Psychotherapy and Politics International

2024, VOL. 22, NO. 1, 1–24
https://doi.org/10.24135/ppi.v22i1.04

Online ISSN: 1556-9195 Journal homepage: https://ojs.aut.ac.nz/psychotherapy-politics-international

PEER-REVIEWED ARTICLE

Troublesome boys, prison, and intimate partner violence

Seán Manning,*[1] **Dave Nicholls**,[1] and **Elizabeth Day**[1]
[1] Auckland University of Technology, Aotearoa New Zealand

ABSTRACT

This article uses developmental and philosophical notions derived from the work of de Beauvoir, Canguilhem, Foucault, Rose, Butler, and others to build a theory of what happens to the sense of self of young men in prison and establishes a connection between the experience of imprisonment and men's violence towards women. It is the second in a series exploring the development of a criminal subjectivity as a consequence of criminal justice systems, particularly imprisonment, which are designed to cope with the behaviour resulting from criminal identity, in an endless loop.

KEYWORDS: prison; violence; subjectification; punishment

A NOTE ON TERMINOLOGY

Throughout this article the terms 'prisoner' and 'inmate' are used interchangeably, depending on context, as these are terms recognised by people who are imprisoned or work in connection with prisons. The more correct term 'incarcerated people' feels clumsy in the setting of this work. Except where a proper name is concerned, the commonly used 'Aotearoa New Zealand' is adopted rather than the internationally better known 'New Zealand'. 'Aotearoa', usually translated as 'Long White Cloud', is the accepted name in the language of the indigenous people, the Māori. 'Pasifika' is a generic term referring to Polynesian Pacific Islanders, who make up about 8% of the population. 'Mana' is a commonly used Māori term, meaning integrity, prestige, charisma, jurisdiction.

*Contact details: sean-manning@xtra.co.nz

INCARCERATION AND ETHNICITY

There are strong links between marginalised ethnicity, poverty, offending, incarceration, and issues with alcohol and drugs. Justice Joe Williams, a member of the New Zealand Supreme Court, speaks about the way colonisation works over generations to maintain a state of dispossession that he links to indigenous offending (Williams, 2019). According to information provided to the writer by the New Zealand Department of Corrections | Ara Poutama Aotearoa, about 53% of prisoners are Māori, compared to 18% of the population (as at December 2021). Over the past four decades this figure has crept up from a low in 1983 of just over 42% and has been maintained between 52% and 53% over a period of dramatic reduction in prison numbers, which have declined overall by one-fifth in the four years since 2018.

BOYS GETTING INTO TROUBLE

This article focusses on a particular social process, the phenomenon of boys getting into trouble. Though it is controversial, common wisdom and some research evidence point to a gendered pattern of response to stress. Under similar circumstances, girls are diagnosed with anxiety disorders twice as much as boys (Narmandakh et al., 2021), and girls report suicide attempts twice as much as boys (Clark et al., 2013; Fleming et al., 2007), yet the suicide rate among boys in this country is reported as being up to four times that of girls (Fleming et al., 2007), with the rate for young Māori males being the highest (The New Zealand Youth Suicide Prevention Strategy, 2000).

Data like these suggest a pattern where young females are perhaps better at recognising and expressing emotional distress in non-lethal ways than boys. This may be a cultural phenomenon; a large Chinese study, for instance, reports the same rates of self-harm among young males and females (Li et al., 2020). Our patterns of imprisonment suggest that men get into a lot more trouble than women, even allowing for a bias in the way courts treat males and females. Jeffries (2001), in a doctoral thesis that studied 194 matched pairs of men and women appearing before a court on criminal charges, found that men typically received harsher sentences, driven by constructions of women as ‘dependent, emotional, and traumatised by victimisation’, while ‘such “troubles” appeared as simply unbelievable or irrelevant in the case of men’ (p. xii). This may contrast with a suspicious view of women appearing as victims of sexual assault, where the ‘weakness’ of women is seen as accompanied by a tendency for manipulative behaviour, while men are the victims of their own sexual urges. This would be congruent with the argument that boys are not expected to be responsible to the same extent as girls. Harsher sentencing, though, cannot explain the extreme differences between the numbers of male and female prisoners. In June 2022, there

were 7203 male and 427 female prisoners, a ratio of over sixteen to one (Department of Corrections | Ara Poutama Aotearoa, 2022).

In trying to make sense of this gendered picture, there is an idea suggested by Simone de Beauvoir (1949/2011) in her 1949 text *The Second Sex* that girls, but not boys, are 'prematurely integrated into the universe of the serious' (p. 310), meaning that they learn, in childhood, prior to pubescence, the serious business of a woman's role, from older females. From a young age children will often want to help, and from the age of 8 or 10, girls in particular are capable of performing complex chores very well. Along with this co-operative relationship, there is an easily observed style of conversation carried on between a girl and her mother, or aunt, or older sister or cousin, which deals with serious matters. Sitting in a café waiting for a friend, one sees across the room a woman of perhaps 40 or 50 talking with another of about 18 or 20. There is a resemblance in feature and gesture, suggesting relatedness, but it does not matter, it is a conversation between generations of women. While the younger woman is listening, she reaches across and picks some fluff from the older woman's sweater. In another scene, the 17-year-old daughter of a woman in her 40s helps her mother with makeup while they talk. In both cases the physical grooming behaviour could be reversed, and in both cases there is conversation concurrent with the behaviour. There is an intimacy here, and a dialogue, continuing over many encounters. Of course this is a generalisation, not all mother–daughter relationships conform to this pattern, but there is a pattern nevertheless, that de Beauvoir observed over 70 years ago, and which we seem to observe today.

There is a quality in this mother–daughter conversation that differs from parent–son talk, whether discussing issues of relationship, helping each other with hair and makeup, or exchanging clothing. It does not just cover topics related to a woman's role in a serious manner, but transmits both a way of being serious and a way of *seeing oneself being serious*, a self-image, an identity that is serious. Among the conversations, whatever the topic, there is a way of thinking and a way of *seeing oneself thinking*, a thinking subjectivity that is being transmitted, a gender-specific message, tumbling down the generations. In this way, as de Beauvoir (1949/2011) observes, a girl 'enters adolescence as an adult' (p. 310). The consequences of this gendered difference in role development can be seen in clinical practice. Clinicians, particularly in criminal justice settings, all have experience working with men whose lives are chaotic and who are looked after by women, while the reverse pattern is not seen so often.

In de Beauvoir's thesis, while girls develop in conversation about the real, boys tend to rely on mythical characters, images of great adventurous men who are seen as having shaped our world or performed remarkable feats, warriors, sportsmen, scientists, and particularly men who excel in a muscular fashion. The worship of male muscle is reinforced in practical ways. In Aotearoa New Zealand many women follow rugby football enthusiastically, and at the time of writing, the women's rugby team, the Black Ferns, has just won the women's rugby World

Cup, yet top male rugby players command salaries of up to a million dollars, while the more successful women are not paid a regular salary. Transparently, male muscle is worth more than its female counterpart. Male and female conversation forms itself differently. Again, risking stereotyping, for none of these observations is universal, we can suggest that, from prepubescence onwards, girls use words, boys use muscle.

When boys are impulsive and take risks, onlookers will comment, ‘Oh, I hope he is OK, but boys will be boys’. Our stance towards girls who take risks is quite different; we are much more worried, more judgemental, more diagnostic, ‘there is something wrong with her, she is out of control, she is in danger’. Among girls, there will be a tendency to dismiss boys as rather silly, inconsequential, or annoying figures. A boy is permitted, even expected, to be mischievous, to break rules, to get into trouble. We have an expectation (admittedly often confounded, though the experience of having it confounded confirms its discursive power) that girls will be more sensible, more thoughtful, more careful.

