder 2016: 122) However, as Neyland (2007: 102) warns, even though participant observation is considered a prime methodology of organizational ethnography (as in ethnography, *per se*), given the particular interest in *everyday* practices and their *ordinary* social meanings, it is important that the researcher remains a stranger somehow.

The longer the ethnographer remains in the organization the more things, activities and people begin to seem familiar. Initial stages of ethnographic fieldwork are thus more likely to reveal most about the organization and provide the moments where ethnographers find it most straightforward to treat the setting as strange. After initial engagement in the organization, ethnographers need to put in more effort to make things strange, to try to ensure that they are not taking things for granted. (Neyland 2007: 102)

In order for the ordinary life, to remain tangible *as* ordinary life and not just *become* ordinary life and thus elusive, the ethnographer must constantly navigate the social embeddedness. They must stay on the fringe of the organization with one foot on the inside and one on the outside. Even though I might have succeeded in gaining the trust and acceptance of the employees, I still remained a stranger in the offices. For methodological and ethical reasons, I never acted as if I were a probation officer, or as if I were enjoying any other role than external researcher for that matter, in front of clients or probation officers. In particular, the fact that clients would have to sign a consent form immediately before I engaged with them, seemed to remind them that my presence was out of the ordinary and that they themselves determined the extent of my presence in relation to theirs. In the course of observing client meetings, I was indeed visible in the corner of the room, actively jotting down fieldnotes, laughing at the client’s jokes, answering questions when asked. Yet by no means did I participate in the exercises or intervene at my own initiative in the conversations. I did not want to take anything away from the client. As much as possible I wanted to maintain the one-on-one intimacy of the client meetings in order to study the strategies deployed by the probation officer for forming a relationship with the client, as well as the co-constructive potential of the client’s responses.

However, when observing team meetings, including the training exercises for the probation officers, especially toward the last few months of my field work, I would participate. Almost as if I were an employee, I would commit to the collaborative construction of solutions to the imagined problematic cases and negotiate answers to the quizzes that these exercises for the employees often comprise. On such occasions I would write my fieldnotes immediately afterward.

I did not commit wholeheartedly to one kind of participation as I observed the everyday practices of the offices. Sometimes I would cause marked disturbances to the “ordinary” course of the everyday business, walking around with my notebook, writing notes during meetings, while having lunch, eating “Thursday cake”. At other times I observed the probation officers from a distance, without them knowing that I was listening in on them talking on the phone with a client in the adjacent room. Of course, in such cases I did let them know afterward, read to them from my fieldnotes and asked if I could use them in my research.

Interviews in ethnography

There is too much interview-based research being conducted, Atkinson (2015) argues, which does not adequately account for the fact that interview data are not *a naturally occurring source of information*, as is, for instance, (at least to a higher degree and in principle), whatever social conduct is observed through a participatory mode of investigation:²⁹ Whereas interview research constitutes “(...) an obsession with the contents of experience” (Atkinson 2015: 94), “(...) the ethnographer’s participant observation is, in principle, faithful to the inherent and ordered complexity of the social world.” (Atkinson 2015: 40) So, while some methodologies (i.e., interviews) merely “(...) yield information (of sorts) in a vacuum, bereft of the sensory and material means of mundane reality (...)” (Atkinson 2015: 92), the mundane involvedness of ethnographic inquiry adequately conforms to the complexity of a social setting.

This ethnographic study is about practices as they are performed and arranged in their natural organizational setting, that is, probation offices. However, the research project on a grander scale incorporates yet another dimension. It seeks to understand how probation officers work with clients in rehabilitative ways *in the wake of the managerial turn* in the policies circumscribing these natural sites. In doing so, it is particularly

²⁹ It should like to remind the reader that Atkinson in his later work seemingly intensifies the social constructionist assumptions of all ethnography and thus denounces the possibility of anything, under any circumstance, to occur naturally: “In other ways, *social worlds* are the products of social definition. There are no naturally-occurring fields for us to study or for members to inhabit.” (Atkinson 2017: 2)

attentive to how such practices are made meaningful, accounted for and justified by the agents within and beyond their wider political context and local cultures of governance. Insofar as democratic emancipation takes the shape of discretion, it cannot be identified by means of observation alone. Thus, committing to a multi-method approach, in the following I will argue that even though interviews provide “merely” personal accounts of practices, a second-order view on practices, they contribute aspects of nuance regarding the practices’ meaning-making within a managerial context. Further, and importantly, they contribute accounts and justifications for going beyond the managerial context.

Traditionally, Gubrium and Holstein argue, “the research interview has been viewed as a relatively straightforward data excavation procedure.” (Holstein and Gubrium 2016: 68). Interviews then, produce answers to questions and these answers are taken to be representations of what the respondent knows. Thus, much methodological attention on the part of the researcher goes into securing a “(...) flow of valid, reliable information (...)” (Holstein and Gubrium 2016: 69) In this view, the account, narrative and description which may serve as data for qualitative analysis is an information package, so to speak. Unfolding a bit, we may say that in being *representations*, the account is not identical with that which it is about. The prefix “re” here indicates a certain semantic (and ontological) distance between the account and the accounted for. This means that while the interviewer may ask about the research participant’s practices, the fact that the research participant is limited to accounting for their practice implies that the practice itself remains undisclosed in the interview setting. However, Holstein and Gubrium (2016: 69) argue that the traditional question and answer model does not exhaustively describe the inner workings of the actual interview situation – at least not the less formalized kinds of interviews.

Interviews are interactional; not merely in the sense that they are instances where opinions are exchanged between two or more parties, but, additionally, in the sense that they are instances where the semantic basis of opinions, as such, are formed in the first place. Accordingly, research participants are not to be conceived of as containers of information – or *passive vessels of answers* as Holstein and Gubrium (2011: 13) put it – to be excavated by the researcher. Furthermore, interview researchers are not archeologists (sticking with the imagery) digging for whatever experiential contents that were there already (Holstein and Gubrium 2011). For Holstein and Gubrium (2016), this ultimately entails that interviews are active; they are themselves a practice in and with which ‘data’³⁰ are produced and made meaningful.

³⁰ Taking into consideration the etymological meaning of ‘datum’ (in Latin: *something given* (Johannessen, Rafoss, and Rasmussen 2018: 22)) I find the word *data* to be somewhat inadequate for the description

Committed to interviewing clients and probation officers in the East Ville and West Bridge offices, such an active interviewing style was applied within a classic semi-structured framework. Firstly, this means that even though an interview guide was prepared, one for clients and another for probation officers³¹, guaranteeing some level of uniformity and comparability, digressions were allowed – at some points encouraged even. Secondly, the active technique allowed me to not only talk as well and engage in the *in situ* construction of meaning, but to include issues that were of particular interest to me at that stage of the research process, and to explore ideas and questions that had arisen while having been in the field for some time. One example of this is that, upon having visited both offices and come to realize the fundamental differences in the way in which they were physically spaced, organized and maintained, I started asking the probation officers and the clients about how they felt entering and exiting the premises and using the spaces and artefacts on offer inside the offices in order to understand the impact of physicality on the local meaning-making and service provision. None of these questions which, in turn, became commonplace in the interviews, are part of the pre-prepared interview guides.

Working with the material

In the initial phases of working with the interview material I have, for the most part, been listening to the recordings as I have found this to be more accommodating to a social constructionist and ethnographically stimulated analysis. Once an interview has been transcribed through and through and therefore assumes a purely textual form, so I have experienced, there is a risk that the content of what is said attains prominence over the way in which it is said in the analysis. The lived and embodied discourse of the interaction between the interviewer and the interviewee may be somehow tarnished. So, the tedious work of transcribing entailed an explorative endeavor into my recordings, which I should point out were made with a high-quality recording device that captured the intricacies of the room, and sometimes also the adjacent rooms and activities in and around the interview situation. When working with the interview material, I was driven by my given interest on that specific day and often focused on the parts of the interview that seemed particularly interesting. I listened to all the interview recordings at least once. Usually, I would listen to the interviews while being attentive to taking rigorous notes with time codes about the mood, the tension and the

of something socially constructed. What is constructed is not given but produced. Citing the word “data” indicates this reservation. In the following chapter, the social constructionist framework of this dissertation is further elaborated.

³¹ Cf. annex A.

words spoken. At other times, I would almost “consume” the recordings as if they were podcasts, while doing the dishes or trying to fall asleep at night, thus deploying another faculty of interest. This approach, I believe, allowed for a very embodied, immediate and open appreciation of the material and the subsequent systematization and transcription were based on and guided by these wild explorations.

The cited parts of the interviews have been transcribed verbatim, including typical sounds such as “hmm”, “eh” and “erm”, etc., and then translated by myself from Danish into English. The translation is to the greatest degree possible also meticulously verbatim. Yet, in certain cases where typical and specifically Danish idioms, proverbs and the like are deployed, some priority was given to conveying the meaning of what was said to the best of my ability. When certain emphasis on individual words is significant to the meaning, it is indicated by representing the word in question in italics. And when sounds such as deep exhalations and inhalations are important, these will be indicated in brackets, such as [deep inhalation]. Various kinds of laughter, stammering and other non-verbal expressions are also indicated in brackets. Finally, when something about the way in which something is said is important, for instance, if I obviously interrupt the participant, or if for some reason we complete each other’s sentence, then this will also be described in brackets. Breaks in the stream of talking are indicated by full stop signs [...]. A short break such as a brief inhalation, often signifying the end of a sentence or a long comma, is indicated by one full stop sign [.]. A longer sentence, usually either implemented by the speaker as an artificial rhetorical break signaling significance or a short break for thinking about how to finish a sentence is indicated by two full stop signs [..]. A long break taken by the participant due to uncertainty about what to say next, how to continue, or simply a long hiatus in the discussion where the initiative clearly rests with the interviewer as I move from one section of the interview to the next or prepare myself to take on a new topic is indicated by three full stop signs [...].

Following the hands-on advice provided by Emerson, Fretz and Shaw (2011), my fieldnotes were either jotted down very hastily, and in ways that only I would really be able to make sense of, *in situ* or directly afterward but while still in the field. These initial notes were written in Danish. Then, later, in my hotel room (when visiting the West Bridge office I had to spend the night in town), in my office (in the East Ville Office I had my own office where I could close the door and concentrate) or back home, I would tidy up my notes and “write them up” so that they would also be workable and citable months later when I would get back to them. In this phase I would also translate the notes into English. The explicated dialogue in the fieldnotes is not represented verbatim, but rather in some lightly edited form. Even though I was particularly meticulous when noting down conversations and “citing” participants and myself *in*

situ, I was also careful not to let too much time elapse before “Moving from field to desk” (Emerson, Fretz and Shaw 2011: 48) when the fieldnotes contained explicated dialogue. When excerpts from my fieldnotes are cited in the analyses of this dissertation, the location and date is always stated at the beginning.

Representing the material

Atkinson’s (2015) argument as to the privileged access of ethnography to the ‘natural’ (Atkinson also cites this word) social phenomena can be challenged by evoking one of Fine’s Ten lies of ethnography. Fine discusses “the underside of qualitative methodology” (Fine 1993: 268) with special focus on ethnography. He lists ten ideal types of ethnographers, specific academic identities claimed by field researchers. Fine basically seeks to show that such self-proclamation involves some form of self-deceit, seeing as all these identities are merely ideals, illusions and facades which are never actually invigorated by researchers. His discussions of many of these archetypes (e.g., the observant, the precise, the unobtrusive, etc.) could be considered in a critical assessment of Atkinson’s thinking. However, I believe that Fine’s discussion on *the candid ethnographer* “strikes the spot” most clearly in this regard. He describes it as follows: The illusion (...) that everything reported has actually happened because you have been “directly” exposed to it.” (Fine 1993: 282)

The publishable form of an observation, the reporting, is a written account based on the observers’ fieldnotes. According to the literature on the methodology around fieldnotes, fieldnotes cannot (and should not therefore pretend to (Peräkylä 2016: 414)) mirror situations, rather they should recreate or reenact them (Emerson, Fretz and Shaw 2011: 46–47). As such, fieldnotes are “bound to represent the researcher’s (and not the participants’) cultural and cognitive perspectives (...)” (Peräkylä 2016: 414). Ethnographic observations require reflexivity and participation and the written accounts must reflect the balance between detachment and involvement (Buscatto 2016). Consequently, and as indicated by Fine (1993), fieldnotes do not merely describe what is actually positively observable.

In a somewhat crude sense, science is the study of objects, of ‘whats’. In some respects, all science relies on a basic ontological realism – tacitly or otherwise. Otherwise, it would not make sense to speak of methodology (here understood as the rules governing the scientist’s work with their object of study) as inherently scientific. We can indeed be constructivists and argue that meaning is produced, and not already there, but when studying both the content of the meaning produced and how meaning is produced, we study reified representations of the constructed reality. This also applies to both ethnography and interview research. By that token, it could be argued that while

observational research is based on direct or immediate observation, it does, nonetheless, *study* accounts. Whereas interview research is engaged with accounts made by research participants as to, for instance, their own practice, ethnography is engaged with accounts made by the researcher as to the research participants' practices.

Thus, in this dissertation, interview transcripts and observation-based fieldnotes are treated as accounts of the practices performed in the offices of equally valid nature, reliable quality and interesting character. They constitute mediated reflections of the social world in the probation offices. And, by transparently admitting to the researcher's active contribution to the production of "data", ethnographic research may be distinguished from investigative journalism and travelling novelist writings. (Buscatto 2016) After all, "(...) claims to methodological authority are based in researchers being there, on their closeness and the depth insight that this produces, rather than on distance, detachment, or objectivity." (Adler and Adler 2008: 7)

Thus, the position taken in this dissertation is not, in principle, misaligned with Atkinson's (2015). Upon having stated the aforementioned representational shortcomings of accounts, he adds that he does not: "subscribe to the view that such spoken materials are entirely inappropriate forms of data. But they do not substitute for other sources of ethnographic analysis." (Atkinson 2015: 92) I would not argue that interviews are a substitute for observations. However, the methodology expounded here does not endorse the general prioritizing of observational data regarding the practices of interest to a study of discretion seeing as such a study would have to incorporate a view not only of how everyday life is performed, but also of how it is made meaningful in a political context. So, while interview analysis by no means constitutes a substitute, it does indeed constitute a necessary supplement to this research project.

Documents in ethnography

For reasons much similar to those reasons that legitimize the involvement of interviews, documents are part of my ethnographic field work in the probation offices. Whereas the document study investigates the policy contents and discourses of the documents, the ethnographic study is an attempt to understand the authority and influence of the policy discourses in practice. In other words, the ethnographic analysis of the documents is guided by implicit questions as to whether the probation officers are familiar with the documents, whether they care at all, how they use and refer to them and how the documents shape the reality of the offices in certain ways (Prior 2016; Jacobsson 2016).

On a very quiet day in the East Ville office, these questions as to the authority and influence of the policy discourses in practice motivated me to print the *Code of Principles* from 1998, which is a central document in the document analysis, and walk around the office, showing the cover page to the employees asking them whether they were familiar with it and remember what it was about. This “ad hoc survey”, as I call it in the ethnographic analysis, was conducted a couple of times in both offices and led to very interesting discussions about the purpose of rehabilitation, the development of the policy on rehabilitation and the implementation of the policy.

Further, an array of ethnographic documents, i.e., documents that are only accessible in the field to those persons who are granted access, is also of significance to the analysis. As field artifacts (cf. Eberle and Maeder 2016), these documents, which are not sensitive or secret, are of much more direct and obvious importance to the probation officers than the grander policies analyzed in the previous part of the dissertation, as they are closely associated with the practices, rules and regulations. As such, these ethnographic documents represent procedures or manuals to the probation officers.

Ethical considerations, review and approval

Even though I was not interested in the clients’ criminal history, but focused on their experiences of being part of the probation service system, they would in some cases divulge intimate details about the crimes they had committed and the sentences they had received. And, even though the research focused on the professional role of the probation officers and not on their personalities, aspects of the latter will inadvertently shine through to some extent in the analytical descriptions of the everyday activities in the offices. Research involving the presentation of real people and the collection and storing of personal information, including information regarding violations of law, requires strict procedures for the handling and presentation of the material that reduces to an absolute minimum the possibility of the participants being identified. Further, research involving direct contact with research participants that may cause them emotional harm requires considerable caution on the part of the researcher.

Given the focus on systems, roles and tasks rather than persons and individual histories, prior to the field work, the likelihood of causing emotional harm to the research participants was estimated as being very low. Having completed the field work, I have no reason to change this view. Having said that, it goes without saying that many of the clients have had insecure childhoods, have unstable relationships with their loved ones, insurmountable feelings of guilt, etc. Thus, the emotional harm that would most likely be caused by my presence and the interviews that I conducted would be the triggering of unpleasant memories and/or triggering of trauma. Similarly, social workers

may have experienced violent episodes with past or present clients, which can be uncomfortable and emotional for them to talk about. In the worst case, they may have been threatened, abused or otherwise had traumatic experiences that it is stressful for them to be confronted with again.

In order to mitigate against the possibility of causing such harm, all the participants were informed about the project's aims, methods and data storage, as well as what participation in the project meant and the possibility of "opting out" at any given point. Upon receiving the information both orally and in writing, the participants had to sign a consent form.³²

In order to mitigate against the risk of inadvertently compromising the anonymity of the participants, a complex practice for data handling and storage was implemented. Everyone who participated in the research in the probation offices was given a pseudonym. I also created a "key document" that allowed all the pseudonyms to be compared with the personal information. The key document thus enables me to locate the specific contribution of a person if they wanted to opt out at some point the process where I was unable to remember their pseudonym. The key document was prepared "by hand" and has not been digitized and/or stored in any form on an electronic device. All audio-recorded material was stored on the SD card in the audio recorder that was stored in a locked and fireproof box together with the key document in the office of one of my supervisors at the School of Social Work, Lund University.

Such research conducted in Sweden must be reviewed and approved by the Swedish Ethical Review Authority. Thus, the parts of this research project that took place in Sweden, that is, the handling and storing of personal information, has been reviewed and approved by the Swedish Ethical Review Authority (cf. journal number: 2020-04734). The parts of the research in which I was in direct contact with people, i.e., the actual data-collection phases, were all conducted in Denmark, where such statutory requirements do not apply to this type of research. This part of the research project was vetted by the Danish Prison and Probation Service as part of its assessment of the proposed project before I was granted access to the probation offices.

Material overview and technical summary

The following table provides an overview of the material collected in the course of the fieldwork in the two offices. When not including the introductory meeting in December 2021 as part of the field work period (even though fieldnotes were taken and

³² Cf. annex B

considered earlier in this chapter in the section on getting “in” the field), the field work extended over four months in 2022: February in East Ville, March in West Bridge, April in East Ville and May in West Bridge. During this period I did not spend every working day in the field. I was in the field an average of three days per week and spent upwards of 240 hours in the probation offices, slightly more in East Ville (approx. 130 hours) than in West Bridge (approx. 110 hours), as East Ville was more accessible to me (it was closer to where I live and did not involve spending the night at a hotel).

Table 5: Overview of the ethnographic material

East Ville		West Bridge	
Employee interviews	Client interviews	Employee interviews	Client interviews
Clara Laura Mathilde Isabella Aya Niels Emma Sofia Molly Olivia Alberte Ellie	Anders Claus (interview 1) Mikkel Morten Claus (interview 2) Troels Sabina (no audio)	Brit Frida Kajsa Louise Maj Ofelia Solvej Elsebeth Sarah Sigrid Selma	Martin Leon Ivan Boris
Meeting observations		Meeting observations	
Claus and Laura Anders and Emma Mikkel and Isabella Ellie and Troels		Rasmus and Frida Søren and Maj Kenny and Brit Mogens and Brit Anette and Anton Ofelia and Leon	
Participation in team meetings		Participation in team exercises	
Team meetings (SOUTH): 2 Team meetings (NORTH): 3 Section meetings (all staff): 2		Joint team meetings: 2	
Participation in team exercises		Participation in team exercises	
MOSAİK ³³ exercises: 2 LS/RNR ³⁴ exercises: 2		MOSAİK exercises: 1 LS/RNR exercises: 1	

³³ Danish acronym: “MOTiverende SAMtale Intervention i Kriminalforsorgen” [eng. motivational interviewing intervention in the Prison and Probation Service]

³⁴ Acronym: “Level of Service: Risks, needs and responsivity”. LS/RNR is a screening method deployed by the Prison and Probation Service for a preliminary assessment of clients’ risk for recidivating.

Ethnographic documents
"Håndbog for personundersøgere" "Sagsbehandlingshåndbog – foranstaltningdømte" "Samfundstjenestehåndbogen" "Procedure: Kontrol og tilsyn" - referred to by the probation officer as "Procedure" [the Procedure] "MOSAİK Rådgivermappe" (version 3)
Total
Employee interviews: 23 Client interviews: 11 Meeting observations: 10 Documents: 5

As shown in the table, I conducted twice as many interviews with employees than with clients. There is more than one explanation for this. Firstly, I prioritized interviews with probation officers as their outlook is of critical importance. It is their role, what they do and their views about what they do that constitute the main thrust of the field work. The client's viewpoint is also underrepresented in the analyses and constitutes a secondary perspective rather than the primary interest. Having said that, I would have liked to have conducted more client interviews. However, this proved more difficult to arrange – which also shines through in some of the fieldnotes in the analysis – than the interviews with the probation officers, as the clients would be more hesitant or considered too unstable. The client interviews would often be arranged a couple of weeks prior to the interview so that they could take place on a day when they would be visiting the office for supervisory meeting, anyway. However, it was often the case that a client would change their mind once they were in the office, or not show up at all for their meeting.

As the table further shows, all of the probation officers participating in this research project are female (Niels is the department manager of the East Ville office). Based on this, and when referring only to the probation officers that were participating in the ethnographic analysis I sometimes refer to them as "she".

The theorization

Democratic emancipation is not empirically observable *as such*. The probation officers do not talk about democracy or emancipation. They use other words for it such as participation, involvement, help and rehabilitation. The ethnographic analyses will show that the default understanding of help is that it means to conduct exercises, as prescribed by the rehabilitative program called MOSAİK, which, according to the probation officers, allows clients to work on themselves. Yet, at other times they talk

about “helping outside the box”, of going out of one’s way for the client and doing something *for* the client. In the analyses I argue that the instances in which the probation officers “go off script” and “break character” hold a particular and easily overlooked emancipatory potential. More precisely, such discretionary practices may indirectly constitute the client as someone capable and worthy of “normal” help, rather than reminding the client of their inherent inability as a citizen by involving them in exercises in which they could work on themselves. I would refer to such emancipation as democratic because, rather than taking for granted that the client is irresponsible, problematic and must be reformed, it is based on a tacit appreciation of the client as an equal person already capable, yet perhaps somehow impeded by problems *around* them. While the empirical material comprises motivations for and accounts of going off script and breaking character on the part of the probation officers and also shows how it sometimes comes about in interaction with clients, it cannot adequately serve as empirical evidence of the potential stigmatizing effects of program-based help and the emancipatory potential of going beyond the program. As potentials and not effects *per se*, these phenomena are not wholly empirically grounded, and are not strictly observable. Therefore, gauging the emancipatory potential of the empirical phenomenon of “breaking character” must rely on some form of methodologically ordered formative and creative thinking, such as theorization.

Operational elements of the theorization process: The ABC of theorizing

Regardless of it being a creative, and therefore to some degree a self-reliant and free process, Swedberg (2012: 17; 2016: 7–12) suggests that the wild activity of theorizing may be explicated and manualized (somewhat) by identifying a set of tangible steps; a procedure to follow when theorizing. In the following I will describe how I have regarded these steps in my theorization and also emphasize specific points at which my attempts to theorize has diverged slightly from Swedberg’s model.

The first step is to observe. Observation that precedes theorization should be broad, open and inclusive. Considered as a first step in the theorization process, it could be argued that the ethnographic study of this dissertation could be considered part of the theorization. Further, given the fact that: “It should include objects and it should draw on all of the senses of the researcher as well as the people she studies (...)” (Swedberg 2016: 9), it could be argued that the very inclusive and multi-methodological approach of the organizational ethnographic study of this particular dissertation serves the succeeding theorization particularly well. Further still, adhering to the Swedbergian model, I did my best to resist the temptation of committing to premature theorization while I was in the field observing. In other words, I avoided overfocusing on things that

made sense immediately and seemed recognizable in order to be constantly prepared for being surprised.

Secondly, once surprised or fascinated by a specific observed phenomenon, the theorizing researcher must name the phenomenon. According to Swedberg (2012; 2016), the name should reflect the quality of the empirical phenomenon that made the researcher stumble over it in the first place, as well as affiliate it somehow with the sociological tradition of which it discovers a new dimension. By naming the phenomenon, the abductive process of theorizing has begun as naming may be considered the very initiating exercise for teasing out the abstract structure of the empirical phenomenon of interest which may, in turn, be captured in a technical concept.

In the theorization performed in this dissertation, a well-known sociological theory, that is, Goffman's (1956) theory of *the presentation of self in everyday life* gives way for what may be considered a surprising empirical discovery in Swedberg's terms. More precisely, the theater metaphor accentuates the contours of an unexpected, yet otherwise easily negligible phenomenon, in which probation officers seemingly go beyond their manual-based mandate to form an immediate relationship with the client. Signaling affinity with the Goffmanesque framework, the phenomenon is given the associated name of *character-breaking activity*.

Character-breaking activity is later formalized in a variety of proxies such as professional disobedience, acts of transgression and democratic emancipation. This process of building out the theory by committing to the discovery of alternative names and concepts, all of which flesh out further the theoretical scope and potential of the original empirical phenomenon, constitutes the third step in the theorization.

Finally, the complete, yet tentative, theory should be formulated. This step involves the formulation of an explanatory potential of the theory which makes up "(...) the natural end of theorization." (Swedberg 2012: 17) The complete but tentative formulation of the theorization of this dissertation is formulated by way of a structural enumeration of the basic underpinnings of the concept of democratic emancipation.

Seeing as the point of the theorization proposed in this dissertation is not to provide a fully-fledged theory, but to flesh out further the concept of democratic emancipation in order to offer a more nuanced understanding of what it actually means to help heavily stigmatized individuals, the end of this theorization is not an explanation. The value of this theorization is not explanatory but is an enhanced descriptive shading and gradation of a particular social work practice.

4 Epistemological framework and applied theories

Regardless of it being an empirical dissertation, theory is an important aspect. In this dissertation, different theories serve different purposes: Some of them are referred to solely for the sake of posing research questions; others are referred to in order to answer and discuss them. More precisely, this means that some theories have been referred to in the introductory parts mainly for the sake of setting the scene and motivating the interest and focus of the dissertation. Meanwhile, other theories play active roles as analytical tools for unpacking the empirical material and as interpretative prisms through which particular themes and aspects of the empirical may be envisioned and theorized. For instance, whereas the re-imagined concept of civil death and the socio-legal theories regarding its potential re-emergence in some welfare states' penal systems, and the criminological ideas about prisonization inspire the thematic focus on civilly disenfranchised individuals in the probation service, they are not prominent tools in the empirical analysis of the rehabilitative and emancipatory practices of the probation officers. However, Lipsky's (2010) thoughts on discretion and the concept of responsabilizing rehabilitative strategies and their inadvertent potentials for the (re-)stigmatization of disenfranchised individuals not only set the scene for the dissertation; rather, these theoretical perspectives are directly operative in the analysis.

Apart from presenting the epistemological framework for the analysis and the synthesizing theorization, this chapter provides a comprehensive overview of the applied theories. Emphasis is placed on analytically operational concepts that have not been presented and discussed in the preceding chapters. This particularly applies to Erving Goffman's (e.g., 1956; 2003) concepts of ritual and theater, the broader theoretical foundations of responsabilization found in Foucault's (e.g., 2009; 201) thoughts related to governmentality and, finally, Pierre Bourdieu's (e.g., 1998; 1996) symbolic violence.

The epistemological framework

This dissertation is placed within a social constructionist framework. However, none of the prominent theoretical figures of this dissertation that inform, guide and drive the analyses and theorizations that follow, that is Michael Lipsky, Michel Foucault, Erving Goffman and Pierre Bourdieu, are among the most obvious figures within this tradition, nor do they explicitly consider themselves proponents of it. In the following, therefore, the main tenets of social constructionism will be presented so that its reconcilability with the aspirations of the dissertation can be evaluated at a later stage. This account will then serve as a baseline for the later motivation for the involvement in different stages of the dissertation of specific parts of the theoretic corpuses of the aforementioned authors of theory.

Social constructionism and the sociology of deviance

Since the mid-20th century, social constructionism has been the foundation for much sociological theorizing about deviance (such as crime) and deviancy control (such as the probation service) (e.g. Becker 1997; Melossi 2000; Garland 2000; Christie 2004; Cohen 2007). Thus, this theoretical perspective has proven to be highly relevant for the study of social work (Rodwell 2015: 3–8). According to Houston (2001), it could even be asserted that social constructionism has been more popular among academics of social work than contrasting objectivist positions such as the critical realist, psychological and structural-functionalist ones. Highly renowned structural-functionalist positions in sociology have, in particular, taken such an objectivist stance toward the ontology of social problems by assuming a basic realism regarding specific social conditions, for instance, the idea that social problems exist without interpretations of them (Holstein and Miller 2003: 3). Robert Merton's (1957) idea that a social problem may exist in a state of latency as long as it is not recognized, or his conception of deviant behavior as ritualism are standard examples of this idea. In an influential article in which Kitsuse (Kitsuse 1962) argues that sociologists should shift their attention away from the behavior itself to “(...) *the processes by which persons come to be defined as deviants* (...)”, he explains that according to Merton “(...) it is not that such behavior [i.e., ritualism, AS] is treated by others as deviant which identifies it as deviant (...)”. Rather, ritualistic behavior is deviant because it “[c]learly represents a departure from the cultural model in which men are obliged to move onward and

upward in the societal hierarchy³⁵.” (Kitsuse 1962: 248) Thus, it seems that according to Merton, a certain form of behavior is deviant by virtue of its own inherent deviant nature, meaning that social problems “are there” even if they are not recognized by public concern and are therefore merely conceptualized by experts (Loseke 2003: 10). To some, this view is obvious to the point that it may seem downright trivial. Therefore, the shift of attention toward definitional processes “(...) requires that the sociologist view as problematic what he generally assumes as given (...).” (Kitsuse 1962: 248)

By investigating the emancipatory potential of the rehabilitative efforts of the probation officers by including an analysis of the potentially stigmatizing propensities of their efforts, this study harvests the benefits of focusing on empirically observable definitional processes of social encounters, rather than laying claim to the objectivity of social problems and the congenital characteristics of criminal offenders.

What is more precisely entailed in the study of definitional problems may be elucidated by reference to Donileen Loseke’s *Thinking about Social Problems*. Loseke describes how her newspaper on the morning of September 11, 2001 highlighted a wide array of social problems:

(...) there were many articles and opinion pieces about problems with the social security system, too costly medical prescriptions for the elderly, voting machines that don’t work, crime, and school failure. My paper the next day included nothing about any of these. The social problems of one day simply disappeared the next as all attention was riveted on terrorism, national security, and war. (Loseke 2003: 4)

Is Loseke arguing that the existence of a social problem depends on the attention given to it in the media? This is what these lines, seen in isolation, appear to imply; that the dire conditions for the sick, the elderly, school children, the victims of crimes and the offenders suddenly change for the better as soon as attention is diverted to something else, something bigger and more important. Surely, Loseke is not suggesting anything of the sort. What she argues, however, is that the social problem category is not a stable one. Rather, the attention paid to any condition is vital in the construction of it as a specific social problem. So, whereas the shift in media attention does not alter the real conditions, it certainly plays a role in downplaying their “problem-ness”. Whether or not any given set of conditions is a problem is subject to disagreement and therefore negotiable. This ultimately means that whether or not any given set of conditions are problematic is not written into the conditions themselves. Social problems are social

³⁵ Kitsuse cites: Merton, Robert *Social Theory and Social Structure*, revised, Free Press: Glencoe, 1957, p. 150

constructs. And, if social problems are socially constructed, then studying social problems necessarily (and perhaps primarily) involves identifying and analyzing the ways in which they come to be problems i.e., the ways in which they are talked about and experienced as problems, for instance, how people worry, as well as the ways in which solutions are projected, implemented and worked on. In this dissertation, part of understanding how the managerial discourse of the documents that circumscribe the practices of the probation officers affects the discursive space for emancipatory practices involves analyzing how both the policy maker and the probation officer frame the problem. More precisely, this dissertation looks at how policies for offender supervision construct crime as a certain kind of problem by investigating the ways in which it is *represented* not so much directly but via analyses of how policy makers envision solutions to it, as well as how probation officers perceive their work (Bacchi 1999, 2009).

Based on this exposition of the key complexities of social constructionism in relation to the study of social problems, I believe that a simple, yet adequate, definition of social constructionism to be adopted in this dissertation comprises two ontological axioms: 1) The meaning of social entities is not naturally occurring, in other words, the objects of social reality are not meaningful by virtue of their intrinsic objective nature and 2) human social conduct fundamentally produces the meaningfulness of the world around it; *social life constructs social entities*.

The social construction of identities in social work settings

Supplementing the study on the probation officers' own conceptions of their work and the purpose of the rehabilitative programs and exercises that they conduct is an analytical focus on their everyday activities and their supervisory meetings with their clients. As far back as (at least) Mead's conception of symbolic interactionism, as Herbert Blumer (1998: 61–78) describes it, is a long-standing tradition in sociological theory and research for viewing interpersonal communication as key to the construction of identities. Later, Garfinkel's (2002) ethnomethodology and its focus on how people orient themselves toward their situation, and Goffman's (1956) theory of self-presentation in particular have highlighted the fact that people do important "identity work" in subtle ways in everyday situations and that: "(...) identities are not ready-made or static roles where the participants just jump in, but rather constructed *in situ* with various meanings." (Juhila and Abrams 2011: 278) These ideas have led Juhila and Abrams to coin the term *identity as action* attempting to capture the idea that identity is something you do.

According to some social constructionist researchers (Jokinen, Juhila and Pošo 1999; Juhila and Abrams 2011), social work encounters, i.e., for the most part face-to-face meetings between a social worker and a client, constitute uniquely informative “arenas” for studying *in situ* “identity making”. In this view, identities are constantly negotiated as part of the social worker’s intervening and reformative work with the client constituting them both as such, i.e., roughly, as a deviant in need of help and a professional providing help. This means that whereas there has traditionally been a somewhat myopic focus on: “(...) the most powerful direction: how professionals and institutions produce identities for the clients (...)” (Juhila and Abrams 2011: 280), the conceptualization of identity as action encourages researchers to study multi-directional and more complex constructive implications. Further, according to Juhila and Abrams (2011: 181–183), the study of the more complex dynamics of identity construction in social work settings not only involves a view of the proximal and immediate context for the interaction, but also to the *distal* and indirect contexts constituted by for instance grander policies and guidelines for practice that are not necessarily physically present in the setting or actively thought of or referred to by the respective participants.

Discourse and constructionism

Discourse is an important epistemological and theoretical concept in this dissertation. Without technically being a discourse analysis *per se*, the investigation of the documents does indeed incorporate analyses of discourses in its attempt to infer policies for rehabilitation and inherent representations of the problems to which the policies supposedly constitute a remedy.

The conception of identity as action emphasizes the importance of language use (written as well as spoken) to constructivist research. This has been addressed as the “linguistic turn” in social constructionist research and with it the study of encounters has been endowed with a much wider set of potential study materials than those pertaining directly to a social situation. The close link between the constructionist approach and language use has also been elucidated by discourse theorists and discourse analysts. Specifically, it is argued that discursive approaches share: “(...) the idea of language as much more than a mere mirror of the world and phenomena ‘out there’ (...)” (Nikander 2007: 413) Moreover, according to the constructionist branch called *discursive constructionism*, discourse is considered *the* central medium for constructionist agency; it is *the* medium through which the social world is made meaningful in certain respects. So, not only is discourse itself a construct, that is, “something” assembled by the meaningful entities in specific situational complexes, such as organized tacit knowledge; it is also *constructive*: “(...) in the sense that these assemblages of words,

repertoires, and so on put together and stabilize versions of the world, of actions and events, of mental life and furniture.” (Potter and Hepburn 2007: 277)

When discourse theory is brought into explicit dialogue with its epistemological foundation (i.e., constructionism), it combines the classic Foucauldian (1975: 42) notion of discourse as the embodiment of power in language with an equally classic Berger and Luckman-inspired (1967) constructionist concept of knowledge, stating that whatever may pass as knowledge for persons in a given situation is of interest to the researcher as knowledge. Discursive constructionism is not proposing a reality check; it does not care for testing *in situ* positing against a set of assumed external facts. Rather, discourse is understood as a semantic framework within which knowledge may be produced and challenged (Potter and Hepburn 2007: 276–280).

The purpose of the document analysis is to identify and analyze the managerial discourse in order to understand what representations of the rehabilitative work it helps to (de-)stabilize in order, at a later stage, to ethnographically assess its potential consequences for the practices it circumscribes. Such a project does not imply the categorical fallacy that would follow from reaching a conclusion about the *actual consequences* for a set of practices from a study merely comprising *textual foundations*. The point of the document study is not to reach an understanding of practices *per se*. This is solely the objective of the succeeding ethnographic studies. However, discourse is perceived and serves as an epistemological bridge that qualifies comparisons between policy in documents and policy in action. Achieving this, the document analysis in Chapter 6 constitutes a marked shift in the analytical gaze *from content to discourse*, that is, from *what* the policies say to *how* they say it. The reason and ground for this reorientation is to be found in the Foucault-inspired sociology of knowledge, within which one of the key insights is that the discourse makes up the institutional framework for the production of knowledge (Foucault 2002: 297–313; 2020). Thus, even if it would be methodologically inappropriate to conclude from policy to actual practice, I shall on the basis of an analysis inspired by discursive constructionism argue that the rules and boundaries for what can be known and thought in a given institutional setting naturally include indications as to what practices and ways of thinking and talking are likely to take place here.

Applied theories

While the document study is quite clearly framed within the epistemological scope of discursive constructionism, the ethnographic study relies on more thematic and substantial theories in order to tease out certain aspects from the multifaceted materials

included. In the ethnographic analysis, reference is made to a variety of theories and concepts, the most important being certain key aspects of Lipsky's theory of street-level bureaucracy as presented in *Street Level Bureaucracy: Dilemmas of the Individual in Public Service* and Goffman's concepts of theater and ritual as presented primarily in *The Presentation of Self in Everyday life*. Whereas the former has already been treated extensively in previous chapters, the latter has not. Thus, in the following, focus will be on Goffman's contribution to this analysis. Furthermore, it should be noted that as key concepts and theories are actively engaged in the analysis, recapitulations and more elaborate and operational presentations of the theories and concepts will be provided at that point.

Theater and ritual

An ethnographic approach enables the researcher to study how meaning emerges through social interaction *in situ* without making claim to a privileged theoretical perspective. Instead of claiming there is a predefined model for the meaning a given entity has for certain individuals or groups, or for how actions are made meaningful by the members, the ethnographic approach is deployed in order to study *how* – and describe *how* – meaning arises. In this way, ethnography is driven by the phenomena themselves, not by preconceived notions of them. Theory, it may be suggested, rather comprises the end of an ethnographic study than the beginning and middle parts of it, seeing as studying how things are made meaningful may lead to proposing generalizations from descriptions to theories (Gobo and Marciniak 2016).

Thus, the role played by theories in the analysis of the ethnographic material in this dissertation begs an explicit qualification. Such a qualification seems particularly important when the key theory deployed for the sake of utilizing its privileged perspective, that is, Goffman's (1956) theater and ritual metaphors for the specific rules and order of social life and interaction, is not explicitly referred to as a constructionist one.

Erving Goffman (1922–1982) studied sociology at the University of Chicago in the late 1940s and the early 1950s. Thus, he was naturally inspired by the Chicago School, Blumer and social interactionism in particular. Regardless, there has been considerable academic debate about whether his theories on everyday life should be considered social constructionist. While sharing the interactionists' interest in micro-social phenomena, as well as assumptions about interpretative and creative potentials, some commentators have pointed out that key aspects of these theories are actually structuralist rather than constructionist. The theories, it is more precisely argued, uncover the ways in which social life is ordered according to certain preordained rules of interaction, rather than

being a product of social order (Furseth and Repsted 2006: 55). This is to some extent exemplified in his theater metaphor, which I will now briefly describe and position within the social constructionist perspective of this dissertation.

Before engaging in sociology, among other things, Goffman made documentary films, which likely impacted his subsequently developed sociological theories as they sought to understand human behavior as somehow choreographed by the underlying rules and order of everyday social interaction (Furseth and Repsted 2006: 55). The theater and ritual metaphors accommodate this ambition in a very straightforward and transparent way.

The imageries of theater and ritual are not foreign approaches in the social sciences to the study of social interaction in everyday and institutional settings, nor is their operational combination regarded as being a novel one in this dissertation. The dramaturgical metaphor was comprehensively and perhaps most famously developed by Goffman in *The Presentation of Self in Everyday life* (1956). Here, the basic contention is that on many social occasions, especially when working in teams on a collective task within a specific institutional framework, individual team members tune the presentation of themselves to the “audience” so as to maintain a particular definition of the situation. A cast will act or put on a show, where they play the protectors and executors of a task by comporting themselves in accordance with the moral values, strategic aims or basic philosophy of the task, rather than expressing the individual or *real* characteristics of themselves.

Thus one finds that service personnel, whether in profession, bureaucracy, business, or craft enliven their manner with movements which express proficiency and integrity, but, whatever this manner conveys about them, its major purpose is to establish a favourable definition of their service or product. (Goffman 1956: 47)

Throughout his career, Goffman would refine important interactionist concepts such as “footing”, “face-work” and “ritual” atop and around the basic tenets of the dramaturgical metaphor and its inherent assertions as to the fundamental protection of a power to define and control a situation (e.g., Goffman 2003). In the analyses presented toward the final stages of the ethnographic part of this dissertation, I will directly engage with the latter. Goffman’s ideas harken back to the very formation of sociology and Durkheim’s (e.g., 1982) conception of religious ritual as a specific form of rhythmic and repeatable patterns of social interaction and communication that manifest emotional togetherness around common moral conceptions. In a similar way, yet from utterly profane settings, Goffman (1956: 23; 2003) elicits a theory that ascribes to ritual-like acts the potential for reproducing the social meanings that bind teams and hierarchies and legitimize the performances and the values they promote.

While not being explicitly or otherwise obviously constructionist, Goffman's theater and ritual metaphors may, I believe, be soundly applied to this dissertation as they provide a theoretical scaffold around which the basic comportment of probation officers toward clients may be conceptualized: The theater and ritual metaphors may showcase how the probation officers manage and maintain certain definitions of the situation, certain social constructions of the real, that are favorable to their work. Even though he does not refer to this as a constructionist process, Goffman does describe how *acting* in certain orderly ways allows for a certain reality in which particular categories, hierarchies and identities are perceived as natural while being nothing but a "vener of consensus" (Goffman 1956: 6).

Further, other more or less singular theoretical proposals already introduced in this dissertation make occasional appearances. Rather than forming a scaffold around which an entire analytical endeavor can be built, such theoretic proposals are included in the ethnographic study in order to motivate a thematic focus or discuss specific empirical phenomena. For instance, Blumer's (1998) appreciation of the role played by social interaction for the "inscription" of meaning within a physical surrounding for social activity is reiterated (and elaborated to some extent) in the beginning of Chapter 7 in order to motivate the closer investigation of how the office spaces and some of the key artefacts within them are made meaningful for and by the members. Furthermore, Lipsky's (2010) theory of street-level bureaucracy not only comprises the more general theoretic framework for the appreciation of how probation officers work in rehabilitative ways with and for their clients in the wake of the managerial turn, it also informs the analysis of the *policies in use*. More specifically, Lipsky's (2010: 140–156) thoughts on the translations of street-level bureaucrats of distal policy into locally operational dictums, and the actual implementation of these for their clients, are included in Chapter 8 for the sake of discussing the world-ordering potential of the probation officers' discretionary agency.

Theories in theorization

A common denominator for all of the uses of theory described thus far, which are indeed purposeful, yet also quite traditional, is that they treat theories as more or less fixed sets of finished ideas. In other words, they treat theory as texts of certain authority which – if they are read and comprehensively understood – may be referred to in other texts, thereby endowing some of the same authority in the analyses proposed there and legitimize the contextualization of a research proposal. Such use of theory may be valuable, but it could mean that the research effort never really discovers anything new.

When considering theories as nothing but statements in a text, the analysis tends to stay “within the box” of the theory, only identifying those parts of the empirical material that fit within the box or, what is worse, *forcing* the material to fit within the box. In either case, confirming the theory in the empirical material may seem more important than exploring the material for what it is. Thus, Swedberg (2022) argues, in order to really evoke the potential of seeing something new in the material at some point in the course of the analysis, the analysis must be actively moved out of the box. For Swedberg, this basically involves cashing in on the potential that is latently in the genesis of every good social science theory of viewing theory as activity, as theorization.

Whereas the operational aspects, that is, Swedberg’s “ABC of theorizing” has been presented in the preceding chapter on methods and materials, the following firstly comprises an exposition of the main theoretic assumptions and prospects of Swedberg’s program for theorization. Secondly, the theories with which the theorization of this dissertation enters into dialogue, that is, Foucault’s concept of governmentality and pastoral power, as well as Bourdieu’s concept of symbolic violence, are presented.

Theory as activity

In the theorization offered toward the end of this dissertation, the use of theory will shift from applying to forming, from text to activity. Or, as Swedberg (2012: 3–5) himself phrases it in the programmatic and seminal paper “Theorizing in sociology and social science: turning to the context of discovery”, the analytical efforts of this dissertation make a subtle shift in sensibility, that is, a shift from utilizing theory in its abstract *context of justification* to initiating its concrete *context of discovery* (see also Swedberg 2016: 7–8). These concepts date back to Hans Reichenbach (1938, 1951) and Karl Popper (1935, 1959) and have been used to distinguish between two aspects of theory. But, while both Popper and Reichenbach in their defense of scientific positivism argued that only the context of justification, i.e., the process that empirically tests a consistent set of explanatory hypotheses, is of any significance to scientific discovery, Swedberg (2012: 4) maintains that the creative process of forming a hypothesis is intrinsically scientific.

For the theorization proposed in this dissertation, this does not imply that theoretical lenses, models and concepts of the aforementioned fixed kind are not of any significance and assistance at this stage of the investigation. Indeed: “(...) it is impossible to theorize without a sound knowledge of sociology.” (Swedberg 2016: 7) Goffman’s (1956) theater metaphor, Foucault’s (2011, 2009) notion of governmentality and pastoral power, as well as Bourdieu’s (1996, 1998) concept of symbolic violence, are a vital source of inspiration. Yet, just like *inspiration*, these

concepts are not the sole drivers of the theorizing initiative. Rather, they are parties to an ongoing, explorative, experimental triangular dialogue including the researcher and the empirical material. In fact, theorization has been likened to both *disciplined imagination* (Weick 1989), *engaged practice* (Zundel and Kokkalis 2010) and some form of *speculation* (Swedberg 2018). All of these terms illustrate that the researcher, the “I”, is an integral part of theorization.

The theories in this theorization

Theories are abstract systems of interconnected concepts usually formed as part of empirical investigations into real concrete phenomena. More often than not, they are formulated by eminent pioneers in the particular field of academic interest. Yet, in turn, theories serve as models for exploring and explaining other concrete phenomena by a much broader cohort of scholars. Fittingly, the theories with which I will enter into a theorizing dialogue are formulated by eminent, perhaps even somewhat “stock”, pioneers of the academic field of this dissertation, i.e., Michel Foucault and Pierre Bourdieu. Foucault’s (e.g. 2009, 2011) and Bourdieu’s (e.g. 1996, 1998) theories of power are commonplace in social constructionist studies on public welfare institutions. In concert, these theoretical complexes suggest a diffusion or enactment-based elusiveness of the phenomenon of power itself, while identifying very real categorizing, identity-constraining and stigmatizing consequences for the citizens who work in, use and depend on the institution’s social service provision.

Foucault’s seminal concept of governmentality was based on studies of the population-governing rationales of the liberal political movements of 18th and 19th century Europe. According to Foucault, these movements were characterized by new and more complex forms of governance that were enabled by the willing participation of citizens in their own domination. Such *art of governing* was first, and perhaps most programmatically, formulated in the 1977–1978 lectures at the Collège de France, called *Security, Territory and Population* (Foucault 2009). Unlike the now historical doctrines of prudent, just, strong and visible state governance, the *art of governing* denotes a way of governing societies basically by a seamless and processual alignment of the goals of the public with the goals of authority, thereby requiring a responsabilization of the population to be governed. So, whereas archaic forms of dominance and governing hegemonically constituted its citizens as passive, rightless objects, these new kinds of governance paradoxically facilitated and maintained power over its populations by making political subjects out of its members, that is, by liberating or emancipating them.

It has been pointed out that Foucault himself does not actually form a theory of governmentality. Rather, it has been stated that what Foucault says about this concept

comes in the form of “scattered comments” (Miller and Rose 2008: 10) on historical developments in governing reason, rather than systematically arranged ideas. Thus, it has been up to Foucault’s successors, most notably Nikolas Rose, to connect the dots and expound a theory of governmentality that is operational in the analyses of current forms of governance (e.g., Rose, O’Malley and Valverde 2006; Miller and Rose 2008; Rose 1990).

We took up Foucault’s rather awkward neologism – governmentality – and began to tease apart two distinct aspects of this art of governing. The first of these we termed ‘rationalities’ or ‘programmes’ of government, and the second we designated with the term ‘technologies’. Through this distinction, which we did not regard as designating different domains found in reality, we meant to indicate the intrinsic links between a way of representing and knowing a phenomenon, on the one hand, and a way of acting upon it so as to transform it, on the other. (Miller and Rose 2008: 15)

With this important distinction between rationales and technologies, it is argued that by governmentality, Foucault addresses both epistemic and operational entities and considers these dimensions as being inseparable in practice. The success of the governing technologies of governmentality such as the “assemblages of persons, techniques, institutions, instruments for the conducting of conduct” (Miller and Rose 2008: 16) depends on the general public’s appreciation of the problem *as a problem* and as a specific kind of problem to which a proposed governing technology seems like a viable solution. On an even deeper level, Miller and Rose (2008: 14–21) suggest that governmentality relies on the general technification of public thought. It requires the public to be “allowed” to think in terms of problems and solutions, yet it also relies on their preference for certain human technologies that are also favored by the authorities. In polemic terms, it could be said that governmentality constitutes a governing strategy that first sets the public free from obvious oppression in order to then govern in ways that are much more effective a governed public subscribes to its own governance and is therefore unlikely to resist and revolt.

In *Security, Territory and Population*, Foucault terms the kind of power at play in governmentality as *pastoral power*. Pastoral power, the objective of which is “(...) the salvation (*salut*) of the flock” (Foucault 2009: 126), paradoxically implies care for the individual, for the individual’s problems and weaknesses. As a form of power, it is obscure, to say the least. Its governing grip is not easily recognized. Thus, pastoral power is a kind of dominance that has manifested in different shapes and sizes throughout recent history, most recently in our Western welfare institutions, and it is very difficult to revolt against as it stems from the individual, so to speak, it stems from an individual’s desire for emancipation and need for social benefits (Foucault 2009: 194–198 & 367).

More specifically, Bourdieu studies and theorizes how such elusive power dynamics function between individuals and groups in institutional settings. In *The State of Nobility: Elite Schools in the Field of Power* Bourdieu and *Practical Reason: On the Theory of Action*, Bourdieu (1996; 1998, resp.) engages a system of interrelated concepts to capture the struggle for power to define the working logics, that is, the *doxa*, of more or less well-confined segments of the welfare state that he refers to as *fields*. According to Bourdieu, every field has its own doxa, that is, a system of historically contingent and socially constructed logics, norms, categories, rules, procedures and scopes of imagination that have been reproduced or conserved by the fields' incumbent members for long periods of time. When viewed from within a field, that is, as experienced by an individual successfully socialized within it by way of certain more or less formalized social rituals regulating membership, doxa does not appear as doxa. Rather, its contingent, reproduced and historical quality is obscured and the logics of identity formation that are defined by doxa for the members of the field become naturalized. The socializing and often ritualistic processes of aligning the aims and convictions of new member with a field's doxa is, according to Bourdieu (e.g., 1996: 4; 1998: 121), symbolically violent as it actually imposes constraints rather than possibilities on new members. In terms much like pastoral power, symbolic violence denotes the self-governed acceptance of an individual's own governance. Yet, with the concept of symbolic violence, Bourdieu elaborates on the stigmatizing consequences or the risk of retention within problematic identities for new members, such as disenfranchised clients of the probation service.

What Foucault (2009; 2011) (and, for instance, Rose and Miller (2008)) offers this dissertation is a framework of ideas for further theorizing the ways in which emancipatory strategies often get deployed not simply for the sake of the stigmatized individual, but as an aspect of certain governing technologies that rather serve the issuing authority. After all, welfare institutions such as the Prison and Probation Service are not unassumingly interested in facilitating citizenship. Rather, facilitating citizenship constitutes an interesting strategic prospect for the Prison and Probation Service as it may lead to the minimization of societal crime and thus the fulfilment of its official task. What the Bourdieusian perspective adds is a conceptual scaffold around which such theorizing may further highlight the ways in which the rehabilitative projects of modern welfare institutions may impede emancipation by reproducing social problems and problematic identities for already marginalized citizens.

5 Tracing a managerial turn

The task of tracing “a managerial turn”, which is the purpose of this first empirical chapter, does not imply an exhaustive uncovering of the aspects of Scandinavian criminal policy that regulate the Prison and Probation Service as of today. Rather, the point of the following is to present the documents with a special focus on their contents and explicated purposes in order to locate and describe – as far as possible – managerial developments that have taken shape in key policy documents for or about the Scandinavian Prison and Probation Services in recent years.

The overarching aim of the document study is to assess the discursive conditions for emancipatory practices in Scandinavian policy on punishment and rehabilitation in the wake of the managerial turn. More specifically, by tracing indicators of a managerial turn in the included documents, this chapter offers a thematic context, as well as improving the reliability of the analysis in Chapter 6 where the discursive “space” is in focus.

The examination of the documents that now follows is organized in accordance with the systematic overview of the documents presented in the previous chapter.³⁶ Thus, working from the most formal documents that are derived “from above” the Prison and Probation Services themselves, that is, parliament and government level, to the internally produced and more substantial documents, the examination will start with a dive into the *Norwegian white papers*. Subsequently, documents that are produced by the Prison and Probation Services and that are internal in scope and format, i.e., *strategy briefs, financial plans, annual reports and guidelines and models for practice* will be addressed. Finally, documents that are produced by the Prison and Probation Services themselves, but that “point beyond” the organizations by connecting their operations to universal values and societal perspectives, i.e., the *principles and value statements*, will

³⁶ There is one exception to this systematic alignment. The *Framework Agreement of 2018–2021* which is placed in the category “white papers and framework agreements” is analyzed alongside the “strategy briefs”, “Financial plans” and “Annual reports” because this document, regardless of its formal status, very concretely projects the work and frames the visions of the Prison and Probation Service in the period covered.

be presented.³⁷ the task of tracing a managerial turn in these documents will not be clinically separated from the systematic examination, but rather continuously interwoven with it. It should be noted that while the documents are indeed in principle equally valid and valuable, not all of them are equally important to this particular analysis. Whereas some are very central objects for analytical purposes (e.g., strategy briefs, financial plans and value statements), others are more peripheral (e.g., annual reports).

This chapter will argue that a managerial turn may be identified in the policy of these documents, generally in the form of a decreasing focus on the societal task of reducing crime alongside an increased focus on internal organizational matters such as capacity, staff safety and prison security.

What to look for?

Setting out to analytically estimate the possible manifestations of a managerial turn in the document material, I need to know precisely what to look for. In order to know what to look for I will use the characterizations of the managerial turn offered in the ongoing academic debate on managerial turns as reference points. The general aspects of this debate have already been presented in Chapter 1. There I argued that in spite of scarce attention, academics of public administration (and, to some extent, also private business) have made reference to a managerial turn as they have described processes of the bureaucratization of national governance and the streamlining of cooperation between government and public institutions such as the Prison and Probation Service (Bezes 2017). These processes, which are aspects of the expansion of New Public Management, more precisely constitute a self-directed and administratively inclined re-orientation (e.g., Christophe 2013; Duarte and Dejours 2019; Gerber 2016; Hugrée et al. 2015); a reorientation that implies increased focus on internal procedures, systematicity, financial control, etc. (e.g., Ball, Owen and Gray 2000, Brunier 2016; Bezes 2017). Here I will argue that insofar as such increased focus is traceable in the document material concerning the Scandinavian Prison and Probation Services, it does indeed manifest a *reorientation*: In many of the instances identified, it will be argued, focus on capacity issues, staff safety, financial accountability and cost-efficiency

³⁷ Few of the documents are very comprehensive and detailed (this especially concerns the Norwegian white paper referred to as *The Resettlement Guarantee* and the Swedish model for practice called *Inclusion – a sketch of an idea*. When handling these documents in the following I have focused on parts of particular interest to this research project.

increases at the expense of policy, explicating the need for delivering care and support to the client and the prospects for solving societal tasks for the Prison and Probation Service.

However, for the sake of analytical clarity and precision, I will tease out specific yet interrelated indicators of a managerial turn from the broad characterizations just presented. The interrelated indicators of a managerial turn, which are based on the definitions provided (explicitly as well as implicitly) in previous research, are as follows:

1. “Organizational self-care”: Shift of attention *from* substantial tasks and products benefiting society around the organization *to* matters of organization and management. (Ball, Owen and Gray 2000)
2. “Policies of means”: Increased internal steering, quality assessment and control of transparent and fair service provision. (Brunier 2016; Bezes 2017)
3. “Administrative governance”: Transformation of the role of experts in relation to policy makers from partners in the policy-making process to service providers. (Jacquot 2020)
4. “Devolution and professionalization”: A general expansion of administrative sectors, especially in the form of the increased recruitment of highly educated administrative staff at the expense of clerical workers. (Bezes 2017)
5. “Political accountability”: Shift of attention from local concerns to additional local concerns of political accountability (exemplified with the introduction of still more scales and weighted strategic indicators for the measurement of progress). (Bezes 2017)

Some of these indicators may appear to be at odds with one another: Depending on how the matter is debated, it seems that a managerial turn is indicated by increasing focus on “own business” (cf. 1) and by a shift of attention from local issues of organization to an extra-local accountability (cf. 5). And, adding to the confusion, a managerial turn may be indicated by both tendencies toward top-down control (cf. 2 and 3) and movements of devolution and professionalization (cf. 4). However, as Bezes (2017) would likely argue, the fact that certain institutions, public as well as governmental, are marred by such internal tensions may itself be an important indicator of the managerial turn. Thus, we may add a sixth indicator:

6. “Organizational contradiction”: An increasing tension between policies for control and policies for devolution.

At this stage, it is important to clearly delimit the scope of application for the managerial-turn thesis in relation to the Scandinavian Prison and Probation Services

more specifically. In the following analysis, I will not make any claims as to the actual administrative perspective of prison and probation service management in Scandinavia. Indeed, I am confident that the people working in the prison and probation service, practitioners as well as executives, are fundamentally motivated by a desire to help people, treat them respectfully and combat crime in society. As far as this research project is concerned, the managerial turn is upheld by discursive signifiers that intersect a wide range of different policies with different origins. As such, neither can nor should the managerial turn be traced back to any one person or group of people working within the Prison and Probation Service. Rather, as the analysis of the documents will suggest, a managerial turn is very likely to be essentially prompted by an amassing *external* pressure on the Prison and Probation Services' capacity, staffing and economy.

Above the Prison and Probation Services

Many global democracies consider it a natural part of the government policy-making process to issue white papers. As Doerr (1973: 3–13) noted in her doctoral dissertation on the role of white papers in Canadian politics, such documents may, even if they are addressed in parliament, serve two purposes at the same time. On the one hand, they present a government's cohesive political stance on a specific topic to a wider public. On the other hand, they seek to democratically engage the public in a debate on the matter. As such, white papers, unlike green papers, which contain finalized proposals for government action or law-making, have been described as “litmus tests” of government policy: While white papers do comprise authoritative and real political visions from which both legislation and less formalized concrete methods for solving social problems may be derived, white papers do not themselves contain binding statements of policy or law. Striving to facilitate public opinion, white papers, and this applies to Norwegian white papers, are written in a straightforward manner, mixing technical jargon with more ordinary perspectives on life (Røberg, Feiring, and Romsland 2016).

The Norwegian white papers to parliament

One of the most cited and analyzed documents in the academic debate on the policies of prisoner resettlement in Norway is a white paper to parliament (st. meld. 37 [2007–2008]) entitled “Punishment that works – less crime – safer society”, but often simply referred to as *The Resettlement Guarantee*³⁸. Being a white paper, this document does not offer any legal guarantees. When it was discussed in parliament, however, it was

³⁸ For an overview of the documents, please refer to the Table 4. In the tables 1–3 the original document titles, their translations into English, and their shortened versions are listed.

approved by all political parties. Thus, it does constitute a broad political motivation for ensuring that all prisoners retain all the rights to which they are entitled, like any other Norwegian citizen (Johnsen and Fridhov 2019).

The aforementioned general characteristics also apply to *The Resettlement Guarantee* as it is a very visionary and ambitious political document, which, in an easily readable language, describes a thorough reform of the Norwegian prison system. The document expounds a need for a heightened focus on resettlement as a form of successful reintegration into society. It is therefore argued that it is pivotal for the fulfilment of the main task of the Prison and Probation Service, namely, to maintain and increase societal safety. *The Resettlement Guarantee* treats it as a logical implication that if punishment is to play a sensible role in achieving this goal, it must be designed in such a way that: “(...) relapse to new crime is reduced.” It is further argued that this: “(...) among other things involves improved rehabilitation”³⁹ (*The Resettlement Guarantee*, p. 7) Apart from a more strongly promoting “[j]ob training, school, cultural offers, leisure activities and motivational work (...)”⁴⁰ (*The Resettlement Guarantee*, p. 9), a central issue of the reform vision is an increased focus on invoking *the principal of normality* and increased use of open wards and community service, as this makes the release process a less sudden experience for the prisoner and successful reintegration into society more likely:

The risk of committing a new crime during punishment is low when the level of security is high. However, a long prison stay with a high level of security and a sudden transition to freedom will result in a high risk of reoffending after release. Punishment in society is more effective for rehabilitation than prison and therefore in the long term provides the best protection for society. The Government believes that punishment carried out in freedom implies the prevention of new crime and the building of a better society for all.⁴¹ (*The Resettlement Guarantee*, p. 8)

In 2015, *The Resettlement Guarantee* of 2008 was replaced by another white paper called “Plan for the development of Capacity in the Prison and Probation Service” (meld. st.

³⁹ (NO) “Straffen må være slik at tilbakefallet til ny kriminalitet blir mindre. Det innebærer blant annet å rehabilitere bedre.”

⁴⁰ (NO) “Arbeidstrening, skole, kulturtilbud, fritidsaktiviteter og motivasjonsarbeid er kriminalomsorgens tradisjonelle virkemidler i tillegg til de som følger av selve straffegjennomføringen.”

⁴¹ (NO) “Risikoen for ny kriminalitet under straffegjennomføringen er lav når sikkerhetsnivået er høyt. Imidlertid vil et langt fengselsopphold med høyt sikkerhetsnivå og en brå overgang til frihet medføre en høy risiko for tilbakefall etter løslatelsen. Straffegjennomføring ute i samfunnet er mer effektivt for rehabilitering enn fengsel og gir derfor på lang sikt den beste samfunnsbeskyttelsen. Regjeringen mener straff som gjennomføres i frihet er forebygging av ny kriminalitet og bygging av et bedre samfunn for alle.”

12 [2014–2015]). Henceforth, I will refer to this more recent white paper as *The Development Plan*.

Even though points concerning the importance of rehabilitation and support during the release process of preserving access to citizens' rights and an experience of some form of normalcy for the prisoner remain, these concerns are not presented as ideals around which the organization of the Prison and Probation Service must be developed. *The Development Plan* is an explicit response to challenges regarding prison capacity and long waiting lists for serving sentences and the ideals of rehabilitation and social support in the release process must be: "(...) reflected in how and where the capacity of the Prison and Probation Service is planned and designed."⁴² (*The Development Plan*, p. 6) Nevertheless, even though rehabilitation may have lost its status as the most central aspect of the organization, *The Development Plan* frames the need for rehabilitation in a way which is quite similar to the way it is presented in the previous white paper. This has been achieved through a peculiar, yet, forceful rhetoric. At first, the obvious tension between the two tasks of the Prison and Probation Service, that is, protecting society from crime, on the one hand, and resettling offenders into society, on the other, is presented. However, immediately hereafter the tension is deemed superficial: "The protection of society depends upon good rehabilitation and resettlement (...)"⁴³ (*The Development Plan*, p. 32) the document states, very much in accordance with the previous white paper.

What we see here are two advance notices of the design and contribution of this document analysis. Firstly, what can be witnessed with the introduction of *The Development Plan* of 2015 to replace *The Resettlement Guarantee* of 2008 are not fundamental changes to the content of policy on rehabilitation. The discernible changes are much more subtle. The shift concerns the way in which the policy is delivered, that is, the "dressing" and contextualization of the policy rather than the policy itself. As such, the changes are discursive and may affect the "discursive space" for emancipatory practices. I will not go deeper into this at this point. For now, it suffices to highlight what could be regarded as a "taste" of and motivation for what will be the key approach of the document analysis in the succeeding chapter. Secondly (and more in line with what will be the center of attention in this chapter), if the shift in "dressing" is looked at more closely, we may attain some sense of how a managerial turn possibly comes to appear in the policy documents undergoing review. In *The Development Plan*, the task

⁴² (NO) "De verdier og prinsipper som man legger til grunn for straffereaksjonene og som det har vært tverrpolitisk enighet om i Stortinget har avgjørende betydning for hvordan straff skal gjennomføres. Dette må igjen reflekteres i hvordan og hvor kriminalomsorgens kapasitet planlegges og utformes."

⁴³ (NO) "Samfunnsbeskyttelsen er avhengig av god rehabilitering og tilbakeføring."

of protecting society from crime via rehabilitation is still present and formulated as a core activity for the Prison and Probation Service, yet significantly more attention is devoted to issues of organization, expedience, standards of accommodation, etc. In the next section I will dive deeper into this issue in an effort to identify traces of increased organizational self-care in the more recent *Development Plan*.

Organizational self-care

An illustrative way of showcasing such an internal perspective is by contrasting the table of contents of the two white papers. As shown in the table below, *The Resettlement Guarantee* consists of 18 chapters (excluding the executive summary and the introduction) organized in five parts. After the executive summary and the introduction, *The Development Plan* is supplemented by nine chapters. When compared with the disposition of the contents in *The Resettlement Guarantee*, a radical shift in the operational outlook of the Prison and Probation Service is, arguably, quite easy to discern.

