

Creating convict criminology in the UK, not bifurcating: a response to Aresti, Darke and Ross from members of the British Convict Criminology group

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"The name is the quest of the substance."

Zhuangzi, Daoist proverb.

Perhaps the first thing to say, if only to get it off our collective chests, is how surprised we were to discover that an article about the British Convict Criminology group (henceforth, BCC), the vehicle for convict criminology in the UK, had been written without any attempt to contact most of those currently involved (Aresti et al 2023). The article proceeded to imply a split, or a bifurcation, had occurred with the wider CC community, principally located in the USA, and that a British Convict Criminology group was not only no longer necessary it was in fact divisive. The authors say "BCC has outstripped its utility" and imply that the continued existence of the British Convict Criminology group undermines convict criminology as "a global, international and universal goal that transcends national borders". BCC itself is characterised as "unsavoury and exclusionary" and has led to the "stagnation" of the movement. The existence of BCC is even linked to Brexit and the difficulties of challenging the climate catastrophe. Members of BCC would have been responsive to any approach by Aresti, Darke and Ross to discuss their concerns. However, as no approach was made before or after publication, it is appropriate to respond here to the issues they have raised.

Let us make our position crystal clear at the outset. We are against partisan exclusions, bifurcations and polarisation; We are for cohabitation, inclusive cooperation, hospitality and co-production. We see convict criminology as a broad church with no gods but plenty of ideas and energy and we have just enough faith in its vision of the benefits of 'convict' voices in criminology. Our cautious commitments to convict criminology are often part of a vocation in which values, emotions, experience and personal practice matter.

Aresti, Darke and Ross's article appears to reflect, and then present as a virtue, a genuine reluctance to work together in the UK around CC. To us this reluctance is mysterious. It has possibly been precipitated by small but obscure personal differences that could be resolved or worked around rather than seen as having the grander organisational ramifications of bifurcation. To present these occasional difficulties as an organisational or ideological 'bifurcation', a term pre-loaded with portentous penal significance, appears misguided, inaccurate and unhelpful. In this response we itemise some of our difficulties with Aresti, Darke and Ross's article and indicate aspects of our approach to convict criminology.

Progress, results, new members

As of June 2023, we can present an informal collective tally of recent events, actions and developments that give the lie to their proposition that there is no need for an entity like BCC, that it has stagnated or is unhelpfully divisive:

- The largest ever BCC panel at the 2022 British Society of Criminology annual conference (Darley and Earle, 2022)
- Over 75 people gather at a Sheffield symposium of those with lived experience of criminal justice interventions - two BCC members are in the organising group, others attend. BCC participation in an emerging network continues.

- A co-authored CC journal article is notified as a 'top download' for the *Howard Journal for Criminal Justice*, the UK's oldest criminal justice journal. It is the first article the journal has ever published by a serving prisoner in its one-hundred-year history (Micklethwaite and Earle 2021).
- Two scholars involved in BCC secure permanent lectureships in criminology.
- One is awarded their PhD after being supported by BCC and others on their journey.
- A voluntary sector organisation delivering HE courses in prison contacts BCC to ask for mentor support for students in prison studying criminology modules.
- Articles written by BCC authors about BCC work have been voted Best Article in two journals, *The Prison Service Journal* (Earle and Davies 2021) and *Journal of Prisoner Re-entry and Education* (Earle 2021).
- The prestigious *Oxford Handbook of Criminology* includes in its 7th edition the first ever chapter on Convict Criminology. It is written by members of BCC (Earle et al 2023).
- Publication by a major publishing house, Routledge, of Dr David Honeywell's, *Living with Desistance*. David is a founding member of BCC and the book is situated within CC frames of reference
- A PhD viva is organised in HMP Full Sutton by a BCC member who has facilitated the study. Another member of BCC is the external examiner. It is the first PhD conducted and examined in a high security prison in the UK.
- An independent website dedicated to the work of BCC is launched.
- Regular guest lecture invitations on convict criminology to undergraduate students continue to surface new potential members studying 'under the radar' at undergraduate level in British universities.
- We are seeing a growth in women members of BCC speaking back to the claims it only involves white, middle-aged men.
- Continued and developing mentorship of students who have convictions, helping them to feel connected and navigate systems not designed for those that don't fit traditional academic moulds.

Aresti, Darke and Ross do not refer to any of the events above although, where applicable, they were invited and some may have coincided with the drafting of their article. The absence of such detail reflects the extent of research and review conducted by the authors. These omissions distort their analysis and proposition that BCC is unnecessary or that it has stagnated to the point of extinction.