Perhaps using a 1949 text, albeit a classic of feminist writing, requires some justification. Of course, things have changed since de Beauvoir was writing, roles and gender identity can today be much more fluid. Many or most parents, being aware of the drawbacks in their own early training, will try to alter these patterns. There are close and affectionate relationships between brothers and sisters, and many boys will help in the household and develop a conversation with mother. I would suggest, however, that these non-heteronormative relationships exist alongside and complementary to older, more traditional patterns which still effectively produce impulsive boys and serious girls, particularly among people with a poorer level of educational and financial capital, among whom older role definitions persist.

Clearly this thesis is contentious. We are seeing the idea of gender changing radically. Since the early 1990s gender has been seen as performative (Butler, 1990, 2004) and fluid, and the importance of this fluidity has been acknowledged in psychoanalytic treatment (for instance, Kulish, 2010), and in the widespread increased attention paid to a person’s preferred pronouns (Krauthamer, 2021). There has been a dramatic increase in young women’s enrolment in tertiary education; in 2013, it was almost 50% higher than male enrolment in Aotearoa New Zealand, and was in the top 15% of OECD (Organisation for Economic Co-operation and Development) countries in this respect (Figure.nz, 2013). There is a lot of popular literature based around this picture (for instance, Kristof, 2010), suggesting, in line with the educational data, that boys are relatively underperforming. We have seen the increasing involvement of women in government; the 2020 election returned a parliament of 48% women, which with by-elections has since become 50%, and at the time of writing women occupy a number of key posts, including Prime Minister, Governor General, and Chief High Court Judge.

Acknowledging that girls and women have to work through seemingly insurmountable obstacles to achieve equity in any public space, the numbers seem to reveal a relative decline in engagement by young men.

Yet despite all of these developments, as recently as 2016 a doctoral thesis looking at attitudes towards study and particularly towards maths among Aotearoa New Zealand schoolchildren finds that among the students from socially privileged backgrounds who aspire to higher status, graduate-entry jobs, it is still mainly boys who see themselves in high-paying technical occupations. Even well-resourced girls tend to prefer English to maths, and aim for the lower-status health and education jobs. Low socioeconomic status girls and Pasifika and Māori girls are most likely to aim for the lowest-status service sector jobs while their male equivalents tend to see themselves in manual occupations (Pomeroy, 2016). Enrolment and completion in tertiary study in Aotearoa New Zealand is still very dependent on the income and education of the student's parents, and there are marked ethnic disparities, with indigenous and Pasifika peoples dropping out more than people with European heritage (Meehan et al., 2019). Although women have made inroads into the 'trades', traditionally male occupations like plumbing and building, they still face barriers, and their numbers are not increasing quickly (Cruickshank, 2014).

This literature tells a story of how gendered role development is inextricably tied to financial, cultural, and educational capital. As one local study puts it,

> Those who are poor are much less healthy, have lower life expectancy, lack adequate housing, are over-represented in the prison population, and are more often the victims and the perpetrators of violence. Educational inequality is therefore one part of wider social inequality. (Snook & O'Neill, 2010, p. 5)

Pomeroy (2016) points to a *horizontal* gendered expectation, even within populations that are well resourced with money and education, such that girls still aim for more practical, lower status work, and also to a *vertical* exclusion that creates a 'physical discursive positioning of Māori and Pacific people within post-colonial discourses… the way SES [socioeconomic status], ethnicity, and gender position students in relation to the Cartesian *mind/body* binary' (p. 210). Indigenous and poorer people tend to position themselves in relation to physical work, and higher status, richer, ethnically European people and particularly men see themselves in more intellectual terms.

We can deduce from these kinds of data that we are more likely to see changes in gendered expectations in privileged sectors of the population, but even there, new patterns of gendered ambition are slow to develop. We also will expect that young men who get into serious trouble, as evidenced from the prison population, are more likely to come from lower income families and to be Māori or Pasifika. (By 'trouble', I mean behaving in ways that bring approbation and the possibility of punishment, breaching a consensual norm, violating a discourse about what is proper and acceptable.) We will expect that an older discourse

regarding gendered roles will operate among them, and among the women in their lives, that de Beauvoir's formulation will still be valid. We can expect, and tend to see, that young men who get into trouble will not have had access to the kind of conversation that is observed with girls and young women, and thus will have limited ways of expressing distress, as the data quoted above illustrate.

Suppose we imagine a population of young men, say mid- to late-teens, and we make a picture of what we call a 'normal distribution', the kind of diagram known as a 'bell curve' due to its shape. At one end of our imaginary distribution, we have a group of young men who never get into trouble. Their numbers are probably small, but they certainly exist. In the middle we have the bulk of this population, consisting of boys who get into some trouble, who may face disciplinary measures at school, who may get into fights, drink alcohol, and who sometimes injure themselves. Mostly they will be expected to 'grow out of it', to find sanctioned outlets for their energy. At the other end of our population distribution, we have young men who get into a lot to trouble, who are a real worry to their communities. These are not just in trouble at school, they will, increasingly with age, come to the attention of the authorities. The first group do not cause us much anxiety, unless we worry about boys who are too 'good'. Those in the middle group worry us at times, but mostly we can see their recklessness as a 'phase' and expect them eventually become more stable in their identities and be better able to navigate social processes in ways with which we are comfortable, although there is evidence from research on theory of mind and the development of empathy that they do so more slowly than young women (Andrews et al., 2021; Hu et al., 2010), which, again, following de Beauvoir's narrative, is what we would expect to see.

HOW THOSE AT ONE END OF A NORMAL DISTRIBUTION BECOME THE ENEMY: THE EMERGENCE OF A DISCOURSE ON CRIMINALITY

The cohort of young men at the extreme of the population curve who are in a lot of serious trouble tend to frighten us. We fear, and there may indeed exist, a deliberate intention in many cases of criminal violence, including violence toward intimate partners, to threaten, to make the other feel fear, to undermine their sense of safety, their ownership, their 'dominion', as retributivist theories of punishment describe it (Mascarenhas, 2021). This may become more so after a certain development in which a young man who is otherwise not possessed of a coherent sense of identity achieves it by experiencing the power to make another afraid (Manning, 1995, 1997; Manning & Nicholls, 2020). The point is well stated by de Beauvoir (1949/2011):

> The male has recourse to his fists and fighting when he encounters any affront or attempt to reduce him to an object: he does not let himself be transcended by others… an anger or a revolt that does not exert itself in muscles remains imaginary… for the adolescent boy who is allowed

to manifest himself imperiously, the universe has a totally different face from what it has for the adolescent girl whose feelings are deprived of immediate effectiveness. (pp. 354–355)

This is a way of formulating a kind of template for an imbalance in power that is played out in intimate partner violence. One can hypothesise the cultural nature of such a power imbalance (for instance, Vandello & Cohen, 2008), or one can attribute it to endogenous, hormonal factors (Batrinos, 2012), or one can suggest an epigenetic hypothesis in which a propensity for violence is switched on by childhood adversity (Caspi et al., 2002). Whatever aetiology we adopt, de Beauvoir's lyrical style places the pattern in a narrative, which is what is needed for us to relate helpfully to both victim and perpetrator. In contrast to this narrative perspective, however, it often seems that news media will amplify a discourse based on fear.