Table 6: The table of contents of *The Resettlement Guarantee* and *The Development Plan*

<i>The Resettlement Guarantee</i> (2008)	<i>The Development Plan</i> (2015)
Part I: "The reason behind the suggestions" 3. Value choice 4. International perspective on the execution of punishment 5. History 6. Execution of punishment today 7. Evidence-based prison and probation service – nationally and internationally	3. Organization of the Prison and Probation Service 4. Capacity for carrying out punishment 5. The country's prisons – the condition and suitability of the facilities 6. Future needs for capacity in the Prison and Probation Service
Part II: "Societal safety" 8. Societal safety	7. Value choices and principles for today's and tomorrow's execution of punishment – significance for capacity 8. Who are the sentenced and the inmates?
Part III: "Rehabilitation" 9. Prison sentence and rehabilitation 10. Punishment in society and rehabilitation 11. Groups with special needs 12. The victims' interests and needs 13. The inmates' relatives	9. Models for the future execution of punishment 10. How will the capacity issues in the Prison and Probation Service be solved?
Part IV: "Joint effort for the resettlement work" 14. The Resettlement Guarantee	11. Economic and administrative consequences ⁴⁴

⁴⁴ (NO) "3. Organisering av kriminalomsorgen", "4. Straffgjennomføringskapasitet", "5. Landets fengsler – bygningsmessig tilstand og egnethet", "6. Framtidige kapasitetsbehov i kriminalomsorgen", "7.

Part V: "Consequences and preconditions"

15. Organization
16. Supervision of the Prison and Probation Service
17. Facilities
18. Authority, staffing and management
19. Modern information solutions and communication technology
20. Administrative and economic consequences⁴⁵

The aforementioned radical shift in operational outlook, I would argue, is contingent upon an easily visible difference in the ways in which these white papers are constructed. Both of these documents state that if the Prison and Probation Service is to contribute successfully and consistently to protecting society from crime, it must be well-organized, sufficiently funded and staffed, as well as properly managed. However, whereas this policy was established and planned in the final section of *The Resettlement Guarantee*, it traverses all sections of *The Development Plan*. Even the chapter on value choices (cf. 7) is supplemented by "significance for capacity". The aspect of "Societal safety" is, on the contrary, given priority in *The Resettlement Guarantee* as it occupies an entire part of the document, while it is not discernible from the table of contents for the more recent white paper. This, I would argue, may signal that whereas the previous white paper operates on a more fundamental level as it explicitly circumscribes the purpose of the Prison and Probation Service's operations, and primarily in relation to the societal problem of crime, *The Development Plan* presents solutions for a more internal problem, i.e., capacity. In fact, it is safe to say that the capacity problem receives much more attention in *The Development Plan* than the problem of crime in society as most (if not all) of the actions promoted in this more recent white paper may be regarded as solutions to the problem of capacity. Even when it comes to presenting the underlying values and principles, such as the idea as to the need for rehabilitation in

Verdivalg og prinsipper for dagens og morgendagens straffegjennomføring – betydning for kapasitet", "8. Hvem er de domfelte og innsatte?", "9. Modeller for framtidens straffegjennomføring", "10. Hvordan løse kriminalomsorgens kapasitetsutfordringer?" and "11. Økonomiske og administrative konsekvenser".

⁴⁵ (NO) Part I: "Bakgrunn for forslagene" ("3. Verdivalg", "4. Internasjonalt perspektiv på straffegjennomføringen", "5. Historikk", "6. Straffegjennomføring i dag", "7. Kunnskapsbasert kriminalomsorg – nasjonalt og internasjonalt"). Part II: "Samfunnstrygghet" (8. "Samfunnstrygghet"). Part III: "Rehabilitering" ("9. Fengselsstraff og rehabilitering", "10. Straffegjennomføring i samfunnet og rehabilitering", "11. Grupper med behov for særlig tilrettelegging", "12. Ofrenes interesser og behov", "13. Innsattes pårørende") Part IV: "Felles løft for tilbakeføringsarbeidet" ("14. Tilbakeføringsgarantien"). Part V: "Konsekvenser og forutsetninger" ("15. Organisering", "16. Tilsyn med kriminalomsorgen", "17. Lokaler", "18. Kompetanse, bemanning og ledelse", "19. Moderne IKT-løsninger" and "20. Administrative og økonomiske konsekvenser".)

order to maintain and increase societal safety, *The Development Plan* explicitly frames the contents in relation to its implications for the issue of capacity, not protecting society. One way of understanding this shift is as an instance of “organizational self-care”, that is, as a shift of attention *from* substantial tasks and products benefiting society around the organization *to* matters of organization and management (Ball, Owen and Gray 2000).

Toward a policy of means: From humanism to transparency

The shift of attention from matters of public safety to matters of organization signals a fundamental change in the priority of values held by the Norwegian Prison and Probation Service. By focusing on the ways in which the two white papers considered in the previous section present the goals of the future organization of the Norwegian Prison and Probation Service, I will attempt to carve out more and identify more precisely such normative change. As will be evident, in the process of doing so, other traces of a managerial turn may be disclosed.

Having presented the history of the Norwegian Prison and Probation Service, advocated for an evidence-based prison and probation service, and projected the greater aim of punishment (i.e., rehabilitation) in a very comprehensive manner, *The Resettlement Guarantee* of 2008 finally regards the more concrete deliberations as to the actual future organization of the Norwegian Prison and Probation Service. Page 193 of the white paper states: “The future organization must ensure good political management of the authority, respect for legal rights and equal treatment, a humane execution of sentences and an efficient administrative structure”⁴⁶ (*The Resettlement Guarantee*, p. 193) Accordingly, on page 10, *The Development Plan* of 2015 presents four goals for the future organization of the Norwegian Prison and Probation Service:

The future model of organization must aim for the following: Strong and explicit governance of the authority. Effective resource utilization – more for service production, less for administration and management. Equality in the handling of cases. Better coherence in the chain of criminal proceedings.⁴⁷ (*The Development Plan*, p. 10)

⁴⁶ (NO) “Den framtidige organiseringen må sikre god politisk styring av etaten, rettsikkerhet og likebehandling, en human straffegjennomføring og en effektiv administrativ struktur.”

⁴⁷ (NO) “Den framtidige organisasjonsmodellen skal ha følgende mål: Sterk og tydelig etatsledelse; Effektiv ressursutnyttelse; mer til tjeneproduksjon, mindre til administrasjon og ledelse; Likhet i saksbehandlingen; Bedre sammenheng i straffesaksjeden.”

These statements are similar in a number of ways, yet, upon closer investigation it must be acknowledged that they differ regarding some fundamental aspects. They both highlight a need for equal treatment or equal case handling; they are both concerned about proper management and they both highlight administrative efficacy. However, whereas *The Resettlement Guarantee* promotes “good” political governance, *The Development Plan* describes a need for strong and explicit (i.e., pronounced and transparent) management. Whereas *The Resettlement Guarantee* simply argues in favor of an effective administrative structure, *The Development Plan* advocates for more efficient resource utilization in a more detailed way which, in turn, entails “more for service production, less for administration and management”. Finally, while only *The Resettlement Guarantee* mentions a need for the humane execution of punishment and a general respect for legal rights, only *the Development Plan* highlights a need for better integration with other authorities involved in the process of handling criminal cases.

One way to appreciate the difference in more analytical terms is in terms of a value-laden shift from humanism to transparency. Both humanism and transparency are ideals related to the notion of democracy in the broadest appreciation of this principle of governance, i.e., the different ways in which democracy may account for the value of citizens. More precisely, the call for humanism and the call for transparency are fundamentally warranted in the basic utilitarian axiom that everyone is equal and the corresponding political project of offering equal treatment to everyone. However, whereas one of these ideals discursively allows for a view whereby the need for equal treatment is motivated by the universal deservingness inherent to the fact that we are all equally valuable, an uncompromised view of human beings and the protection of humanity, the other ideal does not. Rather, the other ideal, the ideal of transparency, focuses on the organizational means of delivering equal treatment. It thereby instills or constructs intrinsic value within the organizational and procedural means, effectively obscuring whatever concern there may or may not be for the subjects handled by organization.

What is identified here, may be understood as an instance of the indicator for the managerial turn dubbed “policies of means”, as *The Development Plan* appears to argue in favor of equal treatment for the sake of accountability and transparency; an indicator that is here identified as a discursive turn in relation to the humanist position toward the need for equal treatment which was arguably fundamental to *The Resettlement Guarantee*.

Form and content: Traces of a discursive contradiction?

On more than one occasion, *The Development Plan* of 2015 argues in favor of a leaner organization with less administration and fewer levels of leadership.

One of our goals is to reduce expenses for administration and management and to ensure that as much as possible of the Prison and Probation Services resources are allocated to service production. Consolidating administrative functions and reducing the number of management positions in the agency will be appropriate in terms of streamlining management and administration. (...) The Ministry assumes that resources can be reallocated to, among other things, funding capacity expansions.⁴⁸
(*The Development Plan*, p. 11)

As described in the quote above, the ultimate reason for such organizational streamlining is supposedly to reprioritize resources so that less resources are allocated to administration and more resources are directed at service production, such as capacity development. In other words, this seemingly disallows for any association to be made with the “devolution and professionalization” indicator, as well as the “administrative governance” indicator of managerialism. Curiously though, when contrasted with *The Resettlement Guarantee* of 2008, *The Development Plan*, as previously argued, generally comes across as very administrative: It is largely concerned with the management and organization of the Prison and Probation Service and not very concerned about highlighting the need for and point behind the actual practices. Thus, some form of “organizational contradiction” can be noted here. However, this organizational contradiction does not so much take the shape of a tension between *policies for steering* and *policies for devolution*, as suggested by Bezes (2017). Rather, it comes across as a tension between the policy contents and the policy format.

Within the Prison and Probation Services

Unlike the white papers, the bulk of the documents included in this study stems from within the Prison and Probation Services themselves. I have allowed one exception to this rule of systematizing for the sake of the analysis: Even though *Framework Agreement for 2018–2021* is a political deal settled on by the former liberal government in

⁴⁸ (NO) “Det er et mål å redusere utgiftene til administrasjon og ledelse og sikre at mest mulig av kriminalomsorgens ressurser går til tjenesteproduksjon. Å samle administrative funksjoner og redusere antall lederstillinger i etaten vil være hensiktsmessig med tanke på effektivisering av ledelse og administrasjon. (...) Departementet legger til grunn at ressurser kan omdisponeres til bl.a. finansiering av kapasitetsutvidelser.”

Denmark, the largest opposition party, The Social Democratic Party, and the right-wing party, Danish People's Party, in this analysis it is regarded as a financial plan. Indeed, such a categorization is not completely off, I believe, as the document specifically focuses on the allocation of funding for the Prison and Probation Service and it makes sense to compare it with other similar documents such as the Swedish "Budget briefs".

Regarding the question as to how managerial aspects come to appear and whether or not a managerial turn is apparent, studying these documents may prove to be particularly rewarding. For a something to be considered a turn, some kind of change or movement must take place and this change or movement must then somehow be correlated to the subject matter to which the turn is supposedly related. Many of the strategy papers, annual reports and financial plans being examined have not changed their format in recent years, but have been re-issued, and updated *à jour*, with regards to their contents, at regular intervals. As such, this selection of documents lends itself very well to the study of substantial changes in policy and may therefore serve the purpose of this analysis particularly well.

The Danish and Norwegian strategy briefs: Further indications of organizational self-care

Both the Norwegian and the Danish Prison and Probation Services publish strategy briefs on a regular basis. These strategy briefs identify areas or activities within the organization and describe these areas or activities as particularly important or urgent in relation to the challenges faced by the Prison and Probation Services. Furthermore, the documents, either explicitly or implicitly, often present reasons for such prioritizing as it makes the strategy a part of the realization of the purpose of the organization.

A trend in the Danish Prison and Probation Service's strategy briefs is a still more pronounced problematization of the working environment for the employees and the problems that this creates for the fulfilment of the organization's overall purpose which, so it is stated, is to make for a safe society by executing punishment and minimizing crime. The identification of insufficient capacity, increasingly violent and demanding inmates and an inadequate workforce underscores the strategic priorities for unifying and strengthening the organization, a more flexible use of the prison premises and, most notably, an increased level of security for the employees. This is clearly visible in the four core statements which are derived from the organizational "Core narrative" of the *Strategy for The Prison and Probation Service 2021* (p. 3) and the "image of challenges" that it responds to around which the strategic outlook presented in this document is framed, namely: "We shall provide safety", "We shall be open and visible", "We shall

be a professional and effective authority” and “We shall be an attractive workplace”⁴⁹ (*Strategy for The Prison and Probation Service 2021*, p. 5) (cf. Picture 2).

Such focus on effective case handling and employee safety is further reflected in the annual strategy brief for the Danish Prison and Probation Service called “Plan for Aims and Results in the Prison and Probation Service” (henceforth referred to as *Plan for Aims and Results*). Each of these documents highlights an array of strategic indicators that have been assigned a weighted priority and there is a drastically different tone in the 2018, 2019, 2020⁵⁰ and 2021 editions, which are all quite similar with regard to their contents and tone. What is striking is that while the 2017 edition highlights close cooperation with the outside world, security, safety and decency for the individual citizen (explicitly including the clients), the 2018, 2019 and 2021 editions focus on punitive sanctions being executed in a way in which the physical and mental well-being of the prison staff is not endangered. One of the indicators of the 2018 and 2019 editions is called “Greater consequences and less relapse”; the equivalent indicator in the 2017 edition is simply called “Less relapse”. In the 2021 edition this indicator has been replaced with the vaguer: “The framework of a crime-free life”.

⁴⁹ (DK) “Kernefortælling”, “udfordringsbillede”, “Vi skal skabe tryghed”, “Vi skal være åbne og synlige”, “Vi skal være en professional og en effektiv myndighed”, “Vi skal være en attraktiv arbejdsplads”

⁵⁰ There exists no 2020 edition of this document (it was never published by the Danish Prison and Probation Service and is not listed among the other editions on the its website), yet strategic indicators for were produced in the form of an appendix to Nick Hækkerup’s (the Danish Minister of Justice until 2022) reply to a question which was posed by the Judiciary Committee (“Retsudvalget”) of the Danish parliament on the October 14, 2020 (cf. REU alm.del. question 110, 2020/21). The question, which, more precisely, was formulated by member of parliament for the left-wing party, Green Left, Karina Lorehntzen Dehnhardt, reads: Would the minister explain how many target figures exist for the institutions of the Danish Prison and Probation Service?” (“Vil ministeren redegøre for, hvor mange måltal der findes for Kriminalforsorgens institutioner?”) In his answer Hækkerup refers to a statement made by the management of the Prison and Probation Service wherein it is explained that, due to COVID-19, the Director General of the Prison and Probation Service has agreed with the Ministry of Justice’s head of department to deviate from the normal practice of producing an issue of *Plan for Aims and Results*. Instead, a set of strategic indicators for the year 2020 (where no weighted priority is indicated) were agreed upon (cf. “Indsatsområder for Kriminalforsorgen i 2020”). Aside from this, this agreement is very similar to the ordinary *Plan for Aims and Results* with regard to layout and scope and will therefore be treated in comparison to the ordinary *Plan for Aims and Results* in this analysis.

Table 7: Overview of the strategic indicators of the *Plan(s) for Aims and Results*

(The weighted priority of each of the indicators is explicated in parenthesis. The 2020 edition of *Plan for Aims and Results* does not assign a value to the respective indicators)

Strategic indicator / Year	2017	2018	2019	2020	2021
1.	Close cooperation with the outside world (10%)	One strong and united organization (17.5%)	One coherent organization (12.5%)	Re-establishment of normal operations (after the COVID-19 crisis)	Part of the chain of criminal proceedings (20%)
2.	Flexible capacity (13%)	Increased security and safety of employees (30%)	Increased security and safety of employees (30%)	One coherent organization	Better balance between capacity, occupancy and staffing (22.5%)
3.	Effective task performance (10%)	Modernization and future-proofing of prisons (20%)	Modernization and future-proofing of prisons (12.5%)	Adaptation of capacity	Increased security and safety (17.5%)
4.	Security and decency for the individual and society (32%)	Greater consequences and less relapse (10%)	Greater consequences and less relapse (15%)	Increased security and safety	The frame around a life without crime (10%)
5.	Less relapse (15%)	Modern and better management of the Prison and Probation Service (22.5%)	Modern and better management of the Prison and Probation Service (20%)	Targeted resocialization	Attractive workplace (15%)
6.	One unified group (10%)			Attractive workplace	Modern and effective authority (15%) ⁵¹
7.	Preparation and conclusion of a framework agreement for 2018 and onwards (10%)			Professional management	

⁵¹ (DK) 2017: 1. "Tæt samarbejde med omverden", 2. "Fleksibel kapacitet", 3. "Effektiv opgavevaretagelse", 4. "Sikkerhed og ordentlighed for den enkelte og samfundet", 5. "Mindre tilbagefald", 6. "En samlet koncern", 7. "Forberedelse og indgåelse af aftale for kriminalforsorgens arbejde og økonomi fra 2018". 2018: 1. "En stærk og fælles koncern", 2. "Styrket sikkerhed og tryghed for de ansatte", 3. "Modernisering og fremtidssikring af afsoningssteder", 4. "Mere konsekvens og mindre tilbagefald", 5. "Moderne og bedre styret drift af kriminalforsorgen". 2019: 1. "En sammenhængende koncern" (the 2019 indicators 2-5 are similar to the 2018 indicators 2-5). 2020: 1. "Genetablering af normal drift (efter COVID-19 krisen)", 2. (as in 2019,1), 3. "Tilpasning af kapacitet", 4. "Styrket sikkerhed og tryghed", 5. "Målrettet resocialisering", 6. "Attraktiv arbejdsplads", 7. "Professionel styring". 2021: 1. "En del af straffesagskæden", 2. "Bedre balance mellem kapacitet, belæg og bemanding", 3. (as in 2020, 4), 4. "Rammen om et liv uden kriminalitet", 5. "Attraktiv arbejdsplads", 6. "Moderne og effektiv myndighed".

Firstly, it may be noted that the application of a weighted priority for each of the indicators could be considered an instance of “policies of means” or “political accountability” as it may be argued that these are evoked for the sake of internal steering and control, quantifiable measurement of success and documentation of progress (Bezes 2017). While the use of such weighted prioritization may indeed be considered a managerial tool, such an argument would have to consider the fact that the documents of this sample cannot account for a development, or a turn, toward political accountability as the practice of weighing and scaling is part of all of the annual issues of *Plan for Aims and Results* included in the dissertation. However, some interesting developments are discernible in the documents. Apart from the obvious intensification of the punitive discourse that appears in the 2018 edition and onwards as a decreasing interest in rehabilitation and normalization, as well as a more pronounced focus on implementing a prompt and consequential response to offending, there are also indicators of managerialism in this shift.

What can first be observed in the 2018 edition and onwards are instances of “organizational self-care”, especially in and through the introduction of the heavily weighted strategic indicator called “Modern and better management of the Prison and Probation Service”. The specific call for a comparatively better and modern governance of the organization indicates a view of the previous calls for close cooperation with the outside world and for a unified organization as being outdated and unqualified. The reorientation in the indicator on security adds another dimension to the “organizational self-care” propounded in the 2018 edition and onwards. Whereas the 2017 edition exhibits a universal concern for the safety of the individual and society, the 2018 edition calls for “Increased security and safety of employees”.

There is also a tradition within the Norwegian Prison and Probation Service for publishing strategy briefs and shifts of attention toward the inner workings of the organization are also discernible here, albeit in a less defined form. There does not appear to be the same consistency regarding the kinds of strategies in Norway compared to the Danish *Plan for Aims and Results*. However, not all of the strategy briefs that emerged from the Norwegian Prison and Probation Service in recent decades will be subject to analysis. Here, the focus will be on the most central strategy briefs, i.e., those relating to how the Norwegian Prison and Probation Service views its purpose and seeks to fulfil its societal function in accordance with how this is prescribed by the *The Execution of Sentences Act* (i.e., *Strategy for Prof. Practice 2004–2007* and *Executive Strategy 2014–2018*). Nevertheless, one of the more specialized strategy briefs for the Norwegian Prison and Probation Service, i.e., *Security Strategy 2006–2010*, is included, seeing as this Prison and Probation Service’s strategy of security is interesting as it presents how attention to and allocation of funding for security needs are balanced with

other mandatory tasks for the Prison and Probation Service (e.g., crime reduction, rehabilitative initiatives and respect for humanist values). Furthermore, the reasons for such prioritization are also deeply enlightening with regard to the Prison and Probation Service's view of the relationship between the sentenced citizens and the employees of the organization and the division of power and concern for these groups.

Much like *The Resettlement Guarantee*, the *Strategy for Prof. Practice 2004–2007* centers around the question of how the Norwegian Prison and Probation Service solves its primary task of executing punishment in a way that both protects society and reduces crime (cf. the *The Execution of Sentences Act*, section 2). While acknowledging the fact that the incapacitation of a sentenced citizen protects society from potentially dangerous criminals during their period of imprisonment, the Norwegian Prison and Probation Service views effective rehabilitative measures as being more beneficial in this regard. The strategy presents the task of protection and rehabilitation as “two compatible sides of the same coin: good rehabilitation is the best way to protect society against future crime.”⁵² (*Strategy for Prof. Practice 2004–2007*, p. 4) This contemplation is founded on or supported by a fundamental valuation that views all humans as capable of change and of taking responsibility. As such, according to the Norwegian Prison and Probation Service, the responsibility for changing a destructive life course falls upon the individual convicted citizen alone and the Prison and Probation Service should “merely” facilitate a purposeful platform for such a change. A peculiar consequence of respecting individual responsibility is that if a convicted citizen is not willing to change, the Prison and Probation Service should do nothing more than facilitate the safe and respectful execution of punishment that reduces to a minimum the harmful consequences of the deprivation of liberty, i.e., consequences that may cause a reduction in self-esteem and the absence of a sense of personal responsibility. Thus, from 2004–2007, the Norwegian Prison and Probation Service worked in accordance with the mantra that: “The prison shall not be more of a prison than necessary”.⁵³ (*Strategy for Prof. Practice 2004–2007*, p. 5)

A decade later, in the strategy brief *Executive Strategy 2014–2018*, the scope of strategizing appears to have changed somewhat, as the former Director General of the Norwegian Prison and Probation Service, Marianne Vollan, states in the preface that: “This strategy is a tool for developing a uniform Prison and Probation Service.”⁵⁴ (*Executive Strategy 2014–2018*, “preface”) Toward the later editions of the Danish

⁵² (NO) “Vi ser det som to forenelige sider av samme sak: god rehabilitering er den beste vei til å beskytte samfunnet mot fremtidig kriminalitet.”

⁵³ (NO) “Med andre ord: fengselet skal ikke være mer fengsel enn nødvendig.”

⁵⁴ (NO) “Denne strategien er et verktøy for å utvikle én enhetlig kriminalomsorg.”

Prison and Probation Service's *Plan for Aims and Results*, this goal is also a still more prominent focal point. Yet, it is much clearer in *Executive Strategy 2014–2018* that considerations regarding organizational unity are important as they serve the more fundamental task of executing punishment "(...) in a way that is reassuring for society and that discourages crime."⁵⁵ (ibid.) Thus, while aspects of organization and administration receive much more attention here than in the *Strategy for Prof. Practice 2004–2007*, all of these managerial proposals are clearly presented as subordinate or instrumental to the achievement of a greater aim, namely, that "[t]he sentenced chooses a crime-free life after serving their sentence."⁵⁶ (*Executive Strategy 2014–2018*, p.1) What could more precisely be achieved by such consistent subordination of managerial aims to the societal task of reducing crime is further investigated in the next chapter.

Whereas issues of safety and security are an integral part of the general strategy briefs for the Danish Prison and Probation Service, the Norwegian Prison and Probation Service treats these matters in specialized strategy briefs. At the time of writing, the most recent strategy brief on safety and security that is publicly available covers the period from 2006–2010, but the Norwegian Prison and Probation Service's *Annual Report* of 2019 (p. 24) states that work on a new strategy for safety and security will start in the following year, thereby indicating that the 2006–2010 edition is regarded as outdated. However, the preface to the 2006–2010 edition, subtitled "Safety of society, the sentenced, the prisoners and the employees"⁵⁷ states that: "[I]t is important that we have our own understanding of what security means for us and others. Proper security must not be at the expense of human dignity and it must ensure the safety of society, convicts, inmates and employees."⁵⁸ Further, it is established that in instances in which a person is forced to choose between security measures and rehabilitative work, the former will be prioritized. Yet, in such cases where security will have to be enforced at the expense of rehabilitative work, measures for maintaining order in prison should not be prioritized over measures for safeguarding the health and safety of society. The strategy is regarded as a response to the changing face of threats of crime in society and prison and treats the task of maintaining and upscaling prison security for staff and inmates as being instrumental to the fulfilment of the main task of protecting society from crime. An important message of this strategy brief concerns a need for finding

⁵⁵ (NO) "Vårt samfunnsoppdrag er å gjennomføre varetektsfengsling og straffereaksjoner på en måte som er betryggende for samfunnet og som motvirker straffbare handlinger."

⁵⁶ (NO) "Mål: Den domfelte velger et kriminalitetsfritt liv etter gjennomført straff."

⁵⁷ (NO) "Trygghet for samfunnet, domfelte, innsatte og tilsatte"

⁵⁸ (NO) "Det er viktig at vi har en egen og klar forståelse av hva sikkerhet innebærer for oss og andre. God sikkerhet skal ikke gå på bekostning av menneskeverdet og den skal ivareta samfunnets, domfeltes, innsattes og tilsattes trygghet."

common ground for all parties involved in the Prison and Probation Service with regard to what “proper security” means and that it is dispersed as widely as possible within the institution. Key to this project is conceptual clarification. This strategy brief defines security as the sum of all actions for the prevention and management of situations that jeopardize the safety of society, convicted citizens, inmates and staff. However, “security” is further conceptually divided into three types, namely, dynamic, static and organizational. “Organizational security” refers to managerial efforts to increase general safety, such as organization of work, division of responsibilities, clear chains of command, etc. And whereas “static security” refers to all of the physical kinds of security such as prison walls, surveillance and “stop and search zones”, as well as routine cell inspections, “dynamic security” denotes: “(...) interpersonal relationships and systematic forms of interaction between inmates, convicts and employees” that “increase the safety of society, employees, inmates and convicts.” (*Security Strategy 2006–2010*, p. 5) Examples of such types of security in practice are: “active presence in the communities, (...), leisure activities, work and program activities”⁵⁹ (ibid). Thus, there is a striking distinction between static and dynamic security as the former comprises actions that promote security via instances of control whereas the latter does so via support and rehabilitative programs for the sentenced.

Financial plans

Much can be learned about recent developments in the strategic contemplations of the Swedish Prison and Probation Service from the annual publication called “Budget briefs”. These documents are not considered here as strategy briefs as they mostly concern the allocation of funding between the different branches of the Swedish Prison and Probation Service, as well as monetary equity. Yet, seeing as they are forecasts (indeed, they are plans), they also contain a lot of strategic deliberations and this is where the focus of this analysis will lie.

Much like the sudden shift in tone and content identified in the 2018 edition (compared with the 2017 edition) of the Danish Prison and Probation Service’s *Plan for Aims and Results*, a striking turn may be discerned in the 2018 edition of the Swedish Prison and Probation Service’s Budget brief, which is clearly visible when this document’s executive preface is compared with the preface to the 2017 edition. As

⁵⁹ (NO) “Med dynamisk sikkerhet menes at mellommenneskelige relasjoner og systematiske former for samhandling mellom innsatte, domfelte og tilsatte øker samfunnets, tilsattes, innsattes og domfeltes trygghet. Eksempler på dette er tilstedeværelse i fellesskap, kontaktbetjentarbeid, fritidsaktiviteter, arbeid og programvirksomhet.”

conveyed in the following exposition of this shift, it may as well be considered an indicator of “organizational self-care”.

The 2017 preface called “A unified authority – to complete what we started”⁶⁰ and the 2018 preface called “A robust Prison and Probation Service – with the ability to meet a growing task”⁶¹ are written by the former Director General of the Swedish Prison and Probation Service, Nils Öberg. Whereas the two financial plans both mention increased violent extremism in the Swedish Prison and Probation Service and emphasize a need for more staff and better education, these two texts are very different; the optimistic tone of the 2017 title vis-à-vis the more concerned tone of the 2018 title generally characterize these respective texts. The 2017 preface highlights the integration of a new dialogue method called *Krimstics* into probation service practices (Strategic Training Initiative in Community Supervision), which “(...) means that the client will be met by the same routines and methods regardless of where in the country they come into contact with the probation service.”⁶² (*Budget Brief*, 2017, p. 2) Furthermore, apart from mentioning the need for a more up-to-date and purposeful national prison infrastructure, in the 2017 preface an explicit case is made for further improving the living conditions for inmates by minimizing isolation: “Creating a more humane prison environment that minimizes inmates’ isolation is another urgent and prioritized area for the Prison and Probation Service.”⁶³ (*ibid.*) Finally, the 2017 preface concludes that after having spent much time and energy in the course of recent years on administrative and organizational developments, 2017 should mark the beginning of a new era for the Swedish Prison and Probation Service, where it will and can “(...) invest full force and focus on developing the core mission and thus increase our ability to contribute to creating a safer society for everyone.”⁶⁴ (*Budget Brief*, 2017, p. 3)

The 2018 preface does not contain such visionary and optimistic observations. Rather, it operates on a much more concrete level, as it addresses how the Swedish Prison and Probation Service plans to meet the practical challenges resulting from an expected increase in clientele. This prognosis is first and foremost based on recent political developments where a: “(...) toughening of punishments for serious crimes has been

⁶⁰ (SE) “En samlad myndighet – att fullfölja det vi påbörjat”

⁶¹ (SE) “En robust kriminalvård – med förmåga att möte ett växande uppdrag”

⁶² (SE) “Införandet av Krimstics innebär att klienten kommer att mötas av samma rutiner och sätt att arbeta oavsett var någonstans i landet hen kommer i kontakt med frivården.”

⁶³ (SE) “Att skapa en humanare häktesmiljö som minimerar intagnas isolering är ett annat angeläget och prioriterat område för Kriminalvården.”

⁶⁴ (SE) “Efter att under ett par års tid ha ägnat mycket kraft åt organisatoriska och administrativa förändringar kommer Kriminalvården nu att kunna lägga full kraft och fokus på att utveckla kärnverksamheten och därmed öka vår förmåga att bidra till att skapa ett tryggare samhälle för alla.”

proposed and decided on by the government (...)”⁶⁵ (*Budget Brief*, 2018, p. 3) and where a major financial contribution to the police’s criminal investigation activities was promised. In effect, “[t]he activities of the Prison and Probation Service are thus not only expected to grow in volume, but also to change in content in several ways.”⁶⁶ Thus, it seems that just like the Swedish Prison and Probation Service saw fit to prepare for working directly toward achieving its core purpose, a variety of unavoidable circumstances forced it yet again to address administrative, managerial and organizational issues. Yet, it is worth mentioning that in the preface to the 2018 financial plan, the Swedish Prison and Probation Service does not first and foremost seek to maintain a good working environment for its staff. Rather, ensuring the well-being of inmates is regarded as equally important:

We are now dealing with the consequences of having neglected for a very long time the need for developments of infrastructure and technology in the authority. It affects the inmates and their reintegration, but also the staff who do not get a satisfactory working environment.⁶⁷ (*Budget Brief*, 2018, p. 4)

Furthermore, it should be explicated that in the 2018 financial plan, the Swedish Prison and Probation Service explicitly understands the organizational developments and managerial work proposed as a condition for achieving other goals that benefit the clientele:

If the Prison and Probation Service is to be able to offer all imprisoned citizens at least two hours of interventions that breaks the isolation (...) this will entail significant costs, Many of the country’s detention facilities will need to be rebuilt and approximately 250 new employees will be recruited.⁶⁸ (*Budget Brief*, 2018, p. 4)

The managerial trend which is foreshown in the 2018 *Budget Brief* appears to just intensify in the course of the following three years. The prefaces get shorter and are written in an even more practical tone, addressing the escalating capacity issues. Whereas the 2019 preface mentions that “[t]he new and more uniform way of working

⁶⁵ (SE) “De senaste fyra mandatperioderna har dessutom flera straff skärpningar för grova brott föreslagits och beslutats av regering och riksdag.”

⁶⁶ (SE) “Kriminalvårdens verksamhet förväntas således inte bara växa i volym, utan också förändras till sitt innehåll på flera sätt.”

⁶⁷ (SE) “Vi hanterar nu konsekvenserna av att infrastruktur- och teknikutvecklingen i myndigheten under mycket lång tid har varit eftersatt. Det drabbar de intagna och deras återanpassning, men också personalen som inte får en tillfredsställande arbetsmiljö.”

⁶⁸ (SE) “Om Kriminalvården ska kunna erbjuda samtliga häktade personer minst två timmars isoleringsbrytande insatser, som häktesutredningen har föreslagit, medför det betydande kostnader. Ett stort antal av landets häktesavdelningar kommer att behöva byggas om och cirka 250 nya medarbetare rekryteras.”

is expected to contribute to the continuation of the positive relapse trend”⁶⁹ (*Budget Brief*, 2019, p. 4), the 2020 preface is completely bereft of any such references to any aims other than addressing the capacity problem. In striking contrast to the visionary ending of the 2017 preface is the unusually direct message or *appeal* to the Swedish government that rounds off the 2020 preface, which was Öberg’s final one:

Immediate measures to deal with the acute shortage of places with temporary solutions are also ongoing, but there is a lack of funding. The Prison and Probation Service suggests that the government should provide the necessary resources as early as this year to address the current urgent situation. Also, if the government shares the overall view that the Prison and Probation Service has made regarding its long-term capacity needs, a statement is desired as well as information as to which funding is at our disposal to meet such needs.⁷⁰ (*Budget Brief*, 2020, p. 4)

In the preface to the 2021 edition of the Swedish Prison and Probation Service’s *Budget Brief* called “An expanded capacity with improved quality”⁷¹, the new acting Director General, Stefan Strömberg, picks up the torch from his predecessor by continuing the increasingly desperate emphasis on capacity problems and a lack of funds: “Right now, the biggest challenge is to quickly find enough temporary solutions to accommodate more and more clients. It will be costly.”⁷² (*Budget Brief*, 2021, p. 1) However, and as indicated in the title, the once all-encompassing focus on quantity and form is again accompanied by a view of the quality and content of the Prison and Probation Service’s work:

More prisoners means an increased risk of conflicts and incidents. This requires that, in parallel with the capacity expansion, we can still offer structured and meaningful content. Employment in the form of work, studies, treatment programs and other structured activities are important tools for maintaining safety. Such efforts also reduce the risk of recidivism.⁷³ (*Budget Brief*, 2021, p. 1)

⁶⁹ (SE) “Det nya och mer enhetliga sättet att arbeta förväntas bidra till att den positiva återfallsutvecklingen fortsätter.”

⁷⁰ (SE) “Omedelbara åtgärder för att med tillfälliga lösningar hantera den akuta platsbrist som råder pågår också, men saknar finansiering. Kriminalvården hemställer att regeringen redan för innevarande år skjuter till resurser för att i första hand hantera den akuta platssituationen. Besked önskas därutöver om regeringen delar den samlade bedömning som Kriminalvården gör vad gäller det långsiktiga kapacitetsbehovet samt anger vilka ekonomiska förutsättningar som står till vårt förfogande för att nå dit.”

⁷¹ (SE) “En utökad kapacitet med utvecklad kvalitet”

⁷² (SE) “Här och nu är den största utmaningen att snabbt hitta tillräckligt många tillfälliga lösningar för att ta hand om allt fler klienter. Det kommer att bli kostsamt.”

⁷³ (SE) Fler intagna innebär ökad risk för konflikter och incidenter. Det ställer krav på att vi, parallellt med kapacitetsutökningen, även fortsatt kan erbjuda ett strukturerat och meningsfullt innehåll.

In the *Framework Agreement* (which, unlike the Swedish budget briefs, is not a document produced by the Prison and Probation Service as it is a parliament agreement), a strategy for the allocation of public funding for the Danish Prison and Probation Service's operations in the period from 2018 to 2021 is sketched out. The purpose of the document is to: "(...) create the framework for a modern and strong correctional system, which must contribute to Denmark being a safe and secure society."⁷⁴ (*Framework Agreement*, p. 1) The document describes the need for a strong and modern Prison and Probation Service in response to a " (...) change in the composition of the inmates."⁷⁵ (*ibid.*) The *Framework Agreement* states that whereas crime rates have been decreasing, the Prison and Probation Service has experienced "(...) increasing depravity, as some of the inmates have become more criminally inclined over time."⁷⁶ (*ibid.*) This general brutalization of the inmate population has caused a steady increase in physically violent outbursts toward the staff, as well as a more frequent need to exercise power and disciplinary measures. This has led to the political statement that: "It is completely and utterly unacceptable that skillful prison officers who do their work for the benefit of society are subjected to abuse. The parties to this contract will not bear mute witness to this situation."⁷⁷ (*ibid.*) Furthermore: "There must be consistent consequences regarding inmates who do not want to respect prison rules, and there must be consistent consequences for criminal gangs in prisons who, in recent years, have become an increasing challenge for prison officers."⁷⁸ (*ibid.*) The course of action proposed in these introductory remarks is further elaborated under the following thematic headers:

1. Increased security and safety for the employees.
2. Strengthened efforts against gang members
3. Strengthened efforts against criminal foreign nationals

Sysselsättning i form av arbete, studier, behandlingsprogram och annan strukturerad verksamhet är viktiga verktyg för att upprätthålla säkerheten. Insatserna minskar också risken för återfall i brott

⁷⁴ (DK) "Aftalen skal skabe rammerne for en moderne og stærk kriminalforsorg, som skal bidrage til, at Danmark er et trygt og sikkert samfund."

⁷⁵ (DK) "Omvendt er der sket en ændring i sammensætningen af de indsatte."

⁷⁶ (DK) "Det betyder, at kriminalforsorgens ansatte flere steder oplever en stigende forråelse, idet en del af de indsatte er blevet mere socialt og kriminelt belastede over tid."

⁷⁷ (DK) "Det er helt og aldeles uacceptabelt, at dygtige fængselsbetjente, der passer deres arbejde til gavn for samfundet, udsættes for overgreb. Det vil aftaleparterne ikke stiltiende se til."

⁷⁸ (DK) "Der skal slås konsekvent ned, når det kommer til indsatte, som ikke vil respektere de regler, der er i fængslerne, og der skal sættes konsekvent ind over for bandekriminelle i fængslerne, der i de senere år er blevet en stigende udfordring for de ansatte."

4. Greater consequences and less relapse
5. Modernization and future-proofing the facilities
6. Continued modernization and better management of operations⁷⁹

These six headers are followed by three less thematic headers concerning the organization and carrying out of punishment in Greenland and the Faroe Islands (7), evaluation of the agreement (8) and economy (9). Apart from the evident strategic interest in prison management and operations, as well as the issue of staff security, the document addresses matters of rehabilitation:

The rehabilitation efforts in the Prison and Probation Service are a decisive element for ensuring that fewer citizens relapse into new crimes and thus fewer victims. The rehabilitation efforts are launched not only for the criminals' own sake – but for society's sake. Therefore, resocialization efforts must target those inmates who really want to leave the criminal career path – and those who have a future in Denmark.⁸⁰ (*Framework Agreement*, p. 2)

And, the parties to the *Framework Agreement* go on to conclude that:

Consistent action will be taken against inmates who do not show a willingness to quit a life of crime. This must be ensured, among other things, through more effective and up-to-date disciplinary sanctions and a focus on the abuse of off-ground privileges. Meanwhile, those inmates who want a life without crime must be given the best conditions for achieving this.⁸¹ (*Framework Agreement*, p.2)

The rehabilitative measures that will be offered to those inmates who want a life without crime are further described under the aforementioned fourth header “Greater consequences and less relapses”. Here, targeted efforts that activates of clients and the continuation of LS/RNR are projected. Further, the full-scale implementation of MOSIAK and increased cooperation between the various relevant authorities (aside

⁷⁹ (DK) “1. Styrket sikkerhed og tryghed for de ansatte, 2. Styrket indsats mod bandemedlemmer, 3. Styrket indsats over for kriminelle udlændinge, 4. Mere konsekvens og mindre tilbagefald, 5. Modernisering og fremtidssikring af afsoningen, 6. Fortsat modernisering og bedre styring af driften.”

⁸⁰ (DK) “Den resocialiserende indsats i kriminalforsorgen er et afgørende element i forhold til at sikre mindre tilbagefald til ny kriminalitet og dermed færre ofre. De resocialiserende indsatser iværksættes ikke kun for de kriminelles egen skyld – men for samfundets skyld. Derfor skal de resocialiserende indsatser målrettes de indsatte, der reelt ønsker at forlade den kriminelle løbebane – og dem som har en fremtid i Danmark.”

⁸¹ (DK) “Der sættes konsekvent ind over for de indsatte, som ikke viser viljen til at komme ud af kriminalitet. Det skal blandt andet sikres gennem mere effektive og tidssvarende disciplinærsanktioner og en opstramning på udgangsmisbrug. Samtidig skal de indsatte, som kan og vil et liv uden kriminalitet, gives de bedste forudsætninger herfor.”

from the Prison and Probation Service) in the prison settlement and resettlement phase has been given some attention. In general, the Danish Prison and Probation Service should focus its attention on effective interventions (i.e., "... the efforts that actually contribute to bringing the prisoner on to a life without crime."⁸², *Framework Agreement*, p.10), the cost-effective ones, that is ("... where the investments pay off."⁸³, *ibid*).

Annual reports

Like the strategy briefs and the financial plans (with the exception of *Framework Agreement for 2018–2021*), the annual reports are published by the Prison and Probation Services themselves. One fundamental difference, however, is that whereas the two former types of Prison and Probation Service publications are plans for future engagements, the annual reports present the organizations' actual achievements that *have been* obtained during the previous year and the related expenditure. In all three Scandinavian countries, annual reports are structured quite similar:

1. They start with an executive preface in which the Director General reflects on the previous year in terms of challenges and successes often in relation to both actual practices and the budget.
2. This is followed by a description of the organization, often comprising both statements of visions and missions, references to the legal basis for the Prison and Probation Services' operations or other fundamental documents.⁸⁴
3. The executive preface is then substantiated by a more detailed thematic report on the fulfilment of the particular strategic goals set in strategy briefs such as the Danish *Plan for Aims and Results* or elsewhere.
4. Finally, numbers and figures are presented in greater detail.

In this analysis, I am not interested in the expenditure and actual figures in these documents (cf. 4). Rather, I am concerned with the context of these financial

⁸² (DK) "Dermed prioriteres og allokeres ressourcerne til de indsatser, der reelt bidrager til at bringe den indsatte videre til et liv uden kriminalitet."

⁸³ (DK) "Kriminalforsorgen er derudover ved at udrulle en databank, som i kombination med brugen af LS/RNR fremover kan danne grundlag for yderligere at belyse de dømtes behov for resocialiserende indsatser, og hvor det bedst kan betale sig at sætte ind."

⁸⁴ In the case of the Norwegian annual reports the executive preface is long and more detailed whereas the organizational description is much more technical and less narrative than the Danish and Swedish equivalents.

technicalities such as the executive summaries of accomplishments and challenges and the presentations of the organizations and the thematic report (cf. 1–3).

In the prefaces, the issue of arranging the execution of punishment in a way that tackles the increasing challenge of lack of capacity is central. Effectiveness and cooperation with other authorities are among the most frequently highlighted ways of approaching this issue. In the Norwegian prefaces, however, there is a particular satisfaction spelled out by former Director General, Marianne Vollan, that, in Norway, still more sentences are served out in society, reducing pressure on prisons: “I am also pleased that in 2017 there was an increase of 4% in the number of community service sentences (...).”⁸⁵ (*Annual Report* (NO) 2017, p. 3) In the 2018 edition, the new Director General, Lise Sannerud, states: “I would also like to highlight the efforts of the probation offices. 2018 was the first year on record in which more sentences were carried out by probation offices than by prisons. This is largely due to the use of electronic tagging (EK) as a form of punishment.”⁸⁶ (*Annual Report* (NO) 2018, p. 3) It is important to make clear that while the increased use of community sentences is indeed portrayed as very positive by the head of the Norwegian Prison and Probation Service, they cannot solve the problem of the lack of capacity and must be supplemented by an enhanced budget in order to improve the physical conditions of closed prisons.

In the preface to the 2019 annual report from the Swedish Prison and Probation Service, acting Director General, Stefan Strömberg, argues that the high occupancy in the Swedish prisons must not entail an inflated prioritization of the formalities and thus a deterioration of “the content” of the organization’s work (cf.: “High occupancy – content more important than ever”⁸⁷): “Offering meaningful content to prisoners is crucial to maintaining safety, not least in a high-occupancy situation.”⁸⁸ (*Annual Report* (SE) 2019, p. 1) This leads to the other common traits among all of the Prison and Probation Services’ annual reports, especially the Danish and the Swedish 2018 and 2019 annual reports, namely, employee security. As in the Swedish 2019 report (cited above), the increasing attention to employee security may, on the basis of the Danish 2018 and 2019 prefaces, be understood as a consequence of increased occupancy,

⁸⁵ (NO) “Jeg er for øvrig fornøyd med at det i 2017 var en oppgang på 4 % i antallet iverksatte dommer på samfunnsstraff, som er et godt bidrag til å nå ambisjonen om en økt bruk av straffegjennomføring i samfunnet.”

⁸⁶ (NO) “Jeg vil også fremheve den innsatsen som gjøres ved friomsorgskontorene. 2018 var det første året i historien hvor det ble iverksatt flere dommer ved friomsorgskontorene enn ved fengslene. Dette skyldes i stor grad bruk av elektronisk kontroll (EK) som straffegjennomføringsform.”

⁸⁷ (SE) “Hög beläggning - innehållet viktigare än någonsin”

⁸⁸ (SE) “Att erbjuda intagna ett meningsfullt innehåll är avgörande för att upprätthålla säkerheten, inte minst i ett läge med hög beläggning.”

however, with a clear reference also to the general lack of employees in Danish prisons. Thus, in the 2018 annual report, the former Director General of the Danish Prison and Probation Service, Thorkild Fogde, states that:

(...) the important work has begun with the establishment of a new and reinforced security organization, which must ensure that the Prison and Probation Service can keep up with developments in crime and resolve related issues with the necessary level of safety and security for the staff. Last but not least, despite the significant increase in occupancy rates, the total number of episodes of violence and threats has been reduced by approx. 17 percent and sickness absence has been reduced by approx. 9 percent. Work on this continues and will be intensified in 2019.⁸⁹ (*Annual Report* (DK) 2018, p. 2)

In the prefaces to the Norwegian Prison and Probation Service's annual reports, matters of security are described somewhat differently. Issues of prison security are mentioned in the annual reports from 2018 and 2019, although they are less characterized by urgency than their Danish and Swedish counterparts. Furthermore, in relation to the preface to the 2018 report from the Swedish Prison and Probation Service which describes increased security as an end in itself, i.e., an end that the Prison and Probation Service's operations on a general level are to be aimed toward, the argument implication is reversed in the Norwegian Prison and Probation Service's preface to its 2018 report. Here, increased security is framed not as an end in itself, but as a means by which the successful reintegration of inmates may be ensured:

In this context, in 2018, the Prison and Probation Service worked systematically to reduce the sentencing queue, ensured security related to the execution of punishments, and worked purposefully with the content of the execution of punishments in order to influence a successful return to society.⁹⁰ (*Annual Report* (NO) 2018, p. 3)

Also, in the 2019 annual report from the Norwegian Prison and Probation Service, issues of security are presented as instrumental to achieving more outward-oriented tasks such as impeding new crime: "For the first time, security monitors have been

⁸⁹ (DK) "Der er oprettet en ny ungekriminalforsorg pr. 1. januar 2019, og det vigtige arbejde er påbegyndt med etablering af en ny of forstærket sikkerhedsorganisation, som skal sikre, at kriminalforsorgen kan følge med kriminalitetsudviklingen og løse sine opgaver med den nødvendige sikkerhed og tryghed for personalet. Sidst, men ikke mindst, er det på trods af den markante belægsstigning lykkedes at nedbringe det samlede antal episoder med vold og trusler med ca. 17 pct. og sygefraværet med ca. 9 pct. Arbejde hermed fortsætter og vil blive intensiveret i 2019"

⁹⁰ (NO) "I denne sammenheng har kriminalomsorgen i 2018 jobbet systematisk med å redusere soningskøen, sørget for sikkerhet knyttet til straffegjennomføringen, og arbeidet målrettet med innholdet i straffegjennomføringen for å påvirke en vellykket tilbakeføring til samfunnet."

installed in three prisons. This is an important contribution to increasing security in prisons, and in efforts to prevent new crime.”⁹¹ (*Annual Report* (NO) 2019, p. 3)

Both the Swedish and the Danish Prison and Probation Services’ annual reports present their respective organizations’ general operations, that is, their respective main tasks, missions and, in the Danish case (cf. 2018 and 2019 annual reports), also visions. The 2017, 2018 and 2019 annual reports from the Swedish Prison and Probation Service state that the main task of the Prison and Probation Service is to execute punishment in a way that serves the interest of society:

The Prison and Probation Service must work to ensure that punishment is carried out in a safe, humane and efficient manner (...) and that recidivism is prevented. The Prison and Probation Service must in particular take measures aimed at preventing crime during imprisonment, preparing for release, combating drug abuse and adjust the content of the sentence to the needs of each individual.⁹² (*Annual Report* (SE) 2017, p. 7; - 2018, p. 7; 2019, p. 4)

Whereas the wording remains exactly the same in the Swedish reports, there is a radical discrepancy between the Danish report from 2017, on the one hand, and the 2018 and 2019 reports, on the other. In the 2017 report, the main task of the Danish Prison and Probation Service was formulated in a similar way to the Swedish Prison and Probation Service, namely, so as to: “(...) contribute to the minimization of crime by carrying out the sentences that the courts have set.”⁹³ (*Annual Report* (DK) 2017, p. 4) This is accompanied by an almost identical mission statement: “The mission of the Prison and Probation Service is to carry out punishment and contribute to the minimization of crime.”⁹⁴ (*ibid*) These formulations remain unaltered in the succeeding reports covering the years 2018 and 2019. However, in these following reports the mission statement is complemented by a vision statement stating that: “It is the vision of the Prison and Probation Service to bring people safely onward to a life without crime.”⁹⁵ (*Annual*

⁹¹ (NO) “Det har for første gang blitt installert sikkerhetsskannere i tre fengsler til undersøkelse av personer. Dette er et viktig bidrag for å øke sikkerheten i fengslene, og i arbeidet med å hindre ny kriminalitet.”

⁹² (SE) “Kriminalvården ansvarar för att verkställa utdömda påföljder, bedriva häktesverksamhet, utföra transporter och göra personutredningar i brottmål. Kriminalvården ska verka för att påföljder verkställs på ett säkert, humant och effektivt sätt, att lagföring kan ske på ett effektivt sätt och att återfall i brott förebyggs. Kriminalvården ska särskilt vidta åtgärder som syftar till att brottslighet under verkställigheten förhindras, frigivningen förbereds, narkotikamissbruk bekämpas och innehållet i verkställigheten anpassas efter varje individs behov.”

⁹³ (DK) “Kriminalforsorgens hovedformål er at medvirke til at begrænse kriminalitet ved at fuldbyrde de straffe, som domstolene har fastsat.”

⁹⁴ (DK) “Kriminalforsorgens mission er at fuldbyrde straf og medvirke til at begrænse kriminalitet.”

⁹⁵ (DK) “Det er kriminalforsorgens vision at bringe mennesker sikkert videre til et liv uden kriminalitet.”

Report (DK) 2018, p. 6; *Annual Report* (DK) 2019, p. 6) This, however, is not the only modification to the 2018 and 2019 reports. Having just described the mission of the Danish Prison and Probation Service, reference is made in the 2017 report to a specific document, namely, the *Code of Principles* of 1998:

The principles for the execution of punishment are stated in the Prison and Probation Service's code of principles. The Prison and Probation Service's code of principles affects the formulation of visions, as well as operational goals and strategies. The Prison and Probation Service's code of principles can be found on the Prison Service's website www.kriminalforsorgen.dk.⁹⁶ (*Annual Report* (DK) 2017, p. 4)

As will be described in greater detail in the coming section on principles and value statements, the *Code of Principles* argues that the purpose of the Danish Prison and Probation Service is conditioned by basic humanist values such as the inviolability of human rights, the societal sense of justice and key democratic principles such as transparency toward inmates' relatives, responsible administration and security for all involved parties (including offenders). Immediately after this reference, explicit reference is made to the Danish act on the execution of punishment [Straffuldbyrdesloven], as well as reference to *Framework Agreement for 2018–2021*. What seems a particularly striking development is that the reference to the *Code of Principles* is left out of the 2018 and 2019 editions, so that only the legal and financially-strategic understructure for the Danish Prison and Probation Service's practices remain explicit.

Further deliberations as to what is actually accomplished by the omission of the reference to the *Code of Principles* of 1998 is presented in the succeeding chapter. For now, it suffices to say that such prioritization of a financial plan that governs the organization over a document that serves to connect and align the practices of the Prison and Probation Service with universal principles of human conduct and thus points beyond the organization itself, may indicate both a tendency toward “policies of means”, as well as “organizational self-care” in the Danish policy. Further, it could be argued that what may be indicated by the change of reference from the *Code of Principles* to the *Framework Agreement for 2018–2021* is an increased focus on “political accountability”, seeing as the former explicates the Prison and Probation Service's own values, their own scale of accountability, whereas the latter represents political concerns.

⁹⁶ (DK) “Principperne for straffuldbyrdelsen fremgår af kriminalforsorgens principprogram. Kriminalforsorgens principprogram indvirker på formuleringen af såvel visioner som operationelle mål og strategier. Kriminalforsorgens principprogram findes på kriminalforsorgens hjemmeside www.kriminalforsorgen.dk”

And, by substituting the latter for the former, a prioritization of political accountability is indicated.

Guidelines and models for practice

This category called “Guidelines and models for practice” comprises documents that share at least one specific feature. All of the documents investigated in this subsection sketch out specific models for the Prison and Probation Service’s practices and procedures regarding prisoner release. More precisely, this is referring to the short description of a Danish pilot project that ran between 2016 and 2019 called *Handheld Inclusion* (cf. *Project Handheld Inclusion*), the better known and formally implemented guideline for practice called *Schedule for Proper Release* (2010) and the Swedish outline of a model of resettlement practices delineated in *Inclusion – a sketch of an idea* (2017).

Whereas *Handheld Inclusion* was mainly focused on ensuring some form of meaningful activation of the convicted citizen such as education or job training, all of the models, programs or guidelines treated in this section seek to improve the public trans-sectoral cooperation in the release process and afterward. So, while *Project Handheld Inclusion* describes the potential of developing: “[o]ne joint plan for the citizen”⁹⁷ (*Project Handheld Inclusion*, p.1) regarding future employment, *Schedule for Proper Release* highlights the need for developing a general action plan for the sentenced citizen that coherently plans the individual release process. This is evident in the meticulous description in *Schedule for Proper Release* of what the action plans for the serving of sentences should contain and how they are to be implemented by the prison employees. For instance, an employee should be assigned to working out an action plan no later than four weeks after the imprisonment has commenced. If a sentence is longer than one year (from the beginning of the sentence to the earliest possible probation date), the member of staff who is responsible for the action plan should make contact with the municipality to which the citizen will be released no later than one year before the date scheduled for probation in order to coordinate the plan of action. If the sentence is shorter, this contact should be established four weeks after imprisonment commenced. Thus, according to this model, it is crucial that “no authority lets go until another authority takes over”⁹⁸ (*Schedule for Proper Release*, p. 3) and the cooperation regarding the action plans is regarded as the main remedy for avoiding a sentenced citizen getting “lost in transit”. Whereas the point about maintaining an unbroken process of cooperation is the most detailed in the documents, there is also a description

⁹⁷ (DK) “Én fælles plan for borgeren”

⁹⁸ (DK) “ingen myndighed slipper, før en anden har fat”

of how the action plan is beneficial for the sentenced citizen. Apart from securing their rights (support and benefits) during imprisonment and upon release, the action plan is:

(...) an important tool in the work to ensure the inmate/citizen's opportunity to live a crime-free life and will give them the ability to influence and to take co-responsibility for the sentence and the time thereafter. The action plan will therefore govern the contact between the inmate/citizen and the authorities. The work with the action plan can also help to strengthen the motivation of the incarcerated citizen.⁹⁹ (*Schedule for Proper Release*, p. 7)

Thus, *Schedule for Proper Release* treats the involvement of the convicted citizen in the planning as a particularly fruitful way of preparing them for a life without crime, as well as something that might motivate a law-abiding life.

In April 2018, a governmental decision was made by the Swedish Ministry of Justice (cf. Ju2018/02430/KRIM) to task the Swedish Prison and Probation Service with implementing a pilot project referred to as “Inslussning” (“Inclusion” in English). The decision was made on the basis of a critical review by the Swedish National Audit Office presented in a 2015 report called “Recidivism – how can society's collective resources be better used?”¹⁰⁰ (cf. RiR 2015:4) and in a corresponding letter of 2016 to parliament from the government called “Together against crime – a national crime prevention program”¹⁰¹ (cf. 2016/17:126). Last, but not least, the governmental decision refers to an outline of ideas commissioned by the government in the wake of the 2015 national audit review called *Inclusion – a sketch of an idea*. Much in line with the Danish *Schedule for Proper Release*, the 2016 letter to parliament confirms and concretizes the points presented in the 2015 national audit report about streamlining the public trans-sectoral cooperation around prison release and probation and in *Inclusion – a sketch of an idea*, the practical circumstances around a pilot implementation of these ideas are sketched out. In the latter document it is argued that: [a] characteristic of people who are sentenced to prison terms is that they usually have multiple problems (...)”¹⁰² (*Inclusion – a sketch of an idea*, p. 15) and that “(...) the work to reduce recidivism should be

⁹⁹ (DK) “Handleplanen er et vigtigt redskab i arbejdet med at sikre den indsatte/borgerens mulighed for at kunne leve en kriminalitetsfri tilværelse og vil give denne indflydelse på og medansvar for afsoningen og tiden derefter. Handleplanen vil derfor være styrende for kontakten mellem den indsatte/borgeren og myndighederne. Arbejdet med handleplanen kan samtidig være med til at styrke motivationen hos den indsatte borger.

¹⁰⁰ (SE) “Återfall i brott – hur kan samhällets samlade resurser användas bättre”

¹⁰¹ (SE) “Tillsammans mot brott – ett national brottsförebyggande program”

¹⁰² (SE) “Kännetecknande för personer som döms till kriminalvårdspåföljder är att de oftast har problem inom mer än ett område.”

based on the individual's circumstances and needs (...)”¹⁰³ (*Inclusion – a sketch of an idea*, p. 7). Furthermore, it is crucial that all the relevant authorities are involved in the resettlement. Thus, the main tenet of *Inclusion – a sketch of an idea*, is to set up resettlement groups consisting of representatives from various authorities for each imprisoned citizen.

Inclusion – a sketch of an idea indirectly describes rehabilitation as the point of imprisonment, as it states that:

The execution of a prison sentence is an opportunity for society to take measures to reduce the risk of continued crime. It is important both to motivate prisoners not to continue committing crimes, to strengthen their existing motivation and to improve the conditions for those who want to lead a crime-free life.¹⁰⁴ (*Inclusion – a sketch of an idea*, p. 9)

Rehabilitation is, according to this statement, a matter of motivating the imprisoned citizen not to commit crime upon their release, to empower the client to enact the motivation, as well as to facilitate the conditions for the realization of a life without crime. While the model delineated in *Inclusion – a sketch of an idea* explicates a need for involving psychiatric counseling and reforming criminal attitudes, the public authorities (that require an improved level of cooperation) are all more oriented toward facilitating conditions for living a law-abiding life than for directly catering for the need to motivate and empower. As such, it could be argued that the thinking espoused in *Inclusion – a sketch of an idea* is in line with one of the central philosophies of the Norwegian strategy briefs described above, namely, that the task of the Prison and Probation Service is not first and foremost to actively change the mindset of convicted prisoner. Rather, their task is to make a life without crime feasible and viable, should the citizen be interested in living such a life.

What can be taken away from the investigations of this section on guidelines and models is that when the policy focusses practices, the clients' needs and rights come into focus as well. For instance, in *Schedule for Proper Release*, explicit regard is paid to the involvement of clients in the release process. Yet it is clear that the regard for the client is not *simply* a regard for the client. Rather, the task of motivating the client to participate is framed as a task that serves the societal mission of reducing recidivism. Client involvement pays off, so to speak. So, while these guidelines and models for practice may not explicitly signal “organizational self-care”, they do indeed focus on the

¹⁰³ (SE) “(...) det återfallsförebyggande arbetet bör utgå från individens förutsättningar och behov (...)”

¹⁰⁴ (SE) “Verkställigheten av ett fängelsestraff är en möjlighet för samhället att vidta åtgärder för att minska risken för fortsatt brottslighet. Det gäller både att motivera intagna att inte fortsätta begå brott och att stärka befintlig motivation och förbättra förutsättningarna för den som vill lämna en kriminell livsstil.”

organization's task rather than on the human being; "societal care" rather than "client care".

Beyond the Prison and Probation Services

As they stem from within the Prison and Probation Services, the documents in this section share a common trait with the documents of the previous section, yet they differ radically by not primarily representing a concern for the organization or its societal task. Rather, the principles and value statements that will be investigated in this section, I would argue, point beyond the organization by universally addressing human or ethical points of reference in order to then relate and govern the practices of the Prison and Probation Service in accordance with these human or ethical points of reference. The documents in this section are not formulated in a pragmatic vein – they incorporate little to no cost-benefit calculation. Rather, they present sets of unconditional principles and values regarding human worth and culture toward which the practices (especially those toward clients) must be aligned.

Principles and value statements

Both the Danish and the Swedish Prison and Probation Service have collected a set of value statements in the form of general codes for the execution of their public duties. Whereas the Swedish vision and value statement called *Better out* from 2007 is still available on the Swedish Prison and Probation Service's website, the Danish *Code of Principles* is older (from 1998) and is no longer available on the Danish Prison and Probation Service's website.

The preface to *Better out*, written by the former Director General of the Swedish Prison and Probation Service, Lars Nylén, offers an idea as to why this document was produced. In 2006, Swedish Prison and Probation Service gained status as a public authority which, according to Nylén, entails: "(...) increased demands for uniformity, efficiency and internal cooperation."¹⁰⁵ (*Better out*, p. 2) A little further down he states:

With our vision, we show the way forward for the Prison and Probation Service. It rests on a joint effort with a large number of employees from all over the country and from all branches of the organization. It helps experienced employees to develop and makes it easier for new employees to absorb the values and culture that in the future will form the

¹⁰⁵ (SE) "Kriminalvården är från och med år 2006 en myndighet vilket innebär ökade krav på enhetlighet, effektivitet och inre samverkan."

basis of how we take responsibility for and carry out our social mission¹⁰⁶. (*Better out*, p. 2)

Thus, it may be plausibly understood that the 2007 vision and value statement of the Swedish Prison and Probation Service constitutes the organization's attempt to adapt to its new role as an authority while retaining its culture and values. While on that note, the title or slogan "Better out" should be considered. It signals that the Prison and Probation Service perceives itself as an organization that actively improves the life circumstances of its clients (Persson and Svensson 2019: 328). *Things are better for you, now you have served a sentence than they were before you served a sentence*, so to speak: "Clients of the Prison and Probation Service are better equipped to live a life free of crime and abuse after serving a sentence. Our work makes a positive difference for our clients."¹⁰⁷ (*Better out*, p. 3) As such, ensuring resettlement, is very highly valued by the organization. This is further elaborated in the subsection of the document called "Founding values"¹⁰⁸ (*Better out*, p. 6), which specifies that the Swedish Prison and Probation Service should jointly work for a positive change, although in a way in which clients are provided with opportunities for development, that is, more precisely, by being overt, correct and good role models through their knowledge, flexibility and empathy.

Subsequently, after this general introduction and organizational positioning in relation to the slogan, there is a presentation of visions in relation to five strategic areas of particular interest to kriminalvården (SE). The five strategic areas are:

1. Safety, order and concordance
2. Change work and treatment
3. Employees and management
4. Use of resources
5. Development¹⁰⁹

¹⁰⁶ (SE) "Med visionen visar vi vägen framåt för kriminalvården. Den vilar på ett arbete som gjorts tillsammans med ett stort antal medarbetare från hela landet och från alla verksamhetsgrenar. Den hjälper den erfarna kriminalvårdaren att utvecklas och underlättar för nya medarbetare att ta till sig den värdegrund och kultur om framgent utgör grunden för hur vi tar ansvar för och utför vårt samhällsuppdrag."

¹⁰⁷ (SE) "Kriminalvårdens klienter är bättre rustade att leva ett liv utan kriminalitet och missbruk efter verkställd påföljd. Vårt arbete innebär en positiv skillnad för klienterna."

¹⁰⁸ (SE) "Värdegrund"

¹⁰⁹ (SE) "1. Säkerhet, ordning och reda, 2. Påverkan och behandling, 3. Medarbetare och ledning 4. Resursanvändning, 5. Utveckling"

Firstly, security and order is important, it is stated, as it contributes positively to society's immediate appreciation of the work conducted by the Prison and Probation Service. However, it is also "(...) a prerequisite for crime preventive work (...)"¹¹⁰ (*Better out*, p. 8) seeing as "[t]he work with the client relies on good safety measures (...)"¹¹¹ (*ibid*).

Secondly, the Swedish Prison and Probation Service strives for transparency for its clients when it comes to the action plans for rehabilitation and motivation:

"Each client is well aware of what is expected during the execution of a sentence and has a plan that encourages diligence and taking responsibility for their own actions and development. The plan activates the client in the institution. It is based on a risk assessment, provides meaningful content in the implementation of the sentence and prevents relapse."¹¹² (*Better out*, p. 10)

Thus, the point behind the motivation and treatment is not to force the client to live according to society's norms, but to encourage the client to act with due diligence and to take responsibility for their own actions and development. Apart from this, it is part of the Swedish Prison and Probation Service's vision that all clients who show motivation are offered the relevant treatment and that the treatment offered is evidence-based.

Third, a vision of engaging inspired and competent employees is described and the need for constant ethical debate and evaluation among the staff is emphasized. The staff should be led by knowledgeable, yet, down-to-earth and equally inspired managers as: "[a] committed, knowledgeable, reflective and client-oriented leadership is the basis for a successful prison and probation service."¹¹³ (*Better out*, p. 12)

Fourth, on the basis of a continuing holistic appreciation of the business of the organization, the Prison and Probation Service will strive to use the resources (not only monetary ones) that they are allocated in a purposeful and effective way. This means, among other things, having a wide variety of alternatives to imprisonment (implying, but not explicitly stating, that these are less costly and more effective with regard to

¹¹⁰ (SE) "Det skapar förtroende för vår verksamhet och är samtidigt en förutsättning för det återfallsförebyggande arbetet."

¹¹¹ (SE) "Det klientnära arbetet förlitar sig på ett gott säkerhetsarbete och et anpassat skallskydd."

¹¹² (SE) "Varje client är väl medveten om vad som förväntas under verkställigheten och har en plan som uppmuntrar till skötsamhet och till att ta ansvar för egna handlingar och utveckling. Planen aktiverar den intagne i anstalt. Den bygger på riskbedömning, ger ett meningsfullt innehåll i verkställigheten och är återfallsförebyggande."