What these developments and the resurgent activity from a new generation of system-impacted scholars and activists in and around British criminology show is that stagnation is in the eye of the beholder. Bifurcation implies divergent, separating paths. In the events and initiatives listed above, there may be elements of distinctive priorities and organisational emphasis or capability, but the 'better together' idiom that characterised the UK referendums on both Scottish independence (2014) and the UK leaving the European Union (2016) would seem to apply.

For anyone involved in convict criminology it is encouraging to learn about the resolution in the USA of convict criminology's prolonged existential dilemmas. These have been largely resolved through the formation of the American Society of Criminology (ASC) Division of Convict Criminology (Ross and Tietjen 2023; Ortiz 2023). What is confusing is for Aresti, Darke and Ross to see complementary developments in the UK in such a negative light. In the USA a new generation of energetic CC scholars securing national institutional recognition and important resources from the ASC is not

presented as an isolating 'national' development likely to "dampen the desire of scholars to create or be part of a CC group". Efforts to develop and consolidate CC in the UK however are dismissed by Aresti, Darke and Ross as being unproductive and "labour-intensive". Ross, as the common author in both papers (Ross and Tietjen 2023 & Aresti, Darke and Ross 2023) may have unique insights into developments on both sides of the Atlantic but there appears to be little correspondence or intellectual coherence between the arguments and accounts presented in the two papers that bear his name.

As is clear from many recent accounts of convict criminology, defining what it is and how it is conducted or developed are under constant critical appraisal (Cox 2020; Ortiz et al 2022). Some of this critical attention falls on the use of the word 'convict' and in this article we offer some comment on this.

Notes on nomenclature 1: for a critical, consistent and inclusive convict criminology

Nomenclature is a system for giving names to things within a particular profession or field. In their article Aresti, Darke and Ross avoid any engagement with the troubles of nomenclature that continue to circulate around convict criminology, not least in Australia and the USA (Ortiz 2023, Ortiz et al 2022, Cox 2020). Here in the UK, there are probably almost as many established criminology lecturers with criminal convictions and prison time who eschew direct identification with convict criminology as there are in the British convict criminology group. Some of their reluctance to align with convict criminology is, at least in part, because of their reservations about the term 'convict' and convict criminology's sometimes cavalier approach to the epistemological and ontological ramifications of using the word 'convict' (Warr 2021; Earle 2018, Cox and Malkin 2023).

Instead of engaging with this important and entangled issue, Aresti, Darke and Ross's article resorts to vague sketches of a unitary, implicitly singular, global CC mission that lacks clarity and coherence. The original ideas of CC in the USA are presented almost as if they were a universal and ideal dogma, the last word on the matter. This is all the more surprising given one of the author's involvement in an article about CC in the USA that candidly indicates the troubles encountered over terminology, organisation, personal academic practice and inter-personal tensions that dogged CC in the USA (Ross and Tietjen 2023, see also Tietjen 2023). The authors' identification of a problematic bifurcation nobody else on either side of the Atlantic was aware of or concerned about, prompts more questions than answers about their role in the global traction of convict criminology. Doing so in the pages of a journal dedicated to a critical deconstruction of criminology in favour of a wider interpretation of social harm and solidarity with political struggle seems even more peculiar.

As many feminist and critical scholars would argue, positionality matters and is complicated (Cox and Malkin 2023). In convict criminology it is, effectively, our *raison d'être*, our reason for being. Of the three 'Against Bifurcation' authors, two have no criminal convictions. One of those two (Ross) is a Canadian based in the USA. While the supportive contributions of non-convicted scholars is undoubtedly important to CC and international cooperation is a standard feature of critical scholarship, the mischaracterisation of the British Convict Criminology group from a senior professor who lives and works in the USA and who did not feel it necessary or academically ethical to contact the wider membership of the group before declaring our work in the UK was no longer needed is particularly unhelpful.

Notwithstanding their crucial supportive work in the emergence of convict criminology in the USA and the UK neither Ross nor Darke suffer the impacts and constrictions arising from a conviction or a prison sentence. Their freedom to travel unhindered by the compulsory disclosure of criminal

convictions to international conferences to promote convict criminology is a freedom often denied to other convict criminologists. We agree with their suggestion that the wider availability of on-line conferences as a substitute for face-to-face conferences has many advantages for convict criminologists, but it is not the same as having both options. Suggesting that this digital availability means “local or even national approaches to CC [such as BCC] were now not necessary” stretches credulity. Their statement that because there are internet alternatives “members of the network realised that meeting face to face on a regular basis was no longer necessary” is presented as if it were an empirical fact rather than the opinion of the three authors. It also contrasts starkly with the substantial investments they have all made in travelling repeatedly to south America and Italy where the benefits of face-to-face contact for themselves and their students appear to be very real and at a premium (Westminster University press release, 2023). Let us be clear, this argument about positionality is not about carelessly reproducing, reinforcing or inverting a hierarchy of forms of knowledge between the experienced and the unexperienced in convict criminology, but simply recognition of the cognitive and experiential basis of the convict criminology perspective. This involves understanding that such positional experience (convicted, system-impacted, or other proxies) matters, has material effects and should not be lightly dismissed.