At the time of writing, there has been a series of articles in popular media about robberies in which a stolen vehicle is driven through the window of a retail business. The perpetrators are thought to be young men, so there are headlines such as, 'Is youth crime really a growing problem and what can be done about it?' (Doyle, 2022). This title is illustrative of bias—the first question is implicitly answered in the positive, since one would not otherwise ask the second. In fact, data referred to in another report (Walters, 2022) illustrate a dramatic *reduction* in reported youth crime (Ministry of Justice, 2021), probably because of changes in policing strategy using diversion, mentoring, and community programmes for young people. A few weeks later, after a series of alarmist reports, the leader of the (then) parliamentary opposition party responded by demanding action against gangs (McConnell, 2022). Later the same year, a policy package developed prior to a general election due in 2023 was announced by the same politician declaring that young offenders will be sent to 'boot camps' (Wilson, 2022). This announcement stimulated a series of objections (since there is no evidence that 'boot camps' are effective in reducing crime), an indication that opinion among experts is much more thoughtful, and is sometimes reported, though one has to read beyond the headline to discover it. A search of news, entertainment, and social media will show that we live with a constant background of headlined crime reporting and television and movie crime dramas that seem designed to reinforce a narrative that has crime increasing in frequency and severity, matched by occasional political rhetoric supporting 'tough on crime' policies.

This is an inescapable background to everyday experience, which permits a tacit public agreement that crime is an increasing problem, and that 'tough-on-crime' policies and harsher punishments are a reasonable response. In this manner a discourse is created, a kind of conceptual theme music, effectively making us fearful. The conflation of subject matter is rarely examined. Crime is associated with youth, particularly with young Māori men, and with gangs. There are frequent calls for anti-gang legislation (for instance, Malpass, 2021; McKee, 2021; 1News, 2021), despite a recent review by Gilbert (2013, 2022), an expert on the history of gangs in Aotearoa New Zealand, of the effects of such targeted legislation, showing that in the past it has had no significant impact on gang activity. Occasionally a more nuanced view such as Walters' (2022) will go as far as to suggest media complicity: 'Outrage over a spike in

ramraids by youth offenders is a "classic example of moral panic", experts say. Media coverage and political rhetoric may also be playing a part in driving these offences' (paras. 1–2).

There is reason to accuse popular media, particularly TV crime dramas, of characterising danger as the threat of violence from strangers with sadistic intent. This picture supports a populist political agenda which promises to direct resources into policing gangs and an often ill-defined 'tough-on-crime' political agenda rather than towards the prevention of violence within families, which is a much more real and present danger (Houlihan, 2009).

CHARACTERISTICS OF YOUNG MEN IN TROUBLE

Returning to our cohort of young men who get into a lot of trouble, who have become the feared objects of this activity in the media, we can see some common patterns. They are, for instance, at significantly greater risk of traumatic brain injury. Professor Ian Lambie, writing for the office of the Scientific Advisor to the Prime Minister, reports on an intake of more than 1000 inmates of prisons in 2015. Almost two-thirds of the male offenders had had a traumatic brain injury and a third had had more than one, with one-fifth having sustained their first brain injury prior to age five. This was four times higher than a comparable sample in the community (Lambie, 2020). It is particularly noticeable among Māori men, who comprise more than half of the prison population, but only about 9% of the population at large—almost all of whom had several head injuries, typically the consequence of vehicle crashes, sporting injuries, and assaults (Lambie, 2020).

Men who get into trouble, as evidenced by the prison population, do tend, as expected in the arguments laid out above, to be poor, familiar with the criminal justice system through having family members with criminal histories, and to have educational deficits. They are more likely to exhibit symptoms of attention deficit and hyperactivity disorder, foetal alcohol spectrum disorder, autism spectrum disorder, dyslexia, hearing loss, and to have a psychiatric diagnosis or symptoms that would justify one if they had been examined, which many have not (Lambie, 2018b, 2020). They are also likely to have high scores on the Adverse Childhood Experiences (ACEs) inventory (Bergen-Cico et al., 2016).

Ian Lambie states the issue well:

> In the justice system, where all procedures are essentially word-based, a person's inability to quickly process and comprehend information in written or verbal form leaves them open to manipulation and entrapment. Propensities to take statements literally, to become confused by information and sensory overload, to act impulsively, to not see their actions in context, and to speak before thinking, make it difficult to navigate the complexities and nuances of the legal process. (Lambie, 2020, p. 5)

Our response to these worrying young men with their collection of deficits, difficulties, and poor verbal skills occurs in two steps. The first step is a reconstitution, a re-definition or a change in perspective, in large part a fearful response fed by the media-reinforced narrative on crime and danger, a perspective used politically in tough-on-crime narratives. At this point, rather than seeing a cohort of troubled and troublesome young men, we see what Foucault (2015) describes as the 'criminal-enemy'. Our cohort of damaged and destructive young men have made a transition to becoming a 'them' in a them-and-us universe populated by perpetrators and victims. We have an idea, the criminal-enemy, an abstraction, an identity created by a certain discourse on crime and punishment within society. The second step is when we take a significant proportion of them and put them together, behind high concrete walls topped with razor wire so that they cannot escape.

INTOXICATING PERFORMATIVITY AND HOMOGENEITY

Let us consider what happens to our group of young men in the midst of these discourses, how they respond to these media reports, to the world of retributive punishment; what happens to a young man who is labelled as the enemy, a criminal, an outlaw, a person who is unacceptable, locked away from society for the safety of others, and who is now in daily contact with older men who have been in and out of the criminal justice system for a long time? With a high incidence of adverse childhood experience, traumatic brain injury, literacy problems, ADHD (attention-deficit/hyperactivity disorder), foetal alcohol syndrome, autism spectrum disorder, dyslexia, and so on, what should we expect next?

The behaviour of young people, perhaps all people to some extent, tends to escalate in each other's presence. Cooped up with little outlet for their considerable energies, young men with a propensity for chaotic, destructive, and dangerous behaviour will experience an intensification, a hyperarousal of these behaviours. They will get into fights, flout the rules, and take risks, and in doing so, they will join or help create a culture where all of these bodily acts contribute to their status within the group. To be sent to solitary confinement, the 'Management Unit' as it is officially called, or 'The Pound' as prisoners affectionately call it (co-opting the name of a holding place for stray dogs), is a source of standing, of mana. To 'trash' one's cell, to smash everything that can be smashed, to refuse to co-operate with the authorities, are expressions of anger at life, at the world, at a society that does not care for them, at the family who are unable to offer opportunity, at the abuser who engaged or forced them into sexual activity before they could understand what sexual activity was. It is anger at the judicial system that seems populated with people of privilege and power, comfortable with their assets, their education, their homes, and their salaries. However, more than being an expression of anger, these destructive performances serve a positive end; they establish an identity that is not just a way of being in the world, but a way of *seeing oneself* being, a criminal identity.

There is mana in being an outlaw. There is pride in recklessness, there is status in destructive behaviour. The other side of the them-and-us divide has its own us-and-them philosophical position. Time and again we see men in prison or recently released carrying themselves with a kind of pride in their delinquency, as though saying, 'you think I'm bad? I'll show you bad'. Uncaring about their personal safety, now they are with a group of friends who will be more or less loyal for the rest of their lives, with mentors who will show them how to be better criminals, and with no fear of returning to jail. It feels a lot better than being a victim (recalling the high ACEs scores.) It is a way to be *someone*.

A criminal identity has been created, not by the individual but by a system of retributive punishment and by the *dispositif* that incarcerates him. His way of walking, his use of language, his dress, the way he sits, how he uses his eyes to greet or threaten, all these practices, learned and rehearsed every day of his imprisonment, become his identity. They are who he is.