¹¹³ (SE) "Ett engagerat, kunnigt, reflekterande och klientnära ledarskap är grunden för en framgångsrik kriminalvård."

reducing recidivism) and ensuring that there is a good balance between capacity, supply and demand. This subsection provides a vision for the environment in the institutions of the Prison and Probation Services: “Our jails and prisons are safe and humane institutions. They are modern and easy to work in. They are designed for purposeful internal segregation and flexible use. The physical environment contributes to treatment and advocacy work and efficient operations.”¹¹⁴ (*Better out*, p. 14)

Fifth, and finally, in order to maintain both quality and effectivity in the Prison and Probation Service’s future engagements, the organization will strive to maintain a succession of evidence-based developments, engaging in dialogue with both scientific researchers and international contacts, and by keeping a close eye on and adapting to developments in crime rates and types of offences committed.

Developments in crime are closely monitored. Knowledge of the clients’ complex social problems, behavioral disorders, abuse and criminality and of successful methods forms the basis of the various efforts of the Prison and Probation Service. The constant development of evidence-based programs and other knowledge-based initiatives creates quality and efficiency in the work. The ability to make risk assessments and preparations for release and exit from prison is continuously being developed.¹¹⁵ (*Better out*, p. 16)

It is worthwhile noting that while four out of five of the strategic areas of particular interest seem (from glancing at the headlines) to be focused on management and only one strategic area overtly covers the content of the Prison and Probation Service’s work (cf. “Change work and treatment”). Issues concerned with leaving the institution in better overall shape are noticeable in most, if not all, of the sections. Such issues are generally framed as intrinsic aims to which the more organizational aims aspire.

The *Code of Principles* of 1998 is a meticulously structured document comprising a description of how the Danish Prison and Probation Service seeks to fulfil its tasks, “checked and balanced” by a wide array of requirements, while living up to a minimum of ethical and organizational core values. According to this document, the purpose of the Prison and Probation Service is to contribute to the reduction of crime. However, further the *Code of Principles* describes how the task of reducing crime is to be “checked” by four special public requirements for the Prison and Probation Service claimed by

114 (SE) “Våra häkten och fängelser är säkra och humane institutioner. De är moderna och lättarbetade. De är utformade för en god inre differentiering och flexibel användning. Den fysiske miljön bidrar till behandlings- och påverkansarbete samt en effektiv verksamhet.”

115 (SE) “Brottslighetens utveckling följs noga. Kunskap om klienternas komplexa sociala problem, beteendestörningar, missbruk och kriminalitet och om framgångsrika metoder utgör underlag för Kriminalvårdens olika insatser. Ständig utveckling av evidensbaserade program och andra kunskapsbaserade insatser skaper kvalitet och effektivitet i arbetet. Förmågan att göra riskbedömningar liksom frigivningsförberedelser och utslussning ur anstalt utvecklas fortlöpande.”

the society, i.e., “human dignity”, “integrity”, “law enforcement” and “sense of justice”. Whereas the two former requirements specifically concern the social, physical and cultural well-being, as well as the democratic protection of the sentenced citizen, the latter two requirements are about respect for the court’s decisions, as well as concern about the victims of crime and the general public. This means, according to the first concluding statement of the document, that in its efforts to decrease crime, the controlling and supervising measures of the Danish Prison and Probation Service should be carefully balanced with support and motivation. It is explicated that “[t]hese two parts of the main task are equally important, and there is thus no question of any part of the task being more important than the other.”¹¹⁶ (*Code of Principles*, p. 9)

This dual task must be conducted in alignment with six principles, namely, “normalization”, “openness”, “responsibility”, “security”, “least possible intervention” and “optimal use of resources”.¹¹⁷ Whereas societal demands provide a direction that leads to the formal description of the dual task, these principles circumscribe, in a restrictive way, the means and routes by which the task may be accomplished and are therefore, quite logically, concluded with a set of concrete, but, general guidelines for appropriate practice. As in the case of societal demands, the first principles explicitly safeguard the interests of sentenced citizens and their reintegration into society upon release from prison (i.e., normalization, openness, responsibility, security, least possible intervention), the final principle is about staff conditions. Interestingly, and unlike the later strategy briefs and financial documents of the Danish Prison and Probation Service considered earlier, the security issues discussed in the *Code of Principles* concern society and the sentenced citizen. As such, the measures for maintaining or restoring security in prisons (as well as while under probation) are framed by a need to protect either society in general from violent criminals or inmates in prisons from violent inmates and not by the need to protect prison employees. This is clearly visible from one of the examples of good practice that the principle of security implies: “we must maintain order and the necessary discipline in the institutions, among other things, with a view to seeking to remove the risk of inmates being exposed to abuse and harmful influence from their fellow inmates”¹¹⁸ (*Code of Principles*, p. 20) Furthermore, it is worth noting the fact that, much like the Norwegian *Security Strategy 2006–2010*, the *Code of*

¹¹⁶ (DK) “Disse to led i hovedopgaven er sidestillet, og der er således ikke tale om, at nogen del af opgaven er vigtigere end den anden.”

¹¹⁷ (DK) “normalisering”, “åbenhed”, “ansvarlighed”, “sikkerhed”, “mindst mulig indgriben” and “optimal ressourceanvendelse”.

¹¹⁸ (DK) “vi skal opretholde god ro og orden og den nødvendige disciplin i institutionerne, bl.a. med henblik på at søge at fjerne risikoen for, at de indsatte udsættes for overgreb og skadelig påvirkning fra medindsatte”

Principles highlights the need for both static security and dynamic security, thereby indicating a philosophy of security where it may be both an instance of control as well as an instance of rehabilitation: “ It is important to keep in mind that the security measures are multi-faceted, that is to say that they not only rely on various kinds of physical and technical means (static security) but also on personal contact and an overview of what is going on in the institutions (dynamic security).”¹¹⁹ (*Code of Principles*, p. 13)

The principles of normalization and openness state that the Danish Prison and Probation Service is aware that traditional imprisonment may involve negative side-effects that directly or indirectly work to counter the overall purpose of reducing crime in society:

In relation to the inmates, openness is particularly important, because deprivation of liberty *in the traditional sense* has, according to experience, a number of side-effects that go further than the purpose of the deprivation of liberty itself, for example, that the inmate risks losing their family, job and self-respect. These side-effects are primarily due to the nature of prisons as total institutions, in which the inmates’ lives are totally governed by fixed routines that limit their opportunity for self-expression.¹²⁰ (*Code of Principles*, p. 11)

Due to these totalist characteristics of traditional prisons it is argued that it is important to provide inmates with the possibility to practice their rights as a citizen. In general, the “institutionalist nature” of the prisons must be changed in order to facilitate an environment in which clients: “(...) to the greatest extent possible, are offered similar opportunities to other citizens with regard to education, work, social services, health services, cultural and leisure activities, etc.”.¹²¹ (*Code of Principles*, p. 17) Further, it is stated that the Danish Prison and Probation Service should, by default, place sentenced

¹¹⁹ (DK) “Det er vigtigt at holde sig for øje, at sikkerhedsvirksomheden er flerstrengt, det vil sige, at den ikke alene beror på fysiske og tekniske midler af forskellig art (statisk sikkerhed) men også på personlig kontakt, og overblik over hvad der foregår i institutionerne (dynamisk sikkerhed)”

¹²⁰ (DK) “I relation til de indsatte er åbenhed særlig vigtig, fordi frihedsberøvelse *i traditionel forstand* erfaringsmæssigt har en række bivirkninger, som rækker ud over selve frihedsberøvelsens formål, fx at den indsatte risikerer at miste sin familie, sit arbejde og sin selvrespekt. Disse sideeffekter skyldes først og fremmest fængslernes karakter af totale institutioner, hvor de indsatte opholder sig døgnet rundt i en hverdag, som er lagt i faste rutiner, og som begrænser udfoldelsesmulighederne.”

¹²¹ (DK) “Vi skal arbejde for, at de dømte har mulighed for at udøve deres borgerlige rettigheder og i videst muligt omfang får tilsvarende muligheder som andre borgere med hensyn til uddannelse, arbejde, sociale ydelser, sundhedstjeneste, kultur- og fritidsaktiviteter o.lign.”

citizens in open prisons: “where the opportunities for interaction with the surrounding society are greatest”¹²² (*Code of Principles*, p. 18)

The positive prospects of motivating a sense of personal responsibility in the sentenced citizen with regard to reducing recidivism, which is clearly framed in the Norwegian *Executive Strategy 2014–2018*, is the main tenet of the principle called “responsibility”. Here, the importance of “giving” the inmate a say and choice is highlighted alongside a significant concern for helping inmates to solve their problems themselves.

We must ensure that there is consistency in the work in the different sectors of the Prison and Probation Service (...) and must in all phases motivate the sentenced citizens to take responsibility for their own lives (...) we must demand that, to the greatest extent possible, the inmates themselves take responsibility for daily chores, such as cooking, washing, mending clothes, etc. (...) we must guide the sentenced citizens in solving their problems themselves rather than solving the problems for them, and let them choose from relevant offers rather than imposing specific measures on them.¹²³ (*Code of Principles*, p. 19)

Finally, via the principle of the least possible intervention, the *Code of Principles* explicates that it is favorable to act in order to prevent the escalation of a threatening situation rather than to react by invoking disciplinary sanctioning. When it is necessary to invoke disciplinary sanctioning or use force against an inmate, this must be done in a way that is both proportionate and as gentle as possible.

We must apply the principle of proportionality in connection with disciplinary punishment, the use of force and similar methods, so that they are proportionate interventions in the specific situation. (...) we must apply the principle of gentleness to all interventions that involve the use of force, so that the intervention is carried out as gently as the circumstances allow.¹²⁴ (*Code of Principles*, p. 21)

¹²² (DK) “vi skal som udgangspunkt anbringe indsatte i åbne fængsler, hvor mulighederne for kontakt med det omgivende samfund er størst”

¹²³ (DK) “vi skal sørge for, at der er sammenhæng i arbejdet med i kriminalforsorgens forskellige sektorer (“kontinuitets- og koordineringsprincippet”) og skal i alle faser motivere de dømte til at tage ansvaret for deres egen tilværelse (...) vi skal stille krav om, at de indsatte i videst muligt omfang selv tager ansvaret for dagligdagens gøremål, såsom madlavning, vask, reparation af tøj osv. (selvforvaltning) (...) vi skal vejlede de dømte i at løse problemerne selv fremfor at løse problemerne for dem, og lade dem vælge mellem relevante tilbud fremfor at påtvinge dem bestemte foranstaltninger.

¹²⁴ (DK) “vi skal anvende grundsætningen om proportionalitet i forbindelse med disciplinærstraf, magtanvendelse og lignende reaktioner, således at der bliver tale om et forholdsmæssigt indgreb i den konkrete situation. (...) vi skal anvende grundsætningen om skånsomhed ved alle indgreb, som indebærer magtanvendelse, således at indgrebet gennemføres så skånsomt, som omstændighederne tillader det.”

These principles and values statements obviously pull in the other direction than the bulk of the documents considered in this analysis. It could be argued that by explicitly subordinating managerial aims to societal aims, as well as by insisting on striking and maintaining a balance between support and control in all engaged efforts, these documents constitute some sort of “emergency break” for the managerial turn. Regardless, it is not easy to comprehend why these somewhat dated documents have not been updated. What role do they actually play today? What mandate do they hold against the other and more managerial documents?¹²⁵ Indeed, in the case of Denmark, developments in the document corpus may be discerned that could indicate an ousting of the *Code of Principles* of 1998.

Furthermore, on the basis of a view that utilizes the *Code of Principles* of 1998 as a baseline and compares it with an analytical appreciation of the developments toward the increased focus on “more consequence” in the later strategy briefs for the Danish Prison and Probation Service (2018 and onwards), it is possible to start legitimizing talk not only of a managerial turn, but also of a *punitive turn* in Denmark. Another sign of such a punitive turn could be the aforementioned fact that the *Code of Principles* that emphasizes prisoners’ rights, normalization and the problematic side-effects of traditional incarceration was removed as a reference from the Danish annual reports from the 2018 edition, onwards, leaving only a reference to a strategy brief in which harsher and more rapid consequences for prisoners is one of the main tenets. Finally, and perhaps most strikingly, while the dual task of support and control is reflected as a balancing act in the 2017 issue of the *Plan for Aims and Results*, this is not the case in the later editions of this strategy brief.

Indications of a managerial turn

In the examination of the documents included in the document study, indications of a managerial turn have been identified in Swedish, Norwegian and Danish policy. Out of the six indicators distilled from previous research on managerial turns in other political sectors and geographical domains, the indicator that has been dubbed

¹²⁵ Considering exactly this, I did, on August 21, 2019, write an e-mail to the headquarters of the Danish Prison and Probation Service stating that I was PhD student researching documents related to the Prison and Probation Service and that was wondering whether the *Code of Principles* of 1998 was still an “active” document. I did not get a reply in writing. Yet, a couple of days later I received a phone call from an employee at the Prison and Probation service who ensured me that the document was still in use – very much so actually –, yet it was considered an internal document of educational value.

“organizational self-care” appears to be the most prominent in recent Scandinavian policy relating to the prison and probation service.

In many of the documents that showcase instances of organizational self-care, the shift of attention from substantial tasks and products benefiting society to matters of organization and management is accompanied by descriptions of intensifying capacity issues. This is, for instance, the case in the Norwegian white paper of 2015, here referred to as *The Development Plan*, the Swedish *Budget Brief* of 2018 and the Danish *Strategy for the Prison and Probation Service 2021*. Thus, as already stated in the beginning of the chapter, it seems that the managerial turn that may be indicated in these documents is essentially caused by external forces acting upon and adding pressure to the daily operations of the Prison and Probation Services.

In this regard, it is interesting to note that the Danish *Framework Agreement for 2018–2022* does not refer to increasing pressure on capacity. Rather, it states that:

Today, the Prison and Probation Service is facing opposite trends in society. Overall, crime has been decreasing for a number of years, which has meant less prisoners and has therefore freed capacity in the Prison and Probation Service’s institutions. Conversely, there has been a change in the composition of the inmates.¹²⁶ (*Framework Agreement*, p. 1)

As indicated, the needs for increased security for employees and the upgrading of facilities that are described in the documents, as well as the more punitive measures of “more consequences” and “zero tolerance”, are not based on quantitative pressure on the facilities but qualitative changes within the facilities. Thus, regardless of the fact that capacity issues are frequently referred to in the documents, the explanations regarding what has caused the need for increased focus on the inner workings of the organizations are not strictly uniform.

¹²⁶ (DA) “Kriminalforsorgen står i dag over for en modsatrettet tendens i samfundet. Kriminaliteten har igennem en årrække samlet set været faldende, hvilket har betydet færre indsatte og dermed ledig kapacitet i kriminalforsorgens institutioner. Omvendt er der sket en ændring i sammensætningen af de indsatte.”

6 The discursive “space” for rehabilitative practices

Even though the managerial turn does not seem equally manifest in Denmark, Sweden and Norway, it appears to have had some general Scandinavian manifestation during the last decade or so. As I argued in the previous chapter, one of the main tenets of the managerial turn is the salient shift of attention from societal issues of crime prevention to internal matters, i.e., a still more pronounced focus on organizational coherence, employee safety, effective case handling, etc. As the empirical mapping of the documents progressed and the appearance of the managerial turn became still more manifest in recurrent indications of “policies of means”, “political accountability” and “organizational self-care” in particular, the question as to the impact on the social support or rehabilitative agenda of the managerialized discourse took shape. It is this schism that I will pursue further in this chapter as I intend to investigate the discursive space for rehabilitative practices in the Scandinavian policies for prisoner resettlement.

With a particular interest in the Danish policy, this chapter focuses more critically on a selection of the discursive accomplishments of the managerial developments identified in the previous chapter. By cross-cutting the categories of documents, a variety of themes will be investigated, such as the omission of references to the *Code of Principles* of 1998 in the 2018 *Annual Report* (and onwards), the peculiar strategic dissonance implied by the discursive construction of technical means as intrinsic aims in Danish strategy briefs, the construction of offenders as inherently dangerous by the more or less univocal call in security policies for improved static safety and the role of rehabilitation envisaged in policy. Finally, the chapter argues that a managerial turn has resulted in a streamlining in the policy discourse that drastically reduces the discursive space for supportive, rehabilitative and emancipatory practices.

(O)missions of the Danish Prison and Probation Service

The mission statements for the Danish Prison and Probation Service have remained more or less consistent throughout the period covered by the documents included in this study and they are in line with the tasks set for the Prison and Probation Service by Danish act for the execution of punishment. Until recently, the mission statement has played a key role in the central strategy briefs called *Plan for Aims and Results* for 2017, 2018 and 2019 (cf. screenshot).



Picture 1: Mission and vision statement of the 2019 edition of *Plan for Aims and Results*

Screenshot from page 2 of the 2019 edition of the *Plan for Aims and Results* showing the layout of the mission and vision statements for the Danish Prison and Probation Service. The mission statement reads: “The Prison and Probation Service executes punishment and contributes to the minimization of crime (box on the left). The vision statement reads: “We bring people safely toward a life without crime.

While the 2017, 2018, 2019 and the slightly irregular 2020 editions clearly suggest a subordination of the mission and vision for the Prison and Probation Service to the mission and vision of the Ministry of Justice (presumably to indicate the organizational hierarchy), the mission and vision of the Prison and Probation Service remains to be presented in a way that signals, if not some kind of operational autonomy, then at least an independent organizational integrity. However, the 2021 edition of *Plan for Aims and Results* does not appear to contain a graphically emphasized mission statement for the Prison and Probation Service that is equal to its that of its predecessors. Rather, it seems that the Prison and Probation Service has adopted the Ministry of Justice’s mission statement stating that: “*The Ministry of Justice ensures that Denmark is a safe and secure society. The Ministry of Justice guarantees the fundamental principles of the rule of law.*”¹²⁷ (*Plan for Aims and Results*, 2021, p. 3) Accordingly, the document states the purpose of the Prison and Probation Service in a phrase much like the previous mission

¹²⁷ (DK) “*Justitsministeriet sikrer, at Danmark er et trygt og sikkert samfund. Justitsministeriet er garant for retsstatens grundlæggende principper.*”

statements: “(...) the purpose of the Prison and Probation Service is to help reduce crime by carrying out the sentences set by the courts.”¹²⁸ (ibid.)

What the omissions accomplish

It is vital for the points I wish to make about the omission of a graphically emphasized mission statement for the Prison and Probation Service and other related omissions that what changes regarding the key statements of the tasks of the Prison and Probation Service has got little (if nothing) to do with the contents of the tasks. Rather, what changes is the framing of organizational context. This may be viewed as yet another indication that understanding the significance of the policy changes (i.e., the managerial turn) prompts researchers to often shift their analytical gaze away from *what* the documents say and include a careful investigation of *how* the documents state what they are about. It can be noted here that the 2020 edition and the 2021 edition explicitly state that “The activities of the Prison and Probation Service are based on the mission and vision of the Ministry of Justice’s consortium (...)”¹²⁹ (*Plan for Aims and Results*, 2021, p. 3). Yet, whereas the 2020 edition then proceeds to centrally present a mission and a vision for the Prison and Probation Service, the 2021 edition does not. Obviously, this begs the question: What is accomplished by this omission? Firstly, this may be viewed as supportive of the managerial turn hypothesis. Failure to present an individual mission statement for the Prison and Probation Service may signal that policy makers want the Prison and Probation Service to be more closely governed and have less autonomy with regard to fulfilling its tasks as defined by law. Secondly, and correspondingly, the omission may be taken so as to remove or at least downplay or make diffuse the institutional responsibility of the Prison and Probation Service. Thirdly, and somewhat consequently, insofar as the omission of the centrally placed mission statement of the Prison and Probation Service signals a political attempt at bridging the institutional gap between the ministry and the Prison and Probation Service, perhaps it may be understood as paving the way for a more politicized governance of the Prison and Probation Service and a less professional or evidence-based operation.

It is important to recognize that seeing as nothing essential has been changed in the documents, the omission of the centrally placed text boxes containing mission statements and vision statements does not imply a reduction in the document’s

¹²⁸ (DK) “Kriminalforsorgens virksomhed udspringer af Justitsministeriets concerns mission og vision, og kriminalforsorgen har til formål at medvirke til at begrænse kriminalitet ved at fuldbyrde de straffe, som domstolene har fastsat”

¹²⁹ See footnote 128

contents. Therefore, the omission does not imply any changes in the actual policy, one may argue. Rather, what may be implied by the omission is a slight change in the signals being sent. As such, the change is discursive rather than substantial – it is indicated by the way in which the point of the Prison and Probation Service’s efforts and existence are presented in the documents and by the order and graphical priority given to the information that is communicated, rather than by what is objectively and indexically stated. Regardless, having said that, I believe that the omission is neither coincidental nor insignificant. While it is feasible that the centrally placed text boxes could have been left in the documents purely by chance, removing them takes some form of commitment that is reflective of an opinion about their continuing relevance or adequacy.

There is a similar discursive shift in the form of an omission in the annual reports of the Danish Prison and Probation Service. But, in this particular case, what was redacted was not redundant, strictly speaking, before it was omitted. This could imply that the changes indicated by this omission are concretely linked with actual shifts in the political “climate”. And insofar as the changes made in the annual report can be taken to be “in line with” the changes made to the strategy briefs, then an embedment in actual political movements of the three possible accomplishments of the omission located in the strategy briefs could be suggested.

The omission in question regarding the annual reports was already presented in the previous chapter: Up until 2018, the Danish Prison and Probation Service’s annual reports made reference to the *Code of Principles* of 1998 in order to present the values according to which the activities should generally be conducted. However, when presenting the founding values, the 2017 annual report includes a reference to *Framework Agreement for 2018–2021* heralding organizational restructurings in the near future. Most interestingly in this regard, the 2018 and 2019 editions simply make reference to the *The Framework Agreement*. As the omission itself and the contents of both of these documents referred to have already been sketched out in the preceding chapter, what remains to be addressed here is the question regarding what is discursively accomplished through the act of omission itself. Firstly, and immediately, this omission raises the question of whether part of the restructuring announced with and through the *Framework Agreement* is a method of operating that is less driven by professional values and principles and more by political strategy. At least, it would seem that the *Framework Agreement* replaces the *Code of Principles* as the central practice-guiding document – at least *de facto*. By committing to this replacement, the Prison and Probation Service is substituting a document that is explicitly in favor of normalized and open prison conditions, dynamic safety, gentle intervention measures, with a

strategy highlighting the need for more consequences, increased safety for employees, and modernization of prisons and surveillance equipment.

These documents – the *Code of Principles* of 1998 and the *Framework Agreement for 2018–2021* – are, quite obviously, irreconcilable. They represent lines of thought and prescribe courses of action that are clearly mutually exclusive. Omitting the reference to the *Code of Principles* may therefore simply be regarded as an instance of reducing complexity. In other words, this omission paves the way for a line of thought and a way of operating which, seeing as it is less restricted by the principles and values highlighted in the *Code of Principles*, may consistently pursue the managerial and punitive agenda of the *Framework Agreement for 2018–2021*.

Support and control: A reductionist trend

Getting back to the strategy briefs called *Plan for Aims and Results*, this prioritization of a managerial and punitive “leg” that I argued is visible in the omission of the reference to the *Code of Principles* of 1998 may be further supported. As described in the previous chapter, the backbone of the argumentation in the *Code of Principles* is the idea that not only should the Prison and Probation Service incorporate practices of both support and control, it should strive for *striking and maintaining a balance* between support and control. This idea is reflected in the 2017 edition of *Plan for Aims and Results* as the foundation for the Prison and Probation Service’s mission and its basic value:

The enforcement of sentences implies implementation of the control necessary to carry out the sentence and by supporting and motivating the sentenced citizen to live a crime-free life. This constitutes the mission of the Prison and Probation Service and is therefore the basic value of the correctional facility: “*the art of balancing between the hard and the soft*” reflects this dual task that the employees of the Prison and Probation Service have to deal with in their daily lives.¹³⁰ (*Plan for Aims and Results*, 2017, pp. 2-3, emphasis added, AS)

Whereas the first sentence has been retained in the later editions (2018 and onwards) of this strategy brief, the last part of the excerpt (cf. the emphasized part above), where the importance of striking and maintaining a balance between support and control is clearly pronounced, has been omitted. Such redaction formally legitimizes the prioritization of the managerial and punitive “leg” in the prison and probation services. And the reductionist trend continues further as the second sentence (“This constitutes

¹³⁰ (DK) “Straffuldbyrdelsen sker ved at gennemføre den kontrol, der er nødvendig for at fuldbyrde straffen og ved at støtte og motivere de dømte til at leve en tilværelse uden kriminalitet. Dette udgør kriminalforsorgens mission og er således grundlaget for al aktivitet i virksomheden. *Kriminalforsorgens grundlæggende værdi: ”kunsten at balancere mellem det hårde og det bløde” afspejler denne dobbelte hovedopgave, som medarbejderne i kriminalforsorgen skal håndtere i dagligdagen.*”

the mission of the Prison and Probation Service and is therefore the basic value of the correctional facility”) is redacted in the 2020 edition and is also missing in the 2021 edition.

With this last omission of the explicit reference to an autonomous mission for the Prison and Probation Service, I have gone “full circle”, back to where I started this tracing of the peculiar omissions in some of the Danish document included in this study: As of 2021 the Prison and Probation Service has no mission aside from that of the Ministry of Justice. Such a “marriage” between the Danish Prison and Probation Service and the Danish Ministry of Justice which is implied here may be further supported by the fact that the strategic indicators presented in the Plan for Aims and Results for a more unified governance of the Prison and Probation Service in order to make it a more effective part of the chain of criminal proceedings are commonplace (cf. “One united cooperation” (2017), “One strong and united organization” (2018), “One coherent organization” (2019+2020), “Part of the chain of criminal proceedings” (2021). Instead of a co-dependent relationship between a ministry and a public institution, we see arguments that envisage a “tighter” structure of governance where there is talk of a ministerial domain.

Omission is an act of governance. Redacting a phrase, diagram, picture, layout, etc. is not coincidental. Omission takes deliberation, institutional commitment or political engagement and does therefore disclose some form of will or agency on the part of the policy maker. The omissions indicate that a line of thought can no longer form part of the institutional framework and must be removed in order to create or maintain consistency for another and somewhat divergent line of thought.

The discursive reductionism that all of these omissions constitute trends toward increased managerial control over the Prison and Probation Service by the Ministry of Justice which, to some degree, represents the opinion of political parties and politicians in power. At any rate, in the course of the period covered by the documents included, the discourse regarding the purpose of the Prison and Probation Service has become still more simple and myopic. The complex self-image propounded in the *Code of Principles* of 1998 where the Prison and Probation Service is represented as an institution whose practice takes place within the very core of the Janus-face paradox, that is, as a workplace for professionals having to simultaneously care for and control their clients, appears to have steadily eroded. The discourse has simply become less inclusive of the tension between care and control. What I have tried to spell out in very tentative terms (and what will hopefully be more evident as this chapter progresses) is that what has been taken out of the equation is the discourse related to caring for the life of the inmate or the parolee to the extent that the balance between care and control has been destabilized and the paradox erased.

The discourse of subordination

Whereas the previous section centers around omission, I will here focus on another imagery, namely, dissonance, discursive dissonance, that is. I have already identified such dissonance in the previous section (i.e., the dissonance which existed between the ideas that are integral to the *Code of Principles* of 1998 and the policy of *Framework Agreement for 2018–2021*). However, whereas the dissonance between these documents was later eased by the “ghosting” of one of the documents in the Danish *Annual Report* for 2018 and onwards, the dissonance to be identified here somehow persists within the Prison and Probation Service’s policy corpus.

Problems represented: Crime or capacity?

The central discursive dissonance to be explicated in the following basically boils down to a friction between the discourse around the social problem to be resolved by the Prison and Probation Service according to its central mission statement and the strategic solutions propounded in the policy documents. In more concrete terms: As shown, according to the mission statement the central task of the Prison and Probation Service is to minimize crime. Regardless of whether the mission statement can be genuinely ascribed to the Prison and Probation Service itself or whether it is more coherently thought of as the product of the Ministry of Justice’s supposed administrative integration of the Prison and Probation Service, it is feasible to construe from this statement the social problem for which the Prison and Probation Service is supposed to manifest a remedy, namely, crime in society.

Now, in the following I shall argue that, at least discursively, the strategic solutions presented in the annual Danish strategy briefs referred to as *Plan for Aims and Results*, appear to not serve this purpose. Rather, by focusing on issues of management, control and expedience, the solutions jointly appear to respond to another and much less socially or societally impinging problem, such as, the problems of slow case handling, insufficient staffing and low recruitment, disorder on prison wards, etc. Hence, as is illustrated in the figure below, the dissonance that I shall bring to light exists between the problem as it is represented by the mission statement (crime in society) and the problem as it is represented by the strategic solutions (problems around prison and probation management).

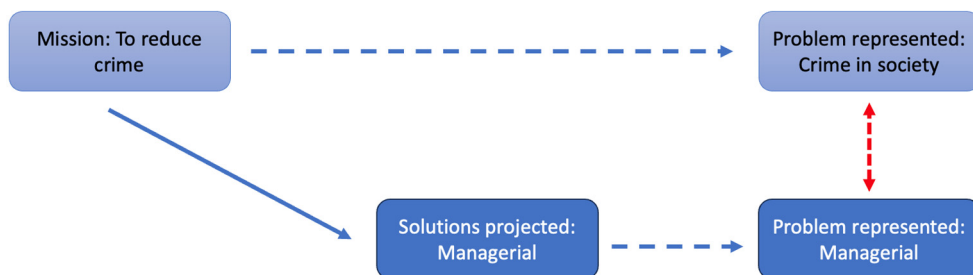


Figure 1: Discursive dissonance in the Danish documents

This figure illustrates that the problem represented by the mission statement in some of the Danish documents is not the same as the problem represented by the solutions suggested in the same documents. While the mission of reducing crime points to the issue of crime in society, the specific solutions projected, which are all quite managerial, highlight internal problems within the organization, creating a discursive dissonance (indicated by the red two-headed arrow).

The Norwegian discourse of subordination

The investigation will begin with the Norwegian strategy discourse, seeing as this may serve as an illustrative backdrop for the case I wish to make regarding the Danish discourse. Among the Norwegian strategy briefs included in this study, *Executive Strategy 2014–2018* is the most recent and the most general and is therefore the strategy brief that is most likely to be managerially motivated. However, harking back to one of the key logics of *The Resettlement Guarantee* of 2008, i.e., that punishment is integral to the alleviation of crime in society and public unsafety only insofar as it is specifically designed to reduce recidivism, there is a clear tendency in this document to explicitly frame the policy aims that we may here refer to as managerial as being subordinate or instrumental to the main task which is to: (...) carry out punishment in a way that is reassuring to society and that discourages crime.”¹³¹ (*Executive Strategy 2014–2018*, “preface”) This notion, which indeed permeates the entire strategy, already appears in the executive preface by former Director General, Marianne Vollan. Having just described the main task of the Norwegian Prison and Probation Service, she continues to present the substantial matter of management and organization by stating: “In order to succeed in our work, we must also succeed in creating one Prison and Probation Service.”¹³² (*ibid.*) This sets the tone for the rest of the strategy in which all the indicators (however managerial) are in some way or another explicitly and individually formulated as a way of achieving greater societal safety or purposeful resettlement rather

¹³¹ (NO) “Vårt samfunnsoppdrag er å gjennomføre varetektsfengsling og straffereaksjoner på en måte som er betryggende for samfunnet og som motvirker straffbare handlinger.”

¹³² (NO) “For å lykkes i vårt virke må vi også lykkes med å skape én kriminalomsorg.”

than as aims in their own right. The specific indicators are all cited in the previous chapter so I will simply provide here examples of a few of the signifiers of such strategic subordination and thereby render probable the idea that this way of strategizing is a natural part of the Norwegian policy discourse.

When presenting the solutions for a safe and purposeful execution of punishment, the strategy highlights the need for cooperation and initially states: “In order to achieve our goals, we must have a conscious and good interaction with sentenced citizens, internally in the Prison and Probation service and toward public and private organizations and businesses.”¹³³ (*Executive Strategy 2014–2018*, p. 4) When it comes to capacity and resource issues, there is a similar phrasing, namely: “In order to safeguard society’s need for security and the opportunity for the sentenced to change their criminal behavior patterns, we must have sufficient capacity to initiate the rapid execution of sentences and custody.”¹³⁴ (*Executive Strategy 2014–2018*, p. 5)

In the examples mentioned thus far, the discursive characteristics of strategic subordination of the more managerially inclined indicators have been stylistic idioms of the same conditional type, that is, a particular construction in which sentences start with “In order to (...)” (cf. the Norwegian construction “For å (...)”) Later in the strategy, however, even clearer signifiers of the “subordination discourse”, as we may term it, can be observed. In the strategic motivation to achieve a robust work environment, the need for organization and governance is described as follows: “Organization and management are not goals in themselves, but tools to improve our ability to implement, so that we can take care of our social mission in an effective and expedient manner.”¹³⁵ (*Executive Strategy 2014–2018*, p. 8) Similarly, when it comes to the need for clear management it is explicated to the extent that it is beyond any doubt that fair leadership is not a goal in itself but a vital means for achieving the social or societal aim of the Prison and Probation Service: “Good and proper management is one of our most important means of ensuring that we, as one Prison and Probation Service,

¹³³ (NO) “For å nå våre mål, må vi ha en bevisst og god samhandling med domfelte, internt i kriminalomsorgen og ut mot offentlige og private organisasjoner og virksomheter.”

¹³⁴ (NO) “For å ivareta samfunnets behov for trygghet og domfeltes mulighet til å endre sitt kriminelle handlingsmønster, må vi ha tilstrekkelig og riktig kapasitet til å iverksette rask straffegjennomføring og varetekt”

¹³⁵ (NO) “Organisering og styring er ikke et mål i seg selv, men virkemidler for å bedre gjennomføringsevnen vår, slik at vi kan ivareta samfunnsoppdraget vårt på en effektiv og formålstjenlig måte.”

improve our ability to implement and realize our social mission in an efficient and expedient manner.”¹³⁶ (*Executive Strategy 2014–2018*, p. 9)

It would be reasonable to ask: is it not the case that most (if not all) of these explicit subordinations of managerial tasks which, in the case of Norway, are clearly thought of and projected as subtasks, are redundant given that the central task or aim of the Prison and Probation Service is made clear from the outset of the strategy brief once and for all? Indeed, on the formally logic and strictly propositional level, that is, when judging based on nothing but the content of the strategy and with regard to its argumentative consistency, the reiterations of the fact of subordination is unnecessary. Yet, on a discursive level, the reiterations may disclose a heightened sense of awareness about the fact of subordination. The discourse of subordination calls out the inferiority of the managerial indicators in relation to the mission and constructs them as solutions or means. As such there is some form of consistency between the problem represented by the mission statement and the problem as represented by the projected solutions. This, I believe, begs the question as to what happens with the support discourse when the constant subordination of the managerial aspects of a strategy are not part of the policy discourse.

The construction of means as ends in Danish strategy briefs

One may not, I believe, locate the same kind of consistency between the Danish Prison and Probation Service’s mission statement and the strategic indicators for the achievement of it. And, as the observant reader might have already deduced, this is because in the Danish documents, it is not possible to identify the same repetitive referencing from the strategic indicators to the mission statement. The annual strategy brief called *Plan for Aims and Results* contains a general explication of the fact that the indicators are designed to fulfill the mission of the Ministry of Justice, as well as the Prison and Probation Service itself. This default proviso does not have the exact same wording in any two editions, yet the contents are more or less the same throughout editions included. It is possible to spot a few modifications that are consistent with other transformations in the policy corpus (for instance, the addition of a reference to *Framework Agreement for 2018–2021* in the 2018 edition can be noted, as well as the omission of a reference to a mission statement specific to the Prison and Probation

¹³⁶ (NO) “God og riktig ledelse er et av våre viktigste virkemidler for at vi som én kriminalomsorg skal bedre gjennomføringsevnen vår og realisere samfunnsoppdraget vårt på en effektiv og formålstjenlig måte.”

Service in the 2021 edition). In the latest edition of *Plan for Aims and Results* included in this study, the proviso reads:

“The Prison and Probation Service’s strategic indicators are based on fulfilling the Ministry of Justice consortium’s overall mission and vision. The Framework Agreement for 2018–2021 sets the framework for the efforts in the Prison and Probation Service in 2021 and is translated into a number of strategic indicators with several underlying goals. The Plan for Aims and Results for 2021 is the last plan in the current framework agreement and, in 2021, a new framework agreement for The Prison and Probation Service will be concluded.”¹³⁷ (*Plan for Aims and Results*, 2021, p. 4)

Here, it can be observed that the overarching goal of the Ministry of Justice and the public authorities within its consortium (which includes the Prison and Probation Service) is clearly framed as superior to the strategic indicators. Thus, it may be deduced that there is a strategic hierarchy between the indicators and the goal of this Danish strategy brief that is similar in essence to the strategic hierarchy between the managerial aims and the overall goal of the Norwegian Prison and Probation Service presented in the Norwegian *Executive Strategy 2014–2018*. Nevertheless, I should like to argue that the ways in which the interdependence between the strategic indicators and the mission statements are presented is very different in Denmark compared to Norway.

Thus far, in this analysis I have looked at two kinds of strategy briefs from the Danish Prison and Probation Service, namely, *Plan for Aims and Results* (2017–2021 editions) and the *Strategy for the Prison and Probation Service 2021*. These strategy briefs are different in more ways than one. Whereas the former contains strategic indicators that are somewhat technical, weighted and prioritized and clearly meant for progress evaluation in the annual reports, the latter seem more outwardly oriented and communicative. The *Strategy for the Prison and Probation Service 2021* appears more generally forthcoming as it develops its strategic points around a tension created between a narrative about the Prison and Probation Service’s core values and societal responsibility (cf. the “core narrative”) and a description about the changing face of its challenges (cf. the “image of challenges”). It is therefore likely that these two kinds of strategies serve different purposes. Whereas *Plan for Aims and Results* points to political accountability by establishing a baseline of concrete strategic indicators that may be evaluated by the end of the strategy period, the *Strategy for the Prison and Probation*

¹³⁷ (DK) “Kriminalforsorgens strategiske pejlemærker tager afsæt i at indfri Justitsministeriets concerns overordnede mission og vision. Den politiske aftale om kriminalforsorgens økonomi i 2018-2021 sætter rammerne for indsatsen i kriminalforsorgen i 2021 og er udmøntet i en række strategiske pejlemærker med flere underliggende mål. Mål- og resultatplanen for 2021 er den sidste plan i indeværende flerårsaftale, og der skal i 2021 indgås en ny flerårsaftale for kriminalforsorgen.”

Service 2021 forms a more value-laden basis for the enhancement of internal consensus and impactful external profiling and promotion.

A strong emphasis can be sensed regarding the task of improving safety inside as well as outside the prison walls, reducing crime in society, as well as the number of victims in the *Strategy for the Prison and Probation Service 2021*. All of the three main sections, which are all fairly short, of the “core narrative” conclude with an explication of this societal responsibility, thereby achieving a clear subordination of the managerial aspects. For instance:

The Prison and Probation Service’s employees are the backbone of the organization. It is therefore crucial that there are enough employees. They maintain security, create security and support the work of the sentenced and the arrestees toward achieving a life without crime. It requires great human insight and unique expertise to handle this task, which helps create a society with fewer victims of crime and more security for its citizens.¹³⁸ (*Strategy for the Prison and Probation Service 2021*, p. 2)

A discourse of subordination is further strengthened by using more graphic solutions such as the diagram below, which provides an overview of the strategy.

¹³⁸ (DK) “Kriminalforsorgens medarbejdere er organisationens ryggrad, og derfor er det afgørende, at der er medarbejdere nok. De opretholder sikkerheden, skaber tryghed og understøtter de domfældtes og arrestanternes arbejde mod et liv uden kriminalitet. Det kræver stor menneskelig indsigt og en unik faglighed at håndtere denne opgave, som bidrager til et samfund med færre ofre og mere tryghed for borgerne.”

Strategioverblik •

Færre ofre og mere tryghed



Picture 2: The strategic overview of the *Strategy for the Prison and Probation Service 2021*

Screenshot from page 4 of the strategy called *Strategy for the Prison and Probation Service 2021*. In the diagram a central message is placed in the center of the circle and reads: “The Prison and Probation Service makes for a safer society by carrying out punishment and reducing crime.” In the outer ring of the circle, four risks or threats toward the fulfilment of that aim are highlighted: “More prisoners”, “Challenging and resource demanding prisoners”, “Lack of officers” and “Capacity” (clockwise from the top). Finally, there are suggestions as to how the central aim will be fulfilled, given the risks and/or threats: “We shall be open and visible”, “We shall be a professional and effective authority”, “We shall be an attractive workplace” and “We shall provide safety” (clockwise from the top right).

In this overview diagram, managerial challenges such as those concerned with low staffing and prison ward capacity are clearly portrayed as subordinate to the societal task, i.e., these challenges are depicted in ways that suggest that tackling such managerial challenges contributes to the fulfillment of a higher-order goal, namely, that of increasing safety in society by executing punishment and minimizing crime. Thus, even though it is not possible to observe formulations that explicitly represent the work on managerial aspects such as capacity and staffing as means, similar to the “in order to” constructions identified in the Norwegian *Executive Strategy 2014–2018*, a discourse of subordination is discernible in this Danish strategy brief. However, as I will now attempt to demonstrate, such a discourse of subordination is much less clear in the more technical *Plan for Aims and Results*, especially in the later editions.

Some of the indications of a strategic subordination of the managerial aspects are discernible in the 2017 edition of *Plan for Aims and Results*. Aside from issues related to minimizing recidivism, which obviously serves the greater societal aim of the Prison

and Probation Service, this strategy brief propounds managerial operations such as “close cooperation with the outside world”, “flexible capacity”, “effective task performance”, “security and decency for the individual and society”, as well as organizational unity (“One united cooperation”) and, finally, the “preparation and conclusion of a framework agreement for 2018 and onwards”. In the case of the indicator on cooperation with the world outside, the conditional idiom signified by the initial “in order to” can be observed (which was also identified in the Norwegian *Executive Strategy 2014–2018*) in which cooperation with other institutions (public as well as private) is construed as a means of achieving societal aims and, as such, is subordinate to it. In the next sentence the purposeful relationship between cooperation and societal aims is made explicit through a clear reference to the rehabilitative vision (now historic) of the Prison and Probation Service:

In order for the Prison and Probation service to fulfill its tasks to the best of its ability, cooperation with the outside world must be even closer and better. The cooperation must be expanded and strengthened with the actors who help support the work of the correctional service and whose efforts are decisive for the correctional service to be able to live up to the vision of enabling people to lead a crime-free life.¹³⁹ (*Plan for Aims and Results*, 2017, p. 4)

Furthermore, when the need for effective case handling is evident, the document makes clear that what is intended here is: “(...) most possible benefit for the client and society”¹⁴⁰ (ibid.). Finally, and as we will see a bit later, even though the strategic focus regarding issues of security is centered around the prison staff, matters of security and decency also concern, at least in principle, clients and other citizens:

The mission and vision of the Prison and Probation Service means that safety is ensured for the individual. This applies to citizens out in society, and it also applies to employees and clients in the Prison and Probation Service. Among other things, there is a focus on strengthened efforts to combat violence and/or threats against employees, the illegal use of cellphones, as well as radicalization in the Prison and Probation Service’s institutions.”¹⁴¹ (*Plan for Aims and Results*, 2017, p. 4)

¹³⁹ (DK) “For at kriminalforsorgen kan løse sine opgaver bedst muligt, skal samarbejdet med omverdenen være endnu tættere og bedre. Derfor skal samarbejdet udbygges og styrkes med de aktører, der er med til at støtte op om kriminalforsorgens arbejde og hvis indsatser er afgørende for, at kriminalforsorgen kan leve op til visionen om at bringe mennesker sikkert videre til et liv uden kriminalitet.”

¹⁴⁰ (DK) “Effektiv opgavevaretagelse: Kriminalforsorgen skal ligesom den øvrige offentlige sektor levere maksimal effekt for de ressourcer, som denne stilles til rådighed. Netop derfor skal indsatser og aktiviteter organiseres og gennemføres på en sådan måde, at der opnås mest mulig effekt for klienten og samfundet.”

¹⁴¹ (DK) “Kriminalforsorgens mission og vision indebærer, at der skabes tryghed for den enkelte. Det gælder borgere i samfundet, og det gælder ansatte og klienter i kriminalforsorgen. Der er blandt andet

Thus, even though some of the indicators are indeed bereft of any explicit reference to the social problem of crime (such as “flexible capacity” and “preparation and conclusion of a framework agreement for 2018 and onwards”) the discourse of subordination is discernible in the 2017 edition of *Plan for Aims and Results*, although it is not as explicit and clearly discernible as in the Norwegian *Executive Strategy 2014–2018*. However, as was also indicated in the previous chapter, in the wake of the implementation of *Framework Agreement for 2018–2022*, drastic changes to the strategy discourse appear to be taking shape in the 2018 edition, which are further solidified in the next couple or so of these annual strategy briefs.

Looking more closely at how the slightly re-formulated strategic indicators concerned with organization and management (i.e., all of them except the one called “Greater consequences and less relapse”) are presented, it is only possible to identify one subordination of the managerial aspects to the greater societal tasks of the Prison and Probation Service. And that is a very vague kind of subordination arguing that more modern and effective management is needed in order to ensure the most optimal task execution: “In addition, the Prison and Probation Service will create the managerial basis to modernize and make the Prison and Probation Service more efficient as an organization and to ensure that its employees can manage tasks in the best possible way.”¹⁴² (*Plan for Aims and Results*, 2018, p. 4) It is not further qualified or specified what tasks is being referred to here and it could be the case that it is referring to core activities for greater societal benefit.

The subsequent editions of *Plan for Aims and Results* present only minor deviations from what is depicted in the 2018 edition. However, the 2019 edition does add a concern for safety and security in society as it argues as to the need for unifying the various stakeholders operating within the Ministry of Justice’s consortium. Yet, this phrase does not serve as a means of subordinating the efforts for increased collaboration or representing them as a way of achieving some societal goal. Rather, in line with the logic of incapacitation, it serves as a more specific premise in an explanation as to why it is vital to reduce the number of citizens waiting to serve custodial sentences. And, to be fair, the 2021 edition appears somewhat different than the 2018, 2019 and 2020 editions. The most notable difference might be the revocation of the “Greater consequences and less relapse” indicator and the inclusion of an indicator stating that

fokus på en styrket indsats mod vold og/eller trusler mod ansatte, ulovlig brug af mobiltelefoner samt radikaliserings i kriminalforsorgens institutioner.”

¹⁴² (DK) “Derudover vil kriminalforsorgen skabe det ledelsesmæssige fundament for at modernisere og effektivisere kriminalforsorgen som organisation og for at understøtte, at kriminalforsorgens ansatte kan varetage opgaveløsningen bedst muligt.”

the Prison and Probation Service should strive to form a “Frame around a life without crime”. Furthermore, the issue of increasing security and safety is, very briefly, also related to safety in society. However, this comes in the form of a neutral statement, rather than in a way whereby the task of increasing and maintaining order in prisons and the security of the prison officers is construed as an instrument for increasing and maintaining safety outside of the prison walls. This can be clearly sensed from a study of the presentation of the 2021 indicator called “Increased security and safety”. Upon having made a statement as to developments in challenges relating to security – both in prisons and in society at large, the strategy brief continues to solely focus on the situation within the prison walls and present the plans as to how to manage it.

The role of security has changed significantly in recent years – both in the Prison and Probation Service and in society at large. (...) Threats and violence against staff and a hostile environment in the Prison and Probation Service’s institutions provide challenges in relation to the safety and security of its employees. The security of employees must continue to be improved by, for instance, strengthening prevention efforts and improving physical security, but also by showing zero tolerance toward inmates who make threats or exercise violence against employees.¹⁴³ (*Plan for Aims and Results*, 2021, p. 5)

Nevertheless, toward the end of the presentation of the indicator is an exceptionally clear and explicit subordination of the concerns for maintaining order within prisons below the task of maintaining order in society: “Together, this will strengthen the Prison and Probation Service’s contribution to the authorities’ overall efforts to achieve a safe and secure society for everyone, with fewer victims of crime.”¹⁴⁴ (*Plan for Aims and Results*, 2021, p. 6)

Toward the end of the last annual strategy brief of the period covered by the *Framework Agreement for 2018–2021*, i.e., the 2021 edition of *Plan for Aims and Results*, a view of the world beyond the Prison and Probation Service is once again somewhat discernible in the policy governing the strategic outlook and constituting the political accountability of the institution.

¹⁴³ (DK) “Sikkerhedsopgaven har udviklet sig markant over de seneste år – både i kriminalforsorgen og i samfundet generelt. (...) Trusler og vold mod personalet samt et forrået miljø i kriminalforsorgens institutioner giver udfordringer i forhold til sikkerheden og trygheden for de ansatte. Sikkerheden for de ansatte skal fortsat forbedres ved bl.a. at styrke forebyggelsesindsatserne og forbedre den fysiske sikkerhed, men også ved at udvise nultolerance over for de indsatte, der fremsætter trusler eller udøver vold over for de ansatte.”

¹⁴⁴ (DK) “Tilsammen skal det styrke kriminalforsorgens bidrag til myndighedernes samlede indsats for et trygt og sikkert samfund for alle med færre ofre.”

Again, what is accomplished?

In the previous section I posed the question: What is achieved discursively by omitting the mission statements specific to the Prison and Probation Service? I argued that the omissions signal a reductionist tendency allowing for a strategic operation more or less entirely inclined toward maintaining and increasing internal steering and control. In this section I have delved deeper into what was left in the strategy briefs (i.e., not omitted) and I will now pose an analogous question: What is accomplished in and through the various ways in which the explicated strategic indicators of the annual strategy briefs called *Plan for Aims and Results* are presented? Or perhaps it is better to ask what is *not* accomplished. While, it could be argued that omitting is an intentional act of redaction that signals political will, it is less plausible, I would argue, to ascribe actual agency to the act (or non-act) of not committing to the same strategic subordination of managerial components in a strategy brief, as is the case in the comparable strategy from a neighboring country. So, it is perhaps more adequate to argue that the Danish Prison and Probation Service does not achieve the same discursive consistency as the Norwegian Prison and Probation Service between the problem represented by the mission statement (regardless of its origin) and the problem represented by the specific strategic indicators. Without the constant subordination of the indicators, they are less prone to be viewed as being subordinate to a greater goal and they may indeed manifest themselves as aims in their own right. As such, they do not cater for the problem as it is represented by mission statements and the indicators may therefore represent a different set of problems. This, in turn, produces the dissonance in the policy already advocated in the beginning of the section.

To be clear and fair to the Danish strategy briefs considered in this section, the point of this analysis has not been to prove that the Danish strategies are more managerialized than their Norwegian counterparts. In fact, the direct Danish counterpart to the Norwegian *Executive Strategy 2014–2018* where the subordination discourse was initially located, that is, the *Strategy for the Prison and Probation Service 2021*, did not clearly exhibit strategic dissonance and therefore any comparable managerialization. Rather, strategic dissonance was identified in documents which, in their very nature are more technical than the general strategies and therefore, it may be concluded, much more accommodating of managerial discourse. Comparing developments specific to these technical documents with the discourse of *Executive Strategy 2014–2018* is neither fair nor the point. The point has been to locate, thematize and render probable the specific potential for the strategic dissonance of certain discursive developments within the *Plan for Aims and Results*. And, the ways in which these documents consistently construct managerial means as ends in themselves, have been essential to this argument.

Reinforcing stereotypes

The analysis presented in this section stays within the overall imagery of dissonance, yet in the following I will further investigate what this dissonance looks like by focusing more innately on one of its tenets, i.e., issues of security and safety. This is likely to be the most common issue among the broader themes offered in the documents that are considered in this analysis. Apart from the fact that maintaining, and sometimes even increasing, public safety is occasionally highlighted as the ultimate goal toward which both the Swedish, Norwegian and the Danish Prison and Probation Services strive, issues of staff safety are “fixed inventory” in the strategy briefs and financial plans and an important performance measure in the annual reports. Inmate safety is a less common theme in the strategy briefs, financial plans and annual reports, especially in the Danish and Swedish documents. In Norway, the Prison and Probation Service has published a dedicated security strategy covering the period from 2006–2010 and in this strategy and other strategy briefs, inmate safety is a prominent point of policy. *The Resettlement Guarantee* even contains a warning (of sorts) against exaggerated and overly rigid prison security as it may, in turn, be an obstruction for achieving the ultimate goal: “The risk of new crime during the execution of the sentence is low when the level of security is high. However, a long prison stay with a high level of security and an abrupt transition to freedom will entail a high risk of relapse after release.”¹⁴⁵ (*The Resettlement Guarantee*, p. 8) This excerpt, I believe, neatly summarizes the dissonance around which this section will work, namely, the strategic conflict between the general goal regarding societal safety and the relentless emphasis on prison security and, to some degree, also employee safety. The excerpt from *The Resettlement Guarantee* captures the idea that whereas a high level of prison security may make it more difficult for an inmate to commit crime and cause harm *while in prison*, it may also intensify the difference between being imprisoned and being free, making reintegration sudden and, arguably, difficult.

What I will attempt to explicate in the following is that in and through the policies of prison security and employee safety, the Danish Prison and Probation Service reveals an inclination toward adopting strategies and philosophies of incapacitation when it comes to protecting society. Indeed, in places, such a penchant is quite obvious in the Danish policies; for instance, where arguments are made in favor of reducing sentenced citizens’ waiting time for serving their sentences. The reason for increasing prison

¹⁴⁵ (NO) “Risikoen for ny kriminalitet under straffegjennomføringen er lav når sikkerhetsnivået er høyt. Imidlertid vil et langt fengselsopphold med høyt sikkerhetsnivå og en brå overgang til frihet medføre en høy risiko for tilbakefall etter løslatelsen.”

capacity in order to reduce the “waiting list” is not to serve the interest of sentenced citizens, giving them a chance to move on in their lives. Rather, the reason highlighted in the 2019 edition of *Plan for Aims and Results* and onwards is the protection of society.

The Prison and Probation Service, together with the other authorities in the chain of criminal proceedings, will contribute to strengthening the consortium’s focus on crime that is dangerous to persons, including reducing the processing time in cases of violence, sexual assault and the use of weapons, so that the waiting time for serving sentences for such crimes is reduced as much as possible, for the sake of the safety and security of society, among other things.¹⁴⁶ (*Plan for Aims and Results*, 2019, p. 3)

The point of this analysis, however, is not to simply highlight that the Danish policy discourse appears to promote a philosophy of incapacitation and to present this as an instance of strategic dissonance. Rather, in a vein similar to the preceding investigations of the mission statements and the general strategic dissonance, I will attempt to infer what is achieved through such managerial discourse on prison security and employee safety. I will argue that the need for greater control, restriction and prisoner segregation that is propounded emphasizes the discursive hiatus between “inside” and “outside” the prison walls. Furthermore, and perhaps even more importantly, I will argue that it leads to considerable stigmatization of the inmate as they are described as endemically dangerous, typified as such by default, especially through the particular way in which the need for greater employee safety is emphasized. So, what is accomplished through the managerial discourse of prison security is the consolidation, and perhaps to some degree even, reinforcement of a stereotypical criminal identity for the sentenced citizens.

Motivating increased security

In different ways, the Danish, Norwegian and Swedish policies – strategy briefs, annual reports and financial plans in particular – describe a tendency toward increased brutalization of the prison population, leading them to highlight the need for increased prison security and employee safety. Yet, as I will show in the following, such strategic incentives have been framed in significantly different ways.

Where trends regarding the prison population are described in the Swedish and Norwegian documents, emphasis is placed on the fact that the population is increasing.

¹⁴⁶ (DK) “Kriminalforsorgen vil sammen med de andre myndigheder i straffesagskæden bidrage til at styrke koncernfokus på personfarlig kriminalitet, herunder nedbringe sagsbehandlingstiden i sager om vold, voldtægt og våben, sådan at tiden indtil afsoning for de personer, der er dømt herfor, mindskes mest muligt, bl.a. af hensyn til trygheden og sikkerheden i samfundet.”

This is particularly evident in the increasingly desperate call for better funding that forms part of the vivid descriptions of the escalating capacity issues in the prefaces to the Swedish financial plans, and it is the single most important factor that prompted the replacement of *The Resettlement Guarantee* with the new Norwegian white paper, referred to here as *The Development Plan*. However, both the Swedish and the Norwegian Prison and Probation Service also express their concern about certain alarming qualitative developments in the prison population. Apart from conveying a concern for the fact that even more clients in the Swedish Prison and Probation Service's institutions suffer from "(...) mental illness such as addiction, personality disorders and various forms of neuropsychiatric impairments (...)"¹⁴⁷ (*Budget Brief*, 2018, p. 4), former Director General, Nils Öberg, states in the 2018 edition of the *Budget Brief* that "[w]e are also preparing to deal with an increasing influx of inmates with violent extremist beliefs."¹⁴⁸ (*Budget Brief*, 2018, p. 3) This line of thought continues in the subsequent edition of *Budget Brief* where in the preface Öberg argues that: "At the same time, we need to develop our knowledge and our way of working with inmates and clients. (...) Issues of honor and violence against relatives are also areas in which we need to strengthen our efforts and our knowledge going forward."¹⁴⁹ (*Budget Brief*, 2019, p. 4) And in the Norwegian corpus of documents, in *Security Strategy 2006–2010* to be precise, are concerns as to the "composition" of the offender segment:

The image of threats has changed somewhat in recent years. Organized criminal circles have greater mobility and are more international. In Norway's statistics for 2005 on reported offences, it appears that there has generally been a reduction in the overall number of reported offences. When it comes to the organized criminal environment, neither the crime statistics nor the surveys on the living conditions by Statistics Norway provide any reliable knowledge on the development. However, it appears from the Oslo Police District's trend report from 2005 that serious violence and threats within criminal networks have increased. It is also a clear feature of the most serious types of robbery that the perpetrators to a greater extent expect a confrontation with the police. The Attorney

¹⁴⁷ (SE) "Klienterna lider i större utsträckning än normalbefolkningen av psykisk ohälsa såsom beroendetilstånd, personlighetsstörningar och olika former av neuropsykiatriska funktionsnedsättningar."

¹⁴⁸ (SE) "Vi förbereder oss också för att kunna hantera ett ökande inflöde av intagna med våldsbejakande extremistiska övertygelser."

¹⁴⁹ (SE) "Vi behöver samtidigt utveckla vår kunskap och vårt sätt att arbeta med intagna och klienter. (...) Även hedersproblematik och våld mot närstående är områden där vi behöver stärka insatserna och vår kunskap framöver."

General's assessment is that organized and network-based crime is increasing.¹⁵⁰ (*Security Strategy 2006–2010*, p. 2)

As such, the Norwegian Prison and Probation Service is also preparing for more cynical clients who are more “professional” and better organized in criminal networks that reach beyond the prison walls to the world outside.

In the Danish documents it is possible to discern worries about the disconcerting developments in the prison population that easily exceed the Norwegian and Swedish concerns as to an increase of violent behavior among the clients. The very first sentence of Ina Eliassen's (Director General of the Danish Prison and Probation Service) preface to the central and very general strategy brief the *Strategy for the Prison and Probation Service 2021* states that: “The Prison and Probation Service is facing some massive challenges, where too few prison officers have to deal with increasingly more violent inmates (...).”¹⁵¹ (*Strategy for the Prison and Probation Service 2021*, p. 1) This is also accentuated in the preface to *Framework Agreement for 2018–2021* in which the managerial task of adapting the Prison and Probation Service's organization and operation to “a new reality” is framed as the key motivation for the implementation of this framework agreement in the first place:

(...) many employees are experiencing increased violence, as some of the inmates have become more socially and criminally burdened over time. This is reflected in the fact that there has been an increase in the number of uses of force, as well as an increase in the amount of violence and threats against prison staff. It is completely and utterly unacceptable that skillful prison officers who do their work for the benefit of society are subjected to abuse. The parties to this contract will not bear mute witness to this situation.¹⁵² (*Framework Agreement for 2018–2021*, p. 1)

¹⁵⁰ (NO) “Trusselbildet har endret seg noe de siste årene. Organiserte kriminelle miljøer har større mobilitet og er mer internasjonale. I Statistisk sentralbyrås statistikk for 2005 over anmeldte lovbrudd fremgår det at det generelt har vært en nedgang i antall anmeldte lovbrudd. Når det gjelder det organiserte kriminelle miljøet, gir verken kriminalstatistikken eller levekårsundersøkelsene til Statistisk sentralbyrå noen sikker kunnskap om utviklingen. Imidlertid fremgår det blant annet av Oslo politidistrikts trendrapport fra 2005, at utøvelsen av grov vold og trusler innad i de kriminelle nettverkene har økt. Det er også et klart trekk ved de groveste ranene at utøverne i større grad kalkulerer, med en konfrontasjon med politiet. Riksadvokatens vurdering er at den organiserte og nettverksbaserte kriminaliteten øker.”

¹⁵¹ (DK) “Kriminalforsorgen står over for nogle massive udfordringer, hvor for få fængselsbetjente skal håndtere flere og mere forrædede indsatte.”

¹⁵² (DK) Det betyder, at kriminalforsorgens ansatte flere steder oplever en stigende forræelse, idet en del af de indsatte er blevet mere socialt og kriminelt belastede over tid. Det kommer blandt andet til udtryk ved, at der er sket en stigning i antallet af magtanvendelser, ligesom der er sket en stigning i antallet af vold og trusler mod de ansatte i fængslerne. Det er helt og aldeles uacceptabelt, at dygtige

Simultaneously, following the introduction of the strategic indicator called “Increased security and safety for employees”, the 2018 and 2019 editions of *Plan for Aims and Results* describes the high levels of threats and violence against employees.

Having laid bare the fact that with varying degrees of explication, all Scandinavian Prison and Probation Services address the issue of a change toward a more challenging composition of clients, I will pose the analytical question of particular interest to this analysis, i.e., how the Danish Prison and Probation Service responds to these challenges, more precisely, how the Danish Prison and Probation Service projects and talks about safety and security. Once again, the Norwegian Prison and Probation Service will act as a contrasting backdrop that may help to identify what is particular to the Danish policy.

Purposeful safety: The Norwegian advocacy for balance

In *Security Strategy 2006–2010*, the Norwegian Prison and Probation Service lays out its security policy. As is indicated in the subtitle “Safety of society, sentenced citizens, prisoners and employees” the document presents a comprehensive policy about the safety of all Prison and Probation Services stakeholders. In the preface to *Security Strategy 2006–2010*, an executive member of staff, Kristian Bølgen Bronebakk, highlights the need for what he calls “proper security” (also referred to as “purposeful security” (*Security Strategy 2006–2010*, p.9)).

In the following I will present what I believe are the three main tenets of the idea of purposeful security that are highlighted in this document. The broad scope of application framed in the subtitle of the document suggesting that the security measures evoked by the Prison and Probation Service may just as well protect the inmate and the society at large as it may protect the staff is the first tenet of “proper security”. The second tenet of the idea of purposeful security is that: “It is important that the security strategy does not lead to an unnecessarily high level of security for all prisoners simply because a small number pose a security threat.”¹⁵³ (*Security Strategy 2006–2010*, p. 2) This shows an articulated appreciation of the risk that may follow from implementing the security strategy in the context of the prison and probation service, i.e., that security measures impose restrictions on people who have done nothing to deserve them. The reason for advising against such over-implementation can be found within the

fængselsbetjente, der passer deres arbejde til gavn for samfundet, udsættes for overgreb. Det vil aftaleparterne ikke stiltiende se til.

¹⁵³ (NO) “Det er viktig at sikkerhetsstrategien ikke fører til et unødig høyt sikkerhetsnivå for alle innsatte fordi et fåtall utgjør en trussel mot samfunnssikkerheten.”

framework of the third tenet. The third tenet of the idea of purposeful security is that when implementing security measures, any concern for societal safety should be balanced with the individual client's opportunity to resocialize.

Our system for the execution of sentences is based on humanist principles and on individual adaptation for the sentenced and inmates. The consideration of society's demands for protection against criminal acts must be balanced with the consideration of the individual opportunities of the sentenced and the prisoners to return to society as law-abiding citizens.¹⁵⁴ (*Security Strategy 2006–2010*, p. 2)

In concert, these three tenets characterize “proper security” as a way of considering security measures as something more than imposing restrictions on the client. Indeed, the Prison and Probation Service is restricted in its use of force by the conception of “proper security” as this conception implies a broad scope regarding who may be considered as worthy of the Prison and Probation Service's protection, as well as certain limitations as to who may be considered as deserving of the increased restriction and control measures of the Prison and Probation Service. Thus, the idea of “proper security” limits the potency of the Prison and Probation Service seeing as this idea implies a security regime that, firstly, may not alone consider the interests of the institutions' employees; secondly, may not impose collective sanctions and, thirdly, respects the individual client's aspirations for successfully returning to a life as a law-abiding citizen upon their release. Such a security regime that is sensitive toward the social convictions of the client does, I believe, have a close affinity with the concept of “dynamic security”, which is described elsewhere in the document as participatory practices such as: “(...) presence in the community, contact officer work, leisure activities, work and program activities.”¹⁵⁵ (*Security Strategy 2006–2010*, p. 5)

Implicit restrictions to the enforcement of security measures in Danish institutions

In the Danish strategy briefs and financial plans of interest to this particular part of the document analysis, the need for intensified security for the employees is framed as still more critical. Accordingly, the descriptions of solutions inherent in general phrases such as “zero tolerance” and “more consequence”, as well as the more specific security means

¹⁵⁴ (NO) “Vårt straffegjennomføringssystem er basert på humanistiske prinsipper og på individuell tilrettelegging for de domfelte og innsatte. Hensynet til samfunnets krav om beskyttelse mot kriminelle handlinger må balanseres med hensynet til den enkelte domfeltes og innsattes muligheter for å vende tilbake til samfunnet som fremtidig lovlydig borger.”

¹⁵⁵ (NO) “Eksempler på dette er tilstedeværelse i fellesskap, kontaktbetjentarbeid, fritidsaktiviteter, arbeid og programvirksomhet.”

suggested in the *Framework Agreement for 2018–2021* are technological and physical in nature: “A strengthened effort against drones”, “Greater focus on security at prison entrances”, “Experiments with dashcams and bodycams” and “Increased use of video surveillance”¹⁵⁶ (*Framework Agreement for 2018–2021*, p. 3–4). Nevertheless, there are implicit restrictions for the implementation of the “zero-tolerance” policy, similar in some respects to the three kinds of restriction that I argued are an explicit part the Norwegian *Security Strategy 2006–2010*. Firstly, it is possible, albeit on rare occasions, to identify formulations that suggest that inmates may also be deserving of a higher level of security. This is discernible in the specific discussions that gang members make up a still greater proportion of the prison population:

Gang members are not only taking up more space on the streets, but also in prisons. Consistent efforts must be made to deal with gang members who, in recent years, have become an increasing challenge for the prison staff and are also a threat to the the other prisoners (...) The strengthened effort by the prison staff must, in addition to helping to increase the security of the relevant facilities and ensure more security for the staff, help to counter violence and threats against staff and limit conflicts, as well as violence and threats between prisoners.¹⁵⁷ (*Framework Agreement for 2018–2021*, p. 5–6)

Whereas the Norwegian *Security Strategy 2006–2020* explicitly covers society and employees *as well as* sentenced citizens and prisoners, the Danish security policy appears to have been implemented in order to increase the protection of the employees of the Prison and Probation Service. Here, it is also worth noting that in the *Framework Agreement for 2018–2021* the headline for the section on issues of security and safety is “Increased security and safety of employees”. Thus, what may then be discerned within this discursive context of ensuring employee safety is an indication – implicit at the most – that signals *some* appreciation of the fact that the security of inmates may also be compromised and therefore worthy of the Danish Prison and Probation Service’s attention.

