

# Antipode

A Radical Journal of Geography

*Sur les Toits: A Symposium on the Prison Protests in Early 1970s France*  
*Organised by Marijn Nieuwenhuis (University of Warwick)*

## **Riot, Mutiny, and the “Reformable” Prison**

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*Sur les Toits* is a documentary film tracing a series of “mutinies” in French prisons in the 1970s. In the opening frames, these historical events are contextualised against the subsequent demolition of the prison buildings in question in the 2010s, to clear city centre sites and enable the relocation of prisoners to new facilities in the suburbs. Although in the film this contemporary opening framing is not explicitly bookended with consideration of current prison conditions and public opinion about them, my viewing of the film was very much couched in awareness of the same demolition and relocation processes taking place in the UK, ostensibly for reasons driven by a desire to improve prison conditions.

In February 2016, David Cameron gave a speech on the controversial and highly politicised issue of prison reform; the first such speech by a British Prime Minister for 20 years. He declared himself “[passionate about building new prisons](#)” to replace older facilities with newer ones “more effective at rehabilitating offenders, with modern facilities and smart use of technology such as biometric key systems”. In part, these new prisons are intended to replace a tranche of older facilities, similar in age to the prisons under the lens of *Sur les Toits*, and also in city centre locations. In the 2015 spending review, plans were announced to

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close “Victorian” jails and sell them for housing, with chancellor George Osborne describing many prisons as outdated “relics” standing on “prime real estate”. Although there is speculation that HMP Pentonville (completed 1842) in north London might be closed, and the Ministry of Justice says HMP Reading (1844), which shut in 2013, is on the market, so far only the closures of HMP Kennet and HMP Holloway (the former opened in 2007 and the latter totally rebuilt in the 1980s), have been announced.

These closures are just one component part of the UK government’s prison reform plans, for the “biggest UK prisons shakeup in more than 100 years”. New prisons are to be built, and six “reform” prisons have been identified amongst the existing estate, in HMPs Holme House, Kirklevington Grange, Coldingley, High Down, Ranby and Wandsworth (also a Victorian London prison, built in 1851). In these establishments, prison governors will have the freedom to decide how prison budgets are spent, and operational freedom over education, regime, visits, and external partnerships to provide prison work and rehabilitation services.

These reform plans, translated into bricks and mortar and operational regimes, beg the questions both explicitly articulated in, and implicitly central to, *Sur les Toits*: Can there be a “good” prison? What is prison for? Is it there to punish, or to do something else? Should a prison punish beyond the deprivation of liberty? Are prisons reformable?

There are no easy answers to these questions, and the answers, where they exist, are contextual. In *Sur les Toits*, the abominable conditions suffered by French prisoners in the 1970s are shown to lead to the involvement of Michel Foucault’s *Prison Information Group* in using ingenious means to bring prisoners’ voices out into the open—challenging the impermeability of a prison system that severely limited prisoners’ external contact. And the prisoners themselves, through their uprisings, rooftop protests, and eventual court appearances (covered in detail by the film and print media which forms an important part of the documentary), challenged the invisibility of punishment. Foucault’s (1979) now-familiar contention is that the prison replaced the public spectacle of punishment, as the gallows, the

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stocks, and public humiliation wrought against the body was replaced by internalisation of the carceral regime; regulation of space, segregation of individuals, and unseen but constant surveillance moulded the subject into its own primary disciplinary force. An equally familiar argument within contemporary criminology and media studies is that the “spectacle” of punishment returns in new guises, through media representations of incarceration that open the “closed” world of the prison to public view, albeit in selective and incomplete ways.