He can see himself as in a mirror, sometimes literally, as he checks how his tattoos move over the muscles developed by exercising in prison, and he sees himself reflected in the gestures of others. The use of violence comes with this identity. He is now much more likely to assault someone, and in particular someone close to him. In de Beauvoir's (1949/2011) terms he has recourse to his fists, his anger and revolt are expressed with muscle. He is recognised and applauded by others who possess a similar status. In the same way that the awkward, rebellious boy at school who gets into trouble, who fights in the playground, or defies the teacher finds himself with a new group of friends, other children who admire his behaviour and want to be in his company (Manning, 1995, 1997), the young man in prison has stepped over a line. He has become something new. His mentors will guide and tutor him. He can walk tall, feel a sense of being, of belonging, of fitting in, of being accepted in a way that mitigates all the hurts, the insults, the slights, and the abuse that he has suffered in the past. His failures at school, his humiliation because his literacy is poor, his disenfranchised ethnicity, his shame at not understanding what others seem to cope with easily, his sense of being unimportant, of being nothing at all, an object, at best to be used, at worst an inconvenience; all of these psychological burdens are now unimportant, as the new identity solidifies.

VIOLENCE TOWARD WOMEN

Using a concept from Deleuze (1993), adapted and elaborated by Rose (1998), we can suggest that along with this identity formation comes a series of attitudes, *enfolded* along with bodily technologies to become part of the felt identity. As Rose (1998) puts it: 'The aspect of human being that is surrounded and enfolded in so many contemporary assemblages of subjectification is neither body/pleasure nor flesh/desire but self/realization' (p. 201). Quite

without our volition, just by practicing ways of being in the world, absorbing a way of wearing clothes, of walking, and if we are at liberty, of going to certain places, eating certain foods, shopping in particular places, listening to a certain kind of music, going to a certain genre of movies, having, or avoiding, certain conversations, we are being performed. In the process of enfolding, the external is not introjected in the psychodynamic sense, as an object in the psyche, it becomes the *psyche*. As Butler (1993) points out, this is not something we are deliberately doing, not a performance that we are putting on and can drop at will. These are technologies, ways of being, enfolded to create who we are. We are performed by discourse which originates in the outer but creates the inner. Along with the physical trappings comes belief and disposition towards the subjects in our environment, whether friends, shopkeepers, or intimate partners, or topics or politics. The elements that sustain us, that form 'self-objects' in the sense meant by self-psychology (Wolf, 1988), supporting and identifying us to ourselves and others, include beliefs about self, others, and the world, and attitudinal stances toward everything and everybody we encounter. In prison, among these attitudes, these perspectival positions in relation to the world and its inhabitants, is a norm endorsing the domination of women.

At times our view of such beliefs involves the idea of *entitlement*. We might say that this man whose behaviour towards women is as though they are objects of desire, a class of subjects whose purpose is to serve and who can be beaten when they fail to please, might be described as entitled, or as having a quality of entitlement, as though it were an element in their make-up, a part of their personality (Bancroft, 2003). The question of choice in criminality is too large a topic to be dealt with here, but for the time being we can observe that, when he is arrested, charged, and brought before a magistrate for violence toward a woman, his behaviour is likely to be treated as though it were either a voluntary, deliberate strategy of domination or an irredeemable badness in his character. This resembles the assemblage of ideas concerning belief, entitlement, volition, and badness that drives news reports on the impact of crime on victims. 'I think these idiots are the scum of the earth… somehow we have to stamp this out' (Moore, 2022). Such reports are a familiar aspect of the world of ideas that we accept as the normal.

That the norm is a changing concept, a convention that 'draws its meaning, function and value from the fact of the existence, outside itself, of what does not meet the requirement it serves' (Canguilhem, 1966/1991, p. 239), may be understandable in an abstract sense, but for day-to-day practice, we act as though we believe in the essential permanence of our sense of self and the world. That belief, entitlement, volition, badness are temporary conceptual schemas creating meaning for us in response to what disturbs and horrifies us, a mechanism for creating the 'primacy of a subjectivity… an existence reacting to a setting' (Roudinesco, 2005/2010, pp. 16–17) is not easy to grasp. We tend to regard volition, for instance, as a truth. It is only when looking back on our own decisions that we can understand what was impossible to see at the time, that we operated from a very limited range of choices, and that

our decision making was determined by current discourse, by our 'existence reacting to a setting', in Roudinesco's terms. When we read an account of a witness describing offenders as 'scum', it satisfies an outrage at the nature of the offence—in the account quoted above, the perpetrator(s) had gone joyriding in a graveyard.

Recent research from the USA indicates that most victims of crime would prefer resources to be spent on education, rehabilitation, job creation, and mental health treatment than on prison (Alliance for Safety and Justice, 2016), but what gets reported is much more often a sense of outrage, of horror, with an explicit or implicit demand for harsh punishment. Anticipating a general election in 2023, the leader of a major political party said on radio,

> The prison population sadly will have to rise. We've tried letting the worst offenders out and all they've done is make people feel unsafe. Putting people in prison is expensive, but it's a very good deal compared with having bad people on the street scaring ordinary New Zealanders from enjoying their lives. (as cited in Dexter, 2022, 1:03)

Thus, the story of victim outrage and the demand for imprisonment becomes tethered to a political agenda which has it that bad people are deciding to make life difficult for the rest of us. What allows a witness, and the press reporting the witness, to call the offender(s) 'scum' is that they made a considered decision to desecrate something, to deliberately offend us.

Examining the lives of our cohort of young men, the idea of volition, of decision making, of a sense of entitlement, is shaky at best. In prison, violent, exploitative relationships with women—another kind of desecration—are celebrated with a 'good on ya mate' affirmation. An objectifying, externalising masculine sexuality becomes discourse in a self-constituting assemblage of domestic power relations, just as the desecration of a graveyard serves as a statement in another system of power relations. In Canguilhem's (1966/1991) discussion of the norm and the normal, he observes that, 'Every preference for a possible order is accompanied, most often implicitly, by the aversion for the opposite possible order' (p. 240). He adds that there can be an inversion, 'as the ethical norm, where sincerity prevails over duplicity, can be inverted into a norm where duplicity prevails over sincerity' (p. 240). Thus, there is a striking contrast between the norm expressed in news media, that of revulsion at the behaviour of offenders, and the subjectivity that develops in prison, such that violence towards women and the desecration of graveyards become sources of status. From both perspectives, that of the witness whose revulsion is reported by a journalist, and that of the offender joyriding in the graveyard or the prisoner with a history of violence towards women, the preferred order is accompanied by an aversion for and a rejection of its opposite.

THE CONGEALING OF AGENCY AND ITS LABELS

A recent shift in ways of thinking about Foucault's concept of governmentality has appeared in a branch of philosophy known as 'the new materialisms' which focus on a broader canvas than discourse, including non-human as well as human interactions. Thomas Lemke (2015), writing on Foucault and governmentality, defines the project thus: 'to reconceptualize the interrelations (or "intra-actions" in Barad's vocabulary) between humans and non-humans and to rethink the categories of subjectivity, agency and causality' (p. 6).

The reference to Barad (2008) is to her definition of agency as a relationship, an aspect of 'intra-action' (her neologism for the interactions between human and non-human elements). 'Matter does not refer to a fixed substance; rather, *matter is substance in its intra-active becoming—not a thing but a doing, a congealing of agency'* (Barad, 2008, quoted in Lemke, 2015, pp. 14–15).