Convict criminology groups in Italy, the UK and the USA include and welcome scholars without convictions because of the valuable contributions they can make to the work involved, but it is an open question as to whether they should set agendas and define the parameters of a movement established to foreground the voices and perspectives of the convicted in criminology. Men rarely describe themselves as feminists even when they support and ally themselves to feminist struggles. White people can be, need to be, actively anti-racist but it is unusual for them to label themselves as Black liberationists or Black nationalists. Theorising and mobilising around the kind of strategic essentialism and strategic exoticism implied by convict criminology should not be neglected in favour of an uncritical inclusivity blind to the significance of differences (Goldberg 2015; Earle 2023).

Aresti and Darke have made convict criminology a central plank of their exemplary and creative work in three UK prisons and their important collaborations with various South American and Italian scholars. Their decision in 2022 to proceed with this work under the moniker of *Convict Criminology at Westminster University* and disassociate themselves from BCC, the BCC website and the collective development of the Oxford Handbook of Criminology chapter on convict criminology (Earle et al 2023) is a decision they are free to make without justification, explanation or judgement. To project from this decision arguments about the British Convict Criminology group having no further utility or that it represents a divisive split toward insular and unproductive national entities, demands some justification. To say that their “interest in a CC group with a national identity has drastically waned” may well be true and unarguable but is only a statement about their personal interests. If they want no part of BCC and choose to operate independently, they are free to do so, but the disparagement of the work other members of the group is unnecessary, inaccurate and unhelpful.

The arguments put forward by Aresti, Darke and Ross appear reluctant to engage constructively with diverse critical perspectives, priorities and experiences. Just as we don’t all experience imprisonment and the penal afterlife that comes with being an ex-prisoner the same way, so we will each approach convict criminology differently. In the British Convict Criminology group we recognise the value of embracing that diversity and are proud of what we have achieved together by pooling our experiences into the wider pot of knowledge, but it is helpful to know where the ingredients in the pot come from. It is important to be able to provide provenance and ‘own’ our experiences and timelines within their national context. We are different from the French, the Italians, the Danish and the Dutch! Why then should we not have our own British Convict Criminology group? Most

people would see it an organisational convenience indicating how we are gathered as a group and the general focus of our work rather than a divergent intellectual movement. We imagine British Convict Criminology as part of convict criminology, made distinctive by its focus on our personal experience of imprisonment and criminology in Britain, but not absolutely, dogmatically or exclusively confined to that focus.

Earle recalls the name British Convict Criminology as being more favoured by Aresti and Darke in the original discussions and meetings mentioned in the article. Earle's reservations stemmed from its associations with an imperial national entity that might exclude Scottish, Welsh or Irish scholars in the UK. He also expressed reservations in those early formative days, about the particularly toxic features of the 'convict' label in Ireland and amongst many Irish people because of the criminalisation of the Republican struggle against the partition of Ireland. Criminalisation has always been used by British governments to isolate and divide political solidarities. Struggles in prisons and by prisoners were central to the anti-colonial struggle in Ireland in which rejecting the criminal, 'convict' label (and clothes) was a major component. In 1981 ten men died in a hunger strike resisting such criminalisation (Earle 2016; 2018). These critical reservations were suspended in the interest of developing a pragmatic convict criminology group that could draw from the experience and expertise of the American one but would organise around British universities and British prisons. The British Convict Criminology group was simply a conveniently accurate description of these aims and intentions.

In those early days Ross, in his capacity as the free-roaming international ambassador for convict criminology, specifically advised the emergent group to focus attention on the annual conference of the British Society of Criminology because the focus of the US group on the ASC annual conference had been central to its longevity. It was welcome support and sound advice followed by Earle who convened all the CC panels at the BSC annual conferences, inviting Aresti, Darke and often, Ross, as well as other scholars interested in convict criminology to develop our perspectives. In 2022 the convict criminology panel at the British Society of Criminology annual conference was the largest ever and was among the most well attended of the conference panel sessions.