Secondly, there are modifying formulations indicating that the increased use of force and restrictive measures suggested in the *Framework Agreement for 2018–2021* should not apply collectively but to those inmates who behave violently or otherwise pose a

¹⁵⁶ (DK) “En styrket indsats mod droner”, “Fokus på sikkerheden ved indgange til fængsler og arrester”, “Forsøg med dashcams og bodycams” and “Intensivering af videoovervågning.”

¹⁵⁷ (DK) Bandemedlemmer fylder ikke blot mere i gaderne, men også i fængslerne. Der skal sættes konsekvent ind over for bandemedlemmerne, der i de senere år er blevet en stigende udfordring for de ansatte, og som også skaber utryghed for de andre indsatte (...) Den styrkede personalemæssige indsats skal ud over at være med til at højne sikkerheden på de pågældende afdelinger og skabe mere tryghed for personalet være med til at imødegå vold og trusler mod personalet og begrænse konflikter samt vold og trusler mellem indsatte.

threat. These modifying formulations connect to the proclamations as to the need for greater consequences and zero tolerance in the following ways (cf. italicized parts):

Greater consequences must be imposed *when it comes to inmates who do not respect the prison rules (...)*¹⁵⁸ (*Framework Agreement for 2018–2021*, p.1, emphasis added, AS)

Therefore, greater consequences must be imposed *when the inmates do not respect the prison rules.*¹⁵⁹ (*Plan for Aims and Results*, 2018 & 2019, p. 4, emphasis added, AS)

Zero tolerance must be shown *toward inmates who undermine the safety of the staff by making threats or using violence.*¹⁶⁰ (*Framework Agreement for 2018–2021*, p. 3, emphasis added, AS)

Zero-tolerance policies have also been introduced *when dealing with violence and threats against employees.*¹⁶¹ (*Framework Agreement for 2018–2021*, p. 1, emphasis added, AS)

Again, whereas the policy against collective punishment appears in the form of an explicit “warning” in the Norwegian *Security Strategy 2006–2010*, this can only be inferred in the Danish policy. Furthermore, some of the modifying formulations highlighted here do not simply “prohibit” the Danish Prison and Probation Service from implementing collective sanctioning (cf. “(...) when the inmates do not respect the prison rules.”). Nevertheless, I believe it can be assumed that what the policy makers behind these strategy briefs and financial plans intended with all these modifying formulations is to somehow limit the scope of the application of the security measures.

Finally, the *Framework Agreement for 2018–2021* also exhibits a sensitivity in order to not impede the rehabilitative prospects for those inmates who can and want to change their lives in and through its attempts at increasing the safety of its employees, as it states:

Consistent action will be taken against inmates who do not show a willingness to quit a life of crime. This must be ensured, among other things, through more effective and up-to-date disciplinary sanctions and a focus on the abuse of off-ground privileges. *Meanwhile*, those inmates who want a life without crime must be given the best

¹⁵⁸ (DK) “Der skal slås konsekvent ned, når det kommer til indsatte, som ikke vil respektere de regler, der er i fængslerne og der skal sættes konsekvent ind over for de bandekriminelle i fængslerne, der i de senere år er blevet en stigende udfordring for de ansatte.”

¹⁵⁹ (DK) “Der skal derfor slås konsekvent ned, når de indsatte ikke vil respektere reglerne i fængslerne.”

¹⁶⁰ (DK) “Der skal være nultolerance over for de indsatte, der udfordrer personalets tryghed ved at fremsætte trusler eller udøve vold.”

¹⁶¹ (DK) “Ligeledes er der indført initiativer om nultolerance ved håndteringen af vold og trusler mod de ansatte.”

conditions for achieving this.¹⁶² (*Framework Agreement for 2018-2021*, p. 2, emphasis added, AS)

The important word indicating the fact that rehabilitative prospects are considered as limiters to security measures is “meanwhile”, as it indicates that a balance of sorts between the security measures and the rehabilitative work should be strived for.

Again still, what is accomplished: From issues of capacity to policies of incapacitation

There is more than one conclusion to draw from this investigation; some of them have already been presented earlier in this section. The conclusions as to the stigmatizing consequences for the client of the policies of increased employee safety, however, may now be qualified and empirically grounded on the basis of the analysis and comparison just performed. The differences between the Norwegian security policy and the Danish policy vary only slightly (or not at all) when it comes to content. Strictly speaking, they can be read so as to promote (close to) the same kind of moderate or sensitive security regime. However, this content is presented and contextualized in very different ways. As in the case of the subordination of the managerial aims below the fundamental task of making for societal safety through crime prevention initiatives studied in the previous section, the Norwegian policy discourse is more direct and explicit when it comes to restricting the enforcement of security in its institutions. It could be argued that by explicating the limits for its security regime, the Norwegian Prison and Probation Service exhibits an active willingness to restrict its own power so as to maintain balance and fairness as well as avoid corruption and dehumanization. While the Norwegian policy presents its security strategy within a discursive context in which a precise description of the limits of the measures are central, the Danish policy appears to be motivated by different factors. The “zero-tolerance” discourse is framed and legitimized by the vivid descriptions of escalating violence in prison. Responding to this alarming situation, the security policy presented in the *Framework Agreement for 2018–2021* seems like an account of the need to empower the Prison and Probation Service so that it may justifiably “tighten its grip” and enforce “more consequence”. Thus, discursively, it is possible to identify widely different signals sent by the Norwegian and the Danish Prison and Probation Services when it comes to their respective security policies.

¹⁶² (DK) “Der sættes konsekvent ind over for de indsatte, som ikke viser viljen til at komme ud af kriminalitet. Det skal blandt andet sikres gennem mere effektive og tidssvarende disciplinærsanktioner og en opstramning på udgangsmisbrug. Samtidig skal de indsatte, som kan og vil et liv uden kriminalitet, gives de bedste forudsætninger herfor.”

So how is it possible to evaluate the consequences of the Danish Prison and Probation Service's discourse on security for its employees? I should like to highlight two possible consequences of interest to the overarching aim of this chapter.

Firstly, although it is possible to infer provisos for the zero-tolerance approach stating that it is specifically aimed at troublemakers such as violent gang members, I believe that on the basis of the preceding analysis of the way in which the policy for enhanced safety of the employees is presented, it is possible to plausibly discuss a potential stigmatizing effect on the clients in general. This, I would argue, is due to the fact that the aforementioned kinds of provisos are merely inferable from the modifying formulations which are attached to the explicit proclamations of a need for a zero-tolerance culture. In contrast, the Norwegian *Security Strategy 2006–2010* actively works against the stereotypical identification and continued stigmatization of the punished citizen as someone dangerous, who must face the consequences and be locked up, incapacitated. This is achieved discursively through the *explicit* framing of the sentenced citizen and prisoner as people deserving of safety, as well as through the continuous *explicit* advocacy for caution regarding collective disciplinary sanctioning. By framing the entire security issue within a context of increasing the safety of the employees, the Danish policy is more likely to discursively contribute to the populist construction of the offender as someone endemically erratic, dangerous and violent.

Secondly, based on this analysis it may further be argued that given the promotion of a prison management culture founded on zero-tolerance policies and “more consequence”, including an analytical appreciation of the purely static means for increasing the safety of the employees, which are promoted in the *Framework Agreement for 2018–2021*, the Danish Prison and Probation Service seemingly prioritizes a security management regime that is based on the crime prevention philosophy of incapacitation. The prospects of establishing a safe prison environment through the facilitation of social participation and a sense of personal responsibility among and within clients, summarized in the concept of “dynamic security” in the Norwegian *Security Strategy 2006–2010*, are not discernible in *The Framework Agreement*. Rather, this Danish document highlights solutions that may be referred to as ways of achieving “static” security.

Interestingly, initiatives for “dynamic security” were central to the vision for establishing safety in the institutions under the Danish Prison and Probation Service, which were presented in the *Code of Principles* of 1998. Generally speaking, it could be suggested that via its explicit advocacy for the inviolability of the individual, responsibility, transparency and not the least its reluctant commitment to striking and maintaining a balance between means of control and means of support, the *Code of Principles* manifests an active will to restrict the Danish Prison and Probation Service's

use of force and power. However, as shown earlier in this chapter, entering the period governed by the *Framework Agreement for 2018–2021*, all reference to the *Code of Principles* in the document corpus, was phased out. Thus, there is reason to believe that the *Framework Agreement* had in fact replaced the *Code of Principles* as the central practice-founding document for the Danish Prison and Probation Service. Previously I argued that this replacement signaled a discursive reductionism that formally legitimized a way of operating that prioritized, in an unbalanced way, the control “leg” of the task imposed upon the Prison and Probation Service by the Danish act on the execution of punishment. It is now possible to further qualify what this reductionism implies. It implies removing some of the explicit restrictions placed upon the Prison and Probation Service, the humanist “check and balance” if you will, that may have been at odds with the policies of “zero tolerance” and “more consequence”. Furthermore, we may now enrich the preliminary understanding of what is achieved through the omissions of references to the *Code of Principles* and its call for balance between control and support, or indeed, incapacitation and rehabilitation. The omission reduces the complications surrounding this dual task and paves the way for a simple and pungent discourse of incapacitation. As it is empirically indicated by calls for increased surveillance and enhanced safety of the employees, this discourse constructs a symbolic gap between the clients and the employees. Viewed in concert with the stigmatizing achievement discussed above, this may perhaps be taken even further by arguing that the discourse of incapacitation constitutes a reinforcement of the ontological difference between “inside” and “outside” which, of course, directly opposes the idea of normalization.

Explicating the redundant

Emancipation, a central interest in this dissertation, is a liberating process. It is the process whereby someone breaks free from stigma or other immaterial and material impediments standing in the way of self-governance. As such, it is about the ability to translate “will” into “can”. The documents sometimes contain formulations stating that a program or an intervention is supposed to help those clients who want a life without crime to lead such a life or to present those clients willing to change their lives with the best possible facilities to do so. It is the discursive framing, contextualization and strategic prioritization of such initiatives, often termed as rehabilitation, to which I will now direct my attention.

Up until this point, I have been mostly engaged with the framing of organizational initiatives promulgated by the Scandinavian Prison and Probation Services, which are

somehow concerned with the control, power and dominance forced upon the sentenced citizen within its system. Obviously, such initiatives are neither designed to cater for the citizen’s emancipation, nor are they likely (dare I say) to have this effect by chance.

Now, however, as I direct my analytical attention toward instances of rehabilitation, what will be “under the lens” are the various ways in which the Prison and Probation Services (the Danish one in particular) argue as to the need for assisting their clients in realizing their desire to lead a crime-free life and how they present the means for achieving this. Of course, the question as to whether or not these rehabilitative attempts, which are projected in the documents, are likely to actually lead to some form of emancipation for the citizen is quite evidently an important topic for discussion in this dissertation and it is also something I will initially touch upon in this section.

When nothing is said about rehabilitation

This analysis generally proceeds by asking the question: When something is said about rehabilitation, how then, is rehabilitation framed? However, also the question as what may be indicated about the place and priority of rehabilitation in a strategy when, somewhat unexpectedly or surprisingly, nothing is said about rehabilitation. And it is with this latter approach that the analysis will start.

Firstly, to be frank, rehabilitation receives little attention in the Danish documents included in this analysis. This, I believe, is reflected in the weighted priority given to the strategic indicators concerned about the minimization of recidivism:

Table 8: Strategic indicators on rehabilitation

Edition	2017	2018	2019	2020	2021
Indicator	Less relapse	Greater consequences and less relapse	Greater consequences and less relapse	Targeted rehabilitation	The frame around a life without crime
Weighted Priority	15%	10%	15%	No value	10%

cf. the overview of the strategic indicators presented in *Plan for Aims and Results* in the previous chapter. This also applies to the below table (table 9).

Among the years included here, 2017 appears to be the year when most resources were allocated to efforts to reduce recidivism, while 2020 is the only year in which rehabilitation is mentioned. At the other end of the spectrum, by including the indicator “Greater consequences and less relapse”, as is the case in the 2018 and 2019 editions, the task of minimizing recidivism appears to be more related to deterrence than rehabilitation.

For the sake of contrast, the priority given to rehabilitation and minimizing recidivism and the priority given to security and safety for employees may be compared.

Table 9: Strategic indicators on security measures

Edition	2017	2018	2019	2020	2021
Indicator	Security and decency for the individual and society	Increased security and safety for the employees	Increased security and safety for the employees	Increased security and safety	Increased security and safety
Weighted Priority	32%	30%	30%	No value	17.5%

In the previous section, the fairly antagonistic concepts of “static security” and “dynamic security” were discussed. Whereas static security, i.e., prison walls, surveillance cameras, alarm systems, etc., denotes the efforts set in motion by the Prison and Probation Service to ensure that prisoners do not escape from the prison, smuggle in contraband, commit crimes while in prison, dynamic security, i.e., the building of interpersonal relations between guards and prisoners through the presence of guards in the prison communities, captures other activities that somehow ensure collective safety in the prison. In the previous section, a point was made about the Danish Prison and Probation Service that seeing as it does not incorporate explicitly “dynamic safety” in its contemporary vocabulary, it discursively reinforces stereotypes about the “violent prisoner” and the ontological difference between “inside” and “outside” prison. Digging a bit deeper into the discursive implications of explicitly considering dynamic security *vis-à-vis* not mentioning it at all, this can also be related to the issue of rehabilitation. Insofar as it is driven by the attempt to prevent security breaches from taking place by building interpersonal relations between staff and clients, dynamic security, it could be suggested, is a way to motivate clients to not “cross the line” instead of physically restricting them from doing so. Furthermore, even though it is not explicated in any of the documents being studied I believe that it is feasible to suggest that dynamic security does – insofar as it is formulated as a supplement to static security, i.e., as something somewhat opposite to it – denote a way to maintain safety driven by the attempt to somehow motivate clients not to choose to breach security instead of deterring them from doing so due to the increased risk of being caught on tape. As such, by explicating a need for supplementing static security with dynamic security, as is the case in the Norwegian *Security Strategy 2006–2010* and the Danish *Code of Principles* of 1998, rehabilitative measures have been integrated with the projected security measures. Whereas the rehabilitative ideology is presented as an integral to parts of the work on maintaining security in the Norwegian Prison and Probation Service’s institutions, the Danish Prison and Probation Service appears to

present a way of maintaining security that is less influenced by the rehabilitative ideology on the basis of the omissions of reference to the *Code of Principles* and the striking absence of any reference to dynamic security in the contemporary strategy briefs and financial plans. This absence of dynamic security is not striking in and of itself. Rather, comparatively, the absence comes across as surprising or unexpected considering the amount of emphasis that is placed on balancing static security with dynamic security in much older and now somewhat historic Danish documents, and in the Norwegian context. It is hard not to perceive that the almost imperceptible fade-out of issues of dynamic security and the strategic integration of measures of control and issues of rehabilitation is a symptom of the reductionism which, as I have argued, characterizes the Danish policy discourse. Indeed, this reductionism was depicted as the discursive eradication of the support-control paradox in favor of a much more single-stringed discourse of control.

When something is said about rehabilitation

Nevertheless, having thus set the tone, I will now turn the analytical attention away from what may be indicated in and through *not* highlighting a need for rehabilitation, to how rehabilitation is described in the Danish documents. It is described (whether the Danish word *resocialisering* [i.e., rehabilitation] is mentioned or not) as vitally connected to the purpose of minimizing recidivism. This is, for instance, discernible in the descriptions related to the strategic indicators on relapse (and consequences) presented in the annual strategy briefs called *Plan for Aims and Results*:

The Prison and Probation Service must contribute to reducing crime and ensuring safety in society. The efforts implemented by the Prison and Probation Service must therefore contribute to the rehabilitation of the sentenced and reduce relapse.¹⁶³ (*Plan for Aims and Results*, 2017, p. 4)

The Prison and Probation Service must contribute to reducing crime and ensuring safety in society [“for the individual citizen”, *added to the 2019 and 2020 editions*]. For those inmates who want a life without crime, it is important that the Prison and Probation Service makes an effective and targeted effort that provides the best opportunity to achieve this. Thus, the Prison and Probation Service is constantly working to reduce recidivism. The goal is that the efforts being carried out on an ongoing basis will result in more people living a life without crime [“while those prisoners who refuse to change

¹⁶³ (DK) “Kriminalforsorgen skal medvirke til at begrænse kriminaliteten og skabe tryghed i samfundet. De indsætter, der iværksættes i kriminalforsorgen, skal derfor bidrage til en resocialisering af de dømte og mindske tilbagefald til ny kriminalitet.”

will face serious consequences”, *added to the 2021 edition*].¹⁶⁴ (*Plan for Aims and Results, 2018–2020, p. 4* & *Plan for Aims and Results, 2021, p. 6*)

Thereby, the rehabilitative project is presented as being directly related to the central societal task constituted by law for the Danish Prison and Probation Service. This also applies to the way in which rehabilitation is presented in the *Framework Agreement for 2018–2021* from where the following excerpt will now be subject to scrutiny:

The rehabilitative efforts in the Prison and Probation Service are a decisive element in terms of ensuring less relapse into new crimes and thus fewer victims. The rehabilitative efforts are not only being implemented for the criminals’ own sake – but for society’s sake. Therefore, the rehabilitative efforts must target those inmates who really want to lead a crime-free life – and those who have a future in Denmark.¹⁶⁵ (*Framework Agreement for 2018–2021, p. 2*)

This particular excerpt is interesting for a number of reasons. These are the last lines from the 1.5-page introduction to this political framework agreement. Furthermore, these are *the only* lines in this introduction reflecting a view to rehabilitative instances in the daily operations of the Prison and Probation Service. The preceding sections of the introduction mainly state the need to impose greater consequences in the handling of troublemakers, which are depicted as posing a still greater threat to the employees. Thus, any researcher interested in the Danish policy on rehabilitation should pay close attention to these lines as they supposedly comprise the key ideas about the need for rehabilitative measures and their priority in relation to other organizational activities.

What is immediately striking is that the entire paragraph on rehabilitation appears to be structured as an argument indicated by the argumentative *ergo* (“therefore”). Initially, therefore, this excerpt will be analyzed as an argument. “Therefore” indicates that whatever is stated before this word, that is, the premise(s), logically, or at least rationally, implies whatever follows after this word, i.e., the conclusion. The first sentence, I believe, serves as an introduction to the rest of the segment as it states the

¹⁶⁴ (DK) “Kriminalforsorgen skal medvirke til at begrænse kriminaliteten og skabe mere tryghed i samfundet [“for den enkelte borger”, *added in the 2019 and 2020 editions*]. For de indsatte, som gerne vil et liv uden kriminalitet, er det vigtigt, at kriminalforsorgen har en effektiv og målrettet indsats, som giver de bedste forudsætninger herfor. Derfor arbejder kriminalforsorgen til stadighed på at nedbringe recidivet. Målet er, at de indsatte, der løbende gennemføres, får flere til at leve et liv uden kriminalitet [“samtidig med, at der slås hårdt ned på dem, som vender samfundet ryggen” *added in the 2021 edition*].”

¹⁶⁵ (DK) “Den resocialiserende indsats i kriminalforsorgen er et afgørende element i forhold til at sikre mindre tilbagefald til ny kriminalitet og dermed færre ofre. De resocialiserende indsatte iværksættes ikke kun for de kriminelles egen skyld – men for samfundets skyld. Derfor skal de resocialiserende indsatte målrettes de indsatte, der reelt ønsker at forlade den kriminelle løbebane – og dem som har en fremtid i Danmark.”

importance of rehabilitation in general terms like those terms previously observed in the strategy briefs called *Plan for Aims and Results*, meaning that the actual argument comprises the rest of the segment. This leaves us with one premise (P) and a conclusion that we may divide into two conclusions (C1 and C2) due to the formal conjunction “and”.

P: The rehabilitative efforts are not only being implemented for the criminals’ own sake – but for society’s sake.

C1: The rehabilitative efforts must target those inmates who really want to to lead a crime-free life

C2: The rehabilitative efforts must be targeted at those inmates who have a future in Denmark. (cf. “and those inmates who have a future in Denmark”)

Now, even though no philosopher would ever care to formalize this argument simply due to its sheer formal simplicity (there is nothing particularly interesting about the form of the argument, that is, *p therefore c1 and c2*, or to be analytically eloquent ($p \models c1 \wedge c2$)) and even though this argument supposedly is more rhetorical than it is logical, I would nevertheless like to make a point based on an evaluation of its implicatory soundness. In other words, I would like to pose a critical question as to whether the conclusions stated in concert come across as a necessary function of the premise. This is not to deem the argument logically valid or invalid. Rather, the analytical dissection of the argument presented above is motivated by the desire to better understand the actual function of the “therefore”, or perhaps more precisely, to better understand what is accomplished by framing the entire construction, containing these points about for whose sake the rehabilitative efforts are implemented, as an argument.

Firstly, whether one would find it morally tasteful or not, it could perhaps be posited that there could be some sort of logical implication between P and Q2; consider, for instance, the statement that *if* we rehabilitate primarily for the sake of (Danish) society¹⁶⁶, *then* the efforts deployed should be restricted to those inmates who have a future in Danish society. However, I believe, that the relationship between P and Q1 is simply arbitrary; consider the statement that *if* we rehabilitate primarily for the sake of (Danish) society, *then* the efforts deployed should be targeted at those inmates who wish to lead a crime-free life. One effective way to showcase the complete lack of a logically necessary relation between these two parts of the argument would be to negate the conclusion (Q1) and check whether the premise (P) then seems absurd or uncalled for in the context (which, of course, would be the case if there actually *was* a logical

¹⁶⁶ I am here granting that this is a fair summary of the point of P1.

necessity between the original (non-negated) conclusions and the premise). My point is that with the negated conclusion (rehabilitative efforts *should not* be targeted at the inmates who really want to leave the criminal career), a logically necessary relation with the premise is neither uncalled for nor absurd – in fact, a logical implication may be clearer in that case: Again, regardless of whether it is tasteful or not, it could be logical sound to argue that seeing as the rehabilitative efforts are implemented not only for the sake of the criminals – but (also) for the sake of society, these efforts should not be targeted those offenders who already want to lead a crime-free life. Based on this, I find it safe to say that the “therefore” in the excerpt from the *Framework Agreement for 2018–2021* does not serve a logical function, meaning that the argument is not logical, but rhetorical at most.

What then is the rhetorical function of “therefore” in this segment of the *Framework Agreement for 2018–2021*? This question is open to speculation. Yet, based on the analytical investigations summarized in the chapter thus far regarding the reductionist discourse, the strategic dissonance and the tacit discursive enforcements of offender stereotypes, it should be possible, I believe, to perform at least a *qualified* speculation regarding this question. By that token, I will now suggest that the “therefore” in the excerpt from the *Framework Agreement for 2018–2021* serves the rhetorical purpose of legitimizing a somewhat “sticky” remark which is also part of the excerpt, namely, that *rehabilitative efforts are implemented not merely for the sake of the criminals*. Such a remark is “sticky”, I believe, precisely because it is actively limiting the deservingness of offenders with regard to rehabilitative efforts, while being at the same time logically “uncalled for” as it is semantically redundant. It would have simply sufficed to say that rehabilitative efforts serve the interest of society. This would have made perfect sense because, surely, any released citizen is naturally part of that same society. So, why include a remark stating that rehabilitative efforts are implemented not merely for the sake of the criminals? If the point was to emphasize the fact that rehabilitative efforts are partially or mainly for the sake of the “criminal”, it would have made greater sense to say exactly this and not that they are *not merely for the sake of the criminal*. So even though the formulation allows for the latter and more benevolent point, I believe, that, with the previous investigations of the “zero-tolerance” and “more-consequence” discourse, which make up the immediate context for this excerpt on rehabilitation from *The Framework Agreement*, it is much more viable to interpret the sentence so as to convey the point that rehabilitative efforts are not so much deployed for the sake of the criminals as they are for the sake of society. Thus, interestingly, the way in which the need for rehabilitation is framed in this case, nothing but reinforces even further the stigmatization of the offender as someone undeserving that arguably and further consolidates the construction of a gap between inside and outside “them” (underserving

criminals) and “us” (respectable citizens). Regardless of whether it is intended or not, the fact that this remark is obviously redundant, yet still present, shows carelessness at least on the part of the policy makers (i.e., the parties to the agreement) as to presenting a policy that confers such a stigma on the offender. However, it may be that the “therefore” serves the purpose of diplomatically hiding at least some of this carelessness: What “therefore” may accomplish, whether it is placed here intentionally or not, is a formal transformation of this excerpt from a normal statement into a quasi-argument. Indeed, such a transformation obscures some of the carelessness as it conceals the redundancy of such dehumanizing remarks by making it all seem rational, logical or unavoidable – in essence, nothing ill-willed but simply just “harsh reality”.

Curiously, by further reinforcing the offender stigma and the difference between “inside” and “outside”, rehabilitation is framed in a way that goes against the grain of, indeed defeats the purpose of, rehabilitation insofar as rehabilitation is affiliated with the principle of normalization. The principle of normalization does not feature in the *Framework Agreement for 2018–2021*, but in the *Code of Principles* of 1998 it is clearly related to rehabilitation:

By arranging the conditions in such a way that they deviate as little as possible from daily life outside prisons, there will be less of a basis for aggression, less apathy and, on the whole, a limitation of the negative aspects of the prison stay and thus also a better breeding ground for treatment in the broadest sense.¹⁶⁷ (*Code of Principles*, p. 10)

In and through the carelessness that I believe could be exhibited in the explication of a redundant remark regarding the fact that rehabilitation is not merely deployed for the sake of the offender, a signal is sent in the *Framework Agreement* that is at odds with the principle of normalization as it labels the offender as a deviant and indicates a distance or separation between the offender and society at large. As such, it is difficult to identify much resonance with emancipatory thought in the framing of a need for rehabilitative efforts in the short paragraph concerned about issues other than control, consequence and management in the introduction to *The Framework Agreement*. Instead of providing a space for change, the strategic discourse keeps the offender marginalized.

Regardless of whether this particular explication of something clearly redundant is indeed a deliberate stigmatization or simply an instance of carelessness, I believe it cannot be understood as a natural coincidence. When it comes to writing policy, it

¹⁶⁷ (DK) “Ved at indrette forholdene således, at de mindst muligt afviger fra dagligdagen uden for fængslerne, vil der være mindre grundlag for aggression, mindre apati og i det hele taget ske en begrænsning af de negative sider af fængselsopholdet og dermed også blive bedre grobund for en behandlingsmæssig indsats i bred forstand.”

could be expected that redundancies would be carefully redacted if they do not serve a discursive purpose that aligns with or somehow benefits the conveyance of the intended policy or the political opinion behind it.

From policy to field

In this chapter it has been argued that the omission in some of the key documents of a centralized and graphically emphasized mission statement for the Danish Prison and Probation Service paves the way for a more politicized governance of the Prison and Probation Service seeing as what remains in the documents is the mission statements of the Danish Ministry of Justice. Such potentially increasing political governance of the public authority was then further investigated through the identification of the gradual replacement of the *Code of Principles* of 1998 with the political *Framework Agreement for 2018–2021* as the main point of reference in the document corpus. Further, it was argued that the various omissions may have resulted in a reduction of the discursive complexity represented by explicit reference to the support-control paradox in the *Code of Principles* which, in turn, was characterized as a destabilization of the support discourse. One of the conclusions to draw from this analysis is that this destabilization arguably allows for a more myopic pursuit of managerial aims such as control, efficacy, administration, etc.

Much of the deliberation in this chapter has revolved around this replacement of the *Code of Principles* of 1998 with the *Framework Agreement for 2018–2021* and what it signals and accomplishes discursively. Having argued, therefore, that some discursive aspects in other Danish documents, i.e., *The Plan(s) for Aims and Results*, appear to imply the construction of managerial aims as intrinsically valuable aims, focus was directed toward the specific introduction of terms such as “zero tolerance” and “more consequence” in *The Framework Agreement*. Further, it is argued that the constant and univocal advocacy for increased safety for employees of the Danish Prison and Probation Service contributes to the construction of offenders as inherently dangerous and undeserving of protection. Finally, in the *Framework Agreement* when the issue of support for clients of the Danish Prison and Probation Service is directly addressed, rehabilitation is presented as provision from the state to specific citizens who have a future in Denmark, yet explicitly, *not merely for their own sake*. Somewhat polemically it is argued that the way in which rehabilitation is discursively projected reinforces the ideal demarcation between a society of righteous citizens, i.e., the true beneficiaries of rehabilitative efforts, on the one hand, and the clients who are either not deserving of rehabilitative efforts or are offered certain supportive programs by the Prison and

Probation Service, mainly because it benefits the rest of us. So, the discourse in which rehabilitative efforts are projected, particularly in *The Framework Agreement*, appears to not really cater for the reintegration of disenfranchised citizens, rather it serves as a reminder of their disenfranchisement.

Thus, what has been uncovered during the document analysis is not only a managerial turn, mostly constituted by the (re-)orientation away from societal matters to internal matters of organization, i.e., empirical evidence for the claim that new public management has also entered this area of social and criminal policy. It has also been argued that a concurring reduction of the discursive space for rehabilitative, supportive and emancipatory efforts has taken place.

Even though much of the policy considered in this document analysis mainly refers to prisons and inmates, it does, in broad terms, govern the entire Prison and Probation Service, i.e., including the probation offices and the professional practices taking place there. Thus, as I was entering the field, I was eager to see *how rehabilitative practices are performed and accounted for* by probation officers and *how aspirations to dismantle impediments to clients' citizenship transpire* in a working environment in which so many strategic resources have been diverted to issues of management, increased control, more consequence, static security, and where the governing policy discourse has become less inclusive of notions of support and client care.

7 The offices

Ethnographies are concerned with everyday life and so is this analysis of two local Danish probation offices. Everyday life takes place. Places are of great interest to the ethnographer as they constitute the physical boundaries for the unfolding of social interaction and the social reality produced (Atkinson 2015: 18). In this way, specific concrete locations, their aesthetics and organization both enable and limit the social world of the offices, which therefore cannot be adequately explored in the bare abstract.

Introducing the ethnographic part of this dissertation, and before moving on to the analysis of the policy's appearance and role in practice, I will present the probation offices and emphasize their similarities and differences. Furthermore, some social dynamics around certain physical artefacts (thresholds and entrances in particular) placed in the offices will be analyzed and discussed for the sake of introducing the various social roles taken by the people who frequent the offices – probation officers, managers, clients and myself. This will disclose and describe social hierarchies that are natural in the offices and, in turn, constitute a backdrop for the following more thematic analyses.

To be clear, this interest in physicality does not constitute an abandonment of the general social constructionist positioning of this dissertation. Rather, it draws on a classic social constructionist (or interactionist, to be precise) notion of the “obdurate character of reality” presented by Herbert Blumer. Empirical reality “stands over against” our perceptions and images about it and “talks back” at the meanings that we ascribe to it, Blumer (1998: 21–23) asserts. Thereby he means to warrant against the epistemological solipsism that one may be misled to ascribe to social constructionism due to its key assumptions about the constructed nature of social meaning, as well as to consolidate the status of symbolic interactionism as an empirical approach that produces real discoveries. However, I address this conception of the obdurate character of reality in order to showcase the social constructionist appreciation of the subject as being responsive to their natural surroundings. More precisely, I mean to emphasize that social subjects not only produce meaning for their surrounding conditions. Rather, they inescapably do so in interaction with certain surrounding conditions as they co-determine the production of said meaning. Thus, according to Blumer, empirical

reality does not hit us in the face like a well-polished glass wall whose existence we were unaware of. It is only when realized as such, when so noted and when regarded as a limit (in a sense) of a person's perceptions and images, that it actually attains its so-called obdurate character (Blumer 1998: 14).

When simply presenting the places and some of the main characters in them, in the following I will understand the office spaces, places and artifacts as obdurate in this interactionist sense. I will basically seek to understand how particular meanings of central interest, social categories, identities and hierarchies are made to exist by studying the ways in which the participating agents both respond to the spaces in which they are placed and ascribe meaning to them. On a less theoretical and technical plane, however, this first chapter of the ethnographic study also provides a general introduction to the offices and some of the main characters and groups that frequent them.

As will be argued in the beginning of the chapter, the probation office in West Bridge and the probation office in East Ville appear fundamentally different. The difference is mainly manifest in the way in which the office spaces are physically organized, furnished and maintained. What, however, will prove to be a common trait of these offices is a sharp demarcation of "inside" and "outside" the offices, which is experienced by myself and indicated by some of the clients and probation officers. In the later stages of the ethnographic study and, in particular, in the theorization that follows, this realization as to a peculiar "otherworldliness" of the office reality will be further developed and discussed. More precisely, it will be argued that some aspects of the social categorizations and dynamics which seem quite natural inside the office, such as the constitution of the clients as a "them", would not be natural or seem as legitimate elsewhere. Thus, insofar as the construction of a social category for the clients characterized by exclusion is embedded in the physical manifestation of the office, working to re-include clients in the societal "us" is likely to involve practices that either physically transgress the actual office space or ideally refer beyond the boundaries of the social world that it instantiates.

The labyrinth and the threshold

As described in Chapter 3 on methods and materials, my arrival at the office in East Ville was chaotic. At first, I couldn't find the office. Then my phone had no signal. As I finally found my way to the correct address, I couldn't locate the entrance to the probation office. Eventually a woman working at the adjacent office of the "youth

probation service”¹⁶⁸ in East Ville asked me whether I was a partner and decided to lead me by the zig-zag-like “inner route” through to the probation office. The woman referred to the building, an old warehouse housing both the local youth probation service office, the so-called “Anklet”¹⁶⁹, and the probation office, as a labyrinth. This imagery lingered in the back of my mind as Clara, the department manager, showed me around the probation office later that day.

East Ville, December 15, 2021

Clara offers me a tour around the office. Exiting her office, we turn left and continue down the hallway (I had entered from the other side, I think) until we reach a small open foyer.

Clara: “This is where the clients wait until we take them into our offices for their supervisory meetings”

Me: “Oh, I see! What door do they enter the building from?”

Clara: “Ehh, what do you mean?”

Me: “I didn’t see a door marked ’Probation Service, East Ville or something like that, so I was wondering ...”

As I am talking, Clara silently, yet demonstratively, opens the door which leads to the staircase inside the glass facade that I had been looking at from the yard and makes a presenting hand gesture. I feel both puzzled and a bit stupid. Until now I had not realized that I am on the second floor. Now I understand that clients have to enter through the door in the glass facade that seemingly leads to a housing organization, take the stairs one floor up and then enter a door which clearly indicates that this is the probation office. I am starting to see why someone would refer to this place as a labyrinth.

Clara and I do not talk anymore about this. Clara has spotted a client in the waiting room. She asks him who he is waiting for. He barely gets to make a sound before Clara interrupts.

Clara: “You’re Emma’s, right? Shouldn’t you have been here at 12.30?”

Client: [nods]

Clara: “Emma, Frank is here!” [shouting down the hall]

Emma: “On it!” [shouting back from her office, which appears to be located further down the hallway we had just come from]

¹⁶⁸ [Ungekriminalforsorgen]. The section of the Danish Prison and Probation Service that supervises young offenders aged 10-17.

¹⁶⁹ [Anklet around the foot] Slang for the section of the Danish Prison and Probation Service that handles electronic tags.

Before we continue, Clara shows me into the room where they keep the office supplies to show me a large magnetic board on which all the employees are listed.

Clara: “In this column you can see how many cases each of the employees have at this particular time compared to how many each of them *should* have. Green numbers mean that an employee has a caseload above what she should have. Red numbers indicate that she should have more cases allocated to her.”

Me: “So that it’s clear to everyone that ...” (Clara interrupts)

Clara: “Nothing is hidden. We have no reason to hide anything.”

Me: “I can see that almost all of the employees should have 45 cases at all times. Does that mean that nobody is on reduced hours?”

Clara: “Yes! We try to have only full-time contracts. Otherwise, it’s too much trouble.”

I notice that Clara’s name is not on the board before Clara invites me further through the hallway which turns in a 45 degree (or so) angle until we reach a couple of steps upward. I climb the steps and realize that it is only the floor that is going up; not the ceiling. As I reach the top of the short staircase, I have to bend my head sideways in order to not hit it on the wooden beams that cross the ceiling. Clara shows me into a small conference room. I cannot stand up straight in the room. Clara doesn’t seem to notice.

We continue through a locked door that Clara uses her key to open and walk further upward through a very narrow staircase.

Clara: “You’re now in a prison!”

We have reached what they call “the ankle”. Before continuing down through “the ankle”, Clara takes a detour in the opposite direction to show me the department manager’s (her boss) large and attractive office, with soft sofas, armchairs and a conference table that easily seats 15 people. I look out the windows. This is a gable room so it has light streaming in through beautiful barred (nothing like prison bars) windows on three of the four walls. I don’t see anything familiar outside.

Clara: “Niels isn’t here. You can catch him another time.”

“The ankle” is not, technically speaking, Clara’s “department”; not even when Niels is absent. Still, she knows everyone and greets them with a jovial and informal, yet unmistakable, authority.

As we walk through “the ankle” I have completely lost whatever basic idea I had of where we are. I am simply tagging along trying to keep up.

Exiting “the ankle” we reach an empty dining hall.

Clara: “This is where we eat.”

Going through the dining hall, we reach a staircase that leads down to a hallway. It is only when standing next to the door to Clara's office once again that I realize that we have gone full circle. But how is that possible in a horseshoe-shaped building, I ask myself (only myself)?

In East Ville, clients wait for their meetings to start in the middle of the crooked hallway where the offices are located. They get to use the same bathrooms as the employees (some of the bathrooms are marked "staff" others are marked "guests", but neither the staff nor clients seem to notice or care). They get their coffees or glasses of water from the same kitchens as the employees. And what is most striking is that the meetings between clients and probation officers take place in private offices, containing personal photos of kids, private smartphones, calendars, notes, bags, etc.

East Ville, March 3, 2022

Thursday is cake day at the East Ville office. Clara interrupts my interview with Isabella to let us know that it's time for cake. We quickly finish the interview to go and join the others in one of the larger corner offices on the sunny side of the hallway. It is late in the afternoon but clients still roam the hallway going to and from their supervisory meetings. It is Clara's turn to bring cake. She had bought it from one of the more expensive bakeries.

Mathilde: "Wow, that looks really delicious!"

Clara: "Well, I'm paid more to do less so it's well deserved, Mathilde" (with a cheeky grin)

The cake is very good. We talk about old clients and old colleagues – lowering our voices for certain sensitive bits. The door to the hallway is wide open, after all. Suddenly Clara glimpses a client in the hallway walking by the office where we are having cake and shouts:

Clara: "You want a piece of cake, Dan?"

Everybody laughs as the client shouts profanities back at Clara accusing her of messing up his body-building career. Clara rolls her eyes overdramatically and takes a large sip of coffee.

The physical organization of the office, with no clear demarcations regarding who goes where, creates a very informal atmosphere. Clara appears to know all of the clients' names, she jokes with them and, in this particular situation, the client even talks back to her. Clara's authority, it could be argued, which is "unmistakable", manifests through joviality and personal recognition. Yet when they are represented as either red or black numbers on the board in the room with office supplies, which perhaps may be the only place in the East Ville office where clients do not go, clients are exactly this – numbers – cases.

Sitting in an office, eating cake, engaging in small talk while the clients go by and loudly tell the office manager to keep quiet would never happen at the West Bridge office. That can be categorically stated as it is not only because the West Bridge Office manager, Solvej, has a completely different style of management, but also because it is practically impossible due to the West Bridge office's spatial organization. As carefully described in the fieldnotes from my first visit to the West Bridge office – presented in the very beginning of this dissertation – my first impression of the place was completely different from my impression of the East Ville office one month earlier. The massive wooden door located between small windows with intersecting metal bars, the wide staircase leading up to the door made from heavy stone slabs, the red doorbell and the security camera matched to a far greater extent my initial expectations of what a probation office would look like.

The appearance of the building is echoed in its interior design. Everything in the West Bridge office is clearly marked. Just as there is a clear sign on the magisterial front door that is visible as soon as you enter the premises that lets everyone know that this is the West Bridge probation office, the interior is transparently organized. There is a clearly designated waiting area for clients, with both client toilets and a coffee machine that only the clients use. At the opposite end of the hall, separated from the part of the office where clients wait and have their supervisory meetings, are offices where the probation officers attend to their administrative tasks. Toward the very end of a long hallway is a kitchen with a coffee machine which, due to the threshold dividing the office into a “clients’ welcome area” and “staff only area”, only gets used by employees. The high ceilings, elegant pendant lamps and the glass walls emphasize the difference to the worn and cramped feeling of the East Ville office.

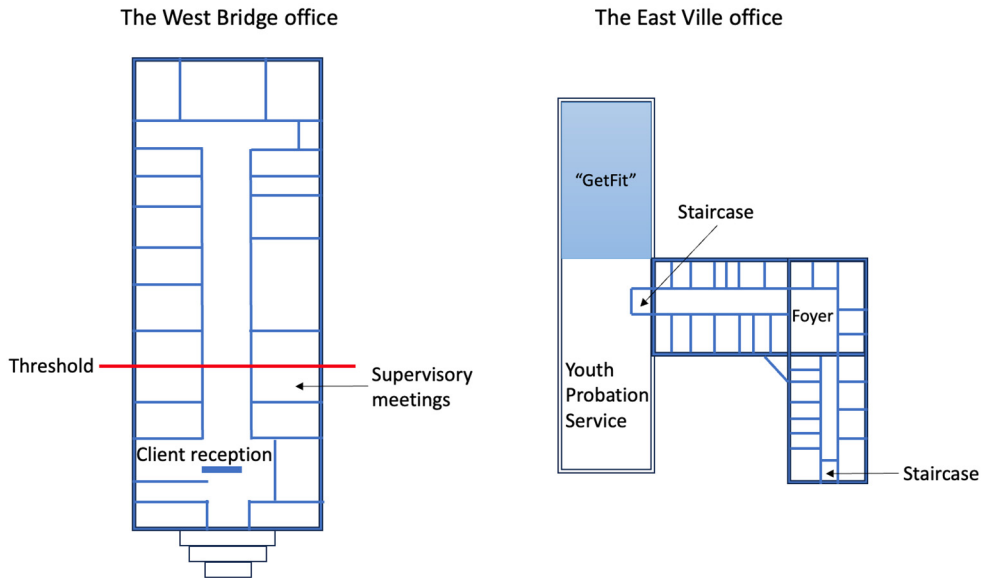


Figure 2: Fieldnote-sketch of the West Bridge office and the East Ville office.

The drawing provides a simplified layout of two probation offices, with the West Bridge office on the left and the East Ville office on the right. In the drawing of the West Bridge office, the red line indicates the threshold above which only probations are allowed. The four blue boxes directly below the threshold represent the rooms dedicated to supervisory meetings. The drawing of the East Ville office illustrates how the offices are positioned on either side of a hallway that bends at a 45-degree angle. There is a staircase leading up to the floor above the probation office at each end of the hallway. To the left of the probation office is the Youth Probation Service, and behind it, the Fitness Center "GetFit", is located in a newer annex attached to the old warehouse.

Organization, segregation and hierarchy

In the following the consequences for the social dynamic of the very different spatial organizations of the two offices will be identified and analyzed. The section will start with a view of the way in which the lack of spatial designation and delimitation, the open-endedness and unclarity indeed, in East Ville may in fact create a need to talk about and thus actively verbally construct the fundamental social differences between clients and probation officers, whereas in West Bridge such differences are a given in and through the very clear spatial markers such as the threshold. In West Bridge there are much fewer open questions about who you are, what social group you belong to, the scope of your mandate, etc. And, by not having to be talked about or asked about, the differences become more transparent – a technicality.

Spatial clarity

The clear designation of spaces in the West Bridge office feeds into the social sphere and divides the members of the social setting into “those allowed to go everywhere” and “those welcome to go somewhere”. Yet, curiously, there are no traces in my fieldnotes of any striking experiences of “us” and “them” like the very elaborate experiences of such a demarcation that I describe in my fieldnotes from my first visit to “East Ville”. The professional setting at the West Bridge office was just more formal. It is as if the clear physical segregation governs the formal difference between clients and employees so clearly, once and for all, that any further speculation that may invent the theoretical construct of “us and them” is much less likely to happen. In West Bridge everyone’s social affiliation is constituted by the logic of the physical threshold that segregates the office space. It may be posited that when the woman from the Youth Probation Service in East Ville asked me whether I was a partner, what she actually needed to know was whether I was a client or “all kinds of people” as she framed it. Much like the administrative part of the office in West Bridge is off limits to clients, so are the offices of the Youth Probation Service in East Ville. The difference, however, is that this principle never really gets externalized in the office or the building, forcing the woman to ask the question that made me wonder about possible stigma and the construction of an “us” and “them” dichotomy in the first place. The logic of the office building in East Ville (or the sheer lack thereof) makes social affiliation a constantly open question. In West Bridge, the formal difference between client and employee is not an open question. You don’t even talk about it.

In general, there are very few of these open questions as to the social hierarchies at the West Bridge office. You do not get lost there. Everything is transparent and there always appears to be a plan. Before even realizing that you do not know what to do with yourself, you are being either helped or simply told what to. You don’t need to ask.

West Bridge, March 10, 2022

I arrive at the office. This is my second trip to West Bridge. It is all still quite new to me. Before I get to take off my jacket, Frida, a probation officer, kindly invites me to sit in her office where there is an unused desk. I thank her and think to myself that this is a very nice way to arrive at a place where you feel somewhat uncertain about what the day will bring.

I walk over to Solvej’s office; a very nice office, yet it appears a bit darker than the other offices, with a meeting table and two armchairs tucked away in an alcove behind Solvej’s desk. Solvej had to leave right after having shown me around the office during my first visit, so this is my first chance to go over the details with her.

We mainly talk about the daily routines in the office and the “unwritten rules”. Each of the office doors has a red-green sliding mechanism so that other employees know that the office is in use.

Solvej: “Only the managers really use it!”

The way in which Solvej says this does not lead me to think that other employees are not allowed to use the sliding mechanism. Rather, I think that Solvej must be hinting at the fact that she has a lot of responsibility and believes that sensitive cases and HR must be prudently handled.

Solvej: “Thursday is a long day here. We go home at 17.00.”

Me: “Okay, then we’ll have to see how long I can keep it together”

I say this with a smile so as to indicate that I will of course stay until the very end.

Solvej: “Well, I’m not keeping track of *your* time. I guess somebody else does that.”

Me: “I guess so.”

Solvej is not really serious as she says this. There is definitely a hint of dramatization in her voice as she raises her index finger while talking. Still, I find myself noting the way in which she emphasizes “your”, so as to indirectly let me know that she does indeed keep an eye on when the probation officers come and go.

I go back to Frida to find her working at her computer. She has turned on the small loudspeaker on her desk. Music from the local radio station streams out so quietly that you can barely hear it. Before I reach my own desk, Solvej enters the room.

Solvej: “Wasn’t there some document or other that you were supposed to pass around?”

I show her my list of people who have already consented to participate on my study and she suggests that we go back to her office to reach some sort of overview. Back in Solvej’s office she completes my list of names and ‘checks’ the ones who have already consented so that it is clear who I need to speak with. This is a great help. But I cannot help but think about what it really means – what it says about Solvej as a manager and the office that she runs.

Back in Frida’s office another popular song is playing. I barely get to turn on my computer before I hear Solvej’s voice in the hallway.

Solvej: “Sigrid! Could you come here for a sec?”

Sigrid: “Are you going to fire me?”

Solvej: “Nooo!”

Sigrid walks past the office in which Frida is trying to work and I – somewhat covertly – observe the scene.

Sigrid: “Shall I close the door?”

Solvej: “Yes!”

Solvej manages the offices in a very visible way. Why would she tell me about the “red-green mechanism” on the doors if she is the only one who actually uses it? Also, such a device is self-explanatory. By explicating the function of the device, she is letting me know that her work is different from the work of other employees. She communicates to me indirectly that her work stands out and is important. But it is not only important. It is secretive. She has access to information that the rest of us cannot be party to. When she changes the sliding mechanism to “red”, she instigates a micro segregation within the already segregated office.

The sheer redundancy of spelling out, whether implicitly (as in this case) or explicitly, the fact that an office manager has other tasks than a “regular” case worker emphasizes that this is an instance of identity work. She is not simply informing me about the division of tasks, responsibilities and power at the office. She is placing herself within the professional and social hierarchy – not at the very top, but well up there. Again, the fact that she high up in the hierarchy in the office is in itself quite trivial. So, when the fieldnotes indicate that I am puzzled about the very hands-on help she offers me regarding obtaining the informed consent of the probation officers, it is not the fact that she feels responsible for making sure “her” employees may evoke their right to opt out that makes me speculate. Any good manager would feel responsible for their employees. It is the way in which she goes about it that causes me to wonder. It is the entire situation in which she literally takes the paper and pen right out of my hands and starts writing and checking off names herself.

By such demonstrative management she not only manifests *in situ* her own social and professional position, she also designates and delimits a space for me to “inhabit”. She gives me an assignment by leaving a list of people to reach out to with the project information and the consent form. While she is not keeping track of when I come and go, she is making it very clear to me that she is the one who is enabling me to operate in the office. Again, it is not the fact that my presence in the office is conditional upon me living up to a set of ethical standards that were agreed upon by all the involved parties beforehand. What strikes me is that she takes control of *my* work. She is effectively now telling me to do something. In and through this particular situation, I am not only given an assignment. I am assigned a place in the professional and social hierarchy.

Designated rooms and constructed spaces

In the West Bridge office, the probation officers have to book one of four designated meeting rooms in advance for their meetings with the clients, whereas the East Ville officers have to invite the clients into their own offices. The meeting rooms in the West Bridge office are all located before the threshold that divides the office and they are obviously designed with a view to their purpose. So, the offices themselves are in all essential aspects similar. They are sparsely decorated; there is a table in the middle with chairs, all similar, placed around it. Under the table in front of a particular chair is a panic button, although it cannot be seen. The probation officers know where to sit so that they can activate the panic button at all times in the event of an emergency. The East Ville office does not have panic buttons. Instead, it has an extra door in all the offices, often located close to where probation officers sit behind their desks. In an interview, Alberte, an experienced East Ville probation officer, who has been intentionally assigned some of the most difficult clients, explains the purpose of the extra door, as we talk about the security measures in East Ville and the panic buttons in West Bridge.

- Me: But you also have some safety measures here?
- Alberte: Yes
- Me: So there are two doors in all the offices, right?
- Alberte: Yes
- Me: I'm not sure everyone notices it, but I noticed it fairly early on. I was wondering why there are always two doors, but it's because you have to be able to get out
- Alberte: Yes
- Me: It's sort of ehm eh, it's a sort of panic button
- Alberte: Well it is .. where you open and eh .
- Me: Yeah
- Alberte: Exactly, and then we have these measures where we sort of agree
- Me: Yes
- Alberte: That when we have someone who .. where we sort of think
- Me: Contingency plans and such like
- Alberte: Yes, exactly, contingency plans where we sort of go in and look at that and we listen to each other and everything like that .. but I also remember or I also know that when I've been part of an employment committee sometimes . so when people come in for job interviews . they think . then they ask . don't you have assault alarms and don't you often have trouble here and stuff, but no . we don't have that and again . it's the relationship and I believe that has a lot to say about how we stop quarrels before they . so MI . and use MI

Curiously, Alberte is not very clear when talking about the extra door, as if it is in fact not clear to her what she is supposed to do with it in the event of an emergency (“where you open and eh .”). Instead, she clearly indicates that she has never really had to use it. And she highlights the relationship with the client and the prospects of dialogue and motivation. It seems she would rather evade escalations by establishing a relationship. In another interview, Mathilde (who, unlike Alberte is a very “green” probation officer at the East Ville office), implicitly reflects upon the fact that her meetings with clients take place in her own office. In her opinion, the act (or non-act) of not quickly stashing away personal items as the client enters the office is an important way of showing trust. In turn, she identifies this as a way of building a relationship with the client. As such, she appears to – implicitly and most likely unwittingly – present the fact that her client meetings take place in her own office as something integral to her supportive work with the client; as something that stimulates the client and motivates them to make responsible choices. In the following excerpt she is answering a question about what she thinks is important for the clients when they enter her office.

- Mathilde: [breathing in] I think that .. what I’ve noticed when people come to the first meeting is that they can be really nervous
- Me: Yes!
- Mathilde: Because they don’t know what they’re getting into and they don’t know what it means to be supervised, so what they need is information about exactly what it means to be supervised because it’s not [chuckles] dangerous, you could say, it’s part of the sentence
- Me: Yes!
- Mathilde: But it’s not dangerous, it’s actually supportive
- Me: It’s not meant to be tough
- Mathilde: It’s not meant to be tough .. and the point is not for you to come up .. and be met with .. ehh prejudice and someone thinking you have committed a crime .. packing away your bags and stuff like that [gesturing with her hands and moving her telephone from the table and into her lap]
- Me: No!
- Mathilde: you have to be... it’s important for the clients to be met as they are . where they are in life .. because if you have less ehmm lesser thoughts about them, then they also think this way about themselves and if they have .. so .. if you have too high expectations for them, then it may also be that they have a hard time meeting those

It could be argued that unlike having a conversation in a personal office with a professional having personal items lying around on the table, pictures of her children on the shelf (which some of them had), the process of being accompanied to a generic meeting room is a form of prejudice. Even though the panic button is not visible and the door behind the probation officers in East Ville *is*, the whole set-up in West Bridge suggests that clients cannot be trusted. And when talking about the different principles of physical organization, the probation officers in East Ville would often praise their own model as it allows them to build a relationship of trust and thereby making a panic button obsolete. Conversely, the probation officers at West Bridge were often surprised to learn about the procedures, or lack of such procedures, at the East Ville office. Toward the end of a team meeting in West Bridge, Solvej asked me if I had anything interesting to say about my research at this point. I did not have much to say at this point, but given the fact that I had now visited both offices, I could tell them about the strange differences in the way in which the offices were physically arranged. The probation officers were all very interested. And, as the fieldnotes from that meeting suggests, they were divided as to the suitability of this, in their view, very alternative arrangement.

West Bridge, March 22, 2022

As I have spoken for five minutes or so, which in hindsight seems like a very long time, talking about my very preliminary takes on the immense differences between the offices, the group of probation officers are silent. Then, Mia clears her throat.

Mia: "That sounds a lot nicer than here. More relaxed. Better for the clients, I think."

I cannot help but feel a nervous tension in the room. At least, it seems that most of the other probation officers disagree. Many of them shake their heads.

Sigrid: "I'm not so sure."

Anette: "Our office seems like a prison compared to theirs." [everyone laughs]

Me: "I guess it's a pros and cons kind of situation."

Solvej: "I think you're right about that, Asbjørn!"

Me: "At any rate, I'm looking forward to talking with your colleagues in East Ville about this when I go back there next month. But, would you all rather have the interviews in your own offices – I know it wouldn't be possible here, given the fact that many of you share rooms – but, I mean, ideally speaking?"

Sigrid: "I think that this is a more professional environment. It's important to have clear boundaries."

Mai: “I agree! We’re not here to make friends, but to help and guide using professional tools, and they work better under controlled circumstances.

Solvej: “And I think that the clients prefer predictability, so that they know what to expect coming here and so that we don’t promise too much. There has to be that distance – it’s the same at the public employment agency where I guess we have all been as clients at some point in our lives.”

While Mia, seemingly alone, thinks that everything is better in East Ville, implying that the physical governance of the West Bridge office is uptight, Sigrid and Mai argue that the West Bridge set-up is more professional. Solvej agrees with Sigrid and Mai by highlighting the advantages of predictability and the risks associated with having a culture in which clients and employees become too close. And, by referring to the fact that many other, and more normal, social service offices utilize the same physical arrangements, Solvej dismantles Anette’s prison comparison.

Apparently, it would seem that whereas the probation officers of East Ville highlight personality, relationships and mutual trust, the West Bridge probation officers value the institutionally sanctioned tools and the goal-orientedness. The further this analysis delves into the collected material, however, such conclusions will prove to be too rash and crude. Indeed, the probation officers and managers in East Ville value professionalism and respect the authority of extra-local programs and tools. And the West Bridge probation officers care for the client as a person, deploy personal strategies and strive to build individual relationships based on mutual trust. Nevertheless, what can be confirmed is that the probation officers employed at these two very different offices are each in their own ways experts in working with what they have got – in making the most of it; whether it is a matter of *using a room* that is already at hand and equipped for that specific purpose with little opportunity to “make it their own”, or a matter of *making a space* in an already personalized room for a technical purpose which, in most respects, it is not designed for. Furthermore, what is striking is the level of loyalty to the procedures and cultures deployed in the respective offices which, dare I say, comes across as genuine.

Office entrances

The door to the East Ville office is open, or rather, as soon as the sensor placed above the door detects someone, be it a client, office manager, probation officer, guest researcher, cleaning staff or the Director General of the Prison and Probation Services, it opens. The door also serves as an entrance to one of the larger and more well-known fitness chains in Denmark. The name of this company is spelled out in big blue type over the door on the glass facade. It is necessary to get very close to the door to be able

to see that “probation office” is written in small green type. So, the door also opens for people having no business whatsoever with the probation service, that is, people visiting the fitness center.

This did not seem significant until I returned to East Ville having spent a month in West Bridge. Up until that point I had only thought about it once and that was during my first visit in East Ville when I realized that this was in fact the door to the probation office that I’d had so much trouble locating. Thus, having returned to East Ville I sometimes started talking about the entrances with the probation officers and the clients in a new way. Accordingly, in the interview with Alberte at the East Ville office, we reflected on the signals sent to clients by a door that opens for everyone in explicit relation to the much more secured, surveilled and choreographed entrance in West Bridge.

- Me: and that’s why it’s interesting how the doors .. so now I’ve been to two places you know
- Alberte: Yes
- Me: and I’m fascinated by how much difference there is with regard to the doors through which you enter
- Alberte: Yes [clearly interested in hearing more]
- Me: and it may well be that you . that is . this may seem a bit over-analytical but here there is a sensor that registers that you’re there and then the door opens
- Alberte: Yes
- Me: It’s like something is saying
- Alberte: Welcome . yes [Alberte finishes my sentence]
- Me: The other place I’ve been, you’re monitored by a video camera and then you have to ring the bell and then they let you in
- Alberte: Yes [quietly]
- Me: and then you’re in a boat lock of sorts
- Alberte: Yes [more quietly]
- Me: And then you like . have to pass through a metal detector¹⁷⁰
- Alberte: Yes [almost silently]
- Me: There you get .. you become a criminal right there
- Alberte: Indeed . and you’re already being monitored as you enter and you think . if I think I would feel . so I think . hold on . are they

¹⁷⁰ I must have gotten carried away in my presentation of the entrance at the West Bridge Office, as you do not in fact have to pass through a metal detector. Perhaps what I meant to convey is that you might feel like you’re passing through a metal detector.

looking right now .. yes
Me: Exactly right

The West Bridge office is not like a prison. It is quite the opposite. Getting out is no problem. But in order to access the office you have to pass through security installments. By all of these control procedures, a clear limit between outside and inside is emphasized. You can clearly sense the entrance, the liminality, because it is so tangibly regulated. The office comes to appear as this pristine sanctuary where only those people who have business there, that is, either clients or employees (and in rare cases guests like me) are allowed to be. In East Ville it would often be the case that people looking for the fitness center got lost and were walking bewilderedly around the probation office. Also mailmen and handymen were walking in and out unchallenged. This, however, did not appear to affect the feeling of crossing a line of sorts; the feeling of entering a reality characterized by difference.

Me: That . doesn't that relate somehow with what you said just before that is that you . you're sorry you have to to put them into boxes
Alberte: yes
Me: but when you enter the door down here
Alberte: then you're put in a box
Me: then you're put in a box [simultaneously]
Alberte: Yes
Me: And that you're not when you .. eh . but then it depends on how many people know you're doing community service, I think
Alberte: Exactly
Me: Or performs community service
Alberte: Exactly
Me: if you really just go about your day . working
Alberte: yes
Me: Then you're normal
Alberte: Exactly
Me: but you're not when you walk through the door here
Alberte: No
Me: As a client
Alberte: No
Me: I can almost feel myself turning into someone else
Alberte: Yes

In this part of the excerpt, Alberte and I are confirming our views as to a potential stigmatization imposed upon clients when entering the office by jointly intoning “then you’re in a box”. When a citizen enters the premises of the probation office, we both believe, they are put in a box, transformed into a client. In this particular discussion this realization comes about somewhat indirectly as we discuss the positive prospects for clients who, for some reason, have their supervisory meetings out in society, i.e., at the places where they perform community service, instead of having to come into the office. When they are “out” performing community service they may not necessarily come across as clients of the probation service. Coming to the probation office, entering through the doors, however, they may be observed by others. At any rate, they may feel as though or fear that they are being observed. Giving that, at least in principle, it was impossible to distinguish between who’s who in the East Ville office, someone you may have thought was a client might turn out to be a plumber fixing the dishwasher in one of the small kitchens. And, even more confusingly, someone who may have appeared to be a member of the cleaning staff sanitizing the refrigerator could turn out to be a client serving their last two hours of community service in the office, seeing as no other workplace could take them at short notice or for such a short time. So, in East Ville, it can be asserted, the stigma of entering the office is likely to stem primarily from yourself seeing as no one (apart from yourself, that is) is really capable of immediately identifying you as a client. As the following excerpt from my interview with Troels, an East Ville client, suggests, such self-stigma or preordained shame constituted by the ever-present possibility to be caught in *le regard*, as Sartre (2010: 276–283) would frame it, may be associated with entering the offices for the clients. Troels conveys this to me as he describes how relieved he is by the fact that the entrance to the East Ville Office is also the entrance to “GetFit”, the well-known fitness chain.

- Me: [Interrupts] But ehm but can I ask you something?
Troels: Yes
Me: Because I really want to ask you something before our time is up
Troels: You bet
Me: Sorry to cut you off though
Troels: No no
Me: We could talk for hours [chuckles]
Troels: But we could [laughs]
Me: I really want to ask you about . seeing as you .. actually . function quite well
Troels: Mmmh [affirmatively]
Me: And you . wouldn’t do anything again
Troels: No

Me: I clearly . sense that
Troels: Yes
Me: Then what's it like to walk in through the door down here anyway
Troels: [deep inhale] It's tough . and I yes I'm ehm super happy ehm that I .. and I have actually thought about this . I'm actually glad that this is also the entrance to GetFit
Me: Yes
Troels: Because I have a feeling that all the people who come out of here see me as a criminal so I ehm I'm
Me: but you could also be . what is it ehm an athlete [quite laugh]
Troels: Yes, I wish ehm . well . those who have something to do with GetFit must also enter there . and it . I'm glad because because had it only said the probation service, then I would have had a harder time with that, I reckon, but now I hope a little that people might think I'm here to visit GetFit
Me: You don't look like ehm most of those who come here
Troels: the typical criminal ehm .. no but again like I talked about with Ellie in her office, people can't look into my mind . but I may well look like some washed-up criminal but ehm
Me: But then I may as well

Troels appears to be ashamed. However, not all clients care about what other people think of them. Mikkel from East Ville states that he couldn't care less about what other people think and that he does not feel "boxed up" as he enters the office. After all, he has been there before, he tells me.

Me: Yes ... is a client who comes in eh that's what they call you here . clients . a citizen who comes into KiF . is he a criminal?
Mikkel: .. I guess it depends on who you ask . I guess
Me: yes .. how does it feel to walk through the door down here?
Mikkel: . it's nothing . it's just something that has to be done . after all, I've been here before
Me: Yes . you don't feel like people are looking at you and judging you and?
Mikkel: no [resolutely] .. people have their own opinions
Me: yes ... Is that really what you think . I mean?
Mikkel: Yes [resolutely]
Me: Yes
Mikkel: People . they can think whatever they want

Me: Do you think of yourself as a criminal?
Mikkel: No [resolutely]
Me: no .. you have served your sentence
Mikkel: I have done my time

Mikkel does not feel ashamed. Even though he does not think of himself as a criminal, he does not care whether other people do – at least, that is what he tells me. Troels cares whether people think of him as a criminal. Indeed, it seems that Troels is much more prone to think of himself as a criminal, at least in the eyes of other people (“I have a feeling that all the people who come out of here see me as a criminal”). However, the very fact that Troels actively hopes to pass as someone different than a client of probation service could suggest that to some extent he has labeled himself as a criminal (“now I hope a bit that people might think that I’m here to visit GetFit”). In this way, his identity is constituted by what others think. It means something to him to be part of the respectable “us”. Mikkel, on the other hand, cannot be bothered, at least so he says: “People . they can think whatever they want”. Based on the face value of these words, Mikkel confers no stigma onto himself. He accepts the official punishment for whatever he may or may not have done and leaves it at that (“I have done my time”). Mikkel does not see himself through the eyes of others, he does not sense *le regard*, it would seem (cf. Sartre 2010: 276–283). He has given up on the respectable “us” that Troels still somehow feels part of.

Me: Are you worried about the future?
Mikkel: No . I take it one day at a time
Me: What do you expect from your relations? . I mean your friends and . and your girlfriend and family . is there anything specific?
Mikkel: Noohh [thinking to himself]
Me: Do they play a role in all of this?
Mikkel: I would say so
Me: Hmm [affirmatively] . but it’s first and foremost yourself . who has to do the
Mikkel: Yeah Yeah I mean
Me: heavy lifting
Mikkel: Yes eh I have to carry all of this myself
Me: Yes .. yes .. do you feel like you are being welcomed back into society after having been inside?
Mikkel: I guess . I’m a human being like everyone else

While Mikkel finishes off by affirming that he feels welcomed back into society, he does not seem to expect any help or understanding from anybody. In contrast, having realized that he has a particular kind of mental problem, Troels receives voluntary psychiatric counseling and reaches out to his closest family to help him get back on track. Troels handles his problems like most of “us” would, by reaching out for help. And he acts and talks as if he is entitled to support from the welfare system (and indeed he is) even when undergoing formal punishment. And when there is something he does not understand, he phones the Probation Service and asks about his rights and entitlements.

Troels: But erm but erm it's not nice to have to come here because you get the . that is . although we've got a much better relationship after I've developed a bit . and erm put my stupid smartness aside that I had the first couple of times erm and also . I think it's because . I mean . when you come here the first time or now I have to speak for myself . when I came here the first time it struck me quite heavily . it became very clear that in addition to the fact that I've been in prison, it as if now I had committed another crime. it was as if I had committed a new crime because in the period from when I was let out of the district court . erm . it's not that I wasn't acquitted, but I got such a short sentence that I

Me: You had already served [interrupts]

Troels: in fact I had spent three months longer in prison than I should've, considering my sentence .. and then those months also passed because of COVID . and in those months . seeing as the case was just appealed I actually talked to the Probation Service .. I remember erm I think I called a week after erm that I had come out eeehm no sorry it was a week after the case had been appealed erm and there erm there I called the Probation Service to ask about what I can do now and what I can't do . and then I was told, I don't remember who I spoke to, but it wasn't anyone here erm but he then says that if the case was appealed then that actually means that . erm . then you're not . then you're .. it actually means you're completely innocent

Me: You hadn't been convicted yet?