This idea of a *congealing of agency* perhaps better describes the development of a normative reversal in prisons. Foucault's (1975/1995) carceral operates to define, not just the external power relations between officers, prisoners, the court, and so on, but the relations between their beliefs, attitudes, their sense and perceived quality of volition, their internal relations, within and between the various groupings of the carceral assemblage. Agency, the operation of deliberate choice, is attributed to the defendant by the prosecution, by the victim if there is one, by the judge, and by the press, since a description as 'scum' and a punitive sentence only makes sense as a response to deliberate harm, to encourage reflection and a change of heart, and to deter others from deciding to commit the same infringement. All of these envisaged outcomes require the offender to be possessed of agentive power, to own the ability *as an individual* to exert control over their actions.

It makes more sense, from our perspective, to regard these qualities—codes, law, ethics, an assumed agency—as pertaining within the assemblage. The ethical systems among prisoners will have these qualities, but their detail will not be the same as those expressed in the courts, the news media, or even among elements closer to the prisoner community, such as prison officers. In the news stories, the criminal is *other*, and is reviled, rejected, cast out from society while the victim is nurtured. In the prisoner community, the situation is reversed; prisoners will assist and nurture each other in their own way (which is not necessarily the same as nurturance understood outside the prison), while the victim, in this case women at large and in particular intimate partners, become other and are reviled. The effects of this assemblage are horrifying, but this perspective does explain what we see. Support for male violence towards women, for sexual violence, rape, domination, the enslavement of intimate partners by means of physical, economic, and social control, can be readily found in male prisons. If intimate partner violence were adequately explained by an aetiology based on volition, on choice, one would expect imprisonment to act as a deterrent, for rational choice would be unlikely to be for prison. Theories of entitlement and individual agency struggle to

explain the ineffectiveness of prison as either deterrent or rehabilitative measure (Manning & Nicholls, 2020; Reiman & Leighton, 2020).

In this view, violence towards women can be seen as a visible expression of the discursive environment. The brutality of the inmate's behaviour towards his female partner becomes part of the conversation in prison. Of course, prison is not the only place where one finds such talk, but it is very obvious there. Stories of domination, infidelity, violence toward one's partner, 'putting her in her place', of rape, of 'gang-banging', are exchanged with energy and pride, and younger members of the community are instructed, mentored, and supported in their schooling in these areas by older men who have done more jail time. Enfolding these technologies creates a subjectification such that the resulting identity is defined in a large part by violence. Having already been identified as a criminal-enemy, as the other of contemporary society, certain labels come into play; functional terms such as 'disorders,' emotive ones such as 'scum', all of which drives the enemy further out of the mainstream and into another assemblage.

With these enfoldings comes an acceptance of being in prison; it becomes a familiar place, a place to return to, where there are friends and where it is safe, rather than somewhere fearful. Men will say that they instantly feel relaxed as soon as the cell door closes. By means of these constituting processes, in the assemblage formed by prisoners, the domination of women and the return to prison have become aspects of the norm. We can see a homogeneity develop among prisoners, a same-ness in body language, style of speech, opinion, and attitudes. We can observe that gangsters look like gangsters, prisoners look like prisoners, in and out of prison. They recognise each other, and will continue to do so, 'outside the wire' as well as inside. There are many stories, on release from prison, of how a man goes to an unfamiliar town, perhaps intending to get away from an old, dangerous environment, only to find that, within the first day, he has met another former prisoner, another drug user, another potential partner in crime. This situation is experienced as, and is referred to in the media and the courts as volitional, a choice, but it is questionable whether agency congealed thus remains at all agentic as the court understands it.

It is not so remarkable. We are all subject to creating homogeneities in everyday life. It assists us in recognising people like ourselves. We are comfortable in *our* homogeneity and tend to become anxious among those who are not like us. Any culture will appear to have a sameness to outsiders, differences only apparent to its members, and this cultural homogeneity extends not just to outward appearance, but to the way people think. As Rose (1998) describes, we invent ourselves out of available material in the environment and we practice that invention, enfolding behaviour, speech, and belief such that it becomes the felt sense of self. Philosopher Rick Roderick puts it eloquently in one of his televised lectures,

> If you want to know how someone thinks, look at how they dress, who they hang out with, where they live, the kinds of folks they went to school with, how big is their bank account, and you'll pretty much know where they're coming from. (Roderick, 1990)

The homogeneity among what is now identified as the criminal-enemy community is well expressed in the following letter from a Corrections Officer to the abolitionist organisation People Against Prisons Aotearoa, dated May 22, 2022:

> What a load of CRAP you people peddle!!! As a corrections officer with 15 damn years experience I can tell you we are sick to the back teeth of little groups like yours hammering us for keeping people like you safe… we are sick to death of the constant criticism and lack of accountability to those who would wish to harm us every single day we walk the floor. I would challenge every single one of you to come and spend a day in a management unit where the only thing these people who YOU refer to as 'misunderstood' want to do is slice your throat… spit on you… throw fecal matter at you… then come tell us prisons aren't needed. YOU ALL LIVE IN A FANTASY WORLD. I will continue to advocate for my brothers and sisters who work behind the wire and continue to call out groups like yours that criticise us for keeping dangerous criminals locked away so that you can sleep safely at night!!! [Emphasis in the original.]

I cannot fault the author of this message. His experience is real, describing well the escalation of destructive behaviour in confinement. In a situation where there are few ways to express that escalation, one's own saliva and faeces is what is left to use as a weapon.

In Foucault's (1978) description of how homosexuality is expressed in society, he describes a 'reverse discourse', in which adverse labelling and prejudice is transformed into a voice for homosexual identities. Terms like 'gay', 'queer', 'queen', and 'dyke' are thus used with pride, as affirmations, signifiers for a positive felt identity. The criminal-enemy, reversing the mainstream discourse, similarly comes into its own in a positive way as a voice, as a desired state, cultivated, reached for, and celebrated. Men with prison experience will proudly refer to themselves as 'crim' or 'mobster' or 'deviant' and will joke about how 'sick' they are. Here a man may co-opt and reverse the media message, and tattoo 'scum' on himself. There is a gang called the 'Filthy Few'.

The picture of prisons filled with dangerous, psychopathic men expressed in this email is a familiar one. Prison-based scenes in movies and television dramas often depict the inmates of a prison as ruthless, selfish, dangerous, and lacking in remorse, (for example, *American History X*, Kaye, 1998; *Cell 211*, Monzón, 2009; *Death Warrant*, Sarafian, 1990; *Brawl in Cell Block 99*, Zahler, 2017). There are exceptions, such as *The Shawshank Redemption* (Darabont, 1994) in which compassion and friendship emerge in prison, and this theme is often present to some degree, but there is always, foreground or background, psychopathy, unrepentant violence, the outlaw society, rejecting the values of the mainstream. It is eventually unclear to what extent art imitates the reality of prison, or whether prison imitates the movies.

Canguilhem (1966/1991), in the penultimate paragraph to the first part of his treatise, *The Normal and the Pathological*, writes: 'Thus it is first and foremost because men feel sick that medicine exists. It is only secondarily that men know, because medicine exists, in what way they are sick' (p. 229). Were we to extrapolate, as Canguilhem does in Part Two, written twenty years after his original thesis, to the social, rather than the physiological (the original

focus of Canguilhem's work), we might suggest that it is because we are disturbed by the behaviour of some among us that we have prisons, but only secondarily do we know, because we have prisons, in what way we are disturbed. It is the existence of prisons and the behaviour and norms that accompany them that define the problem that prisons exist in order to solve.