One of the benefits of our commitment to a collective enterprise was that on some occasions we could informally share the financial burden of attendance when one university funded conference participation and another did not. Earle and Davies presented the first convict criminology papers to be accepted by the increasingly influential European Society of Criminology (ESC) at its 2018 conference in Sarajevo. Earle's work on the narrative features of convict criminology was included at the Second International Conference on Narrative Criminology in Oslo in 2017 and published in the bi-lingual Dutch journal *Tijdschrift over Cultuur & Criminaliteit* [Journal of Culture & Crime] (Earle 2021). They are also included in the Emerald Handbook of Narrative Criminology (Fleetwood et al 2019). Far from being insular and exclusive, the British Convict Criminology group has thus been represented in, and contributed to, the internationalisation of convict criminology referred to by Aresti, Darke and Ross. However, Aresti, Darke and Ross refrain from indicating these contributions to the widening international profile of CC perspectives in their article. Rather than being "unsavoury and exclusionary for BCC to maintain a network that functions independently of the global CC network" a fuller, kinder and more accurate appreciation of other people's work under the BCC label might simply conclude that it can function independently of Aresti, Darke and Ross, but not for want of trying to do otherwise.

Nomenclature 2: convictism and coloniality

Earle's contributions to work on decolonising criminology and the influence of race and racism in the discipline are inevitably connected to his work around convict criminology (Earle 2023, Earle et al 2023). In the UK ideas about convicts are informed by the colonial history of penal sanctions and particularly the experiences of transportation to British colonies. The transportation of convicts has shaped British attitudes to convicts and colonies alike ever since. Writing about the various convict mutinies on ships travelling to the colonies, Maxwell-Stewart (2013:186) identifies the ways in which the transportation journey itself was designed to school the convict identity: "Just like the factory town, the convict vessel was organised so that every aspect of life, including domestic routines and leisure, could contribute to the wider goal of preparing the convict for a life of colonial servitude". Maxwell-Stewart (2013:182) notes how the explicit deployment of the term 'convict' played a critical role in this process as it was used "to identify the unfree while simultaneously underscoring the extent to which their personal failings were responsible for their diminished civil status".

Cunneen et al (2014) insist that a decolonising approach to criminology should engage with what they refer to as the 'convictism' of penal reform movements. These movements produced a distinctive category of personhood, the convict, who was subject to a complex amalgam of Enlightenment ideas and interventions that drew from criminology, religion and social planning. Ideas and images of human freedom and liberty were tangled in those about human labour and places. As such, convict labour and the penal colony were brought together with strategies of imperial expansion, colonialism and techniques of government. They resulted in a penal-colonial complex that precedes and sets the stage for the US prison-industrial complex from which convict criminology emerged in the 1990s (Cunneen et al 2014).

Specific colonial and patriarchal understandings of humanity, personal and social life shaped penal practice and invented 'the convict'. Ideas about gender, whiteness, redeemability and rehabilitation were constructed against ideas about Black and indigenous populations in the penal colonies. White convicts were placed in contradistinction to indigenous people to better rehearse programmes of law, control, categorisation and segregation (Zdenkowski and Brown 1982). If the work of Cunneen et al (2014), Zdenkowski and Brown (1982) and Davidson (2023) are relevant to critical criminology, they can only be more relevant to convict criminology. Efforts to extend and expand convict criminology in places with colonial histories linked to Britain can ignore these contributions but they are unlikely to find a great welcome among critical criminologists and indigenous criminologists if they do (Carey et al 2022; Cunneen and Tauri 2017). Any de-colonising commitment to a strategic redeployment of the essentialism or exoticism implied by the word 'convict' is strengthened by attending to this critical literature and weakened by neglecting it (Forsdick 2000).

The futures of convict criminology: conviviality and hospitality not nationalistic bifurcation

Towards the end of the 'Against bifurcation' article, Aresti, Darke and Ross choose to indicate the relevance of Brexit to their argument about the dangers posed by any convict criminology gathered under an "unpalatable" national label. They seem to suggest persisting as a British Convict Criminology group is symptomatic of tendencies dividing global resistance to international problems "like climate change [and] mass incarceration". They appear to mean it is divisive and diversionary to be so gathered under a single country name, implying that nationalistic and exclusionary dynamics are inevitable. Perhaps it is an analytical difficulty engaging critically with the complex political dynamics of Brexit which they confusingly characterise as "the failed Brexit". This is a terminology favoured by the former leader of the nationalistic UK Independence Party (UKIP), Nigel Farage and his acolytes, because it implies there were intrinsic benefits to Brexit which have been sacrificed only by the ineptitude of the fragmenting Conservative government.