Troels: No so that means that you haven't received a sentence yet and that you can .. whatever everybody else can

Me: Yes

Troels: and I had a hard time with that and erm you could say that it makes it even harder . because then I was inside for four and a half months erm . and got out after two-thirds on parole ... and the fact

- that I have to be here now ... that's a bit hard to take because it sometimes feels as if I . I've committed a new crime
- Me: Yes
- Troels: eehm and that's also how it felt when I went to prison again . I saw some of them . some of those who I had been in prison with up in Northrup¹⁷¹. I was there in Northrup prison and came back when I was sentenced a second time in the district court ehm and got a harsher sentence ehm there I saw some of them again who asked what the hell have you done now? [laughs]
- Me: Yes [laughs]
- Troels: but it was the same sentence . yet now it had been extended but they knew. they know the system so they just said okay

It is difficult to follow Troels' reasoning here. He tries to make sense of something that is very complex. And, that is exactly the point I wish to make. He is not just letting it go. He is not resigned. And he wants me to know all of this. It is important for him that I know his story. With Mikkel I had to almost squeeze everything out of him. But Troels is almost impossible to hold back. He just talks, justifies, explains and confesses. And, in doing so, it could be argued, he reasserts himself as someone normal, someone who is used to being heard, listened to and understood. At any rate, it could be argued that he actively distances himself from those other prisoners who *know the system and just say okay*. Mikkel, on the other hand, is resigned and he actively presents himself as someone who knows the system ("after all, I've been here before"). He is not explaining anything. People have their own opinions, anyway. He just wants to finish the interview as quickly as possible, I sensed.

The fact that Troels, on the one hand, explains and conveys the Kafkaesqueness of the procedures he has been through as if "angling" for understanding, approval and sympathy and Mikkel, on the other hand, just goes with the flow accepting things as they are, may to some extent shed light on why entering the probation office is such a completely different experience for these two clients. Troels is ashamed. He cares what other people think, what *I* think, as he views himself through *le regard*, that is, through the gaze of the other, the bystander, the normal (cf. Sartre 2010: 276–283). Troels himself still perceives himself as normal, as not belonging in the office, otherwise he would not be ashamed. He is an Everyperson, in the Goffmanesque sense, that is, in the sense that he constantly seeks to avoid shame (or embarrassment) at all costs. He wants to present himself at his best and not lose face (Goffman 2003). I also sensed it in the narrow streets of East Ville as I was just about to ask that random woman who

¹⁷¹ "Northrup" is a pseudonym for a well-known and closed Danish Prison.

was looking to buy some socks on a bargain for her husband (I presume) for directions to the probation office on my first day there. I did not want to lose face; I was not jeopardizing my image as normal which, for some reason, I felt was threatened in this situation. Accordingly, Troels' social bond is somewhat intact since shame, as Scheff formulates: "(...) is the feeling of a *threat to the social bond*." (Scheff 2000: 97) By that token, a viable reason for Mikkel's lack of shame is that he has indeed broken the social bond. What is already broken cannot be threatened. So, he does not care. He is not an Everyperson. He is Mikkel. He is on his own. Disconnected.

Entering the probation office is no problem for Mikkel. He has been there before. He is a client already. Entering the office makes no difference to him, it seems. Troels, on the other hand, *becomes* a client as he enters and that "is tough", he says; regardless of the fact that the door opens by itself, bidding him welcome or whatever. Maybe he senses the same forced transformation, the sensation of almost turning into someone else, as if entering a completely foreign world, as I did when entering the office.

A different place

In this chapter, the offices, the people visiting the offices and some of the main characters of this ethnographic study are introduced. I describe how I perceived the two probation offices as very different from each other, but similar in the sense that they both constitute places that are characterized by a more fundamental difference than that which exists between them. In this final section of the chapter on the offices, I will discuss this fundamental difference that the offices manifest and relay, in initial terms, the significance of this finding for the general argument of the dissertation.

Entering the offices and seeing them from the inside with an outsider's eyes, they come across as different, in other words, they come across as otherworldly. Until you have gotten truly "in" into the office (something that I never achieved), you are constantly reminded of your misplacement there. It could be that the clear designation of a role in the office hierarchy that I was given on my first day in the West Bridge office helped the integration along, but it did not mitigate the sensation of entering a special place that I sensed every time I walked up the stone steps and rang the red doorbell, facing the camera, etc. Special yet uniform social roles are accepted more or less voluntarily by the members of this setting when entering the building. Citizens become clients, officers, managers, guest researchers, regardless of whether the door is securely locked or opens by itself. It could be argued that such a transformation into a role happens every time you enter a place of significance. Indeed, every time I enter my university department, I am a little bit more a PhD student and a little bit less "just Asbjørn".

This, however, is exactly the point that I wish to make with this chapter, namely, that certain places leave open certain roles to inhabit for people who enter them and have business there. The following excerpt from my fieldnotes, describing a situation where I met Solvej outside of the office, is illustrative in this regard, I believe.

West Bridge, May 16, 2022

Arriving in West Bridge. I feel very tired as I walk toward the probation office. I slept through the entire train journey. I am tired of field work, of writing fieldnotes. Just two more nights at “Hotel West Bridge” and then it should be all over.

As I am about to turn left from the sidewalk to enter the office premises, a small black car, quite ordinary and with mud on its tires, exits the parking lot. The driver leans over the empty passenger seat and rolls down the window closest to where I stand. It is Solvej. She has spotted me.

Solvej: “Anette is sick. She asked me to tell you. I’m on my way to the garage with the car.” [shouting loudly]

Me: “Okay – thanks – see you later!” [shouting back]

The interview with the probation officer, Anette, was the only thing that I had planned for today. It’s a shame that she’s sick. Perhaps I could have cut this final visit short, if I’d known about this a little earlier. But this is not what occupies my mind as I continue toward the daunting wooden entrance to the West Bridge probation office. For some reason it was weird seeing Solvej in the car. Something was off. It was not quite Solvej.

On that morning, toward the very end of my field work, I saw Solvej outside of the office in her average, yet most likely very practical and economic car. I was struck by this weird sensation that you sometimes get when something is out of place; the sensation that the Norwegian author, Karl Ove Knausgaard, so neatly captures as he describes the appearance of his coffee mug as he suddenly realizes that he brought it with him outside as he leaves his house to smoke a cigarette:

I went into the street with the cup in my hand. A slight feeling of unease arose within me at seeing it out here, the cup belonged indoors, not outdoors; outdoors, there was something naked and exposed about it, and as I crossed the street I decided to buy a coffee at the 7-Eleven the following morning, and use their cup, made of cardboard, designed for outdoor use, from then on. (Knausgaard 2013: 304–305)

In a similar manner, I could not reconcile the image of Solvej that I had been building up in the course of my stay *in* the office as someone special, someone naturally respected and somehow above the rest of us, with what I saw right there outside the office. Outside, she was stripped, in a sense, of the authority that she so naturally attains inside the office. She even rolled down her window and shouted. This was so profane, so purely practical, such a way of not “keeping up the appearance”, that it severely

challenged my impression of her as a very formal person. As the fieldnotes even suggest, she suddenly appeared alien to me.

This, I believe, goes to show how the symbolic order among members of an ethnographic scene is not simply instantiated by inborn qualities of the persons or character traits alone. Institutional identities do not sustain beyond the office. Rather, to a far reaching extent they are upheld by the social world of the office which, in turn, is maintained through the spatial and physical designation of certain groups and special mandates. The clients are clearly separated from the employees by thresholds, waiting areas, or the sense of shamefully entering as described by the East Ville client, Troels. And the managers' status above the rest of the employees is reinforced by the demonstrative use of red-green sliding mechanisms (as it is mainly they who use them) and continuously confirmed by and exposed on case load "score boards" (as their names do not appear on these).

Adding to this, in the succeeding part of the ethnographic study, I will argue that the social roles instantiated by the spatial and physical characteristics of the offices are even further imposed upon the members by the manual-based rehabilitative programs through which the probation officers are to guide most of the clients as part of their supervisory tasks. And I will further investigate the taut choreographing of these roles prescribed by the manual-based programs. Ultimately, in relation to the theorization of democratic emancipation which will be conducted toward the end of the dissertation, the notion of the places that have been developed in this chapter will be revisited. Insofar as the place, i.e., the office, makes a central part in the construction of citizens undergoing formal punishment as a "them", and insofar as rehabilitation or emancipation is a matter of escaping from such stigma, then the probation officers will have to find ways of referring beyond the institution as they engage with their clients in rehabilitative or emancipatory ways. In other words, they have to dismantle their role as someone else in the face of the client in order to engender a sense of basic human equality between them. The probation officer must find ways of dismantling the lopsided social positioning that the office invariably imposes on them in order to facilitate a greater potential for the client to genuinely endorse the fact that regardless of their formal punishment, they, the probation officer and the client, are both citizens in and of the same society outside of the office.

8 The manuals

The local offices of East Ville and West Bridge are located at the very bottom of the office hierarchy of the Prison and Probation Service. Above these offices are at least three other layers of office, namely, an *area office* which serves and controls a region comprising a couple of local probation offices, and above that is *the Department of Rehabilitation* located at the national headquarters in Copenhagen, finally, above it all is the directorate, led by the Director General.

The local offices are hubs for street-level interaction with citizens. Yet they function as the “face” of the organization to the public. Within their discretionary space, which is carefully delineated by law and governed by policy, they self-reliantly execute state-sanctioned punishment and constitute the gateway to public services for citizen’s undergoing punishment, such as rehabilitative programs and other kinds of support.

In this chapter, the documents that are present in the offices as manuals for the street-level provision of support and control will be presented and their governance analyzed from a discretion-theoretical standpoint. It will be suggested that these close-to-practice documents such as handbooks and procedures connect and align the local offices’ practices and ideals with the overall policy tendencies previously found in the overarching strategy documents that are devised at the very top of the organizational hierarchy and which are not as present in the offices.

In the first empirical part of this dissertation, certain discursive tendencies toward managerialism and penal populism were identified within the Danish Prison and Probation Service’s official and publicly available policies in the form of strategies, political framework agreements, annual reports, etc. Firstly, traces of a managerial turn in the policies and strategies circumscribing the Prison and Probation Service were identified. It was concluded that the “organizational self-care” indicator of managerialism was prominent in the documents analyzed. There then followed a closer investigation of how rehabilitation was discursively framed in the documents. It was argued that certain discursive trends in policy characterized by gradual reductions in the support discourse and various reinforcements of offender stereotypes suggest that the discursive space for rehabilitative practices may be shrinking. The documents present in the offices which, from first glance, appear to be bereft of any strategic and

political content, will be analyzed in light of the previous results in order to assess the extent to which these discursive tendencies may indeed be conveyed by these office documents all the way down through the organizational hierarchy to the street-level in a language and form that is eligible and operational here.

In both the West Bridge and the East Ville office, the probation officers are provided with personal computers. They all have laptops with docking stations. These computers are the most important tools for the probation officers in their everyday lives. They take them everywhere; to team meetings, team exercises and, in the West Bridge office, to supervisory meetings in the designated meeting rooms.

In my notebook, on one of the pages of the fieldnotes for my very first supervisory meeting observation (Emma and Anders, February 2, 2022) there is a note that says: “Screensaver?”. My eyes must have just briefly glimpsed Emma’s computer screen as I was sitting in the corner of the room closest to her, behind her desk, facing Anders. This note indicates the very first time I noticed that the screensaver for the computers provided by the Danish Prison and Probation Service for its employees shows a selection of pictures and punchlines of the central strategy brief called *Strategy for the Prison and Probation Service 2021* that automatically change from time to time. So, as the probation officers’ computers’ “go to sleep”, phrases such as “The Prison and Probation Service makes for a safer society” and “we shall be open and visible” appear on the screen alongside graphics highlighting the supposed changing face of the threats toward society, as well as the Prison and Probation Service’s institutions referring to “challenging and resource demanding prisoners” and the Prison and Probation Service’s endemic capacity problems; “more prisoners” and “lack of prison officers”.

I quickly became very attuned to the probation officers’ computer screens – trying to catch a glimpse of them at any given moment – to the extent that I felt almost mocked by the screensaver as it suddenly appeared on the big screen in the meeting room in East Ville as we were listening to one of the probation officers briefing the rest of us on case and transit IT systems and the correct storage of personal information. This scene, in which the punchlines of the strategy appeared as motivational quotes on the wall as if spurring on the heated discussions on “future portfolio management”, “work-conditioned needs” and “deletion deadlines”, would likely be understood as an archetypical example of institutional domination and managerialism. While the latter may have some empirical soundness to it, I have no reason to believe that the screensaver served as a deliberate attempt to dominate or nudge the probation officers. Actually, nobody other than me seemed to really notice.

Me: On your eh computer
Molly: yes
Me: If you don't touch it for a while, a screensaver will appear
Molly: yees [surprised]
Me: Isn't it eh the Prison and Probation Service's strategy for 2021?
Molly: I don't know what it says on it [laughs]
Me: No [laughs]
Molly: That I haven't really eh
Me: I've seen it on many of your computers
Molly: Yes
Me: If they're not being touched for a while then
Molly: But that's true . something shows but I don't read it
Me: No .. why do you think they have it eh I mean it's something that they have chosen . there could also be a picture of a cat?
Molly: Yes .. but I guess it should like . do something to us
Me: Like nudge you
Molly: yes exactly .. but you can see how little I am eh receptive to it [laughs]

Such almost total unawareness of the screensaver as exhibited by Molly from the East Ville office in this transcript was confirmed in my interviews with the other probation officers as I would often ask them about it, whether they have noticed it and tell them about it if they hadn't really noticed it.

Olivia: yes the screensaver . yes . but it's not something that I ever read
Brit: Oh yeah . I guess it could be something like that . I haven't noticed it [laughing]
Isabella: I have noticed it but most of what it says is also in the handbooks
Selma: Screensaver .. eh .. yes it's something about safety

While Olivia and Isabella from the East Ville office and Selma from the West Bridge office have all noticed the screensaver in the sense that it “rings a bell”, Brit from West Bridge has never noticed it. Interestingly, Isabella mentions the handbooks, which I will get back to later. Molly, however, reacts quite strongly as I tell her about her

screensaver and deliberates on the fact that the strategy's focus on *making for a safer society* does not at all align with her appreciation of the work that she commits to on a daily basis.

- Me: and on it it says that we make for a safer society
[long silence]
- Molly: Does it say that? [quietly]
- Me: Yes, that that's the purpose of the Prison and Probation Service
[long silence]
- Molly: Wow [quietly]
- Me: Yeah and . but why do you go to work?
- Molly: Are you serious, Asbjørn? [interrupts]
- Me: Yes . don't you go to work to make for a safer society?
- Molly: ... I think that that's a very high goal
- Me: Yes
- Molly: to set and I think that it's placing a lot on my shoulders
- Me: Yeah okay
- Molly: Ehm
- Me: but is it Mrs. Jones down on the corner that you .. so now you have to stop me again if I
- Molly: Yeah yeah [interrupts]
- Me: So you don't have a conversation with this dangerous criminal because you would feel sorry for Mrs. Jones if he did something to her . it's not the main thing for you . is it?
- Molly: No no . no
- Me: The main thing for you is that there is actually a person sitting here who has come . has come . who in reality has been getting out of the wrong side of the bed all his life
- Molly: Yes [resolutely]
- Me: So who do you feel sorry for?
- Molly: But I mean that is . that is
- Me: You feel sorry for the client
- Molly: Yes [loudly]
- Me: And not Mrs. Jones
- Molly: No
- Me: And you and me
- Molly: no and there I can get into quite a conflict with my loved ones eh . eh family members who are a bit more old school because they're like but it's *themselves* and blah blah blah and there I say well . we

- agree on that and no one has chosen for them
- Me: no
- Molly: They have made their own choices .. but dear father , you often told me that if only someone had told me that I should just go to school a bit more, I probably wouldn't have ended up as a mechanic with osteoarthritis in my back

The screensaver was the most evident appearance in the offices of any of the documents studied in the previous part of this dissertation, meaning that, in general, the strategy briefs, financial plans and annual reports that were investigated in the previous part of this dissertation played no apparent role in practice. While some of the probation officers claimed to have heard about the *Framework Agreement for 2018–2021* and knew that a new one had just been issued (the 2022–2026 issue), they had little to no interest or knowledge in what was in any of these, whether they were different from the previous ones and were hesitant to go into any debate as to their influence on their work. When they were asked about how the practices and the management in the probation office had developed in the course of the last 5–10 years or so, no one would provide answers indicating something like a punitive turn, that is, a turn like the one that could be argued is evident from the “zero-tolerance” and “more consequence” discourses that were previously explicated in the *Framework Agreement* – apart, perhaps, from the sporadic recognizing of a salient shift from a client-focused discourse to a task-focused discourse, which is also evident in Molly’s surprise regarding the strategy’s focus on protecting society from dangerous criminals.

As suggested in the first empirical part of this dissertation, the protectionist focus on society and the construction of clients in the Prison and Probation system as inherently dangerous marks some sort of change to the organizational discourse, a reduction of the view to the client and their needs suggesting instead a focus on potential future victims of crime and society. One of the ways in which this shift or reduction manifests in the documents is by the gradual exclusion of the *Code of Principles* of 1998 from the corpus of active and referenced documents. So, in order to investigate the potentially *real* implications of the change in policy discourse, I would sometimes walk around the offices with the printed version of the *Code of Principles* and ask the probation officers if they had ever seen it before. Approximately half of the employees that I spoke with said that they had seen it before; perhaps at the introductory course that they were invited to when they first started working for the probation service. With the exception of Solvej, however, who immediately plucked her own version out of her desk drawer, none of them were able to say anything about what it contained and many of those who said that they recognized it mistook the triangle on the front page for the generic “triangle of preventive measures” that you often see in a prison and probation service

context and which is something completely different, meaning that they did not actually recognize *this* document. Anyway, the point of this exercise was not primarily to estimate the number of probation officers and managers who were familiar with the document, but to see what sort of discussions might result from asking them about it. I went round the West Bridge office on my very first day there and that led to an interesting conversation with the probation officer, Ofelia.

West Bridge, March 10, 2022

It is a very quiet afternoon, so I resort to my ad hoc survey with the Code of Principles. That seems like a positive way to get to know the probation officers here in West Bridge. Ofelia is the first person I ask about the document. She says that she thinks she has seen it before, but that she cannot remember its contents. When I tell her the year it was issued, she is relieved.

Ofelia: “Oh well! That’s the reason I don’t remember it. It’s probably not relevant anymore!”

She starts talking about a “big structural change” around 2015–2016. She cannot remember exactly when it was. And she does not remember exactly what it was all about aside from the fact that it had to do with streamlining.

Ofelia: “It wasn’t all bad. Something had to happen, I guess. But, something in it was very bad. It sort of set off this new pathway for the Prison and Probation Service. They changed one of the main mantras. They shifted from “the client in the center” to “the task in the center”.

Later, Solvej confirmed that in 2016, the Prison and Probation Service underwent a radical structural change. It may indeed be a coincidence, but it could be worth noting that this “big structural change”, remembered by some of the probation officers who have been in the probation service for more than just a couple of years, is to some degree coinciding with the shift in policy discourse identified in the document analysis around 2017–2018. As argued in Chapter 6, this shift was (among other places) identified in the 2018 and 2019 editions of *Plan for Aims and Results* and mainly characterized by a destabilization of the support discourse and a simpler focus on employee safety, aspects of control, and matters of organization and management.

Introducing structure and systematic frameworks

While maintaining a view of society, i.e., aspects that are not pertaining exclusively to the organization, the displacement of the general focus from client to task, highlighted by Ofelia, may be the one basic way of appreciating the possible consequence of a “managerial turn” in reality. According to the probation officers who remember “the big structural change” in 2016, it signified, at least to some extent, a reorientation away

from caring for clients to caring for the organization. The gradual introduction of structure and systematic frameworks in and around the work with clients, including the rehabilitative aspects of it that the structural change implied, as depicted by some of the more experienced employees, further emphasizes the meaning of such a change to the probation officers.

Me: What is the purpose of KiF according to your own beliefs? ... of course your beliefs could be in accordance with the Headquarters' beliefs .. but . I mean

Solvej: [interrupts] Yes . yes but I can say. so *that* I can say very squarely because three years ago I was part of this ehm track work. I'm still part of it . but there we were simply instructed that what we do in KiF and ehm basically in the entire Prison and Probation Service is that we execute sentences and there was just a big bold line under it .. not that I've been in any doubt about it

Me: No

Solvej: but I must say. that .. that such a thick line was drawn under this fact so what *I* chimed in here was . rehabilitation

Me: Yes

Solvej: precisely because I have been here for so many years now, I might in fact say that . that rehabilitation once played a bigger role than the actual execution of the sentence

Me: yes

Solvej: basically . and then you can say okay have you been here for that many years? . that's really . eh yes . but that I would actually say

Me: yes

Solvej: and it's not only from my side of the table that this is experienced I have heard eh or ehm the same from my colleagues from the time . so it's not only me who has practiced . it was the way we did it ... it was also before we had all of these methods and screenings eh

Me: MOSAIK and what not

Solvej: Exactly . we were *out* where the clients were and sometimes I could've had the clients in . in almost in . in for supervisory meetings and if you asked what the person had done well then I would have to answer . well I don't actually know eh .. eh something . I mean that is roughly stated, right?

Me: No no . yes

Solvej: and I don't think you meet probation officers now who don't

know what their clients have done because that . that is the ehm
that eh is the purpose now . that we talk about crime prevention
. that we work with crime preventively

Me: Yes

Solvej: ehm much more focused on the end goal than we were before ..
because I think we did well back then because there we had ehm

Me: [interrupts] Yeah but I was just about to ask about that actually

Solvej: Oh well

Me: was it eh is it in your eyes. I mean . something like a glorious
past back then when there were not all these programs

Solvej: No I don't think so . no . I think that we are in a better place
now but I also think that we did well back then

Me: I see

Solvej describes here a shift from having rehabilitation as the main leitmotif in her work to having the task, the execution of punishments, in turn, crime preventive practices in focus. This entails a shift from a time when she would not necessarily know what her clients had done (presumably she is talking here about their crime, indicating that it did not matter as much) to a situation where the nature of the crime is suddenly crucial as it is all about preventing it from happening again. It seems that according to Solvej, there used to be an appreciation of rehabilitation as something intrinsically valuable and more dependent upon a personal proximity with clients (“we were *out* where the clients were”) whereas now, when the focus has shifted to “the end goal” as she frames it, rehabilitation is considered much more in terms of what it basically is, a means, a crime preventive measure.

With an analogous mixture of veneration for the closer and more personal relationships and a belief in systematicity and frameworks, Clara, the East Ville office manager, expresses similar views about recent developments in practices and procedures in the probation service.

Me: How much of what is part of eh and formalized in MOSAIK was
actually already part of what you did . before

Clara: .. not much

Me: not much

Clara: No

Me: No

Clara: Suddenly having to use the MOSAIK program has been a huge
change

Me: Okay . it has strengthened the rehabilitative aspects of the work

Clara: Yes I think so and it has set up a framework around it as well
 Me: Yes
 [...]
 Clara: After all, the client will be working much more than
 Me: Yes
 Clara: when I was employed here . then you made an action plan and
 you talked peacefully back and forth
 Me: Yes
 Clara: Erm, they get a lot more responsibility
 Me: Okay .. in a positive way
 Clara: Yes . I definitely think so . so we're not . as I said earlier, their
 private secretary
 Me: no

By aligning, structuring and shifting the burden of taking responsibility from the probation officer to the client, the rehabilitative efforts of the probation service, according to Clara, have improved since the introduction of the rehabilitative program MOSAIK, which will be presented in greater detail in the succeeding section.

Solvej's description of an operational shift from rehabilitation to crime prevention prompts a recollection of the tension between Morén's (2015) two types of aid, the mechanical problem-solving approach and the approach based on a lived relationship as it basically appears to pinpoint precisely the radicality of this shift. It also shares traits with what was previously described as recent developments in Scandinavian criminal policy toward penal populism, especially insofar as these developments have been viewed so as essentially driven by negative representational changes (Melossi 2000) and, accordingly, an increasing aggregation (Feeley and Simon 1992) of the offender (Todd-Kvam 2019). In other words, it would seem that the structural changes basically replacing the client-centered approach with a task-centered approach may be appreciated as an instance of organizational rationalization, i.e., a shift from organically, co-constructive relations toward problem-management based on pre-determined evidence-based intervention procedures (Morén 2015: 51–62). Viewing such an exposition of Solvej's account in concert with Clara's appreciation of the sweeping reform of the rehabilitative efforts accompanying the implementation of the MOSAIK program begs the question as to whether these stories are somehow connected, that is, whether the MOSAIK program may constitute exactly one of those evidence-based, predetermined, mechanical problem-managing and aggregating intervention regimes that are underpinning the drift toward penal populism.

Documents of the offices

It is important to establish the fact that while the documents included in the document analysis did not appear to matter much to the probation officers (according to themselves), there were indeed documents and key pieces of paper work which were pivotal to daily business in the offices. Handbooks, procedures and guidelines make up the most commonly referred to pieces of policy in the offices. In the course of the field work I have come across handbooks for community service, background checking and preventive measures, guidelines and interview guides for rehabilitative instruments and programs such as LS/RNR and MOSAIK and general procedures for supervision.

From a first glance, these manuals appear to be mere operational containers of relevant information, rules of thumb and legislation all which is systematically collected in bundles that is ready-at-hand for the probation officers. When in doubt about something or other, the probation officer would simply consult the relevant manual. Yet, as I got still deeper in to the inner-workings of the offices and learned more about the contents, production and maintenance of these practical documents it got still clearer to me that these handbooks also served as conveyors of organizational policy *within* the organization and, as Isabella inadvertently discloses as I was talking with her about her screen saver (“most of what it says is also in the handbooks”), as transmitters of some of the contents of the policy studied in the document analysis preceding this ethnographic study in and of the offices.

Before, however, moving on to qualifying this point I shall provide a detailed exposition of some of these handbooks in order to showcase their scope, content and role in the offices. More precisely, I shall provide descriptions and initial discussions of the so-called “Procedure for Control and Supervision” and the “MOSAIK-folder”. These documents share the feature of being highly visible and much talked about with the other aforementioned handbooks. Yet, they are also different from them. While “the Procedure”, as it is often simply called, does indeed relay legislation and is a clear manifestation of top-down governance, it is a product of internal, extra-local collaboration in the entire organization on how to increase uniformity in case management across the country’s local probation offices – referred to by Solvej in the previous excerpt of my interview with her as “track work”. The other handbooks are more clearly instances of top-down governance as they are updated primarily by consultants and lawyers employed at area offices or at the headquarters in Copenhagen. The “MOSAIK-folder” differs from the lot as well as it is not strictly speaking a handbook; it is not something that the probation officers would consult only when being in doubt about some technical measure. Rather, the “MOSAIK-folder” has a much more concrete and persistent application in the offices as it serves as a step-by-

step guideline for the MOSAIK interventions and contains the material for the exercises that probation officers have with the eligible clients.

The Procedure

At my very first meeting with Solvej, she introduced me to a new piece of policy that she has been taking part in formulating.

West Bridge, February 28, 2022

Back in Solvej's office. I can feel that she has been looking forward to my visit. She takes time to tell me about the office and the work they do here. But she is very busy, she lets me know. She has an important webinar coming up.

Solvej: "I will introduce you to the other people from the working group in today's webinar. Then maybe you can join the next one. I'm quite sure you will be interested."

Whatever the webinar is about, it must be very important and not yet official, I think to myself before she goes on to tell me more about the webinar. It is about a new policy called the "Procedure for Control and Supervision".

Solvej talks about the webinar and about the importance of ensuring an effective, homogenous and fair execution of punishment in KiF. She assures me that I will be hearing a lot more about this initiative in the time ahead.

I later learned that everybody knew about "the Procedure", even though it had not been fully implemented at the time. It is the latest culmination in extensive efforts on the part of the Danish Probation Service to establish nationwide uniformity in the handling of cases so that clients receive equal treatment in all 13 probation offices in Denmark. The webinars, which I unfortunately never got to join, though I was invited, served as a series of information meetings and discussion forums for internal lawyers, as well as some office and department managers, and may therefore be considered as initial steps in the implementation of "the Procedure".

"The Procedure" is a dense 81-page document consisting of 8 chapters which cover the different aspects of the standard supervisory process: 1) Preparation and establishment of a supervisory process, 2) Special terms and violation of terms, 3) Community sanctions, 4) Cancellations, arrival delay, absence, 5) Written warnings, 6) Missing person reporting, 7) Bringing cases before the Directorate and the Court, 8) Finalizing a supervisory process. Generally, every chapter has instructions for the probation officers according to listings of "what I have to remember" and "how to report it" (documentation). Sometimes these listings are supplemented by flow charts or other graphic representations. The listings are very detailed, meticulous, and, in most

instances, also exhaustive. In order to give an idea of the level of comprehensiveness, it would be worth taking a closer look at Chapter 4, which describes the rules and guidelines on “cancelations, arrival delay, absence”.

Chapter 4 presents a flowchart that minutely describes the kind of responses that the probation officers should make to clients when they cancel, are late or simply do not show up for supervisory meetings depending on certain circumstances that influence the decision on what measures should be taken. Firstly, the flowchart clearly states that when a client is less than 15 minutes late for a meeting, it should be regarded as if the client had arrived on time. Secondly, if a client is more than 15 minutes late, the probation officer should evaluate whether the reason for the delay is acceptable. If it is acceptable, the probation officer should reschedule the meeting to take place within the next seven days. If not, the client will be regarded as having violated their terms of parole or community service. The supervisory meeting will then be rescheduled, and the client will be given a written warning. When the client has received three such written warnings, the probation officer is obliged to report the client to the prosecuting authority, meaning the client faces possible reinstatement or additional sanctions. When a client simply does not show up for a meeting, this is to be considered a default violation of the terms and will lead to a written warning.

Whether an excuse may be accepted is a matter of professional judgement on the part of the individual probation officer handling the given case. In other words, it is up to their discretion. However, “the Procedure” does not leave a probation officer without guidelines as to how such discretion is to be performed. It even provides probation officers with instructive examples of reasonable delays. Reasonable delays could include extreme weather conditions, traffic delays, illness (in the family), exams or special situations at work. Reasons for not attending a meeting are never valid if they are communicated to the probation office via text message or mail (without any prior dialogue as to the reasons for not attending a meeting) and the client should be able to provide documentation of their reasons for not attending a meeting in order for them to be accepted. In “the Procedure”, the following example shows a reason for not attending a meeting that seems acceptable and how the probation officer should follow up on it and retrieve the necessary documentation.

X calls in at 14.00. He has a supervisory meeting in the office at 16.00. X sounds very concerned and states that the school has just called and that his daughter has been taken to hospital after falling from a climbing frame. He is therefore on his way to the hospital. The P accepts this and changes X’s appointment to Monday at 16.00. X is advised to

bring documentation about their daughter's (hospital) admission to the next supervisory meeting.¹⁷² (*Procedure for Control and Supervision*, p. 46)

If the reason for the delay cannot be documented in this way, the probation officers should be able to confirm the reason through different channels, as shown in this instructive example of a reasonably delay provided by “the Procedure”.

X calls in at 09.00. He has a supervisory meeting in the office at 09.30. X states that he will be late as a major traffic accident has closed the motorway in the northbound direction and he is now sitting in a queue. The respondent in the probation office has heard on the radio that the motorway is closed, which confirms X's explanation for his lateness. The lateness is therefore considered reasonable, and X gets to change the time for his meeting to the same time tomorrow.¹⁷³ (*Procedure for Control and Supervision*, p. 46)

There is no need for further descriptions of the contents of “the Procedure”. For this investigation, the exemplary focus on Chapter 4 (covering just one aspect of the daily business in a probation office) on the procedure for handling client's cancelations, delays, absence regarding the supervisory meetings, provides sufficient insight into the document. In other words, what is worth considering here is not the particular technical contents of all the chapters. Rather, what is interesting is the general tone, format and degree of detail exemplified in Chapter 4 of “the Procedure”, as well as the sheer fact of the existence of such a document and that it has been regarded as a necessary addition to the existing handbooks a couple of years ago. Insofar as “the Procedure” fills an implementation gap between policy and practice and guides the practitioner's professional discretion, the exemplary view of Chapter 4 is sufficient for attaining an initial understanding of how this document may be viewed as a means for connecting the daily business in the offices with overarching policy developments toward managerial streamlining and standardization. And, based on the general distrust toward clients that is indirectly indicated via the continuous emphasis on the fact that any reason for delay or absence from supervisory meetings must be corroborated by documentation provided by the client or otherwise substantiated or fact checked by the

¹⁷² (DK) “X ringer til ut. kl. 14.00. Han har en samtale i afdelingen kl. 16.00. X lyder meget bekymret og oplyser, at skolen lige har ringet, og at hans datter er blevet kørt på hospitalet efter at være faldet ned fra et klatrestativ. Han er derfor på vej til hospitalet. Ut. accepterer afbuddet og ændrer X's aftale til på mandag kl. 16.00. X gøres opmærksom på at medbringe dokumentation for datterens indlæggelse til næste tilsynssamtale.”

¹⁷³ (DK) “X ringer til ut. kl. 9.00. Han har en samtale i afdelingen kl. 9.30. X oplyser, at han ikke kan nå frem til tiden, da et stort færdselsuheld har lukket motorvejen i nordgående retning, og at han nu sidder i bilkø. Ut. har hørt i radioen, at motorvejen er spærret, hvilket bekræfter X's årsagsforklaring for udeblivelsen. Udeblivelsen anses dermed for undskyldelig, og X får ændret sin aftale til i morgen samme tid.”

probation officer, it may be further discussed whether “the Procedure” also contributes particular discursive constructions of clients as being generally erratic, which was also found to be a consequence of the managerial turn in the overarching policy in the first part of this dissertation. Upon having presented another central and close-to-practice manual, namely, the MOSAIK manual for rehabilitative interventions (including a brief presentation of the interview guide for LS/RNR screening that precedes MOSAIK interventions), I will return to this potential feature of connecting or “bridging” the policy level with the practice level inherent in such manuals and procedures that are present in the offices.

MOSAIK and LS/RNR

Ever since the *nothing works doctrine* was promoted by Martinson (1974), researchers and practitioners interested in rehabilitation have struggled to prove him wrong. MOSAIK is a program for rehabilitative intervention measures invented by the Danish Prison and Probation Service, yet it draws heavily on one of the most influential criminological responses to Martinson’s conclusion, i.e., STICS (Strategic Training Initiative in Community Supervision). STICS is an important part of the RNR regime presented by Andrews, Bonta and Hoge in 1990 (Andrews, Bonta and Hoge 1990). The implementation of MOSAIK in the Danish Prison and Probation Service is closely linked to the operationalization in a Danish context of the RNR regime (Clausen 2017).

The implementation of the RNR regime in the Danish Prison and Probation Service was prompted by a presentation given by James Bonta in Copenhagen in 2010 at the 15th assembly of Nordic Criminologists (Clausen 2017: 28–29). The presentation was called “Understanding What Works” (Bonta 2010). RNR is an acronym for Risk, Need and Responsivity. In concert, the following three principles suggest that offender rehabilitative initiatives must:

- Prioritize those clients with the greatest risk of recidivism (the risk principle)
- Focus on the elements that influence recidivism (the need principle)
- Adapt to the client’s individual motivation and learning style (the responsivity principle)

For the fiscal period 2013–2016, the Danish Prison and Probation Service received government funding to implement the RNR principles. This involved the implementation of a specific screening tool based on the RNR regime that is referred to as LS/RNR (Level of Service/Risk, Need, Responsivity). The LS/RNR screening

follows a seven-page interview guide consisting of basic questions for clients about their history, housing situation, education, etc. Finally, the LS/RN screening process generates a score that determines the client's risk of recidivism (Clausen 2017: 30–31).

In short terms, if the screening model called LS/RNR is the diagnostic instrument, MOSAIK may be viewed as the remedy that is subsequently deployed. More precisely, whereas the LS/RNR screening evaluates the client's risk of reoffending in terms of low, medium, high or very high risk, MOSAIK constitutes an intervention program adopted by probation officers in order to work systematically with the medium, high and very high-risk clients' own abilities to counteract their pro-criminal responses and anti-social patterns and consequently minimize recidivism. This means that the purpose of MOSAIK is to make it transparent to the clients themselves that their supposed anti-social thought patterns function as determinants of anti-social behavior and to enlighten the client about pro-social cognitive responses to the difficulties that they may encounter later in life.



Picture 3: Visual aids in the MOSAIK sessions.

MOSAIK interventions often include visual aids such as association cards (to the left) that may promote a meaningful conversation. Clara, who showed me these cards, told me that the pedestrian signals are particularly popular among clients. The cards on the right illustrate four different social values that the probation officers discuss with their clients in an exercise in which the clients are supposed to relate to these. Firstly (from the left), there is the social value stating that “you” are valuable, “I” am not. Secondly, there is the value that no one is important. Thirdly, there is the (social) value that only “I” am important. And, finally, there is the social value that we are all important.

In both the East Ville and the West Bridge offices, the standard instructions produced by the Prison and Probation Service are available in the “MOSAIK Folder”, which is a special compendium designed for this specific purpose. In this material, which can be found in common areas such as the low-ceilinged meeting room in East Ville and the tall-ceilinged conference room in West Bridge, both the philosophy behind MOSAIK and the typical progress of its intervention is presented in highly operational terms.

The MOSAIK is a highly comprehensive and step-by-step manual for the rehabilitative efforts of probation officers. It seemingly covers all aspects and describes the content, purpose, practical succession and regulates in terms of minutes how much time a probation officer should allocate to each part of every MOSAIK session: 1) check-in – five minutes, 2) recap from last meeting – five minutes, 3) assessment of homework – five minutes, 4) introducing the topic of the day – 3–5 minutes, 5) the topic of the day – 15–20 minutes, 6) summary – 3–4 minutes, 7) assignment of new homework – 1–2 minutes, 8) evaluation of the cooperation in today’s session – 1–2 minutes.

From the very start of the MOSAIK manual it is established that the point of a MOSAIK intervention is to address the so-called “central eight” of risk factors for (re-)offending. Among these risk factors, however, only seven, it is argued in the manual, are of any interest, that is, anti-social behavior, pro-criminal attitude, network, family/relationships, education and work, leisure and alcohol or drug problems. Out of these seven risk factors, the primary target of the change work inherent to the MOSAIK intervention scheme is pro-criminal attitude as it “underpins criminal and anti-social behavior”. The 8th risk factor is criminal history. This is not included as it is a “static and thus unchangeable factor”.¹⁷⁴

It is described how a MOSAIK session always begins with the “traffic-light exercise” in which both the probation officer and the client “check in” to the session by stating whether they are “green” (ready to receive whatever today’s session may throw at them), “yellow” (somewhat ready for the session, but also somewhat distracted, for instance, tired, annoyed, feeling stressed, etc.) or “red” (for some reason, not at all ready to engage in the MOSAIK session). The “traffic-light exercise” is then followed by “the parking lot” exercise. In an imaginary parking lot, the client can “park” their everyday concerns, so that they do not interfere with the topic of the day’s session as prescribed by the program. It is worth noting that if the probation officer believes that the client is very weighed down by certain concerns, these cannot be parked. Instead, the client’s concern may replace whatever topic of the day that should have been covered. Toward the end of the session, before the final part in which both parties jointly evaluate their

¹⁷⁴ (DK) “I MOSAIK arbejdes der aktivt med de kriminogene behov, som er identificeret ved hjælp af risiko- og behovsvurderingsredskabet LS/ RNR, og som har sammenhæng med risiko for tilbagefald til ny kriminalitet. Der er otte centrale risiko- og behovsfaktorer: 1. Kriminalitetshistorik, 2. Antisocialt mønster, 3. Prokriminal holdning og tænkning 4. Omgangskreds, 5. Familie og parforhold, 6. Uddannelse og beskæftigelse, 7. Fritid, 8. Alkohol- eller stofproblemer. Den første af de centrale otte risiko- og behovsfaktorer, kriminalitetshistorik, er en statisk, dvs. uforanderlig, faktor. MOSAIK har fokus på de resterende syv faktorer, som er dynamiske, og som klienten derfor har mulighed for at ændre. Dog er det primære fokus for forandringsarbejdet med klienten prokriminal holdning og tænkning, som understøtter kriminel adfærd, og antisocialt mønster.” (MOSAIK-rådgivermappe, s. 3)

cooperation in the session, the probation officer is supposed to get back to whatever got parked and see if any of it can be solved.

Further, a typical MOSAIK intervention in its entirety consists of four stages which are often illustrated by a metaphorical reference to a house or the process of building a house. This is in order to indicate that MOSAIK interventions are supposed to be steady and safe processes in which new elements in the form of exercises are added to a solid contractual foundation initially agreed upon by both the client and the probation officer. The MOSAIK house is built in four stages:

1. The earth: At this initial stage the client and the officer have not started the actual building of the house, but they are preparing the ground upon which the foundation for the house will be cast. This means that they evaluate the outcome of the preceding LS/RNR-screening and agree on an action plan, a contract one may say for the sake of sticking with the imagery, for the succeeding MOSAIK intervention.
2. The foundations: This stage marks the beginning of the construction process. More specifically, this means that the client and the probation officer together seek to “level the playing field” by engaging in exercises that lead to the creation of a positive and trustful cooperative relationship between them.
3. The house: Now the actual house can be built. This means that the client and the probation officer can begin to work with the client’s particular criminogenic needs by, for instance, using exercises that set out to identify the client’s anti-social cognitive automatisms in a way in which the client understands how such cognitive automatisms may be counteracted or reformed *in situ*.
4. The roof: Just like a well-functioning roof protects a house and whatever is inside it from inclement weather on a long-term basis, this final stage of the MOSAIK program is about inspiring the client to use the cognitive tools himself. Whatever is achieved, it will hopefully extend beyond the supervisory period so that the clients may also benefit from it when on their own again (Rönneling and Lund-Sørensen, 2017).

Apart from showcasing a principle of micromanagement that is equal, if not superior, in intensity to that of “the Procedure”, the MOSAIK philosophy is firmly rooted in the so-called rehabilitative ideology with regard to the point of organized punishment based on the contention that everyone is capable of change (Kyvsgaard 2001). The effects of the MOSAIK program have not been evaluated.

Bringing policy to practice: Implementation and discretion

Isabella's assertion that whatever strategic messages appear on her computer's screensaver are also in the handbooks cannot be confirmed. At any rate, I can comfortably say that no strategic message is explicitly embedded in any of the manuals to which I have had access. None of the punchlines and graphics from the 2021 strategy, or any other overarching strategy documents for that matter, are printed or referred to in any of the manuals. Indeed, it may have been something that she simply said without actually knowing much about it or meaning anything in particular. Regardless, her offhand reply to my question as to whether she has noticed what was on her screensaver is quite intriguing as it prompts an investigation into whether the manuals, in a less explicit sense, may convey policy intentions; whether they function as mediators between the distal and the immediate. Given their importance to practice and their presence in the offices, the manuals would indeed be an effective means for governance at a distance (cf. Garland 1996) in accordance with strategic indicators and for implementing policy changes in practice. In this section I will discuss such potential for the manuals by assessing the managerialist implications of the manual-based reality of the probation offices.

Streamlining rehabilitative practices

Being manuals, these close-to-practice documents instruct the probation officers about the correct courses of action and serve as authoritative and accessible reference works when they are unsure about how to proceed. Thus, from a Dworkinian (1978) discretion-theoretical perspective – the “negative” notion of discretion, as described in Chapter 2 of this dissertation – it is possible to understand the presence of manuals in the offices as empirical indications of top-down attempts to somehow govern the uncharted territory left behind in the office realities by the often abstract laws, regulations and organizational policies that legitimize and circumscribe the probation officers' provision of sanctions and public benefits. Such a proposition as to the purpose of the manuals is supported by a specific conception about the point of their existence and scope of applicability stated in many of the manuals themselves. Here it is clarified that the manuals constitute nothing but a supplement to the relevant laws and regulations and are to be consulted in cases in which the probation officers are unsure as to what to do and where they are unable to resolve their uncertainty based on the laws and regulations.

The handbook is a supplement to the rules and guidelines that exist in the area of community service. This means that when a case manager must clarify how a given issue should be handled, the first answer is to be sought in the rules and guidelines that exist in the area, after which the community service handbook can be used as a supplement if no answer can be found in the rules and guidelines.¹⁷⁵ (*The Handbook on Community Service* [Samfundstjenestehåndbogen, DA], p. 6)

As described in this excerpt from *The Handbook on Community Service*, the manuals are intended to fill an implementation gap left behind by policy and legislation and would, at least at first glance, reduce the need for professional discretion on the part of the probation officers by reducing the “space” in which uncertainty may arise.

But how is it possible to further qualify the notion that the manuals are in line with the overarching policy; that they do in fact constitute local and close-to-practice conveyors of the overarching policy?

With its all-encompassing scope, microscopically covering all aspects of the professional life in the probation offices, the implementation of the “the Procedure” constitutes a significant marker of a managerialist tendency in practice. The existence of such a tendency is supported by Ofelia’s description of a great structural change and the replacing of the client-centered discourse with the task-centered discourse. In turn, the meaning of this change was expounded in and through Solvej’s reminiscing about a past in which all “they” really did was rehabilitation. Today, in contrast, Solvej explains that they have been “basically instructed” that what “they” do is crime prevention, implying an analogous replacement of a helping approach with a problem-solving approach and a greater focus on the offence that was committed. The somewhat coinciding implementation of the RNR regime and the MOSAIK guideline’s meticulous micro-management of the rehabilitative setting not only emphasizes the general tendency toward managerialism as it also clearly includes the space for rehabilitative practices in it. So, in addition to the argument that the discursive space for rehabilitative practices has shrunk, which was presented in the preceding document analysis, it can now be argued that the little space that is left for rehabilitative practices is highly managed, regulated, governed, etc. by the discourse of particular evidence-based programs.

The question as to whether this is good or bad I will leave open, at least for now. Yet, on the one hand, it is worth recalling both Solvej’s assertion that even if they were doing

¹⁷⁵ (DK) “Håndbogen er et supplement til de regler og vejledninger, der findes på samfundstjenestområdet. Det vil sige, at når en sagsbehandler skal have afklaret, hvordan en given problemstilling skal håndteres, søges der først svar i de regler og vejledninger, der findes på området, hvorefter samfundstjenestehåndbogen kan bruges som supplement, hvis der ikke findes svar i reglerne og vejledningerne.”

quite good “back then”, they are actually doing better now, as well as Clara’s clear statement that the structure of the rehabilitative efforts introduced with the implementation of the MOSAIK program is an improvement, something good. On the other hand, it may be argued that the micromanagement of practices and the overwhelming presence in the offices of the manuals that appear to coincide with this change toward a new state of affairs (which allegedly is better) constitute a manual-based reality in the offices that may compromise the probation officers’ potential to sustainably help their clients: With their inherent messages of problem-solving, task centering, risk assessment and client aggregation, the documents may constitute a manual-based reality that can obscure some the point of rehabilitation for the probation officers, i.e., the individual’s needs and the freely developed relational aspects of supportive practices. And, in turn, the great structural change may indeed have hindered the emancipatory potential of the rehabilitative efforts in the probation service insofar as emancipatory practices depend upon a more dynamic, proximate and lived relationship between the client and the probation officer. At any rate, it is such developments within welfare institutions *en masse* that Ferguson and Lavalette (2004) fear may lead to a reduction of the frontline workers’ space for discretion which, in turn, decreases their ability to actually help the clients.

Policy-making on the floor

The top-down appreciation of discretion may be relevant for showcasing certain aspects of how the overarching policies of increased managerialism and aggregation of the clientele may be implemented in the local offices. Yet, even in the manual-based reality of the offices, another type of discretion takes place in the form of negotiations as to the apprehension and application of the manuals. More rules, and here we may for the sake of argument, include policy, does not necessarily imply the “death of discretion”. Rather, with their “continuation thesis”, Evans and Harris (2004) argue that increased managerialism may in fact foster increased discretion. Svensson and Ponnert (2016) elaborate on this stance by showing how the standardization of social services by no means reduces uncertainty regarding how someone should do their job and therefore does not, at least, not *per default*, remove the need for social workers to be creative in the application of the manuals’ guidelines. Such uncertainty is shown in the field note excerpt from a MOSAIK exercise in East Ville. Here, a discussion as to how the different items on the standard agenda for the MOSAIK intervention may be purposefully introduced to the client turns into a more general discussion among the probation officers on what these different aspects indeed amount to in the first place.

East Ville, May 2, 2022

The task of today's MOSAIK exercise is to come up with good phrases for introducing the client to the elements of MOSAIK interventions, such as checking-in, the parking lot and the evaluation of the cooperation at the end of the exercise, etc. The probation officers are divided into two groups. I am assigned to group 1 together with Mathilde, Ellie, Nora and Alberte. Both groups are handed a piece of paper with some questions on it. The first question is about the "parking lot".

Mathilde: "I guess you could say 'could that be parked?'. That may not be the best sentence. Actually, I guess it's basically an exercise in postponing your own needs."

Ellie: "Yeah! But when can what be parked? Does it not have something to do with how serious it is?"

Alberte: "I raise everything with them. Somethings must be limited, of course, so that we get through everything on the agenda."

Ellie: "I almost always avoid using the word "parking lot". It's ridiculous. Instead, I will ask them if there is any serious issue that we need to address."

Nora: "But wouldn't that be weird, too? If the client finds something serious and I don't, should I then park it and not deviate from the MOSAIK agenda? That's backwards."

Mathilde: "I often let them know that there is actually an agenda for today's session and then, afterward, I ask them if there's anything serious. Then I tell them there's something else that we must get through today."

Nora: "But ... yeah! Okay!"

Nora rests her case in this rather confusing discussion. The discussion was supposed to be about how to explain the purpose of the "parking lot" to the client. Yet, while Mathilde attempts to start the discussion in relation to the task set for them, reflections as to what actually counts as "parkable" are naturally mixed in. In effect, the discussion is more about how Ellie, Alberte, Nora and Mathilde understand the purpose of the parking lot. Even though she asserts that she never really parks anything, Alberte argues, perhaps somewhat indirectly, that the purpose of the parking lot is to protect the agenda. Ellie then takes it a bit further by expressing her dislike of the word "parking lot". Nora, however, finds Ellie's alternative "backwards". Discussing what is "parkable" in terms of what is regarded as serious makes no sense to her as something that is actually serious should not be parked. Later, however, as the two groups meet up to present their discussions to one another, some clarity appears to have emerged.

East Ville, May 2, 2022

Alberte: “Okay! So, what did group 2 discuss in relation to the parking lot?”

Laura: “Well, we basically agreed that what may be parked are issues that we cannot do anything about right here, right now.”

Asta: “Yeah, and one way to present them with the opportunity and purpose of parking stuff could be to draw an actual parking lot on a piece of paper – I mean a field with a blue capital “P” on it – and then write whatever may be parked in it.”

Everyone seems satisfied with Laura’s summation of group 2’s discussion as to the point of the parking lot. I even glimpsed Ellie subtly nodding her head as Laura is talking. However, the brief feeling of having reached a consensus in the room shifted notably as Asta announced her idea of drawing a parking lot on a piece of paper. At any rate, Ellie’s face changed from a neutral expression to a frown.

What we see here, I believe, is an instance of bottom-up policy-making in the Lipskyan (2010) sense, that is, in the sense of local negotiations on abstract policy content that fills in certain blank spots in the policy regarding its implementation in practice that *makes it work*. Regardless of the minute details in the MOSAIK manual of principles of action and regardless of the amount and depth of close-to-practice examples of how such principles may be realized, the actual practical application of a manual is an open question to the probation officers. According to Lipsky (2010: 212), street-level bureaucrats are, in a limited sense, the authors of the policies that are ultimately delivered. As argued earlier, this does not necessarily give a social worker power to go against the grain of policy, nor the power or mandate to rewrite policy. Rather, it ascribes much power to the social worker to translate policy into real-world ordering, the delivery of support and sanctions. Accordingly, the settlement of the debate in East Ville as to the point of the parking lot, offered by Laura, is nothing but an operationalized summation of the manual’s prescription:

If the check-in shows that the client has serious, emotionally burdensome or criminogenic problems, you must assess whether the problem is of such a nature that it should constitute the topic of the day. If, on the other hand, it is a question of everyday problems, it is important to get them parked and make an agreement with the client about when you will take them up again. If necessary, you may use the parking lot presented below, or similar. (MOSAIK. Rådgivermappe, version 3, p. 14)

Even the less appealing idea of illustrative assistance when engaging with clients about the parking lot is highlighted in the MOSAIK folder. In this way, the probation officers become the authors of the policy that is ultimately delivered. What the situation shows is an instance of a collective discretionary world-making practice in the image of the policy. It is in the “ultimate” passing of the policy where it is concluded what reality it

should instantiate. In spite of some resistance originating in particular from Ellie (“I almost always avoid the word ‘parking lot’. It’s ridiculous.”), regarding the imagery, the general idea about the “parking lot” that the client may have to suspend their own agenda for the sake of the program, is affirmed *in plenum*.

A manual-based reality

Apart from being characterized by difference, an otherworldly place, the reality within the offices, as argued in this chapter, is manual-based. Manuals are scattered around the office, referred to in daily talk and consulted by the probation officers in situations where troublesome or unusual aspects of a case cause doubt or uncertainty. Yet, as was presented toward the end of the chapter, the contents and guidelines of the manuals are also topics of debate and cases in team exercises.

This chapter has shown how the manuals not only cover the technical parts of the client supervisory practices of the probation officers and serve as accessible reference works in relation to their tasks and the rights of their clients as prescribed by law. In addition to whatever may be regulated in “the Procedure” and other manuals such as *The Handbook on Community Service*, the standard rehabilitative interventions for clients at considerable risk of recidivism (LS/RNR score of “medium” or more), is meticulously governed by the MOSAIK manual. In this sense, most of what may be considered part of the probation officers’ job, at least formally, is guided, regulated or governed by a manual of some shape of form.

This chapter forms an important bridge between the document study and the ethnographic study. It is argued that these documents, indirectly, convey aspects of the managerialist tendencies that were previously found in the overarching strategy documents in and through the comprehensive, sometimes even exhaustive, contents, micromanaging formats, as well as the overwhelming presence of these manuals in the offices. The chapter discusses the appearance and role of the manuals in the context of references to tendencies toward increasing streamlining and standardization made by employees; tendencies that may have intensifying since the so-called “great structural change” in 2016 where a basic client-centered approach was replaced by a task-centered one. Whereas rehabilitative practices used to be more attuned to the individual, were less systematic and less restricted by the controllable and unchanging confines of the offices, rehabilitation is now an evidence-based methodology that is carefully regulated within a manual-based office reality. Based on all of these factors, the idea that these manuals may in fact mediate between the distal and the immediate, thereby aligning practices with policies, has been rendered probable.

In the next chapter, the probation officers' own appreciations of their work is analyzed and discussed. What will be evident in the course of the chapter is that, in general, the probation officers' own motivation for working in the probation service, is by no means compatible with what the overarching strategy documents consider to be the primary purpose of the organization. Echoing Molly's consternation as we talk about the fact that the official statement of purpose by the Danish Prison and Probation Service is to "make for a safer society", many probation officers highlight personal motivations that are characterized by unconditional care for the client and their difficult situation, as well as their bleak prospects for the future.

9 The work

This chapter is about the work conducted in the offices. To be precise, it is not so much about the work as it is about the probation officers' conceptions of it. Seeing how profoundly different the two offices are, it is perplexing to realize just how aligned the employees' thoughts are regarding why they are working there. This chapter will demonstrate how all the probation officers participating in this study, whether they work in the low-ceilinged labyrinth with clients roaming freely or operate in the pristine bank-like setting with five-meter-high glass walls, express personal motivations for working with the probation service in the first place, which share a common underlying theme: *I care for the people who come here – I want to help them*. Such motivations, it may be added, are seemingly at odds with the task-centered discourse of the manual-based reality in which their work is embedded. Yet, what will be clear in the course of the chapter is that the probation officers themselves appear to believe that the MOSAIK interventions (the manual for which constitutes an important aspect of the manual-based reality) are perfectly reconcilable with their personal motivation for working with the probation service. The structure around the rehabilitative work that the MOSAIK program has provided is explicitly appreciated by the probation officers.

How is it possible to make sense of all of this? One of the fundamental theoretical assumptions of this dissertation is the Foucauldian notion that discourse constitutes the institutional framework for the production of knowledge in a given setting (e.g., Foucault 2020; 1975: 297–313). On the basis of such a theoretical supposition, the individual statements about the probation officers' personal motivations may be taken as a form of collective professional resistance to the manual-based reality and its potential for discursive dominance in and through this collective disregard for the task-centered discourse. At any rate, the rather idealist convictions regarding probation work exhibited by the probation offices definitely come to resemble a borderline phenomenon, possibly even a transgressive one, which may be characterized as some kind of counter discourse. Yet, in all essential aspects the rehabilitative beliefs, philosophies and motivations of the probation officers are not explicitly resisting or transgressive of the MOSAIK program's systematic procedures for rehabilitative interventions. MOSAIK is not like other programs. As I delve into the closer investigations of the probation officers' views on the work they do, it is with this schism

lingering in the back of the mind. Nevertheless, the chapter that follows comprises my efforts to present the empirical span width of the interviews with the probation officers in a somewhat neutral vein, as well as some of the analytical depth relating to my interests in a smaller selection of them. This means that the chapter begins with an account of the kinds of answers provided to the very central question that I ask all the probation officers, namely, *what is your work all about?* Having presented a typology of these answers regarding what aspects of their work they appear to emphasize or prioritize, I move on to an investigation of how some of the probation officers more specifically talk and think about rehabilitation.

Concluding this chapter is a recourse to the imagery of policy-transgressive discourses within the probation officers' conceptions of their work with the clients, that is, more specifically, the ways in which some parts of their views about their work, their personal views in particular, may manifest a counter-discourse to the manual-based reality, while others, their MOSAIK-related ones, may not.

What the job is all about

All of the interviews with the probation officers started with the same question: What is your work here at KiF all about? Analyzing the content of the answers to this question in isolation¹⁷⁶ allowed for a simple typology of the answers provided. Basically, there appears to be four kinds of answers. What can firstly be observed is that many of the probation officers' answers are centered on the administrative tasks around executing punishment and supervising clients and do not mention rehabilitation or the societal task of reducing crime. Thus, answers may be discerned through which probation officers describe their work as:

1. A matter of administratively executing the punishment in accordance with a court order – nothing more, nothing less.

The rest, i.e., most of the probation officers in one way or another mention rehabilitation or crime prevention when they answer the question regarding what their work is about. More precisely, they either frame their work as a matter of exerting the level of control and supervision necessary to ensure that sentences are properly executed, on the one hand, while, on the other hand, offering certain aspects of support and help

¹⁷⁶ It would be inappropriate to derive any overarching assessments as to the mindset or perspectives of the individual probation officers solely from these entry responses. Therefore, working with these answers in isolation offers only a glimpse into the spontaneous thoughts that probation officers have regarding their work at the probation offices.

so that their clients are better suited for a future life without crime, or simply as a matter of helping their clients live a crime-free life. Thus, secondly, it is possible to discern answers through which probation officers describe their work as:

2. First and foremost a matter of management of client terms and conditions and routine control of client compliance and then, somewhat secondarily, due provision of certain aspects of support in order to help clients lead a crime-free life.

In the third kind of answer, the prioritization of control and support is reversed. Consequently, in the third kind of answer, probation officers describe their work as:

3. First and foremost an issue of helping and “being there” for the client through the process of serving the final part of a sentence and then, somewhat secondarily, solving a series of administrative tasks concerning the client which are also part of the process.

Then, in direct opposition to the first kind of answers, the fourth kind of answers by the probation officers comprise descriptions of their work as:

4. Simply a matter of supporting and helping clients live a crime-free life – nothing more, nothing less.

There now follows a selection of answers that illustrate the range of the answers in concert, from those answers that merely mention the administrative tasks to those answers that merely mention the societally oriented efforts. Furthermore, this selection of answers is presented in a way that illustrates the general pattern of the aforementioned typology.

Firstly, the answers provided by Alberte, Sofia, Elsebeth and Louise represent the kind of answers that refer to supervision and management of client terms and conditions.

Alberte: Yes, but my job at KiF is . I am a supervisor so I supervise parolees . offenders in treatment and for example ehm what is it called . conditionally sentenced also

Sofia: Well my job is to ehm carry out the punishment that our clients are sentenced to and, as an employee in the supervisory department, my job is to ehm supervise eh parolees or the offenders in treatment . so it is to ensure ehm that we get ehm the measures enforced that are unconditional parts of the punishment and then . we initiate the conditional parts of it when it's necessary in order for the supervision to also be carried out

Elsebeth: Well, it is to supervise ehm conditionally sentenced clients or parolees ehm it is to write answer ehm for hearings ehm regarding probation with . also conditionally sentenced clients ehm answer the public prosecutor ehm yes so it is ehm actually execution of ehm there are many different aspects

Louise: ehm, I'm still learning that myself [laughing] before I get it all under control, but as a starting point, it is to have supervisory conversations with the client's .. initiating ehm community service ehm .. yes

Next, quite a few of the probation officers describe their work as first and foremost supervision and the execution of punishment, but then, somewhat secondarily, also rehabilitation.

Molly: Yes . in short . it is . after all it is the execution of a sentence . that is at least what we are told that it is and that is also what it is . we must make sure that the sentence gets carried out . having said that, there is a ton of other stuff that we do so I think my primary job is to ensure that they can serve their sentences in the best possible way so that they also get something out of it . yes of course you can always discuss how much they get out of it but it's about creating a relationship so they have the courage and desire to get through it in the best possible way

Maj: Well ehm I supervise ehm parolees and conditionally sentenced and with ehm offenders in treatment . and so ehm I try to execute the sentences . by both conducting ehm control and supervision of them but also trying to rehabilitate them

Ofelia Ehm mainly my work is to ehm execute the sentences that come in ehm it is probably the primary and it can be said to have two legs one is to make sure that ehm the conditions that are set for a conditional sentence or parole . are complied with . otherwise my task is to ehm yes ehm to take the administrative steps that need to be taken if that doesn't happen and the other part is to come in and . what is called . ehm prevent recidivism . that is to come in and prevent the recurrence of crime.

Conversely, there are the types of answers in which the probation officers describe their work as a double-sided task, yet primarily a supportive one.

Sara: so overall I think that what it's about is ehm to .. have conversations with a lot of clients like ehm . where there may be a chance . for relapse to recidivism ehm I think that overall it's really to avoid them committing new crime . prison and proba eh . so what is it called . service so ehm prevent recidivism and then there are lots of sub-points about what my work is and it is . yes . conversations with parolees conditionally sentenced it is community sanctions it is ehm offenders who undergo treatment sentences so it ehm like that ..

Sigrid: Yes, well it's about supervising clients and that's what you may call a rehabilitative effort so it's really about preventing new crime .. ehm and then there is this thing where someone receives a sentence down in court and then it's us who must execute that sentence if you get a conditional sentence with some conditions and it's then our task in collaboration with ehm the client to find out what it is we have to work with to prevent them committing a new crime

Finally, while only one probation officer answers promptly that her work is to “prevent crime” – period (Emma), there are a few others who actively link their crime preventive efforts to rehabilitation and social and psychological support, without mentioning their administrative tasks.

Laura: Yes .. but my job is to ehm help the clients who ehm want to change . and it may be the clients who have already made a decision that they want a change and then guide them and help them in this direction so as to not commit new crimes . it can also be the clients who are not there yet who actually think it . I will . ehm this suits me fine and I have no plans to . and I don't bother . I come here because I have to ehm where I think that my most important task is also to ehm get them closer to realizing or experiencing that it might be an idea to want a change and if we get there, then guide them toward it .. but I also think that one of my most important tasks is also to respect the clients and respect that if they do not want this change, then that's the way it is. I should not impose on them or enforce onto them any other norm that our system has, if they don't want that.

Frida: Mmh [affirmatively, as if she understands the question] ehm like in my own words so ehm it means that ehm I'm a trained social worker and what . I really want is . is the broad perspective . I wish to help a little where I can without having to save the entire world because we can't do that . ehm but ehm my role is like . I should

listen and ask about what's going on in people's lives ehm for some it's very much about crime but for others it's not so you must prevent recidivism where you can whether it is directly related to crime that I go in and prevent recidivism or whether it is related to all what is around it all ehm . so a little shortly put

Thus, when asked about what their job at the probation office is really about, the probation officers mention a wide range of answers. Quite a few of them provide very administratively inclined replies, referring to the fact that their job is to supervise, a function that they basically understand to involve control, that is, the evaluation of client compliance with their individual terms. Others describe the supervision as something that you “*have to do*” if you wish to help the client, that is, as something subordinate to the more “noble” or “important” task of preventing crime or helping clients who are willing to change.

Alberte, Sofia, Elsebeth and Louise explicitly relate their supervisory objectives to the greater societal task of minimizing crime. It is tempting to just present the conclusion, which, taking into account the results of the document analysis, almost presents itself, i.e., that these four staff members are clear “victims” of the managerial turn where their scope and attention is directed away from the societal task of crime prevention and toward the administration of punishment and managing terms. What must, however, be admitted as an equally likely hypothesis is that these particular probation officers were “caught off guard”. Listening to the recordings of these four interviews, it is clear that I pose the question – *so what is the work that you do here at KiF all about?* – in a very straightforward manner, unwittingly disregarding the fact that these officers seemed a bit nervous in the beginning of the interview. The fact that both Louise and Sofia were hired only very recently (almost precisely the same day as I started the fieldwork) increases even further the likelihood that they gave these simple answers as they felt insecure. And, being somewhat stumped, these simple answers could have been regarded by the probation officers as *at least not incorrect*.

Ofelia, Molly and Maj also state that their work is mainly a matter of execution, but they all quickly add that there are also other layers to it. Their answers are all very neat descriptions of the Janus-face paradox as they clearly refer to the two main tasks – or two legs, in the case of Ofelia. However, they seem to give priority to the execution of punishment either by presenting this task as being of primary importance – Ofelia and Molly in particular – or, as Maj does, by simply describing the tasks in this order. As in the case of their obvious inclination toward describing administrative aspects of the work in Alberte, Sofia, Elsebeth and Louise's answers, Molly and Ofelia's clear prioritization of supervision, client control and management of their individual terms

rather than the rehabilitative aspects of their work may be interpreted in light of one of the main findings of the document study. These answers, which clearly describe the administrative tasks as the main purpose of the work conducted by the probation officers, appear to be in line with what was suggested about the Danish policy discourse in general as it was related to what was referred to as the “discourse of subordination”, which was found to be prominent in some of the Norwegian policies. In the Danish policies, it was argued, the managerial means were not as carefully discursively subordinated below the main societal tasks. In turn, this constitutes the administrative tasks as self-sufficient ends.

Sara and Sigrid, however, basically view their work as something that first and foremost has a societal impact. It is only *then*, i.e., upon having framed their work as having to do with the world outside the office, that Sara refers to “sub-points”, and Sigrid describes her tasks related to the administrative execution of punishment. Thus, in these particular cases, the analytical suggestion that these four social workers are going against the grain of the established policy discourse of the Danish Prison and Probation Service, as it is presented in the document analysis, can be carefully inserted. At any rate, they construe a subordination of the administrative task, similar in some respects to what was identified in the Norwegian policy discourse and less discernible in the Danish policy discourse.

Laura and Frida view their work as that of rehabilitating and helping their clients. They provide answers which, unlike the answers provided by Alberte, Sofia, Elsebeth and Louise, come across as personal and idealist. This is particularly evident in Frida’s narrative in which she invokes some kind of link between her education as a social worker and an ethical vocation based on a holistic-humanist perspective on the one hand with a desire to help people who are less fortunate in life on the other. Another striking difference between the first kind of answers and the fourth kind of answers is the length and complexity. Laura’s answer is much more personal and contemplative than, for instance, Alberte’s. Whereas Alberte’s answer is short and precise and lists the types of clients that she works with, i.e., parolees, offenders in treatment and conditionally sentenced clients, Laura expounds a particular view of her clients, overall, where they are regarded as singularly valuable beings with personal integrity.