Alongside what we take for the common norm develops what is thus defined as the pathological. However, rather than seeing a diagnosis, a 'disorder', we are defining it here as a discourse. Particularly inside the prisons, but also among the mainstream, a criminal subjectivity develops, both as a felt self and as a projection by popular media. That this is fantasy, a story that takes on an aura of truth by being often repeated, is illustrated by emerging journalistic writing that investigates how victims of crime really feel, rather than how their feelings are reported, revealing much more nuance than the commonly reported story of outrage (Chammah, 2022).

Leaning on Judith Butler's (1990) theory of gender identity, we have written elsewhere about an 'intoxicating performativity' in this dramatic shift (Manning & Nicholls, 2020). The sense of being in the world is radically changed by adopting the body language, the attitudes, the beliefs of a prisoner. What is normal, the norm, changes radically depending on the point of view. Canguilhem's moral inversion, Foucault's reversal, an aversion for the opposite, in this case for the commonly accepted norm among prisoners, is reflected as the mainstream reciprocates with images of criminals and prisoners.

THE DETERRENCE AND REHABILITATION HYPOTHESES

A note is needed here, which both supports the thesis developed above and indicates room for cautious optimism. Between 2018 and 2022, the time of writing, the prison muster in Aotearoa New Zealand was reduced from a high of about 10,000 to under 8,000, a remarkable 20%. Data provided by the Department of Corrections tracking the prison population according to age group indicate that the bulk of the reduction is in young men. Programmes offered by the prisons cannot account for this, as their effectiveness in reducing rates of recidivism has never been impressive and appears, if anything, to be declining (Department of Corrections | Ara Poutama Aotearoa, 2018, 2019, 2020, 2021). Crime rates have fluctuated, and possibly declined somewhat, but not enough to account for this development. The reduction in numbers of young men going to prison appears, then, to be due to changes in policing and sentencing practices, evidence of a consciousness of what drives sentencing patterns (Gluckman, 2018) and of the 'pipeline' whereby children in the care of the state eventually become prisoners (Lambie, 2018a). It remains to be seen to what extent drug courts and young offenders' courts, with their emphasis on fair hearing and plain language are affecting recidivism rates, but anecdotal evidence is promising (Ryan, 2022).

The two most compelling arguments for prisons are that they are a deterrent and that they offer opportunities for rehabilitation. The deterrent effect of imprisonment can be assessed by examining rates of recidivism. In Aotearoa New Zealand, almost 73% of prisoners under twenty years of age are resentenced and more than half are back in prison within two years of release (Department of Corrections | Ara Poutama Aotearoa, 2021). On average, over all age groups and all ethnicities, almost 60% are resentenced within two years, with 40% already back inside. We know from another Corrections study that the recidivism graph does not level off until more than five years after release, so these numbers will keep climbing for at least another three years following release (Nadesu, 2009).

A FINAL NOTE

A note on the responsibility of authorship is necessary here. This work argues that imprisonment perpetuates, rather than prevents, the conditions for intimate partner violence, but it is not enough just to state a theoretical and philosophical position, especially where it might appear to remove or neglect individual responsibility. Such work as this must be accompanied by a political responsibility to eliminate men's violence against women. The means of change requires activism at both individual and societal levels, alongside ongoing theorising of the causes and conditions for it. The former requires, among other things, a truly postmodern psychotherapy for men who use violence. That is a project in progress.

The central issue for any therapy specifically aimed at reducing violence, rather than psychotherapy's more comfortable goal of alleviating distress, is that we can say we are capable, but not exactly of what we are capable. One thing we can be sure of in the case considered here is that imprisonment is not conducive to rising above its constituting effects, as the processes that create the self operate in prison to create the subjectivity that must be imprisoned.

REFERENCES

1News. (2021, June 9). *Judith Collins says Government is 'soft on gangs' despite major police bust.* https://www.1news.co.nz/2021/06/08/judith-collins-says-government-is-soft-on-gangs-despite-major-police-bust/

Andrews, K., Lariccia, L., Talwar, V., & Bosacki, S. (2021). Empathetic concern in emerging adolescents: The role of theory of mind and gender roles. *Journal of Early Adolescence*, *41*(9), 1394–1424. https://doi.org/10.1177/02724316211002258

Alliance for Safety and Justice. (2016). *Crime survivors speak*. https://allianceforsafetyandjustice.org/wp-content/uploads/documents/Crime%20Survivors%20Speak%20Report.pdf

Bancroft, L. (2003). *Why does he do that? Inside the minds of angry and controlling men*. Penguin.

Barad, K. (2008). Posthumanist performativity: Toward an understanding of how matter comes to matter. In S. Alaimo & S. Hekman (Eds.), *Material feminisms* (pp. 120–154). Indiana University Press.

Batrinos, M. L. (2012). Testosterone and aggressive behavior in man. *International Journal of Endocrinology and Metabolism*, *10*(3), 563–568. https://doi.org/10.5812/ijem.3661

Bergen-Cico, D., Wolf-Stanton, S., Filipovic, R., & Weisberg, J. (2016). Trauma and neurological risks of addiction. In V. R. Preedy (Ed.), *The neuropathology of drug addictions and substance misuse* (pp. 61–70). Academic Press. https://doi.org/10.1016/B978-0-12-800213-1.00006-7

Butler, J. (1990). *Gender trouble: Feminism and the subversion of identity.* Routledge.

Butler, J. (1993). *Bodies that matter: On the discursive limits of sex*. Routledge.

Butler, J. (2004). *Undoing gender*. Routledge.

Canguilhem, G. (1991). *The normal and the pathological*. Zone Books. (Original work published 1966)

Caspi, A., McClay, J., Moffitt, T. E., Mill, J., Martin, J., Craig, I. W., Taylor, A., & Poulton, R. (2002). Role of genotype in the cycle of violence in maltreated children. *Science*, *297*(5582), 851–854. https://doi.org/10.1126/science.1072290

Chammah, M. (2022, October 31). *Would a death sentence help the parkland families heal?* The Marshall Project. https://www.themarshallproject.org/2022/10/31/for-families-shattered-by-mass-shootings-would-a-death-sentence-help-them-heal

Clark, T. C., Fleming, T., Bullen, P., Denny, S., Crengle, S., Dyson, B., Fortune, S., Lucassen, M., Peiris-John, R., Robinson, E., Rossen, F., Sheridan, J., Teevale, T., & Utter, J. (2013). *Youth'12 Overview: The health and wellbeing of New Zealand secondary school students in 2012. The University of Auckland.* https://www.fmhs.auckland.ac.nz/assets/fmhs/faculty/ahrg/docs/2012-overview.pdf

Cruickshank, G. (2014). *The participation of women employed in traditionally male dominated occupations including plumbing: 1975–2013*. Occasional & Discussion Paper Series 1/2015. Unitec ePress. https://www.unitec.ac.nz/epress/wp-content/uploads/2015/02/The-Participation-of-Women-Employed-in-Traditionally-Male-Dominated-Occupations-including-Plumbing-1975-2013-by-Garry-Cruickshank.pdf

Darabont, F. (Director). (1994). *The Shawshank redemption* [Film]. Columbia Pictures.

de Beauvoir, S. (2011). *The second sex.* Vintage Books. (Original work published 1949)

Deleuze, G. (1993). *The fold: Leibniz and the baroque*. University of Minnesota Press.