In some ways these media representations, including *Sur les Toits*, which is a complex and layered assemblage of media depictions, interpretations, reinterpretations and squared-circles (the idea for the film itself having been triggered by a press photograph of prisoners on the roof of Charles III prison), are themselves articulate witnesses to the punitive philosophies of the imprisoning state. In watching *Sur les Toits*, I could not help but draw comparisons to recent UK coverage of the 25<sup>th</sup> anniversary of disturbances at HMP Manchester, known as Strangeways, in which prisoners similarly famously took to the roof in protest against prison conditions. The terminology used in the discussion of both sets of events was starkly contrasting. Whilst the Strangeways troubles are, both officially and colloquially, “riots”, in *Sur les Toits*, the events are “mutinies”. In Manchester, 20 years after events in France, prisoners took to the roof of Strangeways, and the disturbances, lasting 25 days, claimed two lives and cost more than £100m. The subsequent public inquiry into these events and the copycat uprisings across the UK prison estate delivered a report widely seen by prison reformers as a long-overdue blueprint for changes in the prison system, including the extension of basic human rights to prisoners.

Although the outcomes from both sets of events are similar, in terms of public attention being drawn to the plight of prisoners, and subsequent changes effected to prison conditions, the differences in terminology seem significant. To *riot* is a take part in a violent disturbance, to go on the rampage, start a fight, raise an uproar, cause an affray, run wild, run amok, go berserk, fight, brawl, scuffle; a *riot* itself is a violent disturbance of the peace, an

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uproar, furore, tumult, commotion, upheaval, disturbance, melee, row, scuffle, fracas, affray, brawl, free-for-all. But to *mutiny* is to effect an open rebellion against the proper authorities, to refuse to obey the orders of a person in authority; through insurrection, rebellion, revolt, revolution, uprising, coup d'état, putsch, protest, insurgence, subversion, sedition, anarchy, disorder, insubordination, disobedience, resistance, defiance. Although a riot may be a tool of mutineers, it is not coterminous with mutiny itself.

Through the use of “mutiny”, a degree of affirmation is given to prisoners’ actions, justified as they were by the barbaric conditions against which the protests were made. To mutiny, prisoners must be rational, sentient, capable of planning and organisation; in other words, political and agentic beings, for whom, as lawyer Maitre Henri Leclerc argues in the film, revolt was a “natural” process. As such they demand humane treatment, which by extension means that prison should not punish *beyond the deprivation of liberty*.

This provision, that denial of freedom should be the full extent of punishment, and that the prison should not punish further by virtue of its living conditions or regime, lies at the root of the differences between prison conditions in different carceral contexts. A “less eligibility” principle has informed much prison policy in the US and Western Europe, based on an understanding that prisoners should “suffer” in prison, not only through the loss of freedom but also by virtue of prison conditions, which should be of a worse standard than those available to the poorest free workers. In less punitive contexts, prison conditions are intended to correspond as closely as possible to living conditions in wider society, with the intention that penalties for offences are implemented in such a way that they do not unduly interfere with prisoners’ participation in society, but as far as possible, promote it. Without intending to romanticise the “penal exceptionalism” of the Nordic countries, often held up as exemplars of “humane” imprisonment, it is nevertheless the case that different philosophies of imprisonment and the different relative prison populations which these deliver, require and

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enable different intentions to be translated into the built form of prisons and their management and experience.

*Sur les Toits* asks whether prisons are reformable. Although a seemingly different question to the one addressed by Foucault, about the circumstances in which the prison becomes thinkable, this question of prison reform occupies the minds of policymakers, researchers, prisoners, their loved ones, and people concerned with the humane treatment of those sentenced to periods of custody. At this precise moment in the UK, it is very pertinent question. There are immense resource and staffing pressures on prisons in England and Wales, and high and rising rates of self-harm and self-inflicted death. The current Justice Secretary insists that prison reform can be delivered without reducing prisoner numbers, disagreeing with a former Chief Inspector of Prisons, who states that the government's planned reforms will fail unless prisoner numbers are significantly cut. Whilst with the plan for "reform prisons" the government explicitly expects prisons to change and to perform "better", it arguably seeks to do so without fundamentally rethinking what prisons are for.

Returning to the opening frames of *Sur les Toits*, when and if the wrecking balls arrive for ageing UK prisons, without this fundamental rethinking, the prospects for "reforming" prisons may remain bleak.

## Reference

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