As in the case of Alberte, Sofia, Elsebeth and Louise’s answers, a disclaimer is called for relating to the particular way of posing the question for Frida. For some reason (I’m not sure why), I start the conversation with Frida slightly differently than I did with the others.

Me: I would like to begin by asking you what your work here at KiF is all about . like . in your own words

This way of asking the question prompts Frida to provide an answer in which she relates to her personal ideals and choice of profession. It can even be noted that she emphasizes the fact that she will now give a personal account by recapitulating: "... ehm like in my own words so ehm ...". This is a clear indication of the huge potential of just a few words in a conversation and an instance that proves that semantic co-creation is a natural part of active interviewing. Nevertheless, I commit to the same "in-your-own-words" phrase in the interview with Sara where it obviously had less of an impact. Furthermore, it can be reiterated here that before pressing the record button on the tape recorder, all the interviewees were informed that I was interested in their personal (not private though) accounts of their professional lives and they were explicitly advised that I was not interested in the organization's official viewpoint or anything like that.

Why I go to work

The question that gave rise to the answers of the four different kinds was carefully designed so as to disclose the probation officers' thoughts on what the official purpose of probation service is. Opening with this question was part of the strategy to bring about personally disengaged answers to the highest degree possible. This design was for the most part successful. The answers of the first, second and third kinds were all stated in ways that signal loyalty to the task and to the organization. It is only when I mess it up by implanting the aforementioned "in your own words" which were not in the interview guide that Frida resorts to her very personal conception of her job.

Given the design the addition of the "in your own words"-dangler was a mistake. Yet, it may in fact turn out to be a blessing in disguise as it prompted a focus on statements of official purpose in relation to accounts of personal conviction and motivation already while in the field. Realizing a possible tension between the two I built in a type question toward the end of the interview, where a trustful relationship between myself and the probation officer was firmly established, which was aiming to capture a personal vocation: *Why do you go to work?*

In some of the instances in which this question is raised, it comes about quite naturally, for example, in the case of Molly from the East Ville office, which is presented in the preceding chapter, in which she is very surprised about how the *Strategy for the Prison and Probation Service 2021* frames the purpose of the prison and probation service in

terms of making for a safer society, Sigrid from West Bridge actively argues that protecting society is not what motivates her.

- Me: It's also something I've often thought about because if you read Strategy 2021, which I referred to earlier or . earlier . so eh one of the most central if not the most central purposes of the Prison and Probation Service according to the strategy is to make for a safer society
- Sigrid: yep
- Me: But is that what you do?
- Sigrid: [audible inhalation] make for a safer society?
- Me: yes
- Sigrid: Ehh well again when you frame it like that ehh no . so we give them some tools so that they can handle some things more appropriately . hopefully . or at least present some of the things and whether you choose to use them or not I don't think that ehh ..
- Me: But I'm thinking . why do you go to work?
- Sigrid: Well, I got to work because I think I have an exciting job and a meaningful job
- Me: I see .. That's not what drives you here . that now . we have so much unsafety so now I have to go in and make for more safety
- Sigrid: No, that's not at all why I work here . I'm more . eh I think it's eh the individual who eh and the individual's story and the way the individual is
- Me: I see
- Sigrid: that drives me rather than if Mr. and Mrs. Denmark think it's a bit unsafe eh [laughs] that some people have a blemish on their criminal record from here
- Me: So your sympathy lies with the client?
- Sigrid: One hundred percent

At other times the question would simply be posed quite out of the blue, as in the transcript below from the interview with Louise from West Bridge. Like Sigrid, from the outset, Louise talks about what she gains from the job – or from *having* a job. However, regardless of the different context of the question and the fact that Louise appears to initially describe the work-life-balance benefits that she enjoys, the answer that she ultimately provides is, in essence, the same as Sigrid's.

Me: Final question
 Louise: Hmm [affirmatively]
 Me: Why do you go to work?
 Louise: I go to work because uh ... for me it's important to get out .. among
 . other people
 Me: Hmm [affirmatively]
 Louise: It sounds weird when you say it but eh I actually get more energy at
 home from being out
 Me: Yes
 Louise: although I can still come home tired from work after a rough day
 and so on . Erm
 Me: But why do you work *here*?
 Louise: Why do I work *here*? . I work here because my job gives me the
 opportunity to help people . who truly need it
 Me: Yes
 Louise: [laughs quietly] erm and I think it's interesting that you can work
 with a target group that is challenged in many ways
 Me: Hmm [affirmatively]
 Louise: But where you can still work . re . eh on rehabilitation

Sigrid's sympathy is not with Mr. and Ms. Denmark, but with the client. And her personal mission is to help clients and to rehabilitate them. So, there appears to be a discursive discrepancy between the probation officers' appreciation of what they do in the probation service, as such, and what they themselves hope to accomplish working there. On the one hand, when describing the official purpose of the probation service, they often refer to or give priority to their tasks, that is, to crime prevention, execution of punishment, control and supervision. Yet, when, on the other hand, they describe their own motivation, they refer to the client, to themselves and to rehabilitation. This discrepancy is interesting in itself as it suggests a diagnosis of a "disintegration of purposes" within the offices. This accords well with Morén's (2015: 61) presentation of a systematic mismatch between the problem-solving approach according to which social service organizations are often planned and the client-centered approach, with which most social workers' personal beliefs accord. However, what is also noteworthy is the fact that insofar as rehabilitation is associated with the client-centered and help-centered side of the discursive divide, the discrepancy effectively separates rehabilitation from other tasks, constructing it as a special task. This is suggested in Louise's final remark, as well as through the second and third types of answers to the first question

on *what the job is all about* in which certain comprehensive distinctions between the executive and the rehabilitative parts of the work are made.

Keeping a distance from the task and the organization

The discrepancy between the official task and the personal vocation suggests that the probation officers are more personally invested in the rehabilitative aspects of their work than in the controlling, supervisory and administrative aspects. This may be further substantiated through a presentation of a longer segment from the interview with the West Bridge-based probation officer, Brit. As will be laid out in detail, Brit distances herself from her work when talking about the punitive and controlling aspects of it by changing the pronoun from the personal, first person “I” to the more general “you”. Seemingly, this grammatical shift is deliberate, meaning that we may understand it as a way of coping with the fact that parts of what the probation officer does is does not align with her personal vocation. So, in the beginning of the segment, as Brit juxtaposes the controlling and helping aspects of her work and highlights the fact that she really enjoys having a job where she gets to do both, the impression is that she is not arguing that she is happy with having a job where, apart from supporting people, she also gets to control them. Rather, she is happy to have a job where controlling people is not the only thing she does.

- Me: Why do you go to work?
Brit: Ehm I love my job! And why do I do work? [laughs] well, ehm I like this target group.
Me: Hmm [affirmatively]
Brit: And, in particular, I like the fact that in the probation service I actually get to work in both the executive division and in the government division
Me: Yes
Brit: If you can set it up like that because we work with support and control .. and I love that interaction so I don't feel I'm just sitting and banging someone on the head ehm .. because I still feel that I can help them under the framework we have

This distinction between the “executive division” and the “government division” is not prompted by the question that I ask, which was the very open “why do you go to work?”. So, in some sense, it is Brit herself who sets off this interesting contrast, which, as we get further into this particular segment of the interview, gets reinforced by the change in the pronouns employed by Brit which, I shall argue, may be understood as

two very different ways of referring to her own personal involvement in her work activities. However, before getting to that, there is what we may call “a middle part” of this interview segment where in a very “I”-driven discourse, Brit defines the main aim of her work as being rehabilitative.

- Me: Yes .. we will talk more about that as well
- Brit: Mmh [affirmatively]
- Me: I think
- Brit: Mmh [affirmatively]
- Me: Later ... But when you then have ehm experience .. that you succeed with a client
- Brit: Yes
- Me: some kind of experience of success in your work
- Brit: Mmh [affirmatively]
- Me: .. ehm what is it then more precisely that succeeds?
- Brit: ... eehm
- Me: And what does it mean . I mean when you like
- Brit: [interrupts] What does it mean when I succeed, you mean?
- Me: Yes
- Brit: eehm I think I succeed in my work when I .. and I can also sense that this is what we're going to talk about eh later but when I get to create a good relationship with the client ehm and .. I can see that he is working on himself
- Me: Yes [silently]
- Brit: .. then I think I succeed in my work . then it may well be that we don't completely reach the finish line or he doesn't reach it . it may also be that he relapses once or twice but seeing that he actually works on himself and when he gets something out of what we have to do
- Me: Yes
- Brit: Then I think that I succeed with my efforts

This view is a response to the question regarding what it means for her to succeed in her daily work. Interestingly, as I follow up with a question, which could be argued is a more general version of that very same question, namely, a question regarding what constitutes a good supervisor, she resorts to the two-faced task of control and help. This time, however, she explicitly refers to the figure of speech that I came across as I was investigating the earlier documents governing the Danish Prison and Probation Service, that is, the balancing of the hard with the soft.

Me: ... So what is a good . supervisor?

Brit: .. a good supervisor is someone who can ehm create a good relationship with the client and . who . can ... alternate between the hard and the soft

Me: yes

Brit: Who can set up the rules we have here because they are what we must follow . legislation among other things . and can make the client understand that they must comply with the rules but at the same time help the client along the way

Me: Yes

Brit: .. to another life

Me: and it's precisely here that you alternate between the hard and the soft

Brit: Mmh [affirmatively]

Me: how . so if you could try to elaborate a little about how . like . how you actually do that?

Brit: Mmh [affirmatively]

Me: I mean . practically

Brit: yes

Me: in some imaginary scenario where you .. talk to a client

Brit: Mmh [affirmatively]

Me: .. is it a balancing act .. are they two different tasks or do they flow together? .. can it be that what appears to the client as support in reality is an expression of control and .. how?

Brit: Yes ehm you can say that for .. those who, for example, going through a substance abuse treatment program . which is . after all . actually a control function because I have to go in and check that they complied with that program

Me: Yes

Brit: What I often do is tell them that even though it's a control and even though it's imposed upon them . then you should also see it as a help function because we have added this condition of substance abuse treatment, because it's what we assess that will help them out of crime

Me: Yeah okay

Brit: So it can flow together I think

Me: yes

Brit: And then of course there are also those situations where it doesn't flow together . where we are being very square

Me: yes
Brit: two warnings and then it gets reported

Guided by my active inquiring, Brit describes how the controlling and the supportive aspects may sometimes blend together and become indistinguishable, at least to the client, while at other points in a client meeting she may deploy strategies to clearly emphasize the distinctions inherent to control and support. When talking about controlling interventions, including those interventions that may have a “supportive recoil”, she shifts to the impersonal and plural “we”, that control is something that *they* do – not her *herself*.

Me: Yes... have experienced that the client doesn't understand so ehm .. something .. ehm the framework .. can you sometimes sit like that and think like well ehm .. that you keep repeating the same thing
Brit: Mmh [affirmatively]
Me: That he should remember this and that, but
Brit: Mmh [affirmatively]
Me: do you sometimes feel that it can be difficult?
Brit: yes
Me: and what .. like so .. what do you resort to when the client obviously has difficulty with, for example. Complying with . a . the framework
Brit: Mmh [affirmatively] .. but then ehm is it that . I want to say *you* [laughs], *you* get a little ehm then it happens that *you* get square because then we have these rules at the prison and probation service, that if they can't comply with them then there is another alternative and that is prison
Me: Yes, reinstatement
Brit: Yes
Me: But that doesn't happen very often
Brit: Yeah yeah
Me: You have cases once in a while?
Brit: Yeah I am . yes we definitely do . yes . and it's often the case that if they don't show up for their uhh community service then ehm it is often that we
Me: And how many chances do they get?
Brit: They have two chances regardless of ehm the target group

What is indicated by the sudden shift from “I” to “you”? This could be a way for Brit to distance herself from the parts of her job that are to do with controlling, imposing and sanctioning as she somehow actively refers it to the community, the institution, the Prison and Probation Service. It is not *Brit* who is forcing something on the client. That is something that *you* do, indeed, something *we* do. This interpretation may be substantiated in and by the striking alternations between singular and plural pronouns (“we are being very square”). And when we talk about a client’s prospects of reinstatement in prison, Brit stays in the plural (“yes we definitely do”)

That this is the case is perhaps not that surprising. It makes sense that Brit distances herself from the parts of her job that do not motivate her. The fact that clients have two chances before they get reported and then risk reinstatement in prison is not based on her conviction, it is not at her discretion. Rather, it is, as we clearly saw in the manuals such as “the Procedure”, imposed *upon* her. She is not the author of these restrictions so she refers them upwards, so to speak. On the basis of this exposition of Brit’s appreciation of her work as a two-faced endeavor, a Janus-faced practice, the discrepancy has also been constructed in a different way. It is not just a discrepancy between the presentation of the job as such and the personal motivation for committing to it. It is also a discrepancy between “I” and “we”, individual probation officer and the organization, as well as between personal conviction or motivation and rule following.

The place of rehabilitation

Shifting the analytical attention from the probation officers’ general perspectives on what the work is all about to the more specific descriptions of rehabilitative interventions, I shall in the following focus on how the probation officers depict the work they do with the clients in order to prevent recidivism. When asked about rehabilitation and what that more precisely involves, the probation officers often mention the MOSAIK program or ideas and exercises which are part of the MOSAIK regime that was formally presented in the preceding chapter. Here, a presentation of the probation officers’ experiences with practicing MOSAIK and the personal evaluations of the rehabilitative program, will provide a substantial counterpart to the previous exposition.

MOSAIK: Not like other programs

“MOSAIK works!”, Clara, the office manager at the East Ville office, enthusiastically answered as I asked her the classic question: What works? This exclamation summarizes

the general appreciation of MOSAIK in the offices. Most, if not all, of the probation officers and managers that I interviewed, did exercises with or observed in their personal offices, by the coffee machine or during client meetings were all very happy with MOSAIK and regarded it as an effective tool for reducing recidivism. Even the probation officers who were generally critical toward RNR and nostalgically look back at the times where they were just meeting with the clients, not having any of these systematic intervention regimes hampering the relationship, are favorable toward MOSAIK:

- Ellie: If they score medium . high and very high then we start working with MOSAIK . in low and very low then we work . then it will be primarily control .. then it's supervision with a relatively short interview . but it's really just a matter of controlling that they comply with their terms
- Me: Is that because support isn't necessary then
- Ellie: Eh yes
- Me: Because the rehabilitative measures aren't really eh
- Ellie: Yes . it isn't really necessary and they actually . well they have found out eh when they made this program, that it may be counterproductive
- Me: Okay
- Ellie: You can actually almost make them more criminal if you constantly talk about crime with those who are at low risk

At this point Ellie continues with a lengthy story about how she sometimes finds the LS/RNR screening results somewhat off. More precisely, she thinks that some clients that could actually benefit from MOSAIK are rated as "low risk" by the LS/RNR screening if for instance the client has a job. According to Ellie, the LS/RNR screening, overrates having a job as an indicator for the likelihood of desistance. So, sometimes she feels as if her discretion, that is, her professional *fingerspitzengefühl* as to who would benefit from MOSAIK, is overruled by a bureaucratic instrument.

- Ellie: And that can .. it . I don't like . I do not like to ignore
- Me: no
- Ellie: their feelings
- Me: no
- Ellie: and in that way say no but that is not what we have to work with here . then I go against who I am personally and have to put on the professional hat and say well what is my task and what is my role
- Me: Sure . but the screening tool

Ellie: Yes

Me: does in some way come in and compromise your possibility to . relate ehh personally to . that is . all of the clients

Ellie: Yes that . I would think that so eh I would think that eh of course it makes for a uniformity . and it's also really good that you also have something eh some things

Me: [interrupts] Yes, but is also a protection for the client, right?

Ellie: Yes

Me: In some way

Ellie: Yes, and there is also some evidence . that it works . so it's not like I can just sit here and say

Me: [interrupts] yes, but that's statistical evidence there are always some who fall outside

Ellie: Yes .. I would think that all systems . whether it is in the prison and probation service or whatever . are in dire need of de-bureaucratization

Me: Hmm [affirmatively]

Ellie: and that they should let us have a professional assessment . I can look at a client and say you need an intervention

Me: Hmm [affirmatively]

Ellie: and I can also look at another client and say you there . you have it under control

Me: Hmm [affirmatively]

Ellie: It really isn't always the case that .. I mean . a high-risk client can have a really good grip on himself and a low-risk client ..

Me: Yes where it all just drifts

Ellie: Where it all just drifts yes ... and that can really frustrate me . that there is a screening tool that decides for me

The LS/RNR Screening leaves very little room for professional discretion. Ellie finds that unfulfilling, and sometimes, she thinks, it may even lead to a mis-categorization of a client that could have been avoided with a less rigid use of the screening tool. Ellie is also skeptical toward LS/RNR as it undermines her own professional judgement and her *real* or *actual* appreciation of the person in front of her. It hampers the *lived* relationship between the client and herself. This view presented by Ellie may be substantiated, I believe, by the following excerpt from my fieldnotes from an observation of the first supervisory meeting between, Emma, a probation officer in East Ville, and Anders, her new client.

East Ville, February 22, 2022

Having just talked with Anders about the sentence and let him know that he is being brave for confessing to his crime and openly admitting that he may need special psychological treatment in order to stop committing, Emma suddenly says:

Emma: “It is very nice to just talk with you Anders, but there is some boring stuff that we have to get done by today as this is our first meeting and all. It is the law, you know. And it is just like the game ‘1000 questions for the professor!’”

As she says this, she is obviously rolling her eyes while raising her right index-finger. Then she explains to Anders what LS/RNR is and the purpose of it. Anders is just silently sitting in his chair. Completely slumped, looking at his dirty workers’ shoes, nodding his head once in a while.

As they begin the screening, Emma is looking at her computer. She is reading from the screen, asking questions about Anders’ prior convictions, his employment situation and level of education, hobbies, friends, etc. And, she is plotting in “risk-checks” in the designated boxes according to whatever one-sentence answers Anders gives.

Here it is clear how the LS/RNR-screening interrupts or comes in between, Emma and Anders. Emma, is aware of this and tries to make a caricature out of it, turn it into a game. As they begin with the screening, however, whatever understanding there was between them before is somehow paused. Emma is looking at her computer, Anders at his shoes.

LS/RNR is mainly regarded as something that you have to do rather than something that you like doing. Despite the ideological kinship between the LS/RNR screening tool and the MOSAIK program, as they are both rooted in the RNR regime, there is a generally positive perception of MOSAIK. Just like LS/RNR, MOSAIK is a ready-made program. It is something that the probation officers are supposed to do (when they have obtained their specific MOSAIK-certificate of course) and it is not up to their own discretion to decide which clients are eligible. Yet, MOSAIK is perceived something different.

Ellie’s reminiscing brings her to talk about how, previously, the probation officers were much more “out and about”, meeting the clients in their natural circumstances. Later in the interview, she explains how she really valued the proximity with the clients that such a practice entailed as opposed to the distance between herself and the client that the somewhat artificial circumstances of the office. In the following, she attributes the difference between MOSAIK and other programs to the fact that clients actually enjoy participating in MOSAIK because it reduces the institutionalizing effects of the office and re-establishes a sense of proximity between herself and her clients.

Ellie: Hmm [affirmatively] . I would like to be closer with them .. yes

Me: And if you should stay in that image of being close with them .. then you can say . the screening tool is a help in some contexts . but it is also something that creates a distance

Ellie: Yes . as I . as I see it

Me: [interrupts] just as there is a physical distance to get all the way here

Ellie: Yes

Me: This is as well a case of something coming in between . there is a program . a ready-made solution [questioning]

Ellie: Yes

Me: Being placed in between you and the client

Ellie: Yes

Me: So that it is more difficult for you to relate to the individual

Ellie: yes .. what you can say is that there are a great number of them who react to it some of them have grown up . with pedagogues around them . many people who wanted to pull somethings down over their heads . and I present them with some paper work . some tasks . something ... we have to do together

Me: Hmm [affirmatively]

Ellie: They often react to it with this kind of . ahh it's all just pedagogical nonsense

Me: Hmm [affirmatively]

Ellie: But . I also have to defend the MOSAIK tool . I must also say . there is a number of them who actually think that especially the first exercises are cool . especially this one where you must look at your own values

Me: Hmm [affirmatively]

Ellie: I have not yet experienced one saying plainly that it was simply a bad experience eh that it didn't make any sense

Me: No

Ellie: Most of them get really interested

Besides highlighting the fact that clients appear to appreciate the MOSAIK sessions without delving into further details, Ellie touches upon a compelling aspect of why probation officers value MOSAIK: it doesn't come across as a foreign or intrusive element between the probation officer and the client, and as a result, it doesn't impose anything on the clients. Ellie explains that, in general, clients are accustomed to being controlled and having people around them with very specific demands. Indirectly, Ellie

describes the clients as a group of individuals who have become accustomed to having limited options.

An opportunity for the clients to work on themselves

One point that not only Ellie makes about the MOSAIK program is its focus on opening the clients' eyes to the opportunities available to them and motivating them to take control of their own lives. Ofelia, a West Bridge probation officer, who earlier in the interview emphasized the importance of not having a "tailor-made plan" before meeting the client for the first time, as it would disregard the client's own assessments of "where they are in their lives", articulates it as follows:

- Ofelia: Erh, this MOSAIK process which you will probably hear a lot more about erm which is an intensive supervision effort where you go in and work . that is . cognitively with . that . trying to change people's criminal mindset . this program takes as a starting point that which we have also touched on a bit
- Me: Hmm [affirmatively]
- Ofelia: Namely that you are the expert on your own life
- Me: Hmm [affirmatively]
- Ofelia: Put the responsibility on people if you want them to go somewhere . I will support you in that . but basically that people take ownership and that is also based on this M.I. thing
- Me: Yes
- Ofelia: Yes
- Me: Motivational interviewing
- Ofelia: yes. ehh precisely in order to confront the expectation that you are supposed to live up to a certain set of ideals put forth by others

It is somewhat confusing to notice that this probation officer at the same time maintains an opposition toward "tailor-made" plans and programs (perhaps one may here read evidence-based practices like LS/RNR and MOSAIK) while in fact praising MOSAIK. An account of the point of MOSAIK presented by another probation officer, Mathilde from the East Ville office, may elucidate a logic to this after all:

- Mathilde: and eh . so the foundation of this MOSAIK work
- Me: Yes
- Mathilde: It's not something directly concrete . it's actually all about creating a direction
- Me: Hmm [listening]

Mathilde: And make . so eh . make them think in the direction of eh . in which direction do *you* want to go in life

Me: Yes

Mathilde: Erm . without *pushing* them in any direction . rather you find out in which direction you want to go yourself

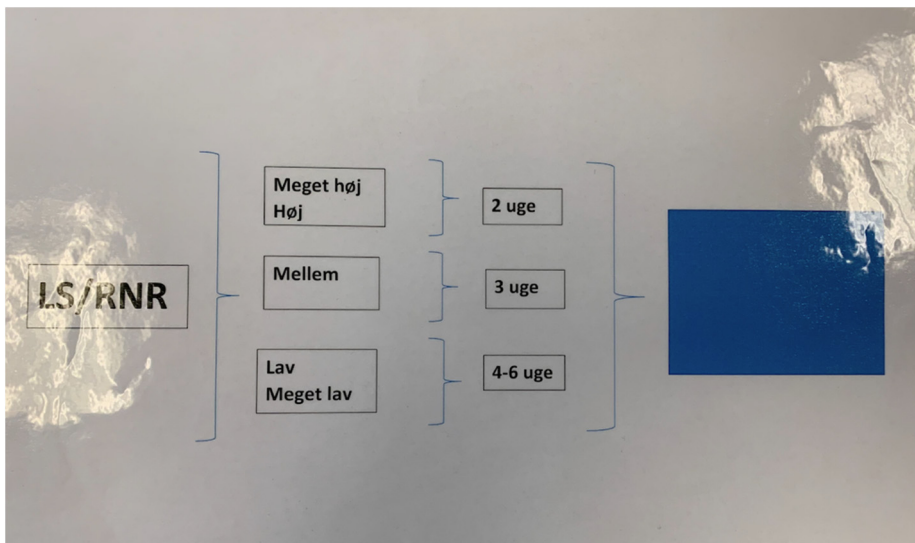
Me: Yes

Mathilde: And then you can then support them in the direction they want go

Me: Okay . so it comes from them themselves

Mathilde: It comes from them themselves

According to Mathilde, MOSAIK is not so much an actual plan for the clients; instead, it serves as a platform for them to define their own life goals and provides an opportunity to receive professional assistance in achieving these objectives. Consequently, MOSAIK is widely praised in these offices as a tool that can empower clients to regain control over their lives, a sentiment expressed by many probation officers who describe MOSAIK as a means to place clients back in the “driver’s seat of their own cars” and promote their responsible use of society’s many legal roads.



Picture 4: Mathilde’s illustration of outcomes of the LS/RNR screening.

This is a picture of an illustration made by the East Ville probation officer Mathilde. The illustration provides a brief overview of the different outcomes of the LS/RNR screening that precedes the MOSAIK interventions. When the LS/RNR screening generates a score of that indicates a very high [meget høj] or high [høj] risk of reoffending the client must attend a supervisory meeting every second week [2 uge]. If a “medium” risk [mellem] is indicated, the client must attend a supervisory meeting every third week [3 uge] and when a low risk [lav] or a very low risk [meget lav] is indicated, a supervisory meeting every fourth to sixth week is sufficient. The empty blue box illustrates the space for the succeeding supervisory work to take place in.

When Mathilde shared with me an illustration (cf. picture 4) she had created to help her understand the relationship between the results generated by the LS/RNR screening and the supervisory work that follows afterward, she explained that the LS/RNR screening primarily determines the frequency of supervisory meetings but does not dictate their content. As a result, the large, empty blue box in her illustration symbolized the idea that while MOSAIK and rehabilitative work, in general, must adhere to a predefined framework, they do not have specific predetermined goals.

Help as midwifery

LS/RNR screenings involves a type of social work with offenders which is generally considered as categorizing, generalizing, and, adapting the vocabulary of Feeley and Simon (1992), perhaps even actuarial and aggregating. MOSAIK on the contrary, does not, according to the probation officers contain pre-formed boxes within which clients are to be placed. In contrast MOSAIK supposedly offers the clients a possibility to make their own box, so to speak, their own life-framework and to set their own goals. This portrayal of MOSAIK and the underlying social philosophy for it aligns with the conventional concept of help advocated by probation officers. Many probation officers view rehabilitation as a form of help, wherein the help entails furnishing clients with the essential tools for constructive social engagement and self-determination.

After participating in the monthly team exercise in MOSAIK at the East Ville office the day before, I had brief *ad hoc* meetings with two of the probation officers who were also taking part in the exercise, Asta and Nora. The MOSAIK exercise focused on a particular part of MOSAIK which is about helping the client to identify so-called “thought-traps”, that is automatic anti-social cognitive responses to everyday dilemmas and, in turn, modify these “thought-traps” on the spot, transforming them into so-called “reconsiderations”. During the exercise, which was prepared by two of the probation officers, we all watched a two-minute snippet from Danish television with an interview with a person serving a long prison sentence. Firstly, upon watching the clip, we were all supposed to identify this person’s thought-traps. Then, we discussed how one may approach the task of helping the person to reconsider and thus reform the cognitive habitus.

East Ville, February 8, 2022

As I was walking toward Nora’s office hoping to have a short talk with her about the MOSAIK exercise that we had yesterday, I pass by Asta.

Asta: “So, what did you think about the MOSAIK exercise?”

Me: “It was really interesting. I was so impressed with how constructive and creative you all were looking for these thought-traps and all!”

Asta: “Yes, it was a good exercise! I was actually thinking ...”

She stops herself and signals that we could go into my office to continue the conversation.

Asta: “I was just thinking. You know. I have this client with whom I actually had a meeting about thought-traps right after the exercise – sorry for not inviting you – that you may want to talk to.”

I am fine about not having been invited. I was utterly exhausted after the exercise and headed straight home. I truly admire their stamina for work. I start asking her about what it is that she does when she facilitates this exercise.

Asta: “Well it is crucial that the reconsideration in question is *their* reconsideration. What they need is help. Help to formulate the reconsideration. But they have to be part of the process.”

Me: “Okay! So, you are like a midwife? What you provide is like a room, a possibility and a language even, but the content comes from the client?”

Asta: “Yes!” [smiling]

The conversation is abruptly interrupted when Aya knocks on my door, clearly annoyed. Asta was supposed to be in a meeting with Aya ten minutes ago. Now, I assume she was on her way to that meeting when she encountered me in the hallway.

From my fieldnotes, it’s evident that I was curious about the way Asta smiled when she acknowledged the midwife imagery. She appeared somewhat puzzled by it. However, for me, introducing this imagery into the conversation was a deliberate choice, as thoughts of Socrates and the elenctic method crossed my mind while Asta and I were talking. Frederick Copleston describes the point of the elenctic method in the following way:

What was Socrates’ practical method? It took the form of “dialectic” or conversation. He would get into conversation with someone and try to elicit from him his ideas on some subject. (...) When some definition or description had been given him, Socrates would profess his great satisfaction, but would intimate that there were one or two little difficulties which he would like to see cleared up. Accordingly, he asked questions, letting the other man do most of the talking, but keeping the course of the conversation under his control, (...). His aim was to discover the truth, not as matter of pure speculation, but with a view to the good life: in order to act well, one must know what the good life is. His “irony”, then, his profession of ignorance, was sincere; he did not know, but he wanted to find out, and he wanted to induce others to reflect for themselves and to give real thought to the supremely important work of caring for their souls. (...) Socrates

called his method “midwifery”, not merely by way of playful allusion to his mother, but to express his intention of getting others to produce true ideas in their minds, with a view to right action. (...) He wanted to give birth to true ideas in the clear form of definition, not for a speculative but for a practical end. (Copleston 1993: 106-07)

The probation officers do not talk about such high-flown concepts as souls, the good life, true ideas and birth-giving. However, the philosophical calling that Socrates tirelessly pursued – the endeavor to extract ethics from the realm of speculation and abstraction, and to ground it in practicality and the concrete – finds an echo in the probation officers’ concept of help. Much like the citizens of Athens with whom Socrates had his conversations, the clients cannot, according to the ideas behind programs such as MOSAIK, lead a good life that they have not themselves contributed to the specific definition of. The act of contributing to such a definition may be viewed as that of giving birth to true ideas; true in the Socratic sense, that is, practical and not speculative. Help, therefore, in the sense advocated by the probation officers comes to look like Socrates’ *profession of ignorance*. The probation officer asks questions, even if she may already know the answer, or even if her own life doesn’t hinge on the response. The client is expected to engage in the conversation and take on the active role in the rehabilitation process because, ostensibly, this approach is believed to yield pedagogical and ethical benefits. Nora elaborates on this approach, where help is seen as the practice of ignorance. After the conversation with Asta is interrupted, I leave my office once more to seek out Nora.

East Ville, February 8, 2022

I knock on Nora’s door which is already open. She looks up from her desk. She appears to be very tired. I had actually wanted to ask her if she felt like doing a real interview. She had told me yesterday that she would have plenty of time today. Now, it is clear that something unforeseen has come up in the meantime. I refrain from any talk of an interview and instead ask her if she has a couple of minutes.

Nora: “Sure. Let me just finish this case. I will come to your office at some point before lunch.”

I thank her and return to my office. This gives me some time to reflect more about the midwife imagery. I remember Søren Kierkegaard also referring to Socrates and his method of *μαίευεσθαι*¹⁷⁷ as he presents his famous program for the “art of helping” ... *all true effort to help begins with self-humiliation*, etc. ... Suddenly, before I expected it, Nora knocks on my door.

Nora: “Can I come in?”

¹⁷⁷ [to be a midwife] cf. Kierkegaard (1963: 15–48)

Me: "Sure! Thank you for taking the time. Have a seat."

Much like Asta, Nora explains that what is important in MOSAIK is to provide the client with a room in which he can work on himself. The midwife imagery she also finds to be fitting.

Me: "But what is *your* role then? How do you, quite actually, go about achieving all of this?"

Nora: "It's essential a matter of occasionally pausing and assisting the client in identifying, expressing, and reflecting on their thoughts and feelings. It becomes uninteresting if you as a social worker if have to do too much yourself. The client must take the steps, but the social worker can perhaps, initiate this step-taking process by supporting the client in setting the course? But, not all of the clients have the ability to reflect. Then MOSAIK makes no sense. Then it becomes uninteresting."

Me: "So it is not all of the clients who can be helped?"

Nora thinks long and hard. She looks at me with a stiff gaze. I sense that she is being very careful not to say something that I would find wrong or inconsiderate.

Nora: "No! There is no one that cannot be helped."

Me: "There are just different kinds of help?"

Nora: "Exactly."

Nora admits that she has not yet actively used MOSAIK seeing as she is still taking the courses necessary to obtain the certificate. I take the opportunity to steer the conversation away from MOSAIK to "regular" client work.

Me: "But, actually, don't you utilize these principles in your client work already. Afterall, is your work not all about "educating" [gesturing quotation marks with my fingers] the client to live a self-bestowing life?"

Nora: "Yes! [promptly] It definitely is!

Me: "Your job is not just to place a folder on the desk containing the client's rights and responsibilities. Instead, your role is to inspire the client to embrace their rights and willingly fulfill their societal duties?" [obviously asking]

Nora: "Exactly! But MOSAIK sets up a framework that makes this task easier – also for the client."

Me: "A tool?"

Nora: "yes!"

Both Asta and Nora talk about MOSAIK, i.e., about the point of it, the advantages and the pitfalls. But they do not seem to "bite the bait" when I ask specifically for

descriptions of how it is done. They stay in the abstract. Well, to be fair, Nora is “excused” to some extent as she has not had her first real MOSAIK intervention yet. Nevertheless, Nora actually tries to state what MOSAIK-work looks like. It is about “occasionally pausing and assisting the client in identifying, expressing, and reflecting”. But the discourse almost imperceptibly moves back into the abstract as she continues with program-statements like for instance that MOSAIK is a “step-taking process”.

In both of these meetings I had a particular interest in not just learning what they think about MOSAIK, but also in reaching some form of preliminary understanding as to how they actually do it. The key idea that appears to play a role in all of the accounts of MOSAIK, and rehabilitation in general, is that while the probation officer can indeed support the client, the probation officer cannot (and should not) do the work for the client. This reservation is in line with the global definition of social work cited in chapter 1 where it is clearly stated that: “As far as possible social work supports working with rather than for people.” Rehabilitation is done *with* the client. It is not primarily about taking action *on* the client, but rather about facilitating positive changes that the client is motivated for, with the active involvement of both the client and the probation officer. This means that the client needs to express a will that is genuinely their own. Therefore, rehabilitation involves creating safe spaces for the clients in which *they* can work on themselves. After all, as Clara noted, probation officers are not the clients' private secretaries.

Navigating the paradox

The probation officers navigate at least two discourses when talking about their work. On the one hand, when talking about their job and what it is all about, they tend to refer to administrative tasks. Furthermore, as was suggested during the investigation of the longer excerpt from my interview with Brit, it becomes evident that when describing administrative tasks or situations where the focus on the task outweighs the focus on the client, the tone of conversation may become more impersonal. On the other hand, when discussing their motivations for choosing a career in the probation service, a profession undoubtedly marked by its strenuous demands, both physically and mentally, the probation officers emphatically underscore their unwavering commitment to their clients. They place paramount importance on addressing the unique needs of each individual, recognizing and empathizing with their marginalized positions in society, and tirelessly striving to facilitate their rehabilitation and reintegration. Basically, all of the probation officers work in this business because they

care for the clients; otherwise, as Ofelia once said to me, “it would be unendurable to work here!”.

The personal conviction of the probation officers goes against the grain of the policy. They do not foremost think about making for a safer society, Mr. and Mrs. Denmark, as Sigrid framed it. What’s even more apparent is their lesser personal concern for the organizational efficiency and expeditious handling of cases. The probation officers may represent the organization or stand by the “we” when talking about or accounting for the parts of the job which are somehow *just* parts of the job. Yet, when doing exactly so, they also claim a certain distance between themselves and these aspects of their jobs. When they have to implement a reinstatement in prison or control for a client’s term compliance, it is construed as something that has to be done, because there are rules that must be followed. Thus, when Brit says: “*you* get square because then we have these rules at the prison and probation service, that if they can’t comply with them then there is another alternative and that is prison”, it is not Brit talking, or at least, it is not her words. Brit is paraphrasing, representing and thus actively distancing herself from being square.

What is particularly curious then is that working with the MOSAIK program appears to be inherently positive for Probation officers. Regardless of being highly governed by the MOSAIK manual leaving very little room for I-driven courses of action, it is by no means something that the probation officers see any reason to distance themselves from. Irrespective of the fact that it comes from “above” and minutely scripts their interaction with the client, it is held in high regard even by the most program-sceptic probation officers. It seems that the probation officers do not interpretate the overly rigid pre-scriptedness of the exercises, the check-in procedures, the evaluation criteria and so on as restrictive or hampering, as it all makes sense to them. It constitutes a possibility for them to actually do what they wish to do. It would seem, that the probation officers do not construe MOSAIK as a task seeing as it aligns somehow with their personal motivation. That is why, I believe, it is appreciated as something fundamentally different from other highly manual-based interventions such as the LS/RNR-screening. While the LS/RNR-screening procedures may at times hinder probation officers from aligning with their professional values, occasionally compelling them to pursue courses of action they deem morally objectionable, Ellie’s account illustrates how MOSAIK somehow liberates them. MOSAIK enables probation officers to engage with clients in a manner consistent with their deeply held beliefs, casting them as facilitative guides, even midwives of change. Nora, in particular, eloquently describes how clients are empowered to take ownership of their lives within this framework.

So, somewhat paradoxically, it could be argued that the probation officers’ personal motivations merge with what the job is all about in so far as the job is about doing

MOSAİK. MOSAİK provides probation officers with a means to express their deep care for clients while simultaneously ensuring a steadfast commitment to their professional responsibilities. In this way, MOSAİK forms a unique niche within the framework of manual-based procedures, where the manual-based approach doesn't seem imposing because it harmoniously aligns with the convictions of probation officers. Within this MOSAİK niche, the rigid "manual-based" nature of office reality dissolves, as the aspirations and intentions of probation officers almost unnoticeably merge with the principles and policies outlined in the manual.

10 The act

In the two preceding chapters within the ethnographical section of this dissertation, I have gleaned two fundamental insights. Seemingly, there is a tension between these insights. On the one hand, it was in Chapter 8 suggested that the practices in the offices, including the rehabilitative ones, are highly governed by manuals supposedly leaving very little “space” for an organically developing relationship between client and probation officer. Furthermore, the MOSAIK-manual was presented as an instrument for micromanagement, streamlining and control over the rehabilitative efforts delivered by the probation officers. On the other hand, in Chapter 9 it was suggested that the relationship with the client, the personal proximity and the almost open-ended possibilities for structuring the rehabilitative efforts themselves, is what motivates the probation officers to go to work every morning. Moreover, probation officers regard the MOSAIK program as a distinct element in their daily administrative routines, providing them with an opportunity to actively foster motivation. Now, as the attention in the following chapter shifts from *what* the probation officers say about their work to *how* they do it, I shall delve deeper into the essence of this tension. This will involve adding layers of critical analysis to the already unearthed formalities of the rehabilitative program.

While it was established that the manuals contribute to the streamlining of the treatment of the clients by basically governing the practices of the probation officers, the possible ways in which the manual-based reality of the offices does as well constitute and ongoingly maintain for the probation officers a special status in relation to the clients and a power to define the situation remains to be investigated. Therefore, in order to understand the influence of the manual-based reality of the offices on identity work and the formation of social hierarchies, the following analysis incorporate the imagery of *theater* (cf. Goffman 1956). It will be argued that by basically following the script (i.e., the manual), the probation officer may be viewed as committing to an act as they interact with their client.

The notion of scripts and scripted interactions is by no means rare in ethnographic and anthropological studies. Often the concept of script attains metaphoric or structural meaning such as the elusive “cultural script”, referred to by Ilan (2018), that per default

places police officers and street-based youths in opposition. In a similar vein, the term may be deployed in order to show how social norms, such as specific conceptualizations of the risk related to drug-use made by the drug-users themselves, attains codification, become scripted, through dynamic and context-depending social processes of scripting (Mayock 2005). In the following analysis, however, the manuals will be viewed as scripts or manuscripts in a very straightforward manner, i.e., as textual sources that choreograph, often down to the minute detail, the rehabilitative efforts. And, due to the extreme comprehensiveness of the script it does as well require, expect or prompt certain performative responses from the client.

In this way, the rehabilitative setup comes across as theatrical, pre-scripted and mechanical leaving little to no room for actual interaction, co-determination and participation. Then, in order to assess the extensiveness and intensity of the social constructions of the scripts, the analyses will as well bear on the imagery of *ritual* (Goffman 1956, 2003). It will thus furthermore be argued that these rehabilitative programs and tools for risk assessment instantiate a dogma, paradigm or an ideology, of sorts, that values invariance, that is, purified and ahistorical “arenas” for the rehabilitative work to take place in, depersonalization and uniformity.

Without applying it in a one-to-one manner, the chapter precedes with an analysis of how the social hierarchies established through enactment of manuscripts and the dominance of the institutional ideology is opposed, resisted, transgressed and avoided by the probation officers and the clients on the basis of the main tenets of this Goffmanesque framework. The material does not allow for any empirical confirmation of the theater-metaphor in all of its aspects (if in fact it did, one would have to be very skeptical with regard to the empirical adequacy of the material). The dramaturgical metaphor, therefore, serves as a *sensitizing conceptual framework* (Blumer 1954; Atkinson 2015: 9; 57–8) for approaching the micro-social dynamics with particular attention to *the fragility of the act and how the probation officers work to retain it*, rather than simply laying out the interactions in offices as scripted through and through. This will be approached by the identification and analysis of *challenging clients*, i.e., clients who somehow refuse to act along or evade the rituals as well as by the according strategies deployed by the probation officers where they seemingly *go off script* and *break character*.

Challenging situations are inherently interesting for the ethnographer and a natural focal point in an analysis interested in discretion. Such situations offer cases for the study of how probation officers navigate the problem-situation by identifying or conceptualizing the problem, seeking remedy to it and enacting the remedy. When the probation officer faces a client who is unwilling to engage, or indeed a client that “takes over” in the exercises and the conversations, the probation officer’s and office’s

definition of the situation is jeopardized. Sometimes these problems are framed as a “welcome challenge” by the probation officers, at other times as “hard problems”. Always, however, these are situations where the probation officers have to “disengage the autopilot” and resort to looking at what the law or the handbooks say, to actively recalling what they have learnt as students of social work or to what they are feeling and thinking right at that moment. As when the hammer breaks and suddenly appears to the one hammering as *something*, a broken hammer (before there were just hammering, (cf. Heidegger 2006: 91)), the probation officers’ social worlds do, when they are suddenly disrupted by a problem, become objective entities for the probation officers. Like the malfunctioning engine presents itself to the mechanic with all of its bolts, belts, valves and pipes, the social world of the probation officer lends itself to analytical dissection as they are no longer “just in it”.

Theatrical meetings and scripted rehabilitation

According to Goffman (1956), everyday life, in particular that specific kind of everyday life that takes place in confined social organizations (such as a probation office, I may add) is ordered by underlying rules of interaction. Goffman (1956: 47), highlights how service personnel work together in teams achieving the goals of the organization. This they do by sustaining a particular definition of the situation in and by which the services they deliver and the social hierarchies, identities and meaning complexes that instantiates the definition, pass as natural and purposeful. Further, he explains how such teams and their governance of the situation is consolidated and reinforced via rituals, i.e., profane ceremonies where the social order or rules of interaction are confirmed and their particular significance recognized (Goffman 1956: 23; 2003). However, when such confirmation is hindered by defiance, lacking allegiance or counter-definitions, a shattered team may disprove of such significance and disclose a constructed and contingent nature of what appeared natural and necessary, i.e., as nothing but a “surface of agreement” (Goffman 1956: 4, see also 55) In the following the dramaturgical approach to the client-probation officer interaction in the offices will be introduced. The section sets off by exposing the fact that the idea for basically viewing office reality as theatrical came to me while I was still in the field.

Getting in character

The following excerpt from a quiet day in the West Bridge-office, the part of the office where clients never go (physically), serves as a general indicator as to the pervasiveness of the scripted reality.

West Bridge, May 16, 2022

It is a very quiet day in the office. Solvej is off to the mechanic with her car and Anette is not the only one who is at home sick. There is absolutely no reason for me to be here. I might as well write on my mid-term paper. Probably not as effectively as from home. But it is better than doing nothing. Watching the football game at the hotel tonight – undisturbed – sounds okay to me, though. FCK can become the champions tonight if FCM loses to SIF which is not unrealistic.

I am shocked to suddenly hearing the phone ringing in the adjacent office room. I had completely forgotten that Brit was there. She picks up the phone.

Brit: “West Bridge probation office, its Brit”

Brit: “Hi Nick!”

Brit: “You have to remember ...”

Brit: “No, no, no you can’t just do something like that! You cannot be late three times in a row, that’s the rules”

Brit: “But ... but ... tsk”

Brit: “But, Nick, try to listen for a second!”

Brit: “I’ll handle the paperwork and then we’ll take it from there!”

Brit: “Sure. Goodbye”

She hangs up. I hear her exhale. It is completely quiet for two or so seconds. Then I hear her hands clapping once somewhat discretely.

Brit: “Okay!”

Immediately following the fieldnotes describing this telephone conversation I reflect on what just happened, stating the thoughts in my notebook. This is rare and likely a consequence of the fact that I had little to nothing else to do. Throughout the period in which I frequented the offices, jotting down page after page of fieldnotes I refrained from committing to premature analysis. Even though I did deploy a somewhat autobiographical style, including notes on my-self, my own behavior and responses to the other members’ social stimuli, often committing to so-called thick descriptions of what *I* saw, felt, saw, heard, tasted. Yet, my own reflective expressions that are not directly responding to the empirical situation, but adding depth and images to it,

seldomly entered the notebook. Regardless of this potential methodological mishap on my part, I shall here cite this analytical reflection not only because it represents the exact point in time at which it struck me that a theater-metaphor might lend itself as a promising image for understanding the social dynamic between the client and probation officer, but also because it suggests that “the mask” or the performance legitimizes certain ways of talking to the clients which would not take place under any other circumstances than in the office.

West Bridge, May 16, 2022

I take a moment to contemplate this incident. The probation officers address their clients with an undeniable authority, a tone and demeanor reserved exclusively for them. It’s a tone they wouldn’t use with fellow probation officers, not with me, and certainly not with someone cutting in front of the line at the grocery store (or so I imagine). I can’t say with absolute certainty that Nick was a client, but deep down, I am quite certain that he was.

Brit appears to engage in a sort of game or theater. In fact, upon reflection, I’ve often pondered how supervisory meetings can take on a somewhat theatrical quality, where interactions seem choreographed, artificial, or contrived. In this case, I can’t help but feeling that Brit dons her professional persona as soon as she answers the phone – she becomes a character in her role. And then, after the call ends, she effortlessly transitions back to her natural self; a transition marked by a deep breath and the subtle clap of her hands. So, it seems...

I was sure that Nick was a client, because Brit would not talk to any other person, except perhaps from one of her parents, in this commanding and obviously annoyed manner. Not even if Brit were as unaware of my presence in the office as I was of hers until the phone rang and broke the dozing silence. Rather, I reflected on this incident, not because it stands out – there was nothing unusual about what was said on the phone or the tone with which it was said – but precisely because it exemplified something general about how the probation officers comport themselves toward clients; they *act* differently toward them. Brit is not reading from a script as she is talking to Nick. Yet, one may argue, that her authoritative position, is legitimized by the script, in this particular case “the Procedure” (“You cannot be late three times in a row, that’s the rules”). Furthermore, the reflection suggests that this unnaturally dominating comportment, which is legitimate only in this particular setting, manifests as something that the probation officer masters, as a character that she can snap in and out of in this case by way of a set of gestures.

The probation officer as acting director

Chapter 9 introduces an LS/RNR-screening of Anders, performed by the probation officer Emma. The fieldnotes, I suggest, show that in the jovial conversations leading up to the actual screening Anders and Emma have some form of connection. Emma jokes about the screening, makes a caricature of the situation. It is this imagery that I shall attempt follow up on here as I shall view the LS/RNR-screening as well as other instruments such as the MOSAIK-interventions precisely as caricatures; as parentheses in reality where probation officers hierarchizes as “the professionals” and clients enact stigmatized identities; where simple rules, manuals and procedures, scripts indeed, and the personal questions and therapeutic steps that they basically consist of define the role of all involved parties and govern the interaction between them.

East Ville, February 22, 2022

Having gone through some of the very general questions about Anders; age, address, current occupation, offence, sentence, etc., Emma looks away from her computer screen and at Anders who has not once lifted his eyes up from his dirty boots since the questioning began.

Emma: “Anders? ... Are you okay?”

Anders: “Yeah yeah, everything is fine. I am just trying to concentrate.”

Emma: “I know it can be hard. But it is important that you are comfortable.”

Anders: “I am fine!”

Emma: “I can’t remember everything about my-self either.”

Anders: “No.” [quiet introvert, laughter]

At this point Anders is still looking at his boots. With every question that Emma poses for him – checking in on him – she is trying to get his attention, moving her head all the way down to her desk to see if she can catch his eyes. He does not seem to notice. Maybe he is actively avoiding her – I cannot tell. At any rate, Emma is once again facing her computer screen.

Emma: “Okay! So, now I am supposed to ask you about the action plan. We will go through it here again as there may be some things that you feel that the ‘PUS’er¹⁷⁸ has gotten wrong”

Anders just nods. They go over the action plan and both agree to it.

¹⁷⁸ The employee at the probation office who makes the background check before sentencing that form the basis for the action plan covering also the probation part of the sentence.

Emma: “So! The next item on the agenda is the future. Employment and what not.”

Anders: “I don’t have any plans. I would have to take the 10th grade and that I don’t bother doing.”

Emma: “Well, you don’t need 10th grade education to be a very good farmer. But, let’s go through the questions one by one, now.”

The LS/RNR screening is highly scripted. The reality of this situation is an explicitly scripted reality which impacts the relation and the flow of the conversation. In the first half of the excerpt Emma is obviously concerned that Anders is not keeping up, that he is “falling out”, as he is not really present (“Anders? ... Are you okay?”). Emma is struggling to re-connect, by letting herself slip out of the screening situation, the scripted reality, by once again being personal (“I know it can be hard. But it is important that you are comfortable”) and she attempts to recalibrate the relationship as equals by exhibiting her own faulty nature (“I can’t remember everything about myself either”). Anders’ introvert laughter is enough for her. He is sufficiently back on track for them to continue. Emma zones back into the scripted reality by doing what she is “supposed” to do, namely, to get Anders to accept the action plan. After this brief hiatus Emma continues by reading from the script. Not in a word-for-word manner, but by expressing herself in ways that discloses some sort of faithfulness toward the LS/RNR interview guide (“So, now I am supposed to”; “The next item on the agenda is”). She is more guided by the manual than by Anders and when Anders suddenly speaks up and shows some form of initiative and motivation (“I don’t have any plans. I would have to take the 10th grade and that I don’t bother doing”), she recognizes him (“Well, you don’t need 10th grade education to be a very good farmer”) while staying reluctantly committed to the script (“let’s go through the questions one by one, now.”). She is trying to do her job; what she is supposed to.

Like the LS/RNR-screening, the MOSAIK-session is scripted. Firstly, each session is carried out by committing to a set of systematically reoccurring elements such as checking-in, addressing the “parking lot”, and evaluating at the end. Then, secondly, each specific session addresses a specific theme (values, network, thought-traps, etc.) the succession of which is fixed and specified in the MOSAIK-manual. Third, and finally (indeed there may be more ways in which MOSAIK may be considered scripted), as described, each client’s intervention is carried out according to the pre-defined “house-building systematic” which is also constituted by the manual. Yet, by “checking in” you may choose *for yourself* the mask or face that you will wear in today’s scene and you give consent, of sorts, to the caricature of yourself as “green”, “yellow” or “red”.

West Bridge, March 3, 2022

I have three meeting observations booked for today, but I am not off to a good start. I walk down through the hallway and pass over to the section with meeting rooms to see if Frida's client, my first appointment of the day, has shown up. As I am just about to enter meeting room 103, Frida walks toward me with a grimacing smile.

Frida: "He is red! Totally. It's not happening today." [whispering loudly]

Me: "Sure thing! Maybe I'll get a second chance."

I feel quite sure that I will not get another chance later as I turn around trying to hide my disappointment. These appointments can be quite hard to strike.

[...]

I had almost given up on observing the meeting between Maj and her client as well, but then, all of a sudden, she calls on me from the meeting rooms. I run down there and say hi to Peter, the client. We quickly get the formalities over with so that the meeting can start. Peter was late, so they are in a bit of a hurry.

Maj: "So, Peter, how are we feeling today?"

Peter: "I am okay."

Maj: "I am green, you?"

Peter: "Green!"

Maj: "Super. Have you been on vacation or something? Or in the solarium? You look so tanned."

Peter doesn't really answer he just nods and laughs somewhat awkwardly.

Unlike checking-in to an AA-meeting with the speech act "Hi! My name is Asbjørn and I am an alcoholic", which obviously discursively constructs one as problematic, the MOSAIK check-in seemingly establishes a fundamental non-difference between the client and the probation officer as they are both committing to choosing between the same basic set of masks. If the probation officer has had a bad day, personal problems, stress, etc., then they may also check-in as being either "yellow" or "red". Regardless of such display of human vulnerability on the part of the probation officer and the attempt to equalize the relationship between the individuals, the roles that are left open for them to occupy by the script are preordained. And, sticking to the theater motive, apart from the fact that it seems as if the probation may choose the mask for the client (as in the case with Frida and her "red" client), the probation officer furthermore functions as acting director of the exercise, the act indeed. Goffman attests to this dimension of everyday acting and directing and its relations to teams.

When we examine a team-performance, we often find that someone is given the right to direct and control the progress of the dramatic action. (...) Sometimes the individual who dominates the show in this way and is, in a sense the director of it, plays an actual part in the performance he directs. (Goffman 1956: 60)

Maj asks the questions and facilitates the dressing up in masks. It is not enough for Peter to state that he is OK. Maj letting Peter know that she is green is an implicit, yet unmistakable, stipulation that Peter also has to dress up for the show.

West Bridge, March 3, 2022

[...]

Peter: "I have had some issues at my new job. It's been difficult to hold back. It is my temperament. I feel like losing it."

Maj: "How do we avoid that it happens again? You know what I am referring to." [making gesture with her hands by tapping together her two index fingers]

Peter: "I can feel it when it is on its way. I see myself back in prison. Like, when I confronted my girlfriend. I crossed a line. But it could have been worse. She didn't turn me in. Also, I told her that I would turn her in, if she turns me in. So, I guess that helped a bit."

Maj seems somewhat uncomfortable with this story of how Peter threatened his former girlfriend. She lets it slip and directs the conversation over to something else.

Maj: "Last time you told me that you didn't want to leave the old environment. That you actually wanted to get back in the circle."

Peter: "I don't want that anymore. Actually, I have terminated my apartment lease. [Straitening his back and smiling]"

Maj: "Okay. Ehh. Where would you be living then? [arms crossed, clearly skeptical]"

Peter: "I don't know!"

Maj: "What about your *new* girlfriend?" [cheeky smile]"

Peter: "She acted up the last time I saw her. Just like the old one. Then I might as well get back with Gitte. Maybe it is a good thing that I haven't gone through with the divorce, yet!" [back in a curled body-posture looking at the table.]

Maj: "But she is not good for you, Peter! That reminds me; have you been in contact with the agency of family law [Familierektshuset] regarding the custody for your son? I mean, ever since Gitte's new boyfriend reported you to the social services."

Peter: "My life is too messed up right now. I cannot have him 7/7."

Maj: “Well, that is a super reflection, Peter. Well done!”

Peter: “Instead, I have been thinking about education. Plumber. The union will pay for it as there is such a need for plumbers, right now. I need a win!”

Maj praises Peter for his reflection while looking down at her notes. Then she leans forward and looks him dead in the eye.

Maj: “But, there is this black tiger in your life. And, her name is Gitte. You change when she is around! You need to get out of West Bridge!

[long silence]

So, the next time we will continue with MOSAIK. We don’t have time for it now. We shall talk about your values.”

This conversation between Peter and Maj shows how one is leading and one is following. Even when the actual MOSAIK exercise has not even commenced, Peter is trying catch up with the act, trying to make the director happy, not necessarily successfully. Peter is seeking recognition from Maj. He is proud and hopeful as he announces that he has terminated his apartment lease as he now wants a change of scenery. He thought that this was what Maj wanted him to do as it would force him away from the criminal circles and signal a new beginning in his life. Maj, however, meets him with wariness. “What about your *new* girlfriend?”, she asks with a cheeky smile. And, with an emphasis on “new” that makes it difficult to not understand this as based in the suspicion that what he is actually aiming for with this decision to move out of his old place is to get back with his previous girlfriend, who, it would seem, he is still married to. Peter’s response to this is a mix of disappointment and passive-aggressiveness (“Then I might as well get back with Gitte. Maybe it is a good thing that I haven’t gone through with the divorce, yet!”).

Peter does not receive recognition or praise for the pro-active life choices that he has made. He is met with incredulity like: “Okay. Ehh. Where would you be living then?” And, he is met with exhortation like: “That reminds me; have you been in contact with the agency of family law”. Instead of emphasizing the good aspects of the decision to move out, these questions from Maj put Peter “in the spot” and signals that it is not enough. What Peter does receive praise for is the supposed realist devaluation of himself that it all appears to lead up to (“My life is too messed up right now.”) and accepting that he has reached a low point in his life (“I need a win!”).

Peter’s unsuccessful attempts to keep up his act and Maj’s implicit corrections along the way makes it look more like a rehearsal than an actual performance; as if they never really got to the actual play as Peter was not in character. MOSAIK must wait until the next time. Then Peter may be ready to talk about his values. Observing the whole scene

makes one wonder whether Peter really was “green” after all and whether they will actually get to talk about his values when he is finally ready to perform.

Ritual-like formalities

The scripted reality of the client meeting situations in the probation offices require the probation officer to dominate the client. This is visible in Emma’s attempts to “reconnect” with Anders by briefly snapping out of the scripted reality and personalizing herself toward him and through the conceptualization of the probation officer as acting director of the scripted meetings. Furthermore, the scripted rehabilitation also requires the client to not take too much into his or her own hands as it more precisely requires the client to “act along”. This is evident in Emma’s doggedness as Anders suddenly expresses himself, through Maj’s skeptical worry toward Peter’s pro-active attempts at doing what he thinks is right and through the basic insistence on clients’ subjugation of the complexity of their concrete personalities in favor of a simpler abstract presence as green, yellow or red. These formal structures that surround the rehabilitative work correlate poorly with the purpose of the regime, according to the probation officers, which, as described, is to install the client in the “driver’s seat”.

In the following the nature, extent and effect of the scripted reality of rehabilitation is further analyzed. The dramaturgical nature of everyday interaction is often upheld by ritual (Goffman 1956, 2003) and rituals are almost always theatrical (Bell 2009: 165-66; Amankulor 1989; Sørensen 2013: 96-118). By analyzing the particular acts and speech acts of the RNR-regime, the MOSAIK-program in particular, and their social function in terms of ritual and ritualization one may attain their meaning and consequences for the actors in it.

Reduced faces and purified arenas

Rituals come in many shapes and forms and is often considered as ways of dealing with personal transition or other experiences of liminality (cf. Turner 1980). The most famous form, the *rite de passage*, which was formalized and popularized by Arnold van Gennep (1960) marks and legitimizes transition from one social domain, for instance childhood, to another, adolescence, and then finally consolidates the newly attained identity for a person. It is the particular set of traditional, rule-governed and repeatable actions of for instance baptism and accompanying speech acts, for instance a priest’s confirmation, that make up the ritual and legitimize its (transformational) potential

(Bell 2009: 94-96). Such a set of actions need not be conducted in the context of institutionalized religion in order for them have ritualizing potential, rather the ritualizing and constructive potential is a function of the significance projected onto the traditional periodicity, the rule-governed succession, their performative caricature; that is, in short, the quality of the actions themselves by a collective around them.

In particular ritual-like activities reveal an even more fundamental dimension of ritualization – the simple imperative to *do* something in such a way that doing itself gives the acts a special or privileged status. The style of doing creates a type of framework around the act that communicates the message “this has extra significance.” (Bell 2009: 166)

Regardless of the specific purpose of reforming clients of the MOSAIK-program, the check-in procedure is not a *rite de passage*. The performance of the ritual-like speech act “I am green” does not carry a reformative potential in itself. Yet it does, I would argue, in a similar way bestow “extra significance” on certain actors and certain aspects or spaces of the office reality. By basically instantiating what was earlier referred to as a “parenthesis in reality”, through a meticulously preordained procedure where both the probation officer and the client state their color, a space of extra significance for them is created.

East Ville, January 26, 2022

I met Claus in the hallway. Laura had advised him in advance that I would be there and that I would like to observe his meeting with her. He walked straight to me and introduced himself. I sense that he somehow knew what I looked like. He seems very enthusiastic about the setup, and he lets me know that he is very keen on being interviewed by me after the MOSAIK session with Laura. He signs the consent form without reading it and places it on my chair in the corner of the room. I close the door to Laura’s office behind me as I am the last one to enter.

Laura: “So, Claus. I am green today! What about you?”

Claus: “Ready! 10 out of 10!”

Laura: “So ... you are ... ?”

Claus: “Yeah! I am green! Ever since I got you as my supervisor it’s all been great!”

Laura asks Claus if he remembers what they were talking about the last time. Claus remembers that it had something to do with his values. He recaps that he used to not care whether he got caught and had to go “in”; that he used to not care for his own life. Now, however, all of that has changed.

Claus: “Ever since the car chase and the accident everything has been different. It is unbelievable that that had to happen before it sunk in with me. I am still ashamed about all of that. I think about it every day.”

Laura: “Yes. I remember that story. It must be traumatic. I think we do need to talk more about that. Perhaps after the session. But for now, let’s park it in the “parking lot”.”

Claus: “Yeah! Sure!”

Laura: “Today’s exercise is about your network”.

Instead of marking a passage, the initial phase of the MOSAIK session may be viewed as a stepwise reduction of ad hoc troubles and mundane complications. The first step is the reduction to a color. Claus seemingly attempts a resistance (“Ready! 10 out of 10!”), but Laura insists (“So ... you are ... ?”). The second step is the “parking lot”. Whatever practical issues or psychological worries that may interfere negatively with the exercise and, allegedly, decrease the outcome is put to one side. So, what is effectuated by the ritual-like acts of “checking-in” and “parking” is a reduction from persons to colored faces and from reality to a “purified arena” (Bell 2009: 168) for the MOSAIK exercise to take place in. Engaging in these ritual-like steps of liminality the client and probation officer condense three weeks of reality into *I am green* and *I am here; only here*.

Catherine Bell describes a type of ritual-like performances that are motivated in some way or other by *invariance*, that is, in order to reach essence by descaling the layers of personal variance, history and daily troubles. And, she states that instead of instating legitimacy for the acts of ritual by way of reference to tradition or an authority of the past like most other types of ritual-like performances:

(...) invariance seems to be more concerned with ignoring the passing of time in general. It appears to suppress the significance of the personal and particular moment in favor of the timeless authority of *the group, its doctrines, or practices*. The component of discipline certainly suggests that one effect of invariance is generally understood to be the molding or shaping of persons according to enduring guidelines and conditions. (Bell 2009: 150, emphasis added, AS)

The trite motive of stripping down a personality in order to reform an individual from scratch is an ever-lingering spoof. Yet, MOSAIK is not brainwashing. Indeed, calling it so would be an exaggeration. However, polemically, one could say that in the context of the MOSAIK session the doctrines and practices of timeless authority is responsibility and pro-sociality. Procedures such as “checking-in” and “parking” do somehow prepare the subject for rehabilitative molding as they sterilize the

circumstances and place the spotlight specifically on the client, nothing else and no one else is of any interest.

The component of discipline referred to by Bell is of course particularly interesting when trying to further understand the point of the “checking in” and “parking” in MOSAIK. In so far as the point behind MOSAIK is rehabilitation, the reduction to invariant faces and the ritual-like markers of liminality around the purified arena does have a disciplining-motive too.

The pervasive dominance of MOSAIK: An institutional ideology?

So far, the dominance of the client via the “check-in” and the “parking” procedures have been in focus. Interestingly though, the disciplining function of these ritual-like procedures does not appear to apply to the clients alone. In fact, these procedures, appears to have somehow permeated the entire office. The probation officers do as well check in to their own team-meetings and exercises.

East Ville, May 2, 2022

It is my very last day here in East Ville. It is the month of May, so, according to my plan I should be in West Bridge for my last month there, but I decided to go to East Ville today as they have a lot of exciting meetings: LS/RNR exercise followed by a MOSAIK exercise.

The check-in procedure begins. All are green apart from Asta, who is hung over, and Alberte who says that she is already mentally on her way to her vacation – beach and palm trees – which begins after these exercises. Alberte and Asta are yellow.

West Bridge, May 17, 2022

Right after the team-meeting the team’s MOSAIK exercise begins. Solvej leaves the room. She is not part of these exercises. We begin by checking in.

Frida: “I am green!”

Elsebeth: “Could have been doing a lot of other stuff. I have so much desk work to get done. But – yeah – I am green, I guess – I am here now so I might just as well.”

Me: “I have had my coffee now, so I am green!” (I was yellow as we checked-in for the team meeting earlier)

Kajsa: “I am looking forward to this. I am green!”

Ofelia: “Green! I am pro-MOSAIK you all know.”

Sara: "Green. I have just had my first MOSAIK-intervention."

Brit: "I am very busy, but I am also green. And, I think that we have managed to put together a good program for today. Right, Anette?"

Anette: "Yeah, I guess so. I am also green, but still, I feel that I have to land somehow."

Brit: "Great! Green all over the board. Anything for the parking lot?"

Nobody answers. A few of us shakes our heads.

Having just checked in to the team-meeting about an hour or so ago, the probation officers hold themselves accountable once again to checking in and leaves their petty troubles in the parking lot. So, while the probation officers may indeed be the ones implementing the check-in procedures and thus the ones administering the ritual of reduction, they are themselves, just like the clients, objects for its disciplining function. The invariance-motive and the quest for pure or sterile arenas characterizes all professional interaction as if it was an institutional paradigm. Perhaps one may go so far as to say that the RNR-regime may manifest as a belief system, an institutional ideology, indeed, upheld by the meaning-giving, identity-making and space-creating practices of its (and the accompanying program's) enactment.

In West Bridge they have even adopted the "green, yellow and red"-modality as a way for evaluating the well-being of the probation officers which is an item on the agenda for the weekly team-meeting. So, again, having just checked-in for the team-meeting, they evaluate the week by way of the same procedure covering not only today, but the entire week. In this case the procedure does not function like a ritual that instates a "pure arena". Yet, apart from showcasing the pervasiveness of the RNR/MOSAIK-paradigm it shares the simplifying motive regarding the people committing to it. In this case, however, the table appears to have turned. The probation officers are now in the clients' position. In the beginning of the MOSAIK sessions the clients' last weeks are to be condensed into a color as they check-in. Here, however, the probation officers' last week is condensed into a single color. This is further illustrated by the fact that they are not, in this case, the ones to administer the ritual-like event of stating whether one is green, yellow or red. That is done by the leader of the team-meetings, Solvej, the office-manager, who, by the way, maintains a formal non-difference between herself and her team by also stating her color of the week her-self.