Department of Corrections | Ara Poutama Aotearoa. (2018). *Annual report: 2017–2018.* https://www.corrections.govt.nz/__data/assets/pdf_file/0005/33809/Department_of_Corrections_Annual_Report_2017_2018.pdf

Department of Corrections | Ara Poutama Aotearoa. (2019). *Annual report: 2018–2019.* https://www.corrections.govt.nz/__data/assets/pdf_file/0008/38852/Annual_Report_2018_2019_Web_Version_Final.pdf

Department of Corrections | Ara Poutama Aotearoa. (2020). *Annual report: 2019–2020.* https://www.corrections.govt.nz/__data/assets/pdf_file/0018/42273/Annual_Report_2019_2020.pdf

Department of Corrections | Ara Poutama Aotearoa. (2021). *Annual report: 2020–2021.* https://www.corrections.govt.nz/__data/assets/pdf_file/0010/44398/Annual_Report_2020_2021_Final_Web.pdf

Department of Corrections | Ara Poutama Aotearoa. (2022). *Annual report: 2021–2022.* https://www.corrections.govt.nz/__data/assets/pdf_file/0005/48506/Annual_Report_2021_22_Digital.pdf

Dexter, G. (2022, August 17). *Law and order set to become political football in 2023* [Radio broadcast]. Radio New Zealand. https://www.rnz.co.nz/national/programmes/morningreport/audio/2018853898/law-and-order-set-to-become-political-football-in-2023

Doyle, K. (2022, April 30). *Is youth crime really a growing problem and what can be done about it?* Stuff. https://www.stuff.co.nz/pou-tiaki/300576087/is-youth-crime-really-a-growing-problem-and-what-can-be-done-about-it

Figure.nz. (2013). *Gender ratio of tertiary enrolment by select OECD countries*. https://figure.nz/chart/YCCNvbJiFCwLA4Nw

Fleming, T. M., Merry, S. N., Robinson, E. M., Denny, S. J., & Watson, P. D. (2007). Self-reported suicide attempts and associated risk and protective factors among secondary school students in New Zealand. *Australian and New Zealand Journal of Psychiatry*, *41*(3), 213–221. https://doi.org/10.1080/00048670601050481

Foucault, M. (1978). *The history of sexuality. Volume 1: The will to knowledge* (R. Hurley, Trans.). Pelican Books.

Foucault, M. (1995). *Discipline and punish: The birth of the prison*. Vintage Books. (Original work published 1975)

Foucault, M. (2015). *The punitive society: Lectures at the Collège de France 1972–1973*. Palgrave Macmillan.

Gilbert, J. (2013). *Patched: The history of gangs in New Zealand*. Auckland University Press.

Gilbert, J. (2022). *Making gang laws in a panic: Lessons from the 1990s and beyond*. University of Canterbury and The Law Foundation.

Gluckman, P. (2018). *Using evidence to build a better justice system: The challenge of rising prison costs.* Office of the Prime Minister's Chief Science Advisor.

https://www.dpmc.govt.nz/sites/default/files/2021-10/pmcsa-Using-evidence-to-build-a-better-justice-system.pdf

Houlihan, A. (2009). Stranger danger? Cultural constructions of sadistic serial killers in US crime dramas. In M. Segrave (Ed.), *Australia and New Zealand Critical Criminology Conference 2009: Conference Proceedings* (pp. 111–121). Monash University.

Hu, Z., Chan, R. C., & McAlonan, G. M. (2010). Maturation of social attribution skills in typically developing children: An investigation using the social attribution task. *Behavioural and Brain Functions*, *6*, 10. https://doi.org/10.1186/1744-9081-6-10

Jeffries, S. (2001). *Gender judgments: An investigation of gender differentiation in sentencing and remand in New Zealand* [Doctoral dissertation, University of Canterbury]. UC Library: Communities & Collections. http://dx.doi.org/10.26021/4001

Kaye, T. (Director). (1998). *American History X* [Film]. New Line Cinema.

Krauthamer, H. S. (2021). *The great pronoun shift: The big impact of little parts of speech*. Routledge.

Kristof, N. (2010, March 27). The boys have fallen behind. *New York Times*. https://www.nytimes.com/2010/03/28/opinion/28kristof.html

Kulish, N. (2010). Clinical implications of contemporary gender theory. *Journal of the American Psychoanalytic Association*, *58*(2), 231–258. https://doi.org/10.1177/0003065110370352

Lambie, I. (2018a). *It's never too early, never too late: A discussion paper on preventing youth offending in New Zealand.* Office of the Prime Minister's Chief Science Advisor. https://researchspace.auckland.ac.nz/handle/2292/47689

Lambie, I. (2018b). *Using evidence to build a better justice system: The challenge of rising prison costs*. Office of the Prime Minister's Chief Science Advisor. https://researchspace.auckland.ac.nz/handle/2292/47690

Lambie, I. (2020). *What were they thinking? A discussion paper on brain and behaviour in relation to the justice system in New Zealand*. Office of the Prime Minister's Chief Science Advisor. https://www.dpmc.govt.nz/sites/default/files/2022-04/PMCSA-20-02_What-were-they-thinking-A-discussion-paper-on-brain-and-behaviour.pdf

Lemke, T. (2015). New materialisms: Foucault and 'the Government of Things'. *Theory, Culture & Society*, *32*(4), 3–25. https://doi.org/10.1177/0263276413519340

Li, C.-Q., Zhang, J.-S., Ma, S., Lv, R.-R., Duan, J.-L., Luo, D.-M., Yan, X.-J., Ma, N., & Song, Y. (2020). Gender differences in self-harm and drinking behaviors among high school students in Beijing, China. *BMC Public Health*, *20*, 1892. https://doi.org/10.1186/s12889-020-09979-6

Malpass, L. (2021, February 24). *Judith Collins doubles down on crime rhetoric, says prison numbers might need to rise*. Stuff. https://www.stuff.co.nz/national/politics/124341258/judith-collins-doubles-down-on-crime-rhetoric-says-prison-numbers-might-need-to-rise

Manning, S. (1995). The FU decision: Reflections on antisocial role development. *Journal of the Australia and New Zealand Psychodrama Association*, *4*, 1–11. https://aanzpa.org/wp-content/uploads/ANZPA_Journal_04_art01.pdf

Manning, S. (1997). Working with antisocial personality disorder. *Forum—Journal of the New Zealand Association of Psychotherapists*, *3*(1), 110–128. https://doi.org/10.9791/ajpanz.1997.09

Manning, S., & Nicholls, D. A. (2020). The assembly of a criminal self. *Ata: Journal of Psychotherapy Aotearoa New Zealand*, *24*(2), 43–61. https://doi.org/10.9791/ajpanz.2020.11

Mascarenhas, D. (2021). Consequentialism and retributivism in civic republican punishment. *Academia Letters*, 1402. https://www.academia.edu/49960251/Consequentialism_and_Retributivism_in_Civic_Republican_Punishment

McConnell, G. (2022, June 11). *'We need action against gangs right now': Chris Luxon details new gang plan*. Stuff. https://www.stuff.co.nz/national/politics/300610874/we-need-action-against-gangs-right-now-chris-luxon-details-new-gang-plan

McKee, N. (2021, July 27). *Nicole McKee: Labour's soft on crime approach fertilising growing gang problem*. Newshub. https://www.newshub.co.nz/home/politics/2021/07/nicole-mckee-labour-s-soft-on-crime-approach-fertilising-growing-gang-problem.html

Meehan, L., Pacheco, G., & Pushon, Z. (2019). Explaining ethnic disparities in bachelor's degree participation: Evidence from NZ. *Studies in Higher Education*, *44*(7), 1130–1152. https://doi.org/10.1080/03075079.2017.1419340

Ministry of Justice. (2021). *Youth Justice Indicators Summary Report: December 2021*. https://www.justice.govt.nz/assets/Youth-Justice-Indicators-Summary-Report-December-2021-FINAL.pdf

Monzón, D. (Director). (2009). *Celda 211* [Cell 211] [Film]. Paramount.