Two contradictory forms of British nationalism promoted by UKIP and the Conservative party have deep wellsprings in wider British society. They were opportunistically and effectively mobilised to achieve Brexit. Briefly, one tapped into the longstanding and pervasive Powelliteⁱ traditions and sentiments of 'Little England' nationalism, while the other sought to reinvent and reclaim imperial 'Global Britain' through a supposedly benign but delusional internationalism (Melhuish 2023). Expansive Brexiteers who eschewed the introverted return to the 'Little England' retreatism of UKIP argued they, rather than 'Remainers', were the genuine internationalists because of their wiser and broader understanding of the vital role Greater Britain would play in their non-EU world. They mobilised around a peculiar but persistent trait of internationalism in British history that prefers to look over and beyond Europe to other parts of the world usually and not coincidentally associated with the 'special relationship' with USA, Empire or 'The Commonwealth'.

It strikes us that there is something of both of these dynamics in Aresti, Darke and Ross's account of themselves: Little England nationalism (CC at Westminster University) and Global Britain internationalism (making the benefits of the international CC trademark recognisable around the world): a case not so much of Brexit, as Wexit, with a similarly delusional desire to 'take back control' of some imaginary entity from mysterious forces that have threatened to derail it. Aresti, Darke and Ross foreground their internationalism as the manifest destiny of convict criminology. The scholars at Westminster declare their exit from the multi-university group they helped to establish, and we are still building, British Convict Criminology, at the same time as they suggest the remaining members of the partnership are obsolete – 'no longer necessary'. They surely cannot be surprised to find we disagree and feel aggrieved.

Inevitably, the work and motivations of academics can be hard to fathom at times – calls for solidarity and unity are accompanied by sectarian and insensitive actions; academic values of transparency, honesty and integrity coexist with murky motives, confusion and personal animosity. Occasionally they are all pulled together and presented as if they were clear-sighted, dispassionate analysis through the veneer of a peer-review process in an academic journal.

By making criminology more personal and anchored in experience, convict criminologists sometimes cite feminist methodologies and epistemologies where standpoint, positionality and consistency between personal actions and public principles are highly valued (Cox and Malkin 2023). Feminist analysis seeks not simply to explain or describe women's condition but to understand its systematically oppressive character and develop appropriate means to end it (McClure 1992). If convict criminology can find ways to invest in a similarly critical approach that advances beyond performative self-labelling, description and explanation of various forms of activity, the resources of hope it might produce are genuinely inspiring. They feed and sustain our fragile faith in convict criminology. They are what we have tried to develop in our chapter in the Oxford Handbook of Criminology (Earle et al 2023).

Just as there are many ways of being a feminist and supporting feminist politics or being an anti-racist and supporting struggles against racism, there can be many ways of being a convict criminologist, and we see no need for, or evidence of, bifurcation but plenty of room for thorough critical analysis and engaging hospitality. We are guests in our own room and welcome others to extend and deepen convict criminology with diverse forms of activism, theorisation, research and scholarship. Convict criminology urgently needs to be less white, less androcentric and less patriarchal. In our view and experience, this is happening. The field of play is widening and we are not splitting away from it. Aresti, Darke and Ross may have announced they are walking away from the group we together named as British Convict Criminology taking their balls with them to *Convict Criminology at Westminster*, but this will not stop others from continuing the game and the group.

Nobody has a monopoly on the direction and form convict criminology takes and there is nothing to be gained from publishing an article declaring, without any evidence, that our BCC work is “unsavoury and exclusionary”.

The real challenge is to produce forms of convict criminology that are adequate to the task of confronting the conditions for its emergence, namely the massive expansion of incarceration and its increasingly punitive alternatives. When we formed the British Convict Criminology group we didn't imagine a potentially divergent branch of convict criminology but an organisational convenience, a vehicle to carry the work forward. Convict criminology can create supportive environments and breathing room for the articulation of new configurations of criminology and activism against prison expansion. Developed by people connecting their various experiences of crime, criminalisation and conviction to their circumstances and ambitions as criminologists, these initiatives are growing in the UK and elsewhere (Tietjen 2023). Anyone can help to build these spaces; convicted, system-impacted or otherwise. This is the work we are trying to do in the British Convict Criminology group. The name is the guest of the substance. It's the work that matters.

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ⁱ Enoch Powell was a Conservative minister whose enthusiasm for racism and antipathy to immigration led to his expulsion from the Conservative shadow cabinet in 1968.