West Bridge, March 22, 2022

We reach the “well-being” item on the agenda.

Solvej: “I am green!”

Everyone is green. Having went around the table, Mia, however, clears her throat clearly indicating that she wishes to present some form of reservation:

Mia: “But I must say that this new procedure for control and supervision. It is just hair-splitting. I really find it hard to cope with. All of these minute limitations make me tired.”

There is an awkward silence in the room as Mia takes a break from talking. Solvej is looking at her notes. She writes something down.

Mia: “But, I have also had a stuffy nose since COVID.”

The tension in the room eases up a bit.

Mia: “I ‘thound thick bob I am nob!”

Mia talks as if her nose is completely closed up. Her caricature makes everyone laugh and we continue with the agenda.

And then, two months later at another team meeting I experience yet another well-being check-in procedure for the probation officers of the West Bridge Office.

West Bridge, May 17, 2022

Solvej: “So, how are we all feeling? I am green!”

Half of the probation officers are yellow, they say, all of them referring to stress. They have administration piling up on their desks and it affects their client work.

Solvej: “Look ahead! Find a clear spot in your calendars. Allocate time for administration there and don’t take any supervisory meetings in on that spot. Then you may be able to think about something else right now.”

Committing to the check-in procedure is a way – not only for the clients but also for the probation officers – to show allegiance to the institutional ideology and its general tenets of invariance, “here and now” and its belief in the prospects of fostering personal responsibility and moral agency. But, when appreciated through the Goffmanesque lens, the fact that probation officers are as exposed to the dominance of MOSAIK through their willful participation of the program’s rituals, it is also quite understandable that many of them come to have a strong faith in the program as it was shown in the previous chapter.

Clients acting along

The peculiar consequence of a scripted reality, which is qualified through the theater-metaphor, is that the people conforming to the script *act*. In the manual-based reality of most of the professional settings in the probation offices the probation officers and the clients play roles that may or may not accord with their personal convictions or beliefs. Regardless of whether the probation officer has stated that she really believes in MOSAIK, enacting the script means paying some form of “lip-service”, as Goffman (1956: 4; 2003: 7) often refers to it, wittingly or otherwise, to the RNR-dogma, if you will, rather than expressing ones inner-most personal beliefs. Otherwise, it would not be acting.

This aspect of the manual-based reality and scripted rehabilitation may be further carved out by investigation the clients view upon MOSAIK and their beliefs in its potential for reforming them. The clients show a very mixed set of sentiments toward their supervision and the rehabilitative programs they are faced with. While none of the clients that I spoke with were downright angry with the fact that they had to be under supervision, be risk-assessed and partake in MOSAIK, some of them didn't really care for it, indeed, some found it annoying, a waste even. Others found it highly personally enriching or therapeutical. Having interviewed just about 10 clients in a qualitative set up, I am consciously careful with any quantifications of the clients' positions and thoughts, but one cannot help but noticing that there does not appear to be a clear correlation between the negative view on supervision and the rehabilitative instruments utilized in these meetings and an outspoken disinterest in desisting from crime. For instance, while the client Leon told me that he is certainly not interested in ending his criminal career, he really enjoys the meetings with Ofelia in the West Bridge office.

Leon: .. and .. so all honor and respect for eh KiF and stuff like that but . a conversation of three quarters of an hour every three weeks .. it doesn't stop you from doing shit if you want to do shit eh it eh it doesn't

Me: No

Leon: I do understand that it is here . and you can probably also get something out of it yourself if you go into it with an attitude that you would like to get something out of it . but yeah ..

Me: How do you go into it?

Leon: Well, actually I like eh eh this MOSAIK eh course where we work with values and I think that I think it's actually eh exciting but then eh .. well I've been in treatment for some abuse and things like that

- Me: All right
- Leon: where I have also worked on myself a bit and actually think that it is exciting enough to learn more about myself so I might as well jump right into it . but I don't know how much it eh helps in relation to the fact that I don't do any shit but then eh .. I actually think it's interesting
- Me: But how do you feel basically . will . so have you decided to try to not to do any shit again or are you like . let's see where uh where it all goes
- Leon: I can't say that I've decided that 100 percent .. now I'm trying to live a life where I don't uh take drugs and uh and don't do a hell of a lot of crime
- Me: Hmm [comprehending]
- Leon: The thing about doing crime is that if I have to do it full time . then it's just like a slippery slope so all of a sudden I start taking a lot of drugs again
- Me: Hmm [comprehending]
- Leon: And then that wheel just keeps turning and all of a sudden it's actually not very fun anymore ... but ... so in my brain ... so ... I haven't decided that I'm not going to do anything again [laughs quietly]

Just like the fact that a positive attitude toward MOSAIK does not necessarily correlate neatly with a genuine conviction to leave a criminal career behind, the indifferent stance toward the frequent supervisory meetings is not accompanying any outspoken undecidedness within the clients as to whether or not a life without crime is preferable. Rather, equally contrary to what one might expect, the somewhat apathetic attitude toward supervision was not prominent among clients exhibiting criminal attitudes. The East Ville client Sabina, who did not want to be recorded, simply said “I guess it’s fine” as I asked her what she thought about frequenting the office and undergoing rehabilitation. She has been in the KiF-system for very many years for an offence committed when she was young and while she is completely at terms with the fact that she must be punished, she never really thought of herself as abnormal, a case for rehabilitation. Accordingly, she does not think much about the potential of meeting with her supervisor; “it is hard to show improvements going through all of these exercises when you are in fact normal to begin with”, she told me. Another East Ville client, Mikkel, the unashamed one who has “been here” before, exemplifies as well this attitude toward the probation service as he basically views himself as perfectly capable of changing his life himself and thus frames the supervisory meetings as nothing but part of the punishment.

Me: But is it something you appreciate or is it something you just have to go through . I mean . coming here

Mikkel: ... yes but ehm ..

Me: I am not telling anyone [laughs]

Mikkel: No but I mean you *have* to show up

Me: Yes

Mikkel: it is part of my punishment, as they say

Me: yes .. but are you prepared to take something with you from here or how do you think about it

Mikkel: The only uhm .. the only thing I think is that I'm not going back again

Me: Yeah you don't want to go back

Mikkel: No .. haven't got the time for that

Me: Who has uh who is responsible for you succeeding with that plan

Mikkel: Well . I am

Me: Yes .. what about those sitting in here . do you feel that they . help you shoulder that responsibility

Mikkel: Yeah I guess you could say that

Me: Yes

Mikkel: .. eh . well . I don't really know

Per, whom I met with at the West Bridge office, frames it in a similar way, yet, unlike Mikkel, he refers explicitly to MOSAIK and its check-in procedure and other personal and psychological exercises which he finds unfitting for the situation and beyond the scope of the supervisors' competences. So, in essence, he is attending the supervisory meetings and agreeing to go through risk assessment and MOSAIK not because he believes in it, but because he has to; it is just how it is.

Me: But if you eh you you you are so eh . you won't do it again

Per: No

Me: .. how do you feel about coming here where the purpose is to get people not to do . commit crime again . is that just a waste of time

Per: This is exactly what I have said to my supervisor erm . this is not the place for me

Me: No

Per: and . already there erm the Prison and Probation Service as a whole is an organization that at the moment . if you have to use the right term . then it is an organization which currently has a lack of resources .

Me: Yes yes

Per: In all aspects

Me: But I guess that that is worse over at the prisons

Per: It's it's both on manpower it's on finance it's on recruitment it's on retention it's on maintenance .. on management erm . so this here could have been better spent on a person who in my eyes needed it more than I did . and it's based on the fact that it's a waste of my time it's a waste of my supervisor's time it's a waste of everyone's time all the way through

Me: Hmm [taking note]

Per: I could understand if I was released to the streets and needed a one-off benefit and had to find employment that I could start doing to stay away from crime

Me: Hmm [comprehending]

Per: After all I was released to my own house . and the first thing I did when I was released was to go down to register 1 and then I pay my debt and then I traveled to Hawaii for four months and had a vacation before I came home and served the last 28 months . and I have 17 full-time employees . I am a shareholder in four companies and I pay my own salary . I am eh independent of the state in all conceivable respects

Me: I see

Per: Ehm . so . what do I have to sit here for . and it's not to talk down to anyone but I have a long . I would almost call it a PhD degree but I have a much higher education than the majority of the supervisors who have to sit and tell me . and something as basic as me having to sit here and talk about how green I am and what my values are . it is something that I would personally talk to a professional psychiatrist about . I have had a much greater need to come out and process the experience it was to sit inside than to have to come here and talk about the risk that I would do it again.

Per and Mikkel have made up their minds. They wish to quit crime. Yet, they do not need the probation service to do so. Per even explicitly disregards the intentions of MOSAIK and the potential of rehabilitation as a whole – in his own case. He would rather debrief the past (the prison experience) than talk about how to avoid falling back into a criminal lifestyle.

Regardless of the somewhat surprising lack of concurrence between the different valuations of rehabilitative efforts of the probation service and the commitments to future lifestyles as emphasized above, there were a couple of clients who were dedicated

to desistance while positive toward supervision. As I, toward the end of a long and rich interview with the client Troels, get to ask my first real question we engage in a discussion about what he finds personally relevant in the supervisory sessions. The parolee Troels, the one who felt like explaining everything (cf. Chapter 7), frequented the East Ville office where he was coupled with the probation officer Ellie with whom he, according to both of them, had a very sincere and fruitful relationship even though they had just had a long hiatus as Troels had been attending an educational program.

- Me: But what do you take away from here
Troels: [exhalation] well what do I take from here so um...
Me: Now you haven't actually been here that many times have you?
Troels: No because 10 weeks have passed as I have been at school, but we have still had telephone contact
Me: Okay
Troels: but what I take away from here is that I um .. that I ... have to .. so you could say I use Ellie a bit like .. like a kind of mini-psychologist
Me: Yes
Troels: a bit like I use . the sexology clinic in there [pointing out the window]
Me: yes
Troels: where I actually talk to a psychologist erm I get advice and guidance about . compared to . also because erm, as you yourself heard we have not followed the schedule that we are supposed to
Me: no you haven't had MOSAIK
Troels: With MOSAIK no . ehm . ehm . we have actually had conversations that were more like . ehm . development conversations, so what I'm taking . with me it is some of the advice she has given me in relation to eeehhh .. but my children in relation to what would be the best thing to do in my situation . I was very eh hitting the table eh and things like that you wouldn't be able to recognize me now in relation to back then
Me: No
Troels: just when I had started back in August last year . ehm . because I was a lot more like . something fair has to happen now [snaps fingers]

These clients exhibit fundamentally different appreciations of the rehabilitative efforts offered (or enforced) by the probation services. Heedlessly, they all play by the rules. Troels represent a group of clients in this research project, which may also count the West Bridge clients Boris and Martin, who express belief in or hopefulness for the

potential of the rehabilitative efforts and supervision in general with regard to achieving their ambition of desistance. For instance, Martin states that a good client in his eyes is: “someone who is polite and good toward those being here [the supervisors, AS], they are only here to help”. Leon plays by the rules of the MOSAIK session, he succumbs to the rehabilitative ideology that it instantiates, because it fascinates him. Not because he believes in it. Neither does Per and Mikkel. Yet, they still follow the script either bound by a sense of duty or for strategic reasons – not whole-heartedly. Such a discrepancy between *own* conviction and *shown* conviction is particularly interesting in this analysis as it clearly discloses acting-motifs on the part of the clients.

When clients are not acting along

If the theater metaphor was a hypothesis, the above cited testimonies – especially Leon’s, Mikkel’s and Per’s would support it. More precisely, the way in which Mikkel, Per and Leon, none of whom actually believe in the rehabilitative efforts they are presented with, describe how they go along with it anyways, show how the clients adopt specific characters that the setup requires in order for it to work seamlessly. The setup requires clients who are capable and willing to act along, that is, to participate in the exercises, to take seriously the rituals and its spatial and personal transformations, basically, to conform to the institutional ideology. Regardless of the fact that, the probation officer first “casts” the client, preps him and checks if he is ready to perform as in the initial case with Maj and Peter, and then directs the initiating rituals, the probation officer is dependent upon the client for the exercises to work and make sense. In this way the clients and the probation officers form a team in the Goffmanesque sense, in so far as they work together, reciprocally dependent on one another, for the maintenance of a particular definition of the situation.

A team, then, may be defined as a set of individuals whose intimate co-operation is required if a given projected definition of the situation is to be maintained. A team is a grouping, but it is a grouping not in relation to a social structure or social organization but rather in relation to an interaction or series of interactions in which the relevant definition of the situation is maintained. (Goffman 1956: 64)

As the citation suggests, whatever inequalities that may exist in the MOSAIK-relationship between the probation officer and the client are not a product of the real situation outside of the purified arena. The client Per, the wealthy business-owner, would most likely in any other social setting claim to be recognized as someone more socially important than Brit, the probation officer from West Bridge. In fact, he did, quite explicitly claim exactly this, as I spoke with him – a conversation that took place

in a setting not fettered by the MOSAIK-rituals (“and it's not to talk down to anyone but I have a long . I would almost call it a PhD degree but I have a much higher education than the majority of the supervisors”). However, regardless of the fact that it is a waste of everyone’s time, he joins the team. He surrenders to the rituals and the exercises presumably because it is easier. When working together as a team the clients act as if in need of whatever the program provides and thus submit to its exercises and teachings while the probation officers act as capable, and kind, yet strict, acolytes of the institution and the RNR-dogma. This definition of the situation, which empirically comes across as a particular social order, hierarchy or dynamic in the offices, with clearly designated roles, a helper and a helpee, a teacher and a student, is not rooted in the real world outside of the offices, but in the scripted rehabilitative dogma, which is governed by team-members joint efforts, deliberative or otherwise, in ritual-like exercises and institutional performances.

Anomie: Definitional disruptions

But what happens when clients do not act along? By “not acting along” I am not referring to clients breaching their formal conditions for being on parole. Such situations are minutely regulated by law and does not in fact constitute a problem for the probation officer as they would often simply make a report on the client that either goes further up in the institution to the area office, to the headquarters in Copenhagen or to the court and ultimately initiate the reinstatement process, as it is described in Chapter 8. Rather, what I am angling for here are instances where clients fulfill their legal obligations, keep the appointments, attend the meetings, do their homework, yet still does not appear to act along. *So, a specific trait of the situations that I am after here, is that they are not explicitly regulated by law, regulation or policy. They require personal investment from the probation officer.*

By “not acting along” I am also not referring to such brief instances where the clients find it hard to keep up with the act and need to be “picked-up” by the probation officers, as in the case of Maj and Peter. Yet, it shares an important feature with such situations. The situation between Maj and Peter, it was argued, comes across as a rehearsal, not a full-fledged act, as Peter, in spite of Maj’s directing, was not in character. By actually rehearsing, however, Peter is dedicated to the act somehow. Even though he has not learned the script by heart yet and has not truly adopted his character yet, he is indeed trying. *So, another important trait of the situations that I am after here “where clients do not act along” is that they involve clients who are not even trying; clients who, unlike Peter, have not yet adopted the institutional ideology.*

Sticking with the theater metaphor as it is presented by Goffman (1956) for a positive circumscription of the kinds of behavior that I am closing in on, one may suggest that not acting along means not engaging in the team performance and instead projecting a competing definition of the situation thus effectively disrupting the “surface of agreement” or “the veneer of consensus” and instigating anomie (Goffman 1956: 4-6).

Going off script and getting real

In my conversation with Molly, a probation officer working at East Ville, we discuss how she approaches such clients who are not acting along. Firstly, however, as I am asking her what it means to her to have success in her work with her clients, she clearly separates the clients into two groups; those acting along and those posing a challenge.

Molly: But I think [clears her throat] that it depends a lot on the type of client . there are like two kinds of clients . There is one who is a very dutiful client who knows very well that I have fucked up and who just needs to have this done with as quickly as possible and they do that by pleasing us

Me: Yes

Molly: that is . you can tell if you are having a conversation and there is someone who just sits there and says what we now want to hear

Me: Hmm [affirmatively]

Molly: So that is what they say

Me: Hmm [affirmatively]

Molly: Erm . then there is the other ballpark one might say . where .. it is challenging maybe because they don't eh think they should be here they haven't done anything wrong they are innocently convicted or wrongly convicted or eh . erm . there . I think for me, it's about putting it all aside [making a sweeping gesture on the desk with her hands] and saying, well, your sentence is one thing

Me: Hmm [affirmatively]

Molly: It's here . we can't avoid it and we can't avoid you being here either . what is it . you need help with from me . what can *I* do for *you* what can you do for me so that we somehow reach a compromise so that we can get . in a year's time say goodbye to each other and say okay we got this far after all

Me: yes

Molly can tell when clients are just acting along because they wish to be done with the supervision as quickly and painlessly as possible. And when that is the case, her job is in some sense easy. The client knows the drill. S/he answers all of the questions, keeps appointments, participates in the exercises, opens up about personal values, takes responsibility. But, “in the other ballpark” things may be challenging. How does one get clients to share and participate when they really don’t want to? Molly’s answer to this question is as fascinating as is the way in which she answers it. “For me”, she says, it is “about putting it all aside” and ask what can *I* do for *you*. This *putting it all aside*, sweeping away her paperwork in front of her on the desk, may well here be synonymous with going off script. The plausibility of this analytical proposition is qualified by her own way of stressing that this is a personal strategy (“for me”). She is going beyond what the institution expects of her, what is in her job-description, in the manuals and procedures, etc. It is also qualified in and through the particular context. She has just described clients who say and do what the set-up requires. Yet, in this very instance, where she, supposedly, goes off script, she is explaining her strategies toward clients who do not act along. So, her way of approaching them is by dropping the act and making herself transparent as keeping up the appearance doesn’t make sense anyway as long as the client refuses to act along. One final way of arguing as to the plausibility for the off-script-thesis, if one may call it that, is by carefully studying the way in which Molly changes her way of talking as she explains her approach to challenging clients. She is shifting from clear and concise to halting and uncertain. She halts to think about what words to use or how to best say whatever she wishes to convey (then there is the other ballpark one might say . where .. it is challenging”). And, she is beginning a sentence, introducing one word, just to stop it again think for a bit and start over (“or eh . erm . there . I think for me, it’s about putting it all aside”). In and of itself there is nothing particular about this way of talking. Looking at my transcripts in general we all talk like that from time to time when we are a bit uncertain or wish to be as precise as possible describing something complex. What is significant here is the contrast and the fact that all of these subtle signs of uncertainty are introduced in Molly’s discourse at this particular moment. She is clearly *thinking for herself* as she is presenting me with her strategy toward challenging clients which in turn may be appreciated as an indication of her going off script also as she is presenting how she goes off script when dealing with challenging clients.

A bit further in the interview Molly explicates in greater detail what the strategy toward challenging clients involves.

- Molly: Few [clears her throat] a few times I have erm . I have experienced someone sitting in front of me who didn't want to share anything
- Me: Yes

Molly: and where where where I have eh thought eh what the hell
 Me: Hmm [affirmatively]
 Molly: eh . what the hell . how do we get around this and where I said well
 so the fact is that I have set aside 45 minutes for this conversation .
 we have to be here . I'll be here for the next 45 minutes
 Me: Hmm [affirmatively]
 Molly: you decide for yourself what you want to share with me
 Me: Hmm [affirmatively]
 Molly: You have shared your name and address and what you have to
 Me: Yes
 Molly: should .. I'm here and I actually want to
 Me: Hmm [affirmatively]
 Molly: I then say nothing more . then I sit on my hands . and look out of
 the window a bit and there is silence for a long time
 Me: Have you really tried that
 Molly: Yes I've tried that ... eh and then they say well to hell Molly I don't
 know what to say and then I say well then . we could talk a bit
 about what kind of car you have . I don't fucking care . I have to sit
 here again tomorrow

Sitting on one's hands, looking out the window, talking harshly, swearing even, when not being silent is not a strategy suggested by the MOSAIK folder, the LS/RNR screening guide, "the Procedure" or any other manual for that matter. What Molly is here describing is a situation where none of these manuscripts apply, they do not help her. So, she is forced to think on her feet. And, she is hard-pressed to do so. She is on her own with this client who doesn't conform to the setup. Checking in is not an option. The client refuses to act along and thereby refuses to participate in the ritual that transforms him into a "handable", tangible, moldable, actor. The "purified arena" is inaccessible to Molly. She cannot take refuge there. So, she goes off script by proactively resorting to herself, and for Molly, this means to be personal which in turn comes across as being real with the client ("so *the fact* is that I have set aside 45 minutes for this conversation. we have to be here." "I'm here and I *actually* want to"). Listening at my recording of the interview I can hear how Molly stresses these indicators of fact and reality such as "*the fact* is" and "*actually*" which in the context serves as invitations for sincerity and personal proximity. And, the use of phrases in the client meeting situation such as "I don't fucking care" that she cites herself for which are so clearly "out of place", far beyond the "scripted reality", signals that what she is indeed doing is going off script.

In consequence, when an individual projects a definition of the situation and thereby makes an implicit or explicit claim to be a person of a particular kind, he automatically exerts a moral demand upon others, obliging them to value and treat him in the manner that persons of his kind have a right to expect. He also implicitly forgoes all claims to be things he does not appear to be and hence forgoes the treatment that would be appropriate for such individuals. (Goffman 1956: 7)

According to Goffman, when someone projects a definition of the situation, s/he manifests a social force to be reckoned with by others to whom the definition applies as they are forced to either accept the definition or deploy a “defensive practice” such as evoking “tact” (Goffman 1956) practices of “face-saving” (Goffman 2003). However, as we seen in the case of Molly, when the new definition is sufficiently disruptive of the act, when the team is effectively broken, one is left with little choice other than to break character and get real.

From field to theory

The introduction of the character-breaking phenomenon, here exemplified by Molly’s statements as to how she sometimes deals with clients that are not acting along, marks the end of the ethnographic study. In the forthcoming chapter, I will delve deeper into these alternative approaches to navigating, sometimes circumventing, the official rehabilitative program, offering a more comprehensive study and conceptualization. As I transition from an ethnographic mode of investigation to a theorizing approach, I will supplement the analysis with additional empirical material. This additional material will serve to provide a richer understanding of the nature and potential implications of these character-breaking practices.

In concert, the main findings of the ethnographic study form a basis for a preliminary appreciation of the nature and radicalness of the character-breaking phenomenon. In the course of this ethnographic study, the probation offices, East Ville and West Bridge, have been presented as places characterized by difference. More specifically, in Chapter 7, I posited that within office settings, distinct social roles – such as office managers, probation officers, and clients – were delineated and accentuated through spatial arrangements and the incorporation of physically integrated elements, including tools like “work-load score boards” and “red-green sliding mechanisms”. Building upon this premise, Chapter 8 extended the exploration of the office dynamics. It revealed that the office environment was profoundly influenced by adherence to meticulous manuals, not only with regard to technical aspects like term-controlling but also in the context of rehabilitative efforts as outlined in the MOSAIK manual. Apart from potentially

aligning the everyday practices with some of the tendencies toward efficacy and uniformity that was found to be features of the managerial turn located in the overarching strategy documents, it has in the course of this chapter been further argued that these manuals, when considered as scripts for the rehabilitative interventions, may reinforce the already amplified social roles in the offices and their hierarchy.

Thus, when Molly deviates from the established script, her actions not only run counter to the directives of the MOSAIK manual but also undermine, or at the very least, pose a risk to some of the fundamental aspects of the social hierarchy within the office. These aspects are integral in defining her unique role in relation to her client. Rather than prioritizing the strict adherence to task completion, one could argue that Molly, in her deviation from the established norms, stages a form of rebellion against what is often referred to as the “big structural change” of 2016. In doing so, she resolutely repositions the client at the forefront of her focus and care. This particular inclination toward viewing the client as inherently significant, if not more so than the official duties of administering sentences and preventing crime, was identified as a widespread sentiment among probation officers in Chapter 9. However, these same probation officers also recognized that while such deep and unwavering care for the client might not align neatly with the official duties and broader institutional objectives, it remained entirely consistent with the ethos of the MOSAIK program. Therefore, when Molly ventures off-script in relation to the MOSAIK manual, she not only breaks away from the aspects of her work that Brit, as discussed in Chapter 9, associates with the institution’s overarching structure – the ‘big we’ – but she also diverges from the facets of her job that the probation officers typically hold as their own personal and professional convictions.

The theorizing exploration undertaken in this dissertation is rooted in the empirical observations of probation officers’ proclivity to transcend established roles when interacting with clients, challenging clients in particular. It fundamentally seeks to substantiate the notion that such deviations, characterized by breaking free from pre-scripted roles, manuals, policies, and the office’s constraints, harbor a distinct emancipatory potential for disenfranchised clients; a potential, arguably, that the more regular and scripted interactions obscure at best. The result of these theorizing exertions will be a preliminary conceptual circumscription of *democratic emancipation*; a concept that was presented in initial terms in the introduction of this dissertation as a guiding trope. In this way, the theorization also incorporates the insights gleaned from Chapter 9 regarding probation officers’ personal conceptualizations of their work as something they undertake personally, rather than something attributed to the organization or the office. Yet, notably, the particular kind of I-driven interaction with clients that shall be built into the concept of democratic emancipation is (for reasons that shall be explicated

from the very outset of the theorization) not the one that is based in the MOSAIK-manual. Rather, democratically emancipatory practices are characterized by courses of action whereby the probation officers are not doing what they are supposed to do; they are precisely constituted by not acting along, but by instances of breaking character, of going beyond the manual-based reality. With this program in mind, the theorization must not only elucidate how adherence to established norms obscures the possibility of democratic emancipation but also attribute a distinctive potential to radical “acts” capable of disrupting this conformity. In doing so, it aims to present a constructive exploration of the conceptual underpinnings underlying democratic emancipation.

11 Democratic emancipation

The aim of this chapter is to discuss the findings of the analyses presented in this dissertation. Yet, in order to do so in a way that not only closes off, rounds up and sums up (such is reserved for the final chapter (12) with conclusions), the discussion will take the shape of a theorization. Instead of merely presenting a discussion of the applicability of established theory and already fixed sets of ideas and risk losing sight of the empirical material, this chapter presents my abductively inclined efforts to form a system of ideas and concepts through a creative dialogue between the empirical material, other theories and myself. In this way this chapter comprises the attempt to point ahead, open and hopefully stimulate other researchers to critique and continue the discussion.

Swedberg (Swedberg 2012: 1-3; 2016: 6; 2017: 190) argues that the main problem with theory is that theories are fixed systems of ideas. Way too frequently, the processes of conceiving, shaping, and nurturing ideas (i.e., *the context of discovery* as Swedberg (2012) frames it) does not have anything of essential value to say about the fixed meanings of the final theory. Highlighting the value of theorizing, therefore, can be thought of as highlighting the value of creative thinking; the need for taking seriously the free process of forming ideas and building systems of ideas. For this reason, theorizing is not analyzing. When analyzing one dissects empirical material in order to grasp whatever it may say about something. In contrast, theorizing demands that researchers diverge from the empirical material as the sole basis and foundation for the validity of the proposed propositions. However, it is important to note that theorizing abstraction does not sever all connections with the empirical. Quite the contrary, the empirical continues to play a crucial role in the process of theorizing, serving as an inspirational starting point that engages in an ongoing dialogue with creative thinking.

As it turns out, the notion of democratic emancipation that will be unearthed in the course of this chapter reverses one of the basic assumptions of the existing theories on how social work may or should bring about empowerment and participatory aspirations on the part of the client. More frequently than not, theories on empowerment incorporate responsabilization strategies. This means that, rather than solely assisting, rescuing, or solving clients' problems on their behalf, these theories actively and deliberately foster a sense of self-help (cf. Adams 2003: 6-7). Based in the belief that it

is better and more sustainable for the clients to “learn” how to solve their own problems, these strategies comprise ways for working with the clients rather than with the client’s problems. In the subsequent discussion, the argument will be put forth that character-breaking activities, as initially delineated in the preceding chapter, encompass what probation officers commonly describe as assistance “outside of the box”. This term refers to specific, unscripted acts of help for the client – help in the most generic sense of the word. It is akin to how one might help a stranger on the street in finding their way to a drugstore if they asked for directions. This approach refrains from treating the client as someone inherently special, irresponsible, or intrinsically problematic (cf. Kemshall 2002, Sallée 2017, and Cracknell 2023), but rather as someone entirely ordinary in all fundamental aspects. Yet, by being so minutely steered by the MOSAIK-manual and its inherent focus on providing the clients with opportunity to work on themselves rather than doing it for them, the probation officers are not supposed to conduct their rehabilitative interventions toward the clients in such a way. So, when then do anyways, it comes across as professional disobedience, it is argued.

Responsibility and participation

The first step in theorizing such a potential is to render probable the idea that the direct and manual-based approach to facilitating participation, the responsabilization approach in general, may be counterproductive. I should add that this specific wording originates from Ellie, the skeptical East Ville probation officer, as she contemplates the potential impact on low-risk clients “almost make them more criminal if you constantly talk about crime with those”. Here, however, it will be argued that regardless of the liberal and democratic slogans and the probation officers’ ambitions to assist the client toward a return to the driver’s seat of their own car, the RNR-regime (and this includes the MOSAIK program) rather aides the system as it manages problems, makes for a tolerable work environment for the probation officers and ensures effectiveness. More precisely, it can be contended that the meticulously structured and closely regulated rehabilitative interventions within the MOSAIK program, in practice, embody a technology for governing individuals, as conceptualized in the Foucauldian sense. This, in turn, may be regarded as a facet of managerialism, characterized by organizational self-care. (e.g. Foucault 2011, 2009). Therefore, it will be argued that instead of facilitating and motivating self-governed participation these interventions rather neutralize difference and produce a homogenous clientele that fits the system and makes it work quite seamlessly. Furthermore, considering that MOSAIK is intended to enable

individual, self-directed participation as its distinctive objective, it appears that this program falls short of its own aspirations.

The main purpose with this investigation is neither to prove that MOSAIK does not work, nor to disparage the probation officers who like the program and believe in the positive potential of its structuring and streamlining of their rehabilitative efforts. Rather, the theoretical criticism of MOSAIK, which is indeed part of this section, serves as a backdrop in front of which the main tenets of character-breaking activities may be theorized and the potential of these activities as an approach to facilitating self-governed participation on the part of the client may be rendered theoretically probable.

Democratic machines

Clearly, Foucault's concept of governmentality (e.g., 2011; 2009: 108–109) provides an enlightening framework for a deeper comprehension of the previously mentioned, potentially self-defeating aspects of the responsabilization agenda. Viewed through the governmentality lens, it becomes readily apparent that certain arguments presented in support of the MOSAIK intervention regime by the probation officers bear a striking resemblance, both in terms of scope and tone, to those that, as outlined by Foucault (2009: 44–49), instigated various liberalist movements during the nineteenth century and in post-World War II Germany, among other contexts. These waves that manifested in discourses on self-determinacy and individual responsibility as well as the diffusion of power from the state and basic top-down control to society and the complex web of “smaller” arenas, for instance welfare institutions, instated a new and much more specific governance, yet at the same time much more elusive public domination (Rose, O'Malley, and Valverde 2006: 86). Liberal governance possesses a distinctiveness in that it does not find its explicit foundation in grand overarching state policies for the management of its citizens. Instead, it emerges from equally explicit appeals within policy discourse, emphasizing the necessity for engaged, self-reliant, and responsible citizens. Consequently, it centers on the scrutiny and management of the individual, groups, or populations to be governed. Liberal governance, or governmentality, serves as the counterpoint to the conventional authoritarian state, which often employed more controlling and directive methods akin to herding sheep. And, if one was to refer this to the context of rehabilitative social work such as probation service, the governance of the clientele could be said to be specific precisely because the client in the probation office is not, at least not ideally, serving the organization, but rather the client him- or herself. As such, the sanctioned requirements and rehabilitative programs sketched out in personal actions plans and legitimized through individual

risk-assessments are to some extent tailor-made for the client and for client's successful reintegration.

At first glance, it appears that the MOSAIK program diverges from the overarching policy and its managerial discourse, as it embodies a profound emphasis on the client – a concern that resonates in the probation officers' reasons for their strong affinity toward this program. Further, a discontinuation of an authoritarian approach to rehabilitation is identifiable in the overarching strategy documents; especially those of a slightly older date that are close to practice (cf. the guidelines and models for practice) and those that point beyond the institution (cf. the principles and value statements). For instance, as it was argued in Chapter 5, the Danish *Schedule for Proper Release* (2010) highlights the need for the client to have influence and co-determinacy regarding the plan for their release from prison. And, the Swedish *Better out* (2007) and the Norwegian *Executive Strategy 2014–2018* highlights the particular fruitfulness of providing possibilities for change or an environment where the clients may make efforts themselves toward change. Finally, the *Code of Principles* of 1998 for the Danish Prison and Probation Service clearly argues as to the need for motivating the clients to solve their own practical problems rather than doing it for them and for presenting the clients with relevant choices rather than choosing for them. In so far as these documents value the choice and protect the self-determinacy of the clients, they embody a democratic, liberal and a Human Rights-based sentiment.

This is all well and good. However, delving deeper into Foucault's work (2009: 126–130), he contends – and this is where his theorizing might be seen as taking a more speculative turn – that this form of liberalist governance entails a more subtle form of dominance over the governed citizens. This subtlety arises from the reliance on technologies that are designed to make the population governable in the first place, introducing the concept of pastoral power into the equation. This is a process where citizens come to view their own emancipation as essentially concordant with and thus dependent upon the welfare system's offerings. Rose et al (2006). identifies a set of technologies for the system's aggregation of the citizen:

The subjects so created would produce the ends of government by fulfilling themselves rather than being merely obedient, and in Rose's phrase (Rose 1989) would be obliged to be free in specific ways. Central to this approach was that attention would not only focus on the great technologies such as the Panopticon but would turn to the mundane, little governmental techniques and tools, such as interviews, case records, diaries, brochures, and manuals, that were key to this creative process. (Rose, O'Malley, and Valverde 2006: 89)

The attempt to mitigate the coercive and authoritarian undertones associated some program-based rehabilitation work, an attempt that Ellie, Ofelia, and Mathilde argue

is intrinsic to the MOSAIK program due to its lack of predefined content and its reliance on a framework aimed at enabling clients to define their own goals in life, is undeniably appealing and rooted in good intentions. However, there are of course certain goals that the institution, or society at large, would rather have the clients to set for themselves than others – we, society at large, want them to be *free but in a specific way*, as Rose et al. (2006: 89) formulates it. MOSAIK, much like other psychological rehabilitative programs within probation work, is driven by the effort to make clients choose for themselves a lifestyle that we, the law-abiding and normal ones, want them to choose. As such, there is (of course, some might say) coercion at play in MOSAIK, yet, it appears to have been somewhat obscured – not only for the client, but to some extent for the probation officer as well – by the explicit democratic (in the broad sense¹⁷⁹) and liberalist slogans that places the wills and wants of the client in the driver's seat. Contemplating in the vein of Foucault, one could polemically contend that to the extent the coercive or socially controlling aspects of MOSAIK remain discreet, MOSAIK could potentially serve as a highly efficient tool for coercion and social control. Or as Collins (1992: 69) succinctly puts it: “If you want to get something done reasonably well, you have to find a way to make people want to do it.”

The provocative, yet, I believe, reasonable question that almost naturally arises is whether MOSAIK effectively alleviates the coercive and authoritarian implications of normalization efforts within rehabilitation in so far as it harbors a somewhat concealed agenda to make citizens want a crime free life. Indeed, it seems that MOSAIK may not motivate genuine democratic participation that makes sense as such for the client, as it may rather contribute to the assembly of “democratic machines” programmed for normalcy. And, how democratic is that? Whose hopes, visions, dreams and goals are we actually striving to identify and promote, when we talk about the clients' setting their own goals? For the sake of clearing up this argument one may compare my notion of “democratic machines” with Dario Melossi's seminal reference to “republican machines”:

The post-structuralist, critical thinking of 1970s culture pointed out that prisons and ‘ideological state apparatuses’ in general had been ‘invented’ with the aim additionally of ‘creating subjects’ (Matza (1969), Althusser (1970), and Foucault (1975) have all said quite similar things about this) or, in the more direct and transparent language of North-American reformer Benjamin Rush (Dumm 1987: 88), of making ‘Republican

¹⁷⁹ In this broad sense of the word, as it was also presented in chapter 1, “democratic” is not considered in its formal sense alone, that is, as a particular political model for societal governance. Rather, “democratic” is here regarding the public condition for the political model, i.e., individual rights and *the individual's ability to participate and realize of these*.

machines', citizens, that is, who know how to govern themselves, the necessary prerequisite to a system based on self-government. (Melossi 2000: 299)

MOSAİK constitutes, one may argue, a technology, an ideological state apparatus, deployed in the name of liberty and democracy that produces citizens in its own image, that is, citizens capable of governing themselves, i.e., responsible citizens. The immense and very intensive focus on the individual, the specificity of the MOSAİK program particularly evident in the ritual-like formalities, emphasizes the role of the individual offender, the fact that this is their problem and that none other than they themselves can or should solve it.

This, one may add, comes across as an amplified reiteration of the democratic sentiment identified in the older documents studied as part of the document analysis, e.g., the *Code of Principles* of 1998 as it frames a need for facilitating a space in which the clients can be involved in the planning of their release and where they can take due responsibility for solving the problems that arise while being clients in one of the Prison and Probation Service's institutions. While the MOSAİK program does not explicitly place moral blame of the crime committed on the offender it does indeed place much of the responsibility for not committing crime again on the offender themselves which appears to suggest a more far-reaching kind of responsibility than what is suggested by the *Code of Principles* and also the *Schedule for Proper Release*. As the latter document values involvement and co-determinacy, it suggests a *shared* responsibility between the system and the client. Sometimes I was met by presentations of MOSAİK that were somewhat in line with this idea of *involvement* and *co-determinacy* when talking to probation officers about MOSAİK. For instance, in Chapter 9 Asta told me that the clients often need help formulating their re-considerations in the so-called thought-trap-exercise. However, she emphasized that it is imperative that the clients are participating in the exercise. Yet, more frequently the probation officers stressed in a much less hesitant and reserved way the fact that the clients must do the essential parts the rehabilitative work themselves. Here one may recall Nora's point, also in Chapter 9, about it becoming "uninteresting" for the social worker if she has to do too much herself, Clara's reiterations of the fact that she is not the clients' "private secretary" (Chapter 8), and Ofelia's exclamation: "Put the responsibility on people if you want them to go somewhere" (Chapter 9).

The proposition I aim to just cautiously assert at this juncture, and which will be more extensively elaborated upon in the subsequent section, is that such emphasizing of the clients' responsibility for performing the work themselves implicitly suggests that the client is the source of the problem. Unlike advocating for involvement and co-determinacy, which impose constraints on the system's agenda by acknowledging the client's aims, competence and merit, placing the responsibility predominantly on the

client allows for a more expansive application of managerialism and organizational self-care. From this perspective, the responsabilization agenda and the aggregation of clients can be seen as elements that nurture the system and its pursuit of effectiveness.

A curious consequence of the tendency toward organizational self-care located within the discursive developments of the overarching policy for the Danish Prison and Probation Service is more straightforward and less restrictive portrayal of the organization in terms of its capacity to manage its clients. It was argued, that in so far as organizational self-care implies a streamlining, a reduction of support-care complexity, and thus in turn a myopic focus on its managerial tasks, expedience and security for employees, were accompanied by a monotone discursive construction of clients as basically erratic, troublesome and inherently dangerous. This stereotypical depiction was primarily conveyed implicitly through policy calls for heightened static safety, incapacitation, and increased employee security. However, the overarching call for greater consequences in the more recent editions of *Plan for Aims and Results*, as well as the rather surprising introduction of a zero-tolerance stance toward violent troublemakers explicated within the *Framework Agreement for 2018-2021* – a document that effectively supplanted the *Code of Principles* of 1998 as the central reference point in other documents – further reinforces and brings the discourse to the forefront.

This finding may be further qualified by acknowledging that not only do the managerial discourse and the stereotypical perception of problematic clients align, but the aggregation of clients also facilitates the management of a relatively uniform group that can be dealt with in a consistent and efficient manner – much like a mass of coal ready for refinement (cf. Hasenfeld 2010: 11-12). And, in doing so, it may be plausibly suggested, I believe, that MOSAIK implies a very conservative idea about the cause of crime, namely that it resides within a pathologic “criminal identity” of the individual offender, that professionals trained in the art of MOSAIK should be able to change – or rather, they should be able convince clients that *they* want the change. Many alternative theories explaining the causes of crime do not exhibit the same individualist characteristics, which, put simply, attribute social and moral degeneration to the client. Collins (1992) has systematized at least two other ways for theoretically addressing the causes of crime: Whereas the liberal theories refer to problematic environments in which the offender is situated or brought up, the radical theories are founded upon a “(...) turn in the argument (...)” that suggests that we “(...) shift attention away from the criminal side and look critically instead at the agents of law-enforcement.” (Collins 1992: 95) In this way, you are effectively assigned a “criminal identity”, almost as if it were a label affixed by the police upon apprehension during theft, by the judge upon sentencing in court, by the prison while serving the sentence, and, it might be added,

by the probation service during the course of responsabilizing rehabilitation (cf. Becker 1997).

Rather than harnessing the inherent potential that each client possesses for contributing to society, and as has been proposed elsewhere (cf. Schmidt 2020: 3; Dzur 2012: 45), for potentially enhancing the institution itself, these theories explaining the causes of crime implicitly advocate rehabilitative strategies aimed at improving the clients, with the aim of molding them into democratic individuals.

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As it was stated in Chapter 8, the effect of MOSAIK has not been officially evaluated by the Danish Prison and Probation Service. There exist no systematically collected and methodologically treated numbers and graphs on the isolated effect of MOSAIK in a Danish context. Thus, when there are occasional assertions that MOSAIK is an evidence-based practice, these claims likely refer to a process evaluation conducted in 2017, which focused on the implementation of RNR (Risk-Need-Responsivity) within the Danish Prison and Probation Service, encompassing an examination of the MOSAIK implementation. These assertions may also draw upon effect and process evaluations of STICS programs conducted in various other contexts. The Danish process evaluation of 2017 showed, much like the ethnographic analysis presented in this dissertation, that the probation officers find the tools professionally rewarding in spite of a steep learning curve and a lack of time and resources for a proper implementation (thus far). The client perspective was not part of this evaluation. In Sweden the STICS-program was implemented under the Swedish term *Krimstics* in 2017 and its effects were evaluated in 2019 (Starfeldt Sutton et al 2019). While this evaluation did not reveal any significant effects on the clients, it did demonstrate a notable shift in the approach to the work as displayed by the probation officers.

In this as well as the previous Swedish evaluation, large, practically meaningful changes were observed in the probation officers' way of working in the supervisory sessions, which suggests a movement toward a more active role for the client's behavioral change. Swedish probation can thus be seen as participating in a movement from a "case manager" to a "change agent" perspective (...).¹⁸⁰ (Starfeldt Sutton et al 2019: 45)

There is every reason to give due consideration to the assertions made by seasoned professionals who have actively participated in the implementation of MOSAIK and have been incorporating its exercises into their practice for an extended period. If they

¹⁸⁰ (SE) "I denna såväl som den tidigare svenska utvärderingen observerades stora, praktiskt meningsfulla förändringar i frivårdsinspektörernas arbetssätt i övervakningssessionerna vilket antyder en förflyttning mot en mer aktiv roll i klientens beteendeförändring. Svensk frivård kan därmed ses delta i en rörelse från ett "case manager"- till "change agent"-perspektiv (...)."

value the program and believe that it works (reduces recidivism) there is a good chance that it just might. Yet, one may plausibly speculate whether the emphasis of the need to *work with the clients in order to make them stop committing crime*, the inherent “change-agency” embedded in responsabilizing rehabilitation technologies, carries the potential risk of clients internalizing or reinforcing a criminal identity. If that is the case MOSAIK may indeed be counterproductive. While this will be more extensively examined in the upcoming section, it can be reasonably asserted, based on the preceding discussion, that there exists at least a valid theoretical rationale to exercise some degree of skepticism regarding whether MOSAIK program may effectively fulfill its intended objectives. More specifically, there is valid cause for skepticism regarding the simplistic presumption that MOSAIK interventions inherently provide clients with an opportunity for self-responsible participation solely because this objective is frequently articulated as a central aim of the program. Moreover, following its own internal logic, this skepticism may have implications for the MOSAIK program's potential in reducing recidivism: If the program explicitly strives to cultivate responsible and democratically participating individuals, it must be grounded in the belief that being such an agent diminishes the likelihood of reoffending.

The symbolic violence of “here”, “now” and “you”

While MOSAIK is designed to cater to the client-centered aspect of probation service work, it has in the preceding section been proposed that the MOSAIK program inadvertently fosters client constructions resembling those attributed to the managerial discourse that emerged following the alleged destabilization of the support discourse within the overarching policy framework. How can this be? It could be asserted that the support provided by the MOSAIK program can be categorized as managerial in nature. This assertion is rooted in the program's meticulous adherence to manuals for operation, which in practice, leads to an approach that not only manages the probation officers but also manages, in turn, aggregates the clients.

As Solvej carefully described regarding the MOSAIK implementation, the probation officers perceived MOSAIK as a vital component within a broader initiative aimed at introducing structure and streamlining practices, extending well beyond rehabilitative interventions to encompass the daily operations of probation offices as a whole. Ofelia referred to this epochal transformation occurring around 2015-2016 as a “big structural change”, marked by the transition from a client-centered to a task-centered perspective. This transformation was also indicated by the introduction of more manuals. As a result, the analysis presented in this dissertation introduces the concept of “the manual-

based reality” as a symbolic representation of the prevailing situation within these offices.

As suggested in Chapter 10, the most prominent of the structures introduced in and through the implementation of MOSAIK, which reformed not just the rehabilitative work with clients, but the offices as a whole are the “traffic light”-check-in-procedure and the parking lot. In the following the management or aggregating of clients shall be explored in a more specialized manner in order to theorize further the potential consequences for the clients of the pervasive structures of the MOSAIK-program.

The purpose of these structures, previously characterized as ritual-like formalities, i.e., to reduce to invariance, reflects a penchant for prioritizing “here” and “now”. The inclusion of the “parking lot” accentuates the notion that the rehabilitative ideology upheld through these ritualistic performances places a distinct value on the current, the uncomplicated, and the individual. A focus on the individual was as well explicated by the probation officers as they presented their personal convictions for working in the probation service. The provision of a context, sanctioned by a systematic program, a professional certificate, and an official manual, dedicated to individual care, likely accounts for the widespread and overt acclaim by the probation officers directed toward this specific intervention procedure. Nevertheless, the emphasis on the here-and-now, simplicity, and individuality may also serve as a rationale for the reluctance to conform to the practice of wearing uniform masks, i.e., the less favorable perception of the program by some clients who feel they are merely complying without genuine engagement.

Now, what I shall argue is that the insistence on operating within the so-called purified arenas, an integral aspect of the ritualistic formalities within the rehabilitative work guided by the MOSAIK manual, gives rise to specific instances of symbolic violence. The argument thus draws on the Bourdieu’s (1996, 1998) concept of the symbolic violence. In turn, connecting these ideas about symbolic violence to the previously elucidated governance technology of the MOSAIK program and its potential construction of clients in terms of democratic machines may serve to deepen our comprehension of the purported self-defeating mechanisms inherent in this instrument.

Reducing to invariance may be appreciated as the reduction of uncontrollable aspects, such as history, structural factors and practical problems. In this way the reduction implies a basic focus on now, here and personal or psychological problems. By means of the “check-in” procedure and the relegation of minor issues to the “parking lot”, a comprehensive view of the individual’s personality and history is supplanted by a mere snapshot. Moreover, this snapshot, when taken, portrays a specific caricature, masked

in shades of green, yellow, or red, signifying the need for or readiness to engage in the normalizing, democratizing, and participatory exercises awaiting in the current session and those to come. Put in a more straightforward manner, these ritual-like formalities can be seen as acts of disciplining that mold the clients into a compliant, self-disciplining entity, primed for reconfiguration in the pursuit of democratic ideals. This is indeed a bold statement that requires further qualification. The following section will endeavor to qualify this assertion by examining how the potential simplification and abstraction of client identities achieved through ritual-like reductions to invariance relate to the unique yet highly effectful form of self-imposed restraint and coercion characteristic of symbolic violence.

In the purified arena the client as well as the probation officer have given in to the scripted reality, and to the characters that it prescribes. I have shown that even though the fact that the ritual-like check-in procedures applies to both actors, which would imply a general human equality, they do in fact establish an arena in which a specific hierarchical order is legitimate. The script prescribes a teacher-role for the probation officer, sometimes kind and clever, at other times strict and dominant, and a problem-identity for the client, someone deserving of as well as in need of help, i.e., someone abnormal, incapable and irresponsible. What might be perceived as an act of care and a means to temporarily detach from trivial daily concerns and criminal pasts can as well be interpreted as coercive confinement within predefined roles and limited opportunities. The formal framework for the exercises, that is, checking-in as either green, yellow or red and the parking of practical issues, guarantees a space of “here”, “now” and “you” in which the probation officer may maintain a control over the situation and the client, the particular definition of the situation that is governed by the script. Further, as acting director, the probation officer seemingly teaches the client to accept their role. Through continuous check-ins, one may suggest, the client learns how to be a model of themselves bereft of whatever historical aspects that they usually identify with. The client participates in the maintenance of the scripted reality by gradually adopting the principles of normal democratic participation – by becoming a democratic machine.

Through the utterance of “I am green”, a speech act which the probation officer is reluctant to allow any exemption from regardless of the clients’ attempts to resist or evade it, and through the equally ritualistic act of “cleansing” the room of everyday practical issues, a task inherent in addressing the “parking lot”, the client not only acknowledges but actively contributes to the emergence of, at least in this specific context, a history-less and inherently problematic self. By stating “I am green” and thus consciously disregarding the significance of whatever color they might have identified with yesterday, the client enters into a contractual commitment to self-reduction.

Indeed, the very act of embracing the straightforward simplicity of the traffic light exercise, no matter which color the clients choose, signifies a willing relinquishment of any unique and historical distinctions, embracing instead an identity defined solely by their present state.

Regardless of the fact that it may seem obvious to some, the violence of this entire situation is symbolic. More precisely, the violence is manifest in the speech act “I am green”. In so far as the client participates in the speech act they arguably enable their own domination by what Goffman (1956: 7) refers to as the definition of the situation, which, slightly appropriated to the Bourdieusian vocabulary, may be referred to as the specific doxa of the situation, that is: “(...) a particular point of view, the point of view of the dominant which presents and imposes itself as a universal point of view (...)” (Bourdieu 1998: 57). In this way doxa and symbolic violence are conceptually interrelated in Bourdieu’s theoretic terminology as symbolic violence engages when a set of logics and values constructed through historic contingencies under specific institutional conditions convincingly present themselves as universal and thus leads agents to act in obedient accordance with them and in fact impose them on themselves almost as if they were natural laws.

Resisting the definition of the situation or the rehabilitative doxa promulgated by the MOSAIK exercises may therefore explain the purpose of the ritual-like formalities in so far as they may accomplish precisely that which Bourdieu (1996: 4) in *The State of Nobility* refers to as the mental condition for symbolic violence, namely agreement between the objective and the cognitive structures. More precisely, one’s cognitive structures may be gradually tuned to accommodate or reflect the objective structures which in turn enables the active contribution to one’s own effectful dominance and disciplining by them. Bourdieu (1998: 121) does in *Practical Reason* view the engagement of symbolic violence as the processual socialization within the particular logics and values (symbolic goods) of a particular institution (market).

In practical terms this implies that the client must adopt the language and the mindset of the program, succumb to the definition of the situation and thus, in this particular case, appropriate the agenda of responsabilizing themselves as this, i.e., the logic of responsabilization constitutes the institutional doxa, incontestably favored by the probation officers as well as the successfully initiated clients. In effect, by succumbing to the definition of the situation, the client adopts the role of the immoral student who must learn how to responsabilize themselves. Indeed, Clara, the East Ville office manager, does refer to the traffic light as something that one must “get used to”.

- Clara: They must do it themselves . and it isn't like everyone can . everything . but all can do something . to a greater or lesser extent and then it is all about setting the bar according to that . erm . and there are quite a few of them who take something with them from the MOSAIK
- Me: Yes .. even though it may seem ehh infantile from the get go [laughing quietly]
- Clara: Yeah yeah . and the thing with the traffic light . that is something that you will have to get used to . I mean . it *is* a bit weird
- Me: Yes
- Clara: But there is . definitely . though they might not want to admit to it

The fact that the traffic light is something that “you have to get used to”, as Clara explains, nothing but emphasizes the fact that such elements of MOSAIK may in fact be symbolically violent. Additionally, this insight may provide a more precise explanation for how such elements can inadvertently make the program counterproductive in relation to its intended goals. The program’s stated purpose, as articulated by the probation officers, is to motivate clients to actively participate in their own lives and to take the driver’s seat in their own cars. However, there are instances where the program appears to encourage nothing more than the clients’ participation in the MOSAIK exercises and, paradoxically, participating in MOSAIK sometimes requires clients to suppress their own motivations for active participation as they are instead obliged to assume a passive role, being merely passengers on the probation service’s school bus. This proposition may be qualified by the following observation and subsequent reflection on a conversation that I had with Ofelia from the West Bridge Office.

West Bridge, May 5, 2022

I am back in West Bridge after having frequented the East Ville Office the last month or so. It feels good to be back. As I enter the office I talk with Frida and Kajsa and then Solvej of course who seems happy to see me. She tells me that I can use Brit’s desk today.

Ofelia enters the room as I am unpacking my laptop. We talk for quite a while. She is always so very interested. I tell her that this time I really need to see some of the clients. She kindly and eagerly offers to help me.

Ofelia: “I have this very interesting client. He is a good kid – very demanding though – he drains you somehow.”

Me: “Very interesting!”

We go to her office room to look at her schedule so that we can see when he will be coming back to the office. I bring my calendar. As we enter her office, Ofelia continues describing this client.

Ofelia: “He can be so very demanding. Not just because he is what we call pro-criminal, but also because he demands, you know? I mean you have to be on your toes every time, you cannot just sit back and do the exercises. Once, it was right after my root canal treatment and I was in pain, and I had already been through ten other interventions that day, I even had one of the new guys with me in there, observing the whole thing. “I am yellow today” I told him. “Ohh” he said, but I didn’t really feel that he cared. At any rate, I felt that he was unhappy with my performance that day – as if he expected more from me. And I was right. In the final evaluation of the session, he said “I felt you were a bit closed off today”. So, he is interesting, but also very demanding.”

The conversation with Ofelia, in particular, the way in which she described the client, made me think on the spot. This is clear from the following section in my notebook which comprises one of the rarely documented reflections on my own part that I quickly jotted down as I thought that it could turn out to be significant (the theater-metaphor-reflection introduced in the preceding chapter is another example of such reflections that in turn came to serve as an important analytical trope).

West Bridge, May 5, 2022

I find myself reflecting on the nature of this demanding client. How do the probation officers perceive the demands placed by the client – do they see them as positive or negative, and what influences their perception of this? The fact that Ofelia repeatedly juxtaposes positive attributes like with the client’s demanding demeanor – “He is a good kid – very demanding though” and “So, he is interesting, but also very demanding” – suggests that there are moments when she may find the demanding demeanor less favorable or even problematic.

One could argue that being demanding is a clear indicator that the client is highly engaged in the program. It signifies a strong desire to derive benefits, a commitment to personal growth, and a willingness to take responsibility for their lives. Isn’t being demanding, whether it involves standing up, raising one’s voice, or any other assertive behavior, a genuinely authentic form of participation?

As all of the employees are juggling an average of 45 cases (i.e., real people), caring quite heartily for each and every one, Ofelia is under a lot pressure every day. This particular day she did not only have to cope with the notoriously under-resourced work situation (cf. Lipsky 2010) where more than 10 interviews per day is not a gross overstatement; she too suffered a soaring toothache and an apprentice shadowing her, watching her every move (and potential mistake). Given these circumstances, this client’s demeanor must have posed a real challenge for Ofelia. Considering how Ofelia describes this

situation (and the fact that she remembers it so vividly), he is not just being an annoying and spoiled kid that she can simply stop bothering with (cf. “he is a good kid”). Rather, by constantly demanding something from Ofelia, one may venture, he shifted the burden, the workload of the exercise, from his shoulders to hers and effectively resisted the responsabilization agenda. He disregarded the authority of the ritual as he did not, in the eyes of Ofelia, seem to care that she checked in as yellow. And, in doing so he refused to accept the doxa or the definition of the situation. He defied the reduction to the invariant, “here”, “now” and “you”. Instead, he pointed outward. He *required* the help of Ofelia. *She* had to work, not him (she is after all the one who is *at work*, being paid by the tax that also clients pay). I believe this interpretation of Ofelia's description of her recent session with this client is supported by Ofelia's peculiar paraphrasing of what the client conveyed during the final evaluation of their meeting: “I felt you were a bit closed off today”, had he said. If it had not happened already, this remark disrupted wholly the definition of the situation that usually pertains to the office; whether instantiated by the designation of spaces or the script. This response, one would anticipate, especially upon having spent close to half a year in these offices, is supposed to be said by the probation officer as she is trying to “open-up” the client, trying to get him to participate in the exercises. Here, when uttered by the client, the response reverses the standard dynamic of the MOSAIK-intervention. The generic (or genuine as I frame it in the fieldnotes) kind of participation exhibited by this client as he is demanding something from the probation officer, cannot be reconciled with the program or the office, as it rather takes it apart and showcases its fatal weakness: instead of encouraging participation in a manner that promotes normalcy and self-capability, there is a real risk that it may, when it does “work”, foster nothing more than compliant obedience, acting along, as it was empirically described in Chapter 10.

Beyond responsabilization: Unscripted techniques for facilitating participation

The probation officers care for their clients before they care for their institution and their institution's stated purpose of making for a safer society. This is evident from the conversations that I have had with most of them. They go to work because they care for disenfranchised individuals and they are driven by deepfelt wishes to get them back on track in their lives. I have even recorded testimony that signals a personal distancing from the institution and its projects. However, it has been argued that the systematic rehabilitative interventions carried out in the offices, with their emphasis on simplicity, purity, and the present, align with the principles of managerialism and organizational

self-care outlined in the overarching strategy documents. Rather than posing a counter-rationale to the reductionist tendencies eroding the support-discourse by basically being care-based endeavors, the RNR-regime, and the MOSAIK program in particular, may be viewed as serving the same basic function as the reductionist tendencies, expedience. This is evident in the reduction to invariance inherent in the ritual-like check-in procedures as they establish a purified arena, a “here-and-now” and entails an intensive clinical focus on the client that is conducive to the psychological exercises that follow.

In the attempt to reduce the risk of recidivism there are logically sound arguments in favor of focussing on whatever pertains to the psyche of a person who has committed crime. In Chapter 8 it was described how MOSAIK interventions are supposed to address the so-called “central eight” of risk-factors for (re-)offending. Yet, while the MOSAIK interventions, according to the MOSAIK-folder, should focus primarily on the “pro-criminal attitude” as this is where a change supposedly is most feasible, they should not invest much effort into “criminal history”. That is “in the past”, so to speak. So, albeit somewhat indirectly, it is argued that the reason for working in and on the “here, now, you”, is that within this realm something can in fact be reformed and one may view, albeit quite paradoxically, the reduction to invariance as a methodology that naturally promotes such an agenda. Yet, as it was argued, in the purified space of “here, now and you”, the roles, the social hierarchy and the rules of interaction are always already given. And, based on this, it has in the preceding sections of this chapter been argued that the rehabilitative practices so scripted by the manuals and thus generally enacted by the probation officers jeopardize the possibility for the client to realize a participatory potential. The scripted rehabilitative practices carry with them the risk of forming an echo-chamber for self-disciplining and possibly even self-stigmatization. This suggests that if the scripted rehabilitative practices in fact should result in reduced recidivism rates, it may be attributed more to mechanical adherence to rules and procedures rather than active and engaged participation on the part of the client.

Here, I believe, it is important to recapitulate the fact that the purpose of this theorization is not to critique the programs utilized and the general work conducted. Indeed, one cannot imagine a rehabilitative intervention scheme in a probation service context that is not to some extent coercive and normalizing. After all, in these offices the employees are carrying out sentences, they commit to formal punishment of citizens who have been found guilty of committing a crime. Recognizing such intermixture of control and care in emancipatory social work is by no means novel, not even in a Danish context (e.g. Järvinen and Mik-Meyer 2003a; Mik-Meyer 2003; Villadsen 2003). Even the proposal put forth in the earlier discussions of this chapter, which suggests that interventions designed to foster the will and cultivate the ability to become a self-determining individual in one’s own life may contain counterproductive elements that

go unnoticed by those involved, relies on somewhat dated, and possibly even trite, theoretical and philosophical notions related to governmentality and symbolic violence. (Foucault 2009, 2011; Bourdieu 1996, 1998). Still, the point is far from blaming any of the involved actors for this potential unawareness and from suggesting strategic steps to avoid it. That would be illogical, misplaced and equally self-defeating. Indeed, the critical construal of MOSAIK offered through the preceding sections of this chapter is theoretic and abstract, unappreciative of history and context, perhaps even speculative, and as such itself a potentially coercive and violent conception of the real. Rather, the somewhat conjectural notion of the scriptedness of the interventions and their formal frameworks are presented here as they may serve as an illustrative backdrop for truly grasping the radicalness and the potential of the *going off script, breaking character and getting real*. This departure from the script, exemplified in Chapter 10 by Molly simply sitting on her hands, is occasionally prompted by specific circumstances, such as clients who present challenges to probation officers by appearing to be uncooperative, problematic, demanding, and so forth. The potential of such situations for the clients will be the focus of this section.

I have addressed “breaches in the scenery” already which are more or less indirectly caused by clients who are not “acting along”, and also examples of probation officers either snapping in and out of the scripted reality or simply breaking character. However, the question as to whether character breaking practices can be captured as a strategy or a technique has not been explored yet. In the following probation officers’ stories about how they humble themselves in the face of the client and disrupt the teacher-student relationship by going out of their way for the client shall be investigated as deliberative attempts at restoring a generic proximity between themselves and the client. It will be proposed that by recognizing the client’s personal history and their identity shaped by experiences that extend far beyond the controlled environment of the institution, the probation officers create an environment that encourages the client’s active involvement and participation.

Professional disobedience: Going off script on purpose

When Brit was finally working undisturbed on that very quiet day in May in the West Bridge office and Nick suddenly called forcing her to stop whatever administration she was attending to, announcing that he would be late for an appointment, seemingly inexcusably, and thus effectively placing yet another administrative task on Brit’s desk, she got in character. At least so one may argue: It is possible to imagine how she, thinking that she is all alone in the office, allows herself to just get some paperwork done. And then, as the telephone rings, she adopts an authoritative role in front of

Nick, referring to the script (“the rules”) and implicitly, yet unmistakably, reminding him that he is better off following it. The way in which she winds herself down after the telephone conversation implies that “acting up” for Nick was taxing, something that demanded more from her than just being her natural self. Conversely, as it was argued earlier, when Emma felt as if she somehow had lost Anders during his LS/RNR-screening she broke out of character to reestablish the connection. When Emma looks at Anders instead of at the computer screen, plotting in “risk-checks” in the screening template, she addresses Anders *as Anders* and not as a risk. She has to finish the screening somewhat swiftly, yet she also has to make sure that Anders is part of the process, that he is involved. So, she is constantly trying to make eye-contact, so as to restore the proximity that existed between them before the screening commenced and engage Anders in the assessment of how much of a risk to society he poses.

Apart from suggesting that probation officers do occasionally snap in and out of character and thus adapt to different circumstances, the examples above may as well disclose the possibility that snapping in and out of character is something that the probation officers actively and deliberately do in order to cope with different kinds of interactional problems. Indeed, as the below excerpt from my interview with Ofelia shows, going off script, which is one empirical indicator of a character-breaking demeanor, is not always something that probation officers do not notice themselves and sometimes it even serves as a strategy for “getting something (out of the client)”.

- Ofelia: (...) and this LS/RNR-thing, which was also introduced a few years ago, where you go in and investigate this sort of thing . there’s a question about uh .. so whether you . whether you’re in the social conditions . I can’t remember the actual wording . I usually just ask if they feel like being a part of society
- Me: Okay so *you* make that re-formulation [interrupts]
- Ofelia: *I* do that because *I* think that it gives me so very much
- Me: That I can imagine

In this part of the interview with Ofelia she was simply presenting me with the very general ideas behind MOSAIK and the LS/RNR-screening. If I had not interrupted her with my question (“Okay so *you* make that re-formulation”) she would have just continued. Listening to the recording of the interview I can hear that I am surprised to learn that she reformulates a question from the LS/RNR-interview guide. I talk loudly and keenly and stress “you” in the sentence. Ofelia, who is a seasoned and self-assured professional, answers me promptly, almost proudly, with an equally loud and keen confirmation, stressing “I” accordingly. As I was doing the interview I did not know what I was on to here and that it would be important to my analysis. I had not

developed a conscious interest in acts of exemption. Nevertheless, I spontaneously “press pause” on Ofelia by interrupting her. And, listening to the recording now, it seems as if both Ofelia and I are somehow aware that what Ofelia had just conveyed is of some significance.

As described, to the probation officers, rehabilitation is a personal endeavor. It is something that “I” do and therefore opposed to whatever else it is that “we” do such as for instance checking clients’ compliance with laws and procedures. Helping clients is not just a personal vocation of the probation officers, it is a personal activity that requires agency on the part of the probation officer and person-to-person interaction. And, one of the indicators of a person-to-person interaction, often highlighted by the probation officers, is one that the client as well contributes to the meaning of. Ofelia makes this reformulation because the script does not satisfy her need. She needs to be given something more from the client. She relies upon the client contributing or participating.

Thus, a preliminary way of theoretically conceptualizing character-breaking activity is as some form of professional disobedience. Breaking character is disobedient as it is precisely manifests in situations where probation officers do *something that they are not supposed to*. In other words, it denotes activity that sidesteps or disregards the manual thereby discarding the hierarchy and the reifying technology and dominance that is upheld by it and thereby allows for greater client participation and co-construction. Furthermore, character-breaking activity is *professionally* disobedient because it denotes doing something that one is not supposed to do precisely *in order to actually achieve what one is supposed to achieve*. As the brief excerpt from my interview with Ofelia suggests, this kind of activity, preliminarily termed here as professional disobedience, is based in the realization that if one simply did whatever one was supposed to do, by following the script that is, one would not achieve that which one was supposed to achieve. Another important aspect of such professional disobedience is that it is not structurally determined. On the contrary, it confronts the structurally determined and is as such more like what one would refer to as agency. As Ofelia says: It is something that *I* do. So, we may add, it is something that *I* do, because *we* are not able to. When *we* try, we fail. So, again, it is something that *I* do so that we may achieve our goals.