Moore, R. (2022, August 03). Man arrested after Waipā cemetery vandalised. *Waikato Times*. https://www.stuff.co.nz/waikato-times/news/300652785/man-arrested-after-waip-cemetery-vandalised-and-grave-driven-over-causing-3000-damage

Nadesu, A. (2009). *Reconviction patterns of offenders managed in the community: A 60-months follow-up analysis.* Department of Corrections. https://www.corrections.govt.nz/__data/assets/pdf_file/0013/10714/Reconviction_Report_2009_Community_Sentences.pdf

Narmandakh, A., Roest, A. M., de Jonge, P., & Oldehinkel, A. J. (2021). Psychosocial and biological risk factors of anxiety disorders in adolescents: A TRAILS report. *European Child & Adolescent Psychiatry*, *30*(12), 1969–1982. https://doi.org/10.1007/s00787-020-01669-3

The New Zealand Youth Suicide Prevention Strategy. (2000). *Youth suicide facts: 1997 statistics*. https://tinyurl.com/mwan6nxh

Pomeroy, D. C. H. (2016). *Enabling mathematical minds: How social class, ethnicity, and gender influence mathematics learning in New Zealand secondary schools* [Doctoral thesis, University of Cambridge]. Apollo. https://doi.org/10.17863/CAM.24945

Reiman, J., & Leighton, P. (2020). *The rich get richer and the poor get prison: Ideology, class, and criminal justice* (12th ed.). Pearson/Allyn & Bacon.

Roderick, R. (1990). *Rick Roderick on Hegel and Modern Life. Philosophy and Human Values lecture series* [YouTube video]. https://www.youtube.com/watch?v=2MsNyR-epBM

Rose, N. (1998). *Inventing our selves: Psychology, power, and personhood.* Cambridge University Press.

Roudinesco, E. (2010). *Philosophy in turbulent times: Canguilhem, Sartre, Foucault, Althusser, Deleuze, Derrida* (W. McCuaig, Trans.). Columbia University Press. (Original work published 2005)

Ryan, K. (2022, October 27). *Stopping young ram raiders*. Radio New Zealand. https://www.rnz.co.nz/national/programmes/ninetonoon/audio/2018864335/stopping-young-ram-raiders

Sarafian, D. (Director). (1990). *Death warrant* [Film]. MGM-Pathé.

Snook, I., & O'Neill, J. (2010). Social class and educational achievement: Beyond ideology. *New Zealand Journal of Educational Studies*, *45*(2), 3–18. https://search.informit.org/doi/10.3316/informit.621745966557638

Vandello, J. A., & Cohen, D. (2008). Culture, gender, and men's intimate partner violence. *Social and Personality Psychology Compass*, *2*(2), 652–667. https://doi.org/10.1111/j.1751-9004.2008.00080.x

Walters, L. (2022, May 17). *'Moral panic' over ramraids exacerbates the problem, experts say*. Stuff. https://www.stuff.co.nz/national/crime/128656032/moral-panic-over-ramraids-exacerbates-the-problem-experts-say

Williams, J. (2019). *Build a bridge and get over it: The role of colonial dispossession in contemporary indigenous offending and what we should do about it.* Robin Cooke Lecture. https://www.courtsofnz.govt.nz/assets/speechpapers/20191204-Williams-J.pdf

Wilson, P. (2022, 18 November). *Week in politics: National gets tough on young offenders, but policy faces strong opposition.* Radio New Zealand. https://www.rnz.co.nz/news/on-the-inside/479033/week-in-politics-national-gets-tough-on-young-offenders-but-policy-faces-strong-opposition

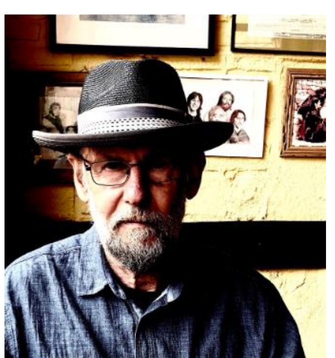
Wolf, E. S. (1988). *Treating the self: Elements of clinical self psychology.* Guilford.

Zahler, S. C. (2017). *Brawl in cell block 99* [Film]. RLJE Films.

ACKNOWLEDGMENTS

This, and related work by the author(s), could not have been written without the support of the Moana House therapeutic community in Dunedin, Aotearoa New Zealand, the Otago Corrections Facility, and all the men in both locations who have been willing to share their experiences and histories.

AUTHOR BIOGRAPHY



Seán Manning was raised in Belfast, Northern Ireland, and has lived in Aotearoa/New Zealand since 1975. He has three adult children and two grandchildren. Seán is a registered psychotherapist and Kaihaumanu—clinical specialist—at Moana House therapeutic community for male offenders in Dunedin, New Zealand. He also works for a stopping violence programme and maintains a small private practice. He has qualifications in psychology, social work, Māori studies, and psychotherapy, and is currently pursuing a Doctorate in Health Science. His specialty is criminality, violence, and addiction. His command of Māori language is deteriorating with age, but is still better than his Irish, and he is working on his Spanish. He plays the Irish harp and tenor banjo just well enough to have company.

Dave Nicholls is a Professor of Critical Physiotherapy in the School of Clinical Sciences at AUT University in Auckland, New Zealand. He is a physiotherapist, lecturer, researcher, and writer, with a passion for critical thinking in and around the physical therapies. David is the founder of the Critical Physiotherapy Network, an organisation that promotes the use of cultural studies, education, history, philosophy, sociology, and a range of other disciplines in the study of the profession's past, present, and future. He is also co-founder and chair of the International Physiotherapy History Association Executive, and founding Executive member of the Environmental Physiotherapy Association. David's own research work focuses on the critical history of physiotherapy and considers how physiotherapy might need to adapt to the changing economy of health care in the 21st century. He has published numerous peer-reviewed articles and book chapters, many as first author. He was co-editor on the first collection of critical physiotherapy writings—*Manipulating Practices* (Cappelen Damm, 2018)—and he is lead editor for the follow-up titled *Mobilising Knowledge* (Routledge, 2020). He is also very active on social media, writing nearly 700 blogposts for criticalphysio.net over the last five years. David has taught in physiotherapy programmes in the UK and New

Zealand for over 25 years and has presented his work all around the world. *The End of Physiotherapy*—the first book-length critical history of physiotherapy, and written by David—was published by Routledge in mid-2017, and a second sole-authored book titled *Physiotherapy Otherwise* was published by Tuwhera in 2022.

Dr Elizabeth Day is a Head of Department of Psychotherapy at the Auckland University of Technology where she conducts and supervises research, and teaches in the Master of Psychotherapy program. She has published on field theory, mindfulness, gender and sexuality identity, the philosophical bases of psychotherapy, telepsychotherapy, and professional practice, and co-edited the book *Psychotherapy and Counselling: Reflections on Practice* (Oxford University Press ANZ, 2015). She is a member and past chair of the Research Committee of the Psychotherapy and Counselling Federation of Australia, and is an editorial board member of the *Psychotherapy and Counselling Journal of Australia*. Her therapeutic practice is informed by the Common Factors and phenomenology research, gestalt psychotherapy, and intensive long term training in depth mindfulness. She and her partner teach meditation at their studio in Kihikihi, and with other groups in Aotearoa New Zealand, as well as online, and internationally.