Further, one may characterize professional disobedience as an instance of discretion. As previously discussed in Chapter 2, policy can be perceived as both a constraint and an enabling factor for discretion, depending on the specific interpretation of discretion. If discretion is defined as the decisions or actions an agent working in a managerial context can make when operating without specific guidance (cf. Dworkin in 1978), then policy serves as a limit. However, if discretion is understood as the agency that extends beyond standardized rules and similar guidelines, aimed at effectively achieving

the policy objectives governed by those rules, then policy becomes a condition of possibility (cf. Hupe and Hill 2020: 237; Evans and Hupe 2020a: 1). The former definition of discretion reflects the know-not-what situation that so-called street-level-bureaucrats may be caught up in, while the latter refers to the specific potential that street-level-bureaucrats often hold of knowing-precisely-how. The fact that professional disobedience is not blind, but to some extent deliberate and in line with the rehabilitative purpose of the official rehabilitative program as well as the probation officer's own motivation, it is not just an instance of know-not-what-discretion. In fact, considering how extensively rehabilitative practices are regulated and meticulously detailed by the MOSAIK manual in particular, the uncharted space left behind by overarching policy may not be quite adequately described as a vacuum. Thus, the probation officer may be left with little other choice than to transgress the manual-based reality in order to achieve some of the MOSAIK goals with the client.

“Here-and-now” versus “there-and-then”

It works both ways: The probation officer may *snap into character* whenever an overly self-reliant client must be “put in place” – reminding them of their status as a probation service client, subject to formal sanctions and certain restrictions on their liberties. In a way, one may suggest that Brit trades off naturalness and the person-to-person relation in favor of institutional authority and thereby transforms the relationship from a person-to-person dynamic to a more structured system-to-person interaction. By getting into character, she embodies the institution's values and practices to such an extent that she nearly becomes a physical manifestation of its managerial principles. This, in turn, instates a symbolic distance and an ontological difference between herself and the client. Yet, the probation officer may as well *snap out of character* whenever the scripted reality, the managerialism indeed, of the offices has numbed the client to a point where they barely look up from the floor, answering in one-syllable sentences. In connection with such a scenario, it could be argued that what Emma achieves is a restoration of a person-to-person relation. Emma restores a default proximity that exist between two persons if it were not for the theater in the institutional context, by forcefully and deliberately, snapping out of it, addressing Anders directly, looking for eye contact.

In the following, I will delve deeper into the concepts of distance and proximity within the relationship between the client and the probation officer. This examination will be related to the discussion regarding the client's limited capacity for participation within the manual-based reality of the offices. In this endeavor, the affinity between distance-making, script-following, and the institutional 'we' on one hand, and proximity-

restoring, character-breaking activity, and I-driven professional disobedience on the other, is of vital importance.

When Molly encounters a client that does not just act along, she goes off script and, with a controlled sense of urgency, asks: What can *I* do for *you*? Furthermore, such character-breaking activity involves to some kind of cutting to the chase, getting real, as it was described in Chapter 10. By “putting it all aside”, either swearing, stressing the actual facts of the situation or resigning (sitting on her hands) she indirectly offers the client an unmediated presence and an unconstrained space for their relation, an alternative to the hierarchy-maintaining “purified arena” constituted by the scripted ritualistic formalities and clearly demarked by the “here”, the “now” and the “you”. In such open-ended space, unconstrained by the scripted expectations for clients’ participation, Molly seemingly argues, the client decides what he wants to share (“you decide for yourself what you want to share with me – I am here and I *actually* want to – I then say nothing more”). This strategy, deployed by Molly in challenging situations, where the script offers no relief, as she is dealing with clients who have not adopted the institutional ideology, i.e., the veneer of consensus as Goffman (1956: 6) would frame it, or the doxa, appropriating Bourdieu’s conceptual vocabulary, is a strategy where the probation officer accepts the anomie that the challenging client brings about in such stark contrast to the symbolically violent, yet ordered, manual-based reality. In other words, it may be viewed as a strategy where the probation officer actively resigns from the task of maintaining order and control, or the aspiration to ever attain it, and instead effectively leaves behind an uncorrupted space for unbounded interaction between her and the client, and then deliberately hands over the initiative to the client.

This imagery of the open-ended, uncorrupted space that is left behind when Molly resigns and drops the ambition of following the script and of carrying out the MOSAIK intervention, accords well with a general, yet not always outspoken, discourse among the probation officers about how they help clients to contribute something in their interaction. One strategy that the probation officers sometimes formulate is related to somehow establishing “common ground” with the client.

West Bridge, March 17, 2022

Just before lunch on one of those days where nothing really happens, I overhear Maj talking quietly with Louise, Mia and Solvej in the hallway about a client that Maj once had that she had found it very hard to connect with. The client had psychological challenges including severe social dysfunction, she tells them. I walk over to them so that they know that I am listening in. They invite me into the conversation by making room for me in their circle.

Maj: “He just sat there. With his head in his hands. Looking down at the table. I tried everything to start a conversation, check-in, parking lot, water, coffee,

nothing worked. He did not take the bait ... right up until ... 'Soccer'. That started something in him”

Me: “It’s just so interesting. I mean that it sometimes seems as if there is a key.”

Mia: “Yes! I had a client who didn’t participate.”

Mia goes on to tell the story about this client who did not contribute anything beyond the very trivial until Mia asked him about his previous employments. It turns out that the client previously in his life had been working on a boat.

Mia: “I was an intern on that boat when I was young. How funny is that! I told him. And from then on he just talked and talked. Sometimes I couldn’t even stop him.”

Mia’s story is Solvej’s clue as it reminds her of something that the two of us have just talked about in my interview with her.

Solvej: “So here you go, Asbjørn! This is what I was talking about – about giving something of yourself – not too much, just a little – just tell a little about yourself.”

It is clear from my responses (“It’s just so interesting. I mean that it sometimes seems as if there is a key”) that, in this situation, at least from the get-go, I am under the impression that what the officers are describing are ways in which they work on the relation (or the client), massaging him to let go of his unwillingness, open up and participate on the terms of the MOSAIK exercise. My referring to “a key” signals quite clearly that, in the moment, I have not really understood that what the probation officers are letting me in on here by inviting me to their circle of whispering is not a strategy for how to “prep” the client, break down a shell around him and make a window to the mind so that the cognitive training, some kind of mental surgery indeed, can commence or otherwise somehow luring the client to “spill the beans”. Rather, in hindsight, I see it as an instance where the probation officers let me in on a much more radical secret about how they sometimes, even if they are not supposed to, deliberately interact with the client in symbolic spaces not confined to the “here, now and you (the client)” and thus indirectly offering an opportunity for relating to whatever may be significant for the client *beyond the institution*. So, the secret is not just the trivial, that they sometimes get personal, with the client just a little or just enough to ease him up so that he may engage in the exercises. At least there is another depth to this secret that could more precisely explain why it may actually work, unlike “check-in, the parking lot, water and coffee”. The point, I believe, is that getting personal allows for a constructive transgression of the “here, now and you”. By talking about their own lives, *there and then*, by addressing normal life situations and engagements (“soccer”) and even actual places (a specific boat) that exists out there beyond the institution and

independently of it where their lives could have somehow intercepted, the probation officer actively allows the client to be more than just green, yellow or red here and now.

The successful interactional achievement in Mia's case with her client relies on the individual Mia's readiness to depart from the scripted approach and her willingness to break from her usual role. This entails relinquishing the established status and control that such a structured setup typically affords her. This, more precisely, looks like a dissociating from the institutional we, "the team" as it is termed by Goffman (1956: 60 & 64). Further, this activity on th part of Mia involves an ad hoc disclosure of the priority for the "here-and-now" which otherwise is so convincingly true and natural that it, except in these particular disruptive situations, effectively instantiates the social hierarchy and the division of power to define the situation, in order to restore a more genuine proximity with the client, a proximity manifest in the default human equality exemplified in the fact that Mia and her client have both worked on the same boat and have intertwined histories beyond the institution and impertinent to its ideology.

Yet, even though this fundamental disruption takes such professionally disobedient effort from the probation officer, it is equally important to recognize the fact the client is integral to the escalation of this disruption and disclosure as it is in fact an *interactional* accomplishment. Seeing as this divorcing of "the team" on the part of the probation officer is necessarily prompted by the resistance toward the scripted exercises evoked by the client in the first place, the entire situation, the disruption of the definition of the situation and the disclosure of the rehabilitative doxa *as doxa* does itself showcase a genuinely own and un-coerced participatory potential on the part of the client. Crudely put, what we have here, may indeed be empirically exemplifying Dzur's trope of "democracy in unlikely places", and "the idea of institutions being improved by rather than improving citizens." (Dzur 2012: 45; cf. Schmidt 2020: 3)

Going out of your way for the client

The consequences of such democracy in an unlikely place can potentially be emancipatory for the client. By in this way actively disproving the privilege of the "here-and-now" and thus in effect widening the social world of the interaction introducing history, variance and diffusion, the client may be encouraged to identify beyond the confines of the purified arena and the obduracy of the office's physicality. And, by such a fundamental widening of the spotlight (that was so very fixed on the individual client due to the responsabilizing aspirations of the manual-based reality) so as to include much broader aspects of the basic human condition, the client is allowed to identify the problem as being more than a personal-psychological one that they are responsible for, i.e., as a collective, a societal, a structural or even a constructed problem. Yet, what

is even more interesting for these investigations is the fact that this accomplishment is not a “gift of grace” offered to the client from a system that has become self-aware, aware of its sometimes stigmatizing and counterproductive procedures. Rather, these are instances where a “demanding” client’s resistance toward the system cause an effect on the part of the probation officer. The implicatory dynamic of the change-work has shifted. In these situations, the client and the probation officer together imply changes on the part of the system, the definition of the situation, the doxa, the team, etc.

It could be argued that such situation or experience may constitute a special potential for the client. Special in the sense that it showcases a genuine democratic or co-constructive *capability* on the part of the client and consequently may evade the counterproductive consequences for the client that were identified within the very architecture of the manual-based procedures as they invariably assume a basic inability on the part of the client. However, such potential for democratic emancipation, as we may now carefully begin to term it, for the client, the recognition of their own participatory abilities, is dependent upon the client’s recognition of such co-constructive capabilities, and their evaluation of them, not necessarily as strictly speaking emancipatory, yet as at least somehow meaningful and potential. So, the question is how such co-construction, or perhaps rather co-de-struction, is experienced and evaluated by the client? What does it mean for the client to be an equal part, an instigator, in fact, of democratic participatory interaction, and is it at all recognized as such by the client?

What will be of particular interest when trying to answer these questions is the fact that, more precisely, what happens when the probation officer meets resistance from the client by professionally disobeying their tasks is that a bridge is formed, breaching the social world boundaries of the offices and connecting the outside society to the inside social world. The probation officer’s professional disobedience inflicts a tiny fissure in the otherwise so convincingly total office scenery that serves as a supportive backdrop for the theater that takes place in there. And, there, in the midst of the local otherworldliness constructed for the offices by either labyrinthic esotericism or universally comprehensive spatial designations, a small burst of normalcy may enter and interfere with the social order. Yet, curiously, when looked at from the inside, such a ray of normalcy looks quite spectacular. The kind of interaction where, when meeting new people, you look for common ground, establish connections in the past to get on the same page, is normal, almost trivial small talk. But it is not normal for the interaction between client and probation officer in a probation office. In here, even though it may not be objectively rare (indeed, I am under the impression that it takes place daily), it still comes across as quite unordinary, perhaps because both the client and the probation officer, and I, know that it is unofficial. In the offices, such trivial

democratic equality is only whispered about. Therefore, looking to further understand the significance of these instances for the client, one must evaluate the potential of these instances on the basis of their apparent exceptionalism.

East Ville, February 17, 2022

After our interview, Morten knocks on Clara's door which is open, as always when she is not in a meeting. They know each other from way back as Morten has been a regular client in the East Ville office. Now, however, they haven't seen each other for a couple of years.

Clara: "Morten – How nice to see you!"

Morten: "Yeah yeah – nice to be back – or something"

Clara: "You must be like 400 years old now. Not smuggling anymore I take it!"

Morten: "Yeah! No! Those days are over. I was wondering."

Clara: "Yes"

Morten: "I really don't understand a thing of what they are telling me when I call them."

Clara: "Call who?"

Morten: "Oh yeah the Debt authority! So, I was wondering."

Clara: "Whaaat, Morten?"

Morten: "Yeah, so, could you perhaps give them a call?"

Clara: "I am not your private secretary. And you know that very well, Morten!"

Morten: "Yeah sure"

They talk some more. They clearly know each other well. I feel bad. Morten came all the way here – he drove for an hour and a half – just to talk with me – and now Clara will not help him. Or rather, I guess, he did not drive all the way just to talk with me. He had really hoped that Clara would call the debt authorities for him. Anyways, I must clear my mind as my interview with Clara starts in 5 minutes.

As presented earlier in the dissertation, Clara reestablishes the fact that she is not the clients' private secretary in the following interview. This is not her job, she states. Rather, she explains, the clients are there to learn how to take responsibility for their own lives, including such practical issues, one must understand. Yet, nevertheless, as I was about to leave the East Ville office later that day, and I entered Clara's office to say goodbye, I was surprised to find her with her in-ear headphones in her ears, clearly, impatiently, waiting in some form of telephone queue.

East Ville, February 17, 2022

Clara looks up from her desk, clearly annoyed with something.

Clara: "He got to me that crook!"

Me: "What do you mean?"

Clara: "Guess who I am calling!"

Me: "The Debt Authority?"

Clara just nods, rolling her eyes.

Clara: "Are you off for today?"

Me: "Yeah, no, I think I will just stick around for a little while longer?"

I must have looked ridiculous as I was standing there in Clara's door in my winter jacket, hat, gloves and a packed briefcase around my shoulder stating that I am not about to leave, but Clara did not seem to notice. She was probably working on 10 different loose ends in her head while talking to me and waiting in the telephone que, trying to sort out a former client's personal debt issues. I waited in the office, not really doing anything, at least nothing that I can tell from my fieldnotes. I just jotted: "Leaving. Waited 45 minutes. Clara still on phone. Working silently."

This, it should be noted, is not a case where a problematic client resists the system. Rather, Morten and Clara appear to be informally acquainted. Also, the material that I have covering this situation does not allow for much speculation as to what it meant to Morten, that Clara after all did help him. Accordingly, the point of presenting this situation is just to introduce the theme of going out of your way, making the exception for whatever reason and legitimating the proposition that this really is something that the probation officers sometimes do. This is not only a situation showing that the probation officers do much more than what they are supposed to. Indeed, they do more than what they could get away with doing because they care. This particular situation shows how they sometimes, more rarely though, do the exact opposite of what they are supposed to do. Of course, the probation officers are not the clients' private secretary, yet sometimes they do help them, in very practical ways. Considering that these are instances in which the client arguably is regarded as a normal citizen, worthy of another person's very normal kind of help, one may suggest that a client, who might be used to a very different kind of treatment, is likely to attribute some kind of significance to these instances.

In the following excerpt from an interview transcript the probation officer, Ellie, from East Ville and I develop thoughts about what it means to a client that he has been shown trust in the form of special treatment. The client in this case was, according to

Ellie, very obstinate, closed and at high risk for recidivating. Then he got a job that he was very happy with. But he would not be able continue in this position, if he were to attend supervisory meetings at the probation office in East Ville every other week (as a high risk client should). So, Ellie suggested to her boss, that they took a lenient stance toward this client and made special arrangements.

Ellie: We end up making a special deal in this situation . It turned the whole relationship around

Me: Yes . a special deal

Ellie: Suddenly he talked openly about his girlfriends and he talked about his mother and his siblings and about missing his father . all of this is something I would never have gotten out of him had I not cut him some slack

Me: That is really fascinating

Ellie: Yes

Me: After all, these are some very concrete examples that you give here

Ellie: Yes

Me: on how this .. organizational need for .. uniformity

Ellie: Yes

Me: May be ok

Ellie: Hmm [affirmatively]

Me: but ehm .. but can also get in between you and the client, as something that strains the relationship and as something that makes it harder to take steps

Ellie: Yes

Ellie here characterizes this unique arrangement, or the very fact that it was successfully negotiated, as profoundly emancipating for the client. But, as I argued earlier, what passes as special inside the office may be considered as special precisely because it is normal anywhere else. The only, nonetheless all-encompassing, feature, that makes this kind of understanding and lenience toward this client come across as “special”, is the intense micromanaging of the probation officers that is so strikingly exemplified in “the Procedure’s” procedure for evaluating the reasonableness of the clients’ excuses as it prompts them to possess a fair amount of prejudice toward the so-constructed erratic and deceitful clients and their suspicious personal projects. What the client is actually being dealt here is a perfectly normal form of concession, and quite obviously, that is significant for the client. In and through Ellie’s “special” deal, he is constituted as normal. He is heeded as a singular someone. What is vital to this constitution as normal may well be that it does not come about by way of generic assertions of opaque

normalcies pertaining to people as such, but by Ellies' listening to what this particular client tells her about his particular situation, his life beyond the office. And, in this way Ellie is in effect lifting him out of the homogenous clientele constituted by the RNR-regime and the managerial discourse. By "cutting him some slack" and going out of her way, that is by striking a special deal for him she rescues him, not necessarily from all of his personal troubles, but from the responsabilization agenda and its penchant for constructing clients as inherently problematic. And, what the client may have sensed is exactly this. One may speculate that he recognized that she listened to him, seemingly without suspecting that he was just trying to get away with less restrictions and less supervision and that she acted accordingly. So, now he finds himself telling her all kinds of things that he was not telling her before because he trusts her and because it makes sense to tell her things.

Later in the interview, Ellie would explicitly refer to this kind of help where she goes out of her way and does something ordinary *for* the client as "help outside of the box". Interestingly, Ellie's very young and "green" co-worker, Mathilde, did as well resort to this very phrase, as she described to me how she tries to "nip it in the bud" when clients' show signs of despair or apathy.

- Me: But if you were to describe your work . here in KiF . so what does it all come down to
- Mathilde: [deep inhale] my work I think is very ehh versa versalite . verslatite . *lite* [obviously questioning her pronunciation]
- Me: Yeah versatile
- Mathilde: Yes *versatile* ehm compared to what I thought when I was hired because it is to carry out sentences but it . is so much about a relation and about .. support ehm and then what is support . after all that is whatever the client needs
- Me: Hmm [listening]
- Mathilde: there are some who have a lot of support around them and then there are some who only have me
- Me: Hmm [affirmatively]
- Mathilde: And then . it may well be that I might help a little more outside of the box than what others might do
- Me: Hmm [affirmatively]
- Mathilde: Erm but for me that is also an important . thing . and and and to be able to do that
- Me: Hmm [affirmatively]
- Mathilde: that is to be able to help . in a direction or create an overview in a life eh

Me: Yeah what does it mean to help outside of the box . so . what do you mean by that

Mathilde: outside of the box . so now I have this example

Me: Yes please [eagerly]

Mathilde: eh eh for example where it was .. yes . one where we had talked a bit about him not having a good grip on the budget, his debt or anything and I could tell . it weighed him down a bit . and the more he began to think about it . the more he became like . a little more indifferent about it

Me: Yes

Mathilde: then it just didn't matter to him how much money he spent because he had so much debt anyways . so we called the Debt Authority together eh because he didn't want to call them alone

Me: No

Mathilde: because I had actually given him the home assignment and so on that he should call but he didn't want to call alone he wanted us to do it together . so we did it together . and we were in the waiting position . and then we were told how much he owed and what his percentages were and then eh eh we worked out how much he had to pay back such that he would be able to be done with the debt in . eh .

Me: within the foreseeable eh

Mathilde: within the foreseeable amount of .

Me: Yeah
[...]

Me: it is interesting what you say about . that . he was on his way . somewhere where . he . where everything seemed so . unmanageable

Mathilde: Hmm [affirmatively]

Me: That he became indifferent

Mathilde: Yes

Me: And then *that* was your que

Mathilde: That was my que to sort of . set it in motion . then we fucking just do it *together* or . we *effing* just did it together

The “outside of the box” imagery is very telling of what breaking character actually involves. It captures the fact that it is unordinary. Yet it furthermore does so in way where it is also indicated that what makes it unordinary is the fact that it goes beyond the ordinary scope of service provision, it goes through a bit more length for the client because this is what the client needs (“what is support . after all that is whatever the client needs”). And the way in which Mathilde later explicates what she means by the

phrase, it is clear that she means exactly such kind of help or aid that is not aiming to reform the client, but to solve practical problems around the client; exactly such kinds of problems that according to the script should have been parked, not solved. So, in effect Mathilde does as well capture the fact that when helping outside of the box she is indeed transgressing the manual-based reality by attending to the needs of the client rather than the needs of the program. Her que for getting real and fucking just doing it, i.e., calling the Debt Authority together with him and getting his life sorted out – was the fact that *he* needed it, he was about to resign completely, on the verge of complete disenfranchisement, civil death, and he asked her for help. She saved his civil life (dramatically speaking) not by referring to his criminogenic needs, his responsivity and all the rest of it, but by attending to his *real* needs and by going out of her way in order to address these. I believe this is the essence of the matter: By addressing real issues with or for the clients, it is not *they* who are portrayed as the problem. Through this approach, clients may not only achieve stability in their lives due to the help they are getting, but also recognize their innate ability to influence others in a positive way, encouraging others to go out of their way for them.

*

The interview with Mathilde was the first interview I did. And, the question that sparked this description by Mathilde of what it means to help “outside of the box”, was the first question of that interview. Little did I know at the time that this very first interview question would bring about the most concise description generated in the field of an aspect of the probation officers’ work that I later, at the desk, would come to spend so many hours trying to tease out still further from the rest of the material covering the everyday lives of the probation officers and their work. Maybe it is coincidental, maybe it is not. I cannot tell whether it impacted my sensitivity toward practices such as breaking character, going off script, professional disobedience, and so on, but it undoubtedly serves as a fitting way to end this study of them.

Uncovering the theoretical underpinnings of democratic emancipation

The theorization of this dissertation is not confined to this chapter. The abductive aspirations flow through the entire ethnographic study of the dissertation and in this chapter important aspects of the insights gained in the document study are merged with the creative process of forming ideas and concepts for the ways in which probation officers go beyond their manual-based mandate to help their clients.

According to Swedberg (2012: 17; 2016: 7–12), theorization begins with observation and with choosing an empirical phenomenon that seems interesting. Therefore, one may say that the active theorizing of this dissertation commenced, at the very latest, as I exited the train on East Ville station and started searching for the probation office. I observed a plethora of interesting interactions and surprising phenomena while in the field, yet, somehow, I was particularly captivated by instances where the probation officers either talked about or actually committed to courses of interaction with the clients that were considered by probation officers themselves as out of the ordinary, outside the box. The second step in a theorizing process is to name the phenomenon of interest, Swedberg asserts. Given the preceding and contextualizing document analysis, the locating of a managerial turn within the document discourse as well as the careful identification of the peculiar ways in which instances of such a turn manifest in the offices by way of the extensive use of and reliance on official practice-guiding manuals, I was able to describe the reality of the offices as manual-based, subsequently as theatrical and scripted. Having this as a baseline ethnographic determination of the office-reality, the empirical instances of interest could be given a name – *character-breaking activities* – that served as a first and not further theorized nomenclature. Third, Swedberg advises the theorizing researcher to “[g]ive body to the central concept by outlining the structure, pattern or organization of the phenomenon. Use analogies, metaphors, comparisons – and all in a heuristic way to get a better grip on the phenomenon under study” (Swedberg 2012: 17). This is a crucial step in the theorizing process as it clearly comprises the most abduction-intensive part of the so-called context of discovery. This chapter has been dedicated to this part of the theorizing process as it has committed to comparisons whereby notional extrapolations of manual-based practices have been contrasted with practices of breaking character. Furthermore, a heuristic metaphoric experimentation has been carried out in this chapter, yielding a variety of equally interesting yet different indexical proxies for character-breaking activities such as professional disobedience, acts of transgression, radical discretion, know-how, know-not-what, generic help, co-construction, acts of disruption, acts of disclosure and then of course democratic emancipation.

Making sense of this, the following remarks on the theorizing efforts shall attempt a more systematic treatment of the qualities signified by these proxies. More precisely, the heterogenic mix of qualities that has been experimented with in the chapter will be presented under different conceptual headings each signaling a particular theoretical underpinning jointly and tentatively characterizing democratic emancipation as a particular kind of client-related agency. Further, these underpinnings showcase the emancipatory potential of such agency unlike interventions relying heavily on manuals.

Transgression, intentional reorientation and disruptive agency

One way, I believe, of appreciating the outcome of the abductive experimentations thus far is by summarizing democratic emancipation as acts of *transgression*. The aspect of transgression thus serves as the first theoretical underpinning of democratic emancipation. The actions or types of agency initially referred to as character-breaking activities transgress the discursive framework of the overarching policy as they serve a different purpose: They are not deployed out of care for the organization, its functionality and budget. Further, they are not motivated by the task of protecting society and to reduce crime. Rather, these courses of action that may fall under the term democratic emancipation are based in the probation officers' discretionary evaluations of what the client needs. They constitute instances of unconditional client-care. What is particularly noteworthy is the fact that the unconditional care for the client demonstrated in and through democratic emancipation implies a transgression of rule-following in all its aspects, i.e., the manual-based reality in its entirety thus including a transgression of the one program – MOSAIK – that many probation officers appreciate deeply.

It has been described how the MOSAIK program constitutes a certain priority for the present by first and foremost imposing self-reductions on the client, more precisely, by requiring the client to identify with abstract and timeless simplifications represented by the three colors of the traffic light. And, it has been argued that such self-reductions alongside the intentional spotlight on the client, i.e., the insistence on “here”, “now” and “you”, inflict symbolic violence on the client as it indirectly disallows historicity. Consequently, it reduces the client's possibilities to refer to other occasions “there” and “then” for their mishaps in life. By requiring from the client that they decouple their past, the time in which they committed actual criminal actions, and to focus on themselves, right now, the criminal act is transformed into a character trait, an integral and pathological part of their identity.

The second theoretical underpinning is *intentional reorientation*, i.e., the fact that democratic emancipation does not address the client as problematic, a risk to society, but the *client's problems as problematic for the client*. Instead of setting out with the agenda to change or reform the client, the probation officer is driven by a different agenda of dismantling impediments around the client. This, as we have seen comes about as the probation officer resigns from “the cult of the present” which is governed and sustained by the MOSAIK program and the mandatory rituals that it prescribes for the rehabilitative work. By resigning from “the cult of the present”, the probation officer enables the client to identify beyond the present. Therefore, by shifting the problematizing intentionality away from the client, the client's values, “thought traps”, attitude, etc. *toward* the client's problems, the client is not only offered a way out of

the degrading self-reduction and rescued from self-disciplining, they are recognized by the probation officer as a person and thereby also allowed to *be* what they *are*. In other words, they are emancipated. And, as the impediments around the client are now within the probation officers intentional gaze, the client's problems are reified, made tangible and manageable and as such much less a cause for despair for the client.

These two theoretical underpinnings are to some extent interrelated, perhaps even making up two sides of the same coin. Intentional reorientation is defined by the transgressive potential, i.e., the fact that it parenthesizes and evades the normal rehabilitative practices of the offices and does something different. As viewed from within the offices, and that includes the perspective of the client, whatever agency is characterized by these underpinnings is different, exceptional even. Yet outside of these offices it would not seem exceptional. On the contrary, at least so I would claim, assuming that individuals are inherently problematic and require reform simply because they find it somewhat challenging, intimidating or arduous to call the Debt Authority in order to learn exactly how much they owe the state, would be unusual and most likely considered discriminatory and wrong. In the offices intending the clients' problems as problematic for the client is something else or other, indeed it is a *reorientation*, and as such it disturbs the order. Therefore, democratic emancipation is an I-driven endeavor; something that *I* do, regardless of the fact that what *we* do is something different.

The third and final theoretical underpinning is disruptive agency. Democratic emancipation defies easy strategization. It can never align perfectly with the core objectives of probation service. In other words, it can never be that which the job in KiF is all about. If the MOSAIK-manual was corrected in accordance with the underpinnings of democratic emancipation, democratic emancipation would become scripted and the probation officers would likely come to focus on fulfilling these three principles in same way as they are doing with MOSAIK-exercises now. If that were the case democratic emancipation would become something else; part of the manual-based reality. It would be what *we* do. Yet, in order for democratic emancipation to achieve the disruption of the definition of the situation that allows the client to co-construct another definition of the situation, it must remain somehow disobedient. It must continue to be something that *I* do even though it is not what *we* are supposed to do.

These three aspects constitute the tentative concept of democratic emancipation thus approximately constituting to the fourth and final step of theorization, according Swedberg (2012: 17; 2016: 7–12). To be clear, these theoretical underpinnings – transgression, intentional reorientation and disruptive agency – are to be regarded as nothing more than a beginning of a theory of democratic emancipation. As a beginning they do not constitute a fully-fledged theory resting in the context of justification, an

explanation of an empirical social phenomenon to be tested. Rather, what is presented here is a draft, a tentative set of underpinnings to be further explored, fleshed out and discussed. Furthermore, it should be explicated that the aim of this theorization never was to theorize a theory, but a concept – democratic emancipation – which is, by its very nature, more descriptive than it is explanatory. Being “just a concept” it may be considered part of a theory but in and of itself it does not constitute an explanation, neither nomic nor causal.

In conclusion, the following three theoretical underpinnings are all necessary for democratic emancipation but not necessarily jointly sufficient. Firstly, this means that in order for a course of action to be considered democratically emancipatory (in the sense theorized in this dissertation), it must amount to transgression, intentional reorientation *and* disruptive agency in the senses developed above and not just amount to *either* one or two of these underpinnings. Secondly, this means that the list of underpinnings is not to be considered exhaustive. Indeed, one can imagine there being more necessary theoretical underpinnings of democratic emancipation upon further inspection of the empirical phenomenon, further dialogue with established theory and further creative exploration of proxies.

12 Conclusions and contributions

In this concluding chapter, I will present the findings of the dissertation and relate its contributions to the existing body of research. Prior to revisiting the initial aim and research questions set forth at the outset of this dissertation and subsequently presenting the results and discussing them within the context of the current state of the field, I provide a concise summary of the entire dissertation.

Summary

The dissertation contributes two empirical studies. Firstly, it presents a document analysis conducted in a Scandinavian context, where specific developments toward penal populism and managerialism, here referred to as a “managerial turn”, are identified within the discourse on punishment and offender rehabilitation. This analysis draws upon a rich empirical foundation consisting of documents such as white papers, organizational strategies, and political framework agreements.

Secondly, the dissertation offers an ethnographical analysis of empirical materials gathered during fieldwork conducted at two local Danish probation offices. During this fieldwork, I actively participated in daily routines, which included attending supervisory meetings and engaging in team exercises. Additionally, I conducted semi-structured interviews with probation officers and their clients. This ethnographic approach provides valuable insights into the lived experiences and practices within these probation offices, enriching our understanding what it means to help disenfranchised individuals.

The policy outlined in the documents, it is argued, constitute a distal context for the day-to-day business in the offices. Yet, through the various analyses it is further suggested that the managerialist tendencies identified in the documents are reflected in the offices and impacts the beliefs and practices of the probation officers via the intensive presence of manuals in the offices. These manuals, it is argued, mediate between the distal and the immediate as they micro-manage and streamline not only documentation and case-handling, but also the rehabilitative practices. Further, it is

argued that in so far as these rehabilitative efforts are so comprehensively scripted, the prospect for such efforts to facilitate platforms upon which clients may genuinely and sustainably realize their democratic entitlement and participatory aptitudes, is questionable.

Consequently, particular interest is paid to subtle instances where the probation officers' practices, and the motivations behind them, appear to transgress the manual-based reality of the offices. Such transgressive acts are theorized and conceptualized as instances of "democratic emancipation", as they produce a less scripted reality allowing for genuine participation and greater self-determination. In the offices, democratic emancipation comes about in exceptional social situations where the probation officers, in their own words, "go out of their way" or "help outside of the box". Yet, these are also elusive practices as they manifest as everyday-like interaction between client and probation officer where they seemingly "go off script".

Identifying these situations empirically, describing the ways in which they disrupt the manual-based reality in the offices and theorizing their emancipatory potential constitute the main finding of the dissertation.

Conclusions

The aim of this dissertation has been to assess how offender supervisory practices integrate instances of democratic emancipation and thereby facilitate participatory citizenship for disenfranchised clients in the wake of a managerial turn. And, achieving this aim has included analyses that set out to work with and provide answers to the following research questions:

1. (How) does a managerial turn appear in the institutional guidelines, strategies and other governing policy documents of the Scandinavian Prison and Probation Services?
2. (How) does the managerial discourse affect the discursive space for emancipatory practices?
3. How are rehabilitative practices performed and accounted for by probation officers working with offender supervision and resettlement?
4. How do aspirations to dismantle impediments to clients' citizenship transpire in rehabilitative practices and how could they be further described and conceptualized in theory?

Empirical findings

In the following a summary of the empirical findings is presented in the form of answers to the four research questions.

Firstly, the document analysis suggests that in so far as a managerial turn is discernible in the document sample it appears chiefly as “organizational self-care”¹⁸¹, that is, as a shift of attention *from* substantial tasks and products benefitting society *to* internal matters of organization and management. And, it was shown that a general semblance of a managerial turn may be located in the documents included from all the three Scandinavian countries. More precisely, in the case of Norway instances of “organizational self-care” and “policies of means”, i.e., increasing internal steering, quality assessment, and control for transparent and fair service provision, were identified as an aspect of the replacement of *The Resettlement Guarantee* of 2008 with white paper *The Development Plan* of 2015. The prevalence of the “organizational self-care” indicator was then further substantiated when tracing developments in the annual strategy briefs for the Danish Prison and Probation Service: By noting the inclusion of the heavily weighted strategic indicator in the 2018 edition called “Modern and better management of the Prison and Probation Service” and the replacement of the 2017 indicator on security called “Security and decency for the individual and society” with the 2018 indicator on security called “Increased security and safety for the employees”, it is argued that also the Danish policy elicits “organizational self-care”. Also, in the replacement of the 2017 edition of the Swedish *Budget Brief* with the 2018 edition an instance of “organizational self-care” is identified. Whereas the 2017 edition promises to “(...) invest full force and focus on developing the core mission and thus increase our ability to contribute to creating a safer society for everyone” (*Budget Brief*, 2017, p. 3), the 2018 edition is managerially bracing for future threats by focusing most of its attention and resources on administration and management.

Rather than a managerial *turn*, what have in fact been identified in the course of this first empirical chapter (cf. Chapter 5), one may argue, is perhaps more adequately conceptualized as a managerial *wave*. While a “turn”, in my view, implies a radical, irrevocable, and sustained replacement or abandonment of fundamental policy outlooks, the imagery of a “wave” is less absolute and presumptive. A “wave” may signal a prioritization that is less fundamental, more temporally and contextually contingent – a swelling, indeed – of certain aspects of policy. In this regard, one could reasonably

¹⁸¹ In the document analysis reference is made to six indicators of a managerial turn which are all derived from previous research: “Organizational self-care”, “Policies of means”, “Administrative governance”, “Devolution and professionalization”, “Political accountability”, “organizational contradiction” (cf. chapter 5)

argue that identifying a “turn” necessitates a more systematic document sampling approach and a meticulously defined temporal framework – beyond the scope of feasibility within this research context. Nonetheless, the concept of a “turn”, which holds a more prominent position in research in general, undeniably serves as a valuable model for identifying instances of managerialism intensifying or surging within the sample under study.

Secondly, the more critical aspect of the document analysis, driven by the effort to thoroughly investigate how the included documents frame the necessity for client-centered supportive and rehabilitative engagements within the Danish Prison and Probation service, suggests that the discursive space for rehabilitative practices has undergone a process of gradual reduction. By highlighting the absence of mission statements specifically tailored for the Danish Prison and Probation Service within central documents, I introduce and explore a reductionist trend related to the gradual omission of policy content. This trend is examined from various perspectives and discussed comprehensively. It is argued that managerial aims are construed as intrinsically valuable as they are not consistently described as being subordinate to the societal task. It is argued that when the managerial aims are not consistently subordinated to a societal aim of reducing crime in society, they may be perceived as independent objectives, worthwhile in their own right. Furthermore, it is demonstrated that when a view to reducing crime in society is included in the Danish documents, it is frequently accompanied by discourses of incapacitation. Arguably, this discourse contributes to the reductionist trend by undermining the discourse of support and care, consequently resulting in a discursive portrayal of clients in a general sense as erratic, violent, and dangerous. Again, the argument for such discursive accomplishment is formed around the identification of merely vague and indirect modifying amendments to the “zero-tolerance” and “greater consequences” discourses that are prominent for instance in the 2018 and 2019 editions of *Plan for Aims and Results* and the *Framework Agreement of 2018–2021*. Finally, the analytical gaze is shifted away from the parts of the documents concerned with control, management and security to the parts related to or on rehabilitation. Rehabilitation, it is shown toward the end of the document analysis, is framed as important for the overarching task of the Danish Prison and Probation Service of reducing recidivism. And, by way of careful scrutiny of the very short segment about rehabilitation included in *Framework Agreement*, the analysis further substantiates that the way in which the need for rehabilitation is framed discursively or rhetorically degenerates discursively the deservingness of the clients in general of rehabilitative efforts.

This last finding from the document analysis, which points to the lack of clarity (at best) concerning the clients’ deservingness, succinctly encapsulates the overarching

result of this part of the dissertation. Specifically, it underscores that the intensified managerialism discussed in Chapter 5 has led to a broader obscuring of the imperative to complement control with care and support for clients which was emphasized in older documents such as the *Code of Principles* of 1998 and the 2017 edition of *Plan for Aims and Results*. Additionally, it indicates a diminished acknowledgment of clients' rights as equal citizens within a democracy, a dimension that was also previously emphasized in the policy. The most simple and direct way of identifying this development in the policies, it is argued throughout the analyses, is through identifying the gradual replacement of the *Code of Principles*, which emphasized core values like the universality of human dignity, with the considerably more administrative *Framework Agreement for 2018–2022* as the primary point of reference within the Danish document corpus.

A focus on the place and role of these documents in practice persisted as I embarked on the fieldwork in the probation offices. I will now move on to present the findings of this ethnographic part of the dissertation.

So, *thirdly*, the ethnographic analysis of the material collected during the fieldwork above all shows that while the rehabilitative efforts are very much guided and informed by close-to-practice manuals, the MOSAIK-manual in particular, it is not conceptualized as something that is controlled from the higher instances in the organization. And, the analysis further suggests that the probation officers, despite the fundamental physical differences between the two offices, in general enjoy working with the rehabilitative intervention regime called MOSAIK and that they believe in the program's ability to reform anti-social attitudes and reduce recidivism. What the probation officers highlight is the fact that MOSAIK, in contrast to other programs, is all about facilitating awareness among the clients that they should take control over their own lives. Yet, while the overarching strategy documents investigated in the preceding document analysis are shown to be merely vaguely represented in the offices, it is rendered probable that the somewhat recent introduction of close-to-practice manuals, the MOSAIK-manual as well as the so-called "Procedure", may be viewed as mediators of the managerialist tendencies identified in the policy by manifesting intensifying efforts toward standardization and streamlining of practices. Interestingly, however, the probation officers describe their rehabilitative work with the clients as something that they *themselves* do. Unlike their administrative tasks, the material collected provides examples of descriptions of rehabilitation as a very I-driven engagement. Thus, it is argued that the personal motivation of the probation officers for working with probation service is not aligned with the official purpose stated by the Prison and Probation Service, i.e., to make for a safer society. Whereas the caring view of the client may be gradually vanishing from the policy discourse, it is very explicit and prominent in the motivations stated by the probation officers and in their

statements of appreciation for MOSAIK. So, what is further argued is that the probation officers see an inherent alignment between their sensible alertness to the client and their needs, and the MOSAIK-program.

Fourth, besides demonstrating how the probation officers explain the generally assumed emancipatory potential of structured and manual-based rehabilitative work, the fieldwork has uncovered instances where the probation officers appear to transgress the manual-based intervention procedures and the rehabilitative ideology it embodies. This is done to accomplish the rehabilitative or emancipatory objectives advocated by the program, according to the probation officers. These transgressive instances are identified through a careful analysis of the socially constructive accomplishments of some of the constant elements of the MOSAIK intervention, such as the “traffic light” exercise used for checking in to the rehabilitative exercises and the “parking lot” where clients should “park” their daily troubles before engaging in the exercises. It is argued that these mandatory elements, when conceptualized as social rituals, instate a “purified arena” specifically conducive to a rehabilitative ideology that values “here” and “now”. Specifically, it is argued, the “purified arena” disregards personal history and reinforces a particular social order where the client is kept within the exploratory spotlight, unable to refer to their own problems and to structural instances beyond themselves. When clients oppose these rituals of personal reduction and situational purification, it is further argued, the probation officers’ resort to personal strategies that are disruptive of the manual-based reality and the rehabilitative ideology that it instantiates. Even though these disruptive strategies where the probation officers seemingly drop the manual-scripted act, break character and get real with the client are not necessarily termed as such by the probation officers, the ethnographic material shows how practices of this sort may be merely whispered of in the hallways.

Only up to a certain point may the actual emancipatory potential of these disruptive strategies be grounded empirically in the material collected while I was in the offices. That such potential exists is hinted at by the probation officers by describing particular prospects of reformulating the script, by talking to particularly disenfranchised clients about their own life beyond work, by dissociating the ambition to work *with* a client in order to for client to solve their own problems by for instance calling the Debt Authorities *for* them, and by referring to actual support as an issue of attending to whatever the client needs regardless of whether this may amount to “helping outside of the box”. Further, that such potential is related to a particular kind of democratization that may be hindered by the scripted efforts for rehabilitation is not a natural or explicit part of these accounts of the potential of going beyond the mandate legitimized by the script. However, there are instances in the empirical material of indirectly democratically inclined sentiments on the part of the probation officers of these

character-breaking acts. It is argued that the probation officers appear to resort to snapping out of character whenever they need a client to participate and share, thus indirectly assessing such practices to be purposeful for attaining the rehabilitative aim that is somewhat hindered by the standard procedure. Recognizing a basic participatory capability on the part of the client may arguable be considered a democratic appreciation of them. And, acting toward the client so as to make room for them to enact such capability may arguable be considered an instance of democratic emancipation in so far as it constitutes an *aspiration to dismantle impediments to the client's citizenship*. Further, the empirical material shows how the probation officers break character in order to establish a “common ground” with the client that the script and office’s physical arrangements obscures. In a similar vein, such conceptualization of the instances of going beyond their scripted mandate, ascribes to these instance a democratic value, a sentiment toward basic human and civil equality and value of the kind that is explicitly promoted by the *Code of Principles* of 1998.

In sum, I believe that the most important empirical findings of this dissertation can be enumerated in the following points (not corresponding in a one-to-one-manner to the research questions).

- Demonstrated in variable degrees of explication, a managerial turn, or at least a managerial wave, has, throughout the recent years, been taking shape in the policies that give a profile to the Scandinavian Prison and Probation Services, and that on a grand scale order and guide the work conducted by the employees of these organizations, for instance, probation officers.
- The Danish probation officers participating in this study retain a personal and intimate care for their clients regardless of the destabilization of the support discourse alongside other managerial tendencies in the policy and the close-to-practice manuals that circumscribe their work.
- And, perhaps somewhat surprisingly given the second finding, the probation officers explicitly account for a firm belief in the official and manual-based rehabilitation regime and its ability to facilitate a sense of democratic responsibility and entitlement for the clients regardless of the systematic and standardizing requirements on their supportive work that such a program introduces.
- Yet, when met with certain obstacles in their rehabilitative work, such as unwilling and not participating clients, the probation officers sometimes deploy personally motivated and self- or group-governed strategies that breaks off from the official rehabilitation regime and goes beyond it in order to

achieve the democratizing and rehabilitative points envisioned by the programs.

A theoretical annex: Democratic emancipation

Toward the end of the dissertation the empirical findings are supplemented and discussed in what one may refer to as a theoretical annex that is built by way of Swedbergian theorization. This is done with the specific intention of theorizing the potential of the character-breaking practices to dismantle impediments to clients' citizenship. Thus, this theorization is related specifically to the fourth research question. However, any conclusions as to the potential of character-breaking practices for the emancipation of clients would have attained a much-improved validity and reliability had the fieldwork investigations been more directly motivated toward the evaluation of such potential than they were. The material collected while in the field is not explicit with regard to the emancipatory potential of the character-breaking practices seeing as the discovery of these instances was made at the desk after having finalized the field work. In the presentation of the empirical material during the analysis, one may sense that the analytical significance of the character-breaking practices had not sunk in with me while in the field. For instance, as I relay my own *in situ* reflections on the quiet and informal meeting in the hallway of the West Bridge office where Solvej, Mia and Maj let me in on their discussion about the potential of talking about themselves and looking for personal connections with the clients, I describe how I mistake their deliberations so as to be about "a key" for unlocking clients who are unwilling. It was only later, when working with the material collected, looking for analytical nexuses, and thus having attained a more conceptual context for this meeting, that it occurred to me that what this could, in fact, be all about is the emancipatory potential of going beyond the institution, of breaking character in a professional way. In this regard, the viewpoints of the clients on such character-breaking practices would have contributed evidential support for such analysis. Regardless, the interest in a theoretical annex, unearthing the phenomenon and elucidating its emancipatory potential, must be viewed in the light of such empirical shortcomings. And, as has been argued, theorization lends itself well as a methodologically sound and transparent way of elevating the analytical view slightly above such fragmented pieces of empirical material and performing some kind of qualified speculation on the potential of the character-breaking practices, without making any strong claims about its real efficacy.

The process of theorization commenced with a critical examination of the possible repercussions arising from the scripted nature of rehabilitation practices. These consequences, stemming from the highly structured and ritualistic social constraints

within these practices, are seen to oppose the objectives of the programs. It is argued that the RNR-regime, including the MOSAIK-program, may support the organization and secure some managerial efficiency regarding its operations rather than aid the dismantling of impediments that clients of probation service supposedly face. More precisely, from the outset, the theorization critically questions whether such forms of rehabilitation which are explicitly driven by democratic efforts to (re-)enable citizens' truly self-governed participation can ever genuinely integrate such motivation if it follows a script that governs the interaction to a minute detail. It is argued that what may be produced by such programs are "democratic machines", i.e., individuals that are conducive to the MOSAIK trainings. Further, while intended to make for a safe space for the client in which the rehabilitative exercises can take place, some of the constant elements of MOSAIK, i.e., the "traffic-light" exercise and the "parking lot", exhibit an affinity for "here", "now" and "you" (i.e., the client). An excessive emphasis on the present and the individual, it is argued, may hinder rather than promote clients' emancipation, as it tends to internalize the problem within the individual rather than considering the influence of societal structures and social processes in problem-construction. Once more, the ritualistic formalities inherent in scripted rehabilitative interventions imply a simplification, framing the issue as something solvable in the immediate moment, by the individual themselves. This construction portrays clients as tangible individualities, conducive to the subsequent psychological training. As a result, these rituals may appear to serve the program's objectives more than the clients' needs.

It could be carefully asserted that there is a link between some of the aspects the managerial turn, or wave, identified in recent documents and some of the recent structural developments of the Danish Prison and Probation Service recognized by the probation officers, on the one hand, and these conceptualizations of potentially counterproductive features of the official rehabilitative intervention programs on the other. It could be argued that the repositioning of interest from client-care to organization-care which was one of the main findings of the document analysis and the structural discursive change from the "client in the center"-paradigm to the "task in the center"-paradigm highlighted by Ofelia and Solvej, resonates ever so slightly in the critical theorizing of the MOSAIK as a tool for client management rather than client emancipation. What this would suggest is an endemically pervasive nature of the managerial turn – an idea that has as well been submitted throughout the empirical analyses of this dissertation: Not only has an increasingly managerialist discourse intensify the focus on control, capacity and administration in the Prison and Probation Services' policies and thus reduced the attention given to rehabilitative efforts and programs. The increasingly managerialist discourse may as well have affected essentially the practices of rehabilitation themselves. As argued, the introduction of MOSAIK is

according to Clara, the office manager at the East Ville office, somewhat equal to an introduction of structure and alignment.

Then, as a constructive complement to the theorizing efforts presented in this dissertation, there is a positive exploration of the practices that extend beyond the script and the manual-based reality. This exploration aims to assess the potential of character-breaking practices in creating emancipatory situations and relationships with clients. It is argued that character-breaking practices, regardless of whether it is spoken of by the probation officers as “striking a special deal with a client”, “going out of one’s way” or “helping outside of the box” may be initially captured as professional disobedience. It is disobedient because it constitutes a course of action that the probation officer is not supposed take. It is professional because it is rational and based on experience with other clients; it is evoked in order to achieve the purpose of the rehabilitative ideal of facilitating a client’s participation. Further, it is argued that character-breaking practices restore the default proximity that exists between client and probation officer if it were not for the institutional setting by disrupting the theater of the official rehabilitative program. These practices seemingly may achieve this in more than one way. Molly disrupts the authority of the script, the theater and the social dynamic that it instantiates by *acting out* indeed. “I don’t fucking care”, she says. And, Mia, Solvej and Maj agree on the specific potential benefit of talking about themselves and establishing connections beyond the scope of the institutional setting and the rehabilitative ideology that it manifests. In either way (and, indeed there may be many more), what is of utmost importance is the fact that whatever may be achieved for the client in these situations is an interactional accomplishment. The client plays an irreducible and genuinely own role by not acting along in the first place, in turn, causing the probation officer to break character and restore proximity. The special emancipatory potential of character-breaking practices therefore, it is argued, is due to the fact that the client’s genuinely own participation (which in fact is an unwillingness to participate in the program) is recognized by the probation officers; and that this recognition by the probation officer, in turn, may be recognized by the client. In this way the client may realize they are capable of and entitled to participation

Finally, the theorization is concluded by a systematic excavation of the theoretical underpinnings of the character-breaking practices that make up an initial theoretical identification of a concept of democratic emancipation. More precisely, three theoretical underpinnings are conclusively suggested: Transgression, intentional reorientation and disruptive agency. *Firstly*, democratic emancipation constitutes acts on the part of the probation officers that radically transgress the managerially inclined rehabilitative paradigm of the offices and the official programs implemented here by deploying an open-ended and unconditioned care for the client. *Secondly*, democratic

emancipation arguably involves a reorientation of the intentional gaze *away* from the person *to* the person's problems. *Third*, in so far as the emancipatory potential seemingly is dependent upon the client's realization *in situ* of his or her ability to cause the probation officers to "help outside of the box" democratic emancipation must be disruptive.

Contributions

This dissertation contributes empirically based insights as to how offender supervisory practices integrate instances of democratic emancipation and thereby facilitate participatory citizenship for disenfranchised clients. These practices have been studied in the wake of a managerial turn in the policy that circumscribes them. The dissertation, therefore, may foremost be considered a contribution to the already vast complex of discretion research, i.e., research as to how street-level bureaucrats navigate, sometimes side-step, the policies for certain practices of provision of social benefits in order to achieve the aims that the policies envision. Specifically, this dissertation is placed within this field of scientific interest as it comprises a study of how probation officers work to facilitate democratic emancipation for clients of probation service in the context of policy on punishment and rehabilitation. And, in doing so, instances of going beyond the policy in order to achieve social benefits for the clients have received intensive focus in this dissertation.

Discretion research, even when being explicitly sociological, as it was described in Chapter 2, has been mostly occupied with the reasoning that goes into decision-making (e.g. Molander 2016; Oberfield 2020). This dissertation constitutes a supplement to discretion research by conceptualizing discretion not merely as an act of reasoning, but as an actual social activity – or agency indeed – and by studying its practical unfolding in probation offices accordingly, i.e., ethnographically. While it may not be the only piece of research that utilizes this potential of the concept of discretion, it stands out by explicitly arguing as to the value of viewing discretion as inherently practice-based (cf. Wagenaar 2020; Calder 2020). This approach to discretion enables the investigations of the dissertation to produce results which in a more substantial way contribute insights as to the strategies deployed by probation officers in order to help clients, or as it was described toward the end of Chapter 1, to advance our understanding of what it actually means to help heavily stigmatized and disenfranchised individuals.

An illustrative way of appreciating this advancement would be to relate the main results of this dissertation to the existing critical research on responsabilizing rehabilitative programs, methods and practices. The pinnacle of the empirical and theorizing efforts

of this dissertation, i.e., the concept of democratic emancipation, constitutes a constructive addendum to the research on responsabilization in probation service (e.g. Kemshall 2002; Phoenix and Kelly 2013; Sallée 2017; Cracknell 2023). By developing the ideas as to how systematized and pre-structured ways of doing rehabilitation may sometimes be counterproductive, the theorization recapitulates how a “beautiful theory” about the treatment of clients of probation service can, crudely put, turn into an “ugly practice” (cf. Kyvsgaard 2001). Thereby, the master narrative of much responsabilization research is reaffirmed by this dissertation as it is identified also in the context of Danish probation service. This master narrative basically suggests that while rehabilitative strategies since the advent of neoliberalism and New Public Management have basically set out to create prudent, self-reliant subjects, i.e., citizens less prone to breaking the laws, these strategies are likely to have somewhat opposite effects. By often over-emphasizing the basic contention that *only* the individuals targeted by the rehabilitative intervention *themselves* are responsible for taking the vital steps in such a reform, these governmentality technologies almost imperceptibly shift the “blame” from the societal structures and processes of labelling toward the individual. And, in doing exactly so, such rehabilitative efforts rather consolidate stigma and marginalization, it is argued (Phoenix and Kelly 2013: 420), and even defy the intention of the intervention by leading probation officers to construct clients as “inherently flawed” (Cracknell 2023: 30). However, aside from recapitulating and reaffirming these ideas and empirical findings from other contexts, the investigations and results of this dissertation also supplement the responsabilization research. By integrating a view to how probation officers enact discretion in ways that disobey some aspects of the responsabilizing program, a particular way of facilitating participation that arguable could harbor the potential for evading the self-defeating tendencies is presented and discussed. As such, while the initial groundwork for the development of the concept of democratic emancipation is laid within the ideological framework of the critical “school” of responsabilization research, the final conceptualization takes a more comprehensive and advanced approach.

A significant advantage of culminating in the delineation of a concept, as in the case of this dissertation where the theoretical underpinnings of the concept of democratic emancipation are ultimately identified, is that the results of the research endeavor are likely to have applicability and offer relevant insights in other, yet similar, fields of research and practice. I believe that instances of democratic emancipation may be noticeable and important in other scenarios where street-level bureaucrats administer sanctions and/or welfare benefits to citizens, especially when the social rehabilitation of citizens in vulnerable and marginalized positions is the focus. Thus, it can be envisioned that the concept of democratic emancipation may aid and inform analyses of the

provision of social housing, elder care, abuse treatment, etc., and lead to the discovery of potentials in the interaction between helper and helpee also in contexts other than probation service.

Finally, it should be mentioned that the document analysis contributes empirical findings that are also valuable in their own right. The document analysis plays an integral role for the overall aim of the dissertation, i.e., of studying the rehabilitative practices in the context of relevant policy thus enabling the discretion-focused approach to the practices. Apart from this general contribution, however, the document analysis more specifically supplements a much-needed expansion of the empirical context for the ongoing debate as to the existence of a turn toward a more punitive and/or populist discourse in Scandinavian social and criminal policy. Much of what has been said so far on this issue has been based in prison studies (e.g. Bruhn, Lindberg, and Nylander 2012; Ugelvik 2012) or on analyses of statistics (e.g. Mathiesen 2012), historical developments (e.g. Andersson 2019b), laws and their application in practice (e.g. Smith 2012) or shifts in the political landscape (e.g. Tham 2019b; Todd-Kvam 2019). Thus, a comprehensive and systematic view to practice-guiding documents for the public authority that carries out the sentences has not already been implemented. The inclusive notion of policy, developed in Chapter 2, allows for an integration of more substantial documents, in this case the Scandinavian Prison and Probation Service's white papers, strategies, value statements, etc., in the analysis of recent developments in criminal and social policy. And, by assessing the appearance of a managerial turn in such documents this dissertation constitutes a contribution to the ongoing debate on potential policy developments in matters of punishment and rehabilitation. More precisely, the qualitative description of a managerial turn in Scandinavian policies on punishment and rehabilitation of this dissertation provides empirical support for the general idea that "something" is indeed happening to the way in which policy makers conceive of the problem of crime in society and, accordingly, to the framing of the solutions that is projected in order to handle that problem. Further, while I did not set out to assess the appearance of a punitive turn or instances of intensifying political influence in the policies, the identification of a destabilization of the support discourse within the Danish documents may be taken so as to qualify further the description of these developments as being also punitive. And, regardless of it being potentially managerially motivated, the replacement of the *Code of Principles* of 1998 with the *Framework Agreement for 2018–2021* as the most central point of reference in the document corpus may be taken so as to indicate a penal-populist development. Indeed, it was found to signify a fundamental substitution of law-based principles of normality and rights with discourses on "greater consequences" and "zero-tolerance".

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Annex A: Interview guides

Danish

A: Synet på eget arbejde og arbejdsproces

1. Hvad går dit arbejde ved KiF ud på? (Hvad er formålet, ifølge din egen overbevisning?¹⁾)
2. Hvad kræver dit arbejde af dig?
3. Hvad er det, der virker, når du har succes med en klient og dit arbejde lykkes?
4. Hvad er en god tilsynsførende/kontaktperson ved KiF?

B: Relationen til klienten

5. Hvad er vigtigt for klienten? (Hvordan kommer det til udtryk fra klientens side?)
6. Hvad gør du for at hjælpe? (Hvordan adskiller den hjælpende indsats sig fra andre dele af dit arbejde?)
7. Må klienten (med høj risiko for tilbagefald) ændre på sig selv, hvis ikke denne skal falde tilbage i en kriminel løbebane? (hvem bærer ansvaret for at tilbageføringen til samfundet bliver god?)
8. Hvordan kommer kontrolaspektet til udtryk i dit arbejde?
9. Kan alle hjælpes? (hvem kan ikke hjælpes og af hvem og hvordan træffes denne afgørelse?) (skal man være motiveret på forhånd?) (Skal alle hjælpes?)
10. Kan alle resocialiseres? (Skal alle resocialiseres?)
11. Hvad er en god klient?

C: Policy og praksis

12. Mærker du i det daglige, at dit arbejde er styret "oppefra"? (Hvem definerer dit arbejde? Hvordan mærker du det?)
13. Hvilke er de vigtigste retningslinjer/dokumenter i dit daglige arbejde?
14. Hvor stor/hvilken rolle spiller retningslinjer/dokumenter i dit arbejde? (Hvordan præger retningslinjerne din relation til klienten?)
15. Er der ellers noget, som du mener, det er vigtigt at tilføje her til sidst i relation til det vi har talt om?

English

A: View on your work and work process

1. What does your work at KiF involve? (What is the purpose, according to your own belief?)
2. What does your job require of you?
3. What works when you succeed with a client?
4. What makes a good supervisor/contact person at KiF?

B: Relationship with the client

5. What is important for the client? (How does it manifest from the client's side?)
6. What do you do to help? (How does the helping effort differ from other parts of your work?)
7. Can the client (with a high risk of relapse) change themselves if they are not to fall back into a criminal path? (Who is responsible for ensuring a successful reintegration into society?)
8. How does the aspect of control manifest in your work?
9. Can everyone be helped? (Who cannot be helped, and by whom and how is this decision made?) (Must one be motivated in advance?) (Should everyone be helped?)
10. Can everyone be resocialized? (Should everyone be resocialized?)
11. What makes a good client?

C: Policy and practice

12. Do you notice in your daily work that it is controlled "from above"? (Who defines your work? How do you perceive it?)
13. What are the most important guidelines/documents in your daily work?
14. What role do guidelines/documents play in your work? (How do guidelines affect your relationship with the client?)
15. Is there anything else you believe is important to add at the end in relation to what we have discussed?

Danish

A: Tiden i fængslet

1. Hvordan har dit fængselsophold været?
2. Har fængslet forandret dig?
3. Hvad krævede fængselsopholdet af dig? (har du fået støtte undervejs i dit fængselsophold? - af hvem?)

B: Løsladelsen

4. Hvor længe har du haft kontakt til KiF?
5. Er en klient i KiF kriminel? (Hvad vil det sige, at være kriminel? Ville du selv sige, at du er kriminel? /Har du udstået din straf nu, hvor du er under tilsyn?)
6. Fandtes der en plan for din løsladelse på forhånd – hvem var involverede i denne? (Hvem sætter dagsordenen, når du mødes med den tilsynsførende?) (Hvem har ansvaret for, at du lykkes med at have en god løsladelse?) (Er det dig, der skal ændre dig (eller resten af verden)?)
7. Får du hjælp/støtte af din tilsynsførende? (Kan du altid gøre og tænke, som din tilsynsførende forsøger at få dig til at gøre og tænke? Hvad sker der, hvis du ikke kan (eller vil)?)
8. Hvad er en god tilsynsførende?
9. Hvad er en god klient?

C: Fremtiden

10. Har du planer for fremtiden - er der noget, du ser frem imod? (Er du bekymret for fremtiden? Hvad forventer du af dine relationer og af samfundet i det hele taget, når du kommer ud?) (Føler du, at du er velkommen tilbage?)
11. Tror du, at du kommer i fængsel igen på et senere tidspunkt i dit liv? (Skyldes det “noget” i dig selv eller mangler ved tilsynsarbejdet?)
12. Føler du, at du selv kan påvirke din fremtid i den retning, du gerne vil tage?
13. Er der noget du gerne vil sige her til sidst, som du mener, at det er vigtigt for mig at få med?

English

A: The time in prison

1. How has your time in prison been?
2. Has prison changed you?
3. What did your time in prison require of you? (Did you receive support during your time in prison? - from whom?)

B: The release

4. How long have you been in contact with KiF?
5. Is a client at KiF a criminal? (What does it mean to be criminal? Would you describe yourself as criminal? / Have you served your sentence now that you are under supervision?)
6. Was there a plan for your release in advance - who was involved in this? (Who sets the agenda when you meet with the supervisor?) (Who is responsible for ensuring your successful release?) (Is it you who needs to change (or the rest of the world)?)
7. Do you receive help/support from your supervisor? (Can you always do and think as your supervisor tries to get you to do and think? What happens if you can't (or won't)?)
8. What makes a good supervisor?
9. What makes a good client?

C: The future

10. Do you have plans for the future - is there something you look forward to? (Are you worried about the future? What do you expect from your relationships and society in general when you are released?) (Do you feel welcomed back?)
11. Do you think you will go to prison again at a later point in your life? (Is it due to "something" within yourself or deficiencies in supervision work?)
12. Do you feel that you can influence your future in the direction you want to take?
13. Is there anything you would like to say at the end that you believe is important for me to know?

Annex B: Information and consent forms

1



Samhällsvetenskapliga Fakulteten
Socialhögskolan
Asbjørn Storgaard, Doktorand

Informationsbrev

Jeg vil spørge dig om du vil deltage i mit ph.d.-projekt om løsladelsesprocessen i Skandinavien. Hermed følger en beskrivelse af projektet, hvad din deltagelse indebærer, datasikkerhed og dine rettigheder som forskningsdeltager. Formålet er at gøre det klart for dig, hvad projektet handler om samt hvad og hvordan dine udsagn bliver anvendt af mig i min forskning.

Projektets arbejdstitel: *Kriminalforsorg i Frihed: Rehabilitering eller disciplinering?*

Ph.d.-projektet er et studie i forholdet mellem politisk ideal og reel praksis i det sociale arbejde for recidivforebyggelse i Skandinavien. Projektet er delt ind i flere faser. I den fase som projektet er i nu gennemføres interviews med socialarbejdere og deres klienter samt observationer af deres møder på en lokal afdeling af kriminalforsorg-i-frihed (KiF) i Danmark.

Som forskningsdeltager i denne fase skal du derfor dels deltage i et interview med mig, dels lade mig observere et møde mellem dig selv og en klient. Interviewet vil handle om dit syn på dit arbejde og din arbejdsproces, relationen til klienten og forholdet til dokumenter og retningslinjer i dit daglige arbejde. Ved det møde som jeg skal observere vil jeg forholde mig så passivt som muligt. Jeg vil sidde i hjørnet rummet, skrive noter og i øvrigt lade mødet udspille sig så naturligt som muligt. Interviewet vil blive lydindspillet og jeg vil skrive nogle noter mens vi taler. Dit møde med klienten vil ikke blive lydindspillet; her vil jeg udelukkende skrive noter.

Det du siger og gør vil blive behandlet konfidentielt. Desuden vil du i min data optræde under et pseudonym. Det vil sige, at jeg, hvis jeg referer til noget du har sagt eller gjort i min forskning, ikke henviser til dit faktiske navn, men til et fiktivt navn. Denne data uden personoplysninger vil blive analyseret og offentliggjort i min ph.d.-afhandling og et offentligt forsvar.

Det er frivilligt at deltage og hvis du fortryder undervejs, kan du trække dig når som helst; også midt i et interview eller undervejs i observationen. Du kan også til

enhver tid inden offentliggørelsen af afhandlingen stille krav om, at jeg ikke behandler den data, som du har bidraget med.

Jeg forventer at interviewet vil tage ca. 1 time.

Hvis det kunne have din interesse, vil jeg med glæde fremsende dig et eksemplar af min afhandling (i bogform), når jeg er færdig med projektet.

Tak fordi du overvejer at deltage.

De bedste hilsener,



Asbjørn Storgaard, cand. mag.
Ph.d.-studerende ved Lunds universitet

Samtykke til deltagelse

Forskningsdeltagers navn (blokbogstaver): _____

Forskningsdeltagers underskrift (inkl. dato): _____



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Projektets arbejdstitel: *Kriminalforsorg i Frihed: Rehabilitering eller disciplinering?*

Ph.d.-projektet er et studie i forholdet mellem politisk ideal og reel praksis i det sociale arbejde for recidivforebyggelse i Skandinavien. Projektet er delt ind i flere faser. I den fase som projektet er i nu gennemføres interviews med socialarbejdere og deres klienter samt observationer af deres møder på en lokal afdeling af kriminalforsorg-i-frihed (KiF) i Danmark.

Som forskningsdeltager i denne fase skal du derfor dels deltage i et interview med mig, dels lade mig observere et møde mellem dig selv og en medarbejder ved KiF. Interviewet vil handle om, hvordan du ser på din tid i fængslet, din løsladelse og det liv der venter herefter. Ved det møde som jeg skal observere vil jeg forholde mig passivt. Jeg vil sidde i hjørnet rummet, skrive noter og i øvrigt lade mødet udspille sig så naturligt som muligt. Interviewet vil blive lydindspillet og jeg vil skrive nogle noter mens vi taler. Dit møde med socialrådgiveren vil ikke blive lydindspillet; her vil jeg udelukkende skrive noter.

Det du siger og gør vil blive behandlet konfidentielt. Desuden vil du i min data optræde under et pseudonym. Det vil sige, at jeg, hvis jeg referer til noget du har sagt eller gjort i min forskning, ikke henviser til dit faktiske navn, men til et fiktivt navn. Denne data uden personoplysninger vil blive analyseret og offentliggjort i min ph.d.-afhandling og et offentligt forsvar.

Det er frivilligt at deltage og hvis du fortryder undervejs, kan du trække dig når som helst; også midt i interviewet eller undervejs i det møde, hvor jeg sidder med.

Du kan også til enhver tid inden offentliggørelsen af afhandlingen stille krav om, at jeg ikke behandler den data, som du har bidraget med.

Jeg forventer at interviewet vil tage ca. 1 time.

Hvis det kunne have din interesse, vil jeg med glæde fremsende dig et eksemplar af min afhandling (i bogform), når jeg er færdig med projektet.

Tak fordi du overvejer at deltage.

De bedste hilsener,



Asbjørn Storgaard, cand. mag.
Ph.d.-studerende ved Lunds universitet

Samtykke til deltagelse

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