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## RESEARCH ARTICLE

# STATACTIVISM AGAINST THE PENAL MACHINERY IN THE AFTERMATH OF "1968"

## *The Case of the French Groupe d'Information Sur les Prisons*

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**ABSTRACT:** The action of the French *Groupe d'information sur les prisons* (GIP) in the early 1970s has recently been characterized as "optical activism". By analogy, this article considers the activist efforts of the GIP from the angle of statistical activism or "statactivism". It assumes that there is something to be gained from re-examining the GIP's activities from this perspective on the assumption that, because prison was —particularly at that time— a place of deprivation and scarcity, it was a world in which quantities, however low they may have been, *did count*. Quantification was not the most important of the GIP's wide range of activities; yet it was crucial under certain circumstances, or for addressing certain issues: if information was "a weapon" (a watchword of the group), then statistical information was no exception to the rule. Emphasizing the issues of prison suicides and class justice, this article reviews different practices of statactivism, from challenging official figures to resorting to an original quantification operation. If the GIP paved the way for a critique that is now commonplace, it has also brought about a decisive and paradoxical shift, by which citing numbers no longer only answered the conventional quantitative question "how many?" (how many prisoners?), but also answered the qualitative and more disturbing question "who?": who are the prisoners?

**KEYWORDS:** activism, France, prison, protest, statistics

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## 1. Introduction: from “optical activism” to “statistical activism”

In a thought-provoking article, Michael Welch (2011) recently characterized the protest style of the French *Groupe d'Information sur les Prisons* (GIP) during the early 1970s as a “reversal of optics”. The author described two major inversions implemented by this informal group whose history and legacy are now well-known<sup>1</sup>, inversions that he called counter-surveillant or “counterveillant” tactics: turn prisons inside out on the one hand, watch the watchers on the other. “In the first inversion, counterveillance turns unwanted attention to inhumane conditions of imprisonment—which the state deliberately hides from public view. In so doing, prisoner neglect and abuses of state power are exposed to a wider audience, therefore contributing to greater transparency of the state’s penal operations” (*ibid.*, 304). The second inversion consists in a reversal by which the many watch the few. “By watching the watchers, key officials governing the penal apparatus themselves are monitored by a collective of prisoners, ex-cons, and activists. With that switch in attention, state officials are put on the defensive.” (*ibid.*) Welch proposed to characterize the action of the GIP, or at least a significant aspect of it, as “optical activism”. By analogy with this inspired turn of phrase, it could be enlightening to consider the activist efforts of the GIP from another angle, namely that of statistical activism or “statactivism”. This shift of emphasis rests on three basic premises.

The first one relates to the originality of the GIP as a protest movement. As Welch (2011, 310) has pointed out, its activities did not “mark a particularly unique form of protest”, considering the existence of other far-left movements like the *Secours Rouge*, with which they took joint action<sup>2</sup>. “Nonetheless”, the author continued, “the GIP is unique insofar as they directly incorporated prisoners and ex-cons into a wider campaign to challenge unjust penal practices” (*ibid.*). These efforts to bring prisoners themselves to the forefront and allow them to speak out in their own name are obviously its most distinctive feature, whether it is now considered a success or not. And viewed in the light of the history of socio-political movements in France, the fact that the GIP concentrated its acts of dissent on prisons (and more broadly on the criminal

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<sup>1</sup> The history of the group is known thanks to the publication of archival materials (Artières, Quéro, and Zancarini-Fournel 2003), as well as various recent interpretations (see Mauger 1996; Boullant 2003; Salle 2004; Quéro 2008; Artières 2011; in English see Bourg 2007, 82-102; Welch 2011 and Brich 2008 for a critical assessment). The creation of the GIP was announced at a press conference in Paris on September 8th 1971, coinciding with the end of a hunger strike in support of a demand for “political prisoner” status for activists of the far left. During this press conference, a manifesto was presented that was co-signed by three intellectuals from markedly different backgrounds: Michel Foucault, Pierre Vidal-Naquet and Jean-Marie Domenach —Daniel Defert being the real co-founder and co-leader of the group. Practically, the GIP was a fairly heterogeneous, loosely structured network of sub-groups and local initiatives. It was disbanded in December 1972, when the CAP (Comité d'Action des Prisonniers, see Soulié 1999) took over the cause of prisoners.

<sup>2</sup> The French *Secours Rouge* was founded in 1970 as a “joint organization of defence and struggle against repression”. Like its Italian (*Soccorso Rosso Militante*) and German (*Rote Hilfe*) counterparts, its name referred to its Communist predecessor, which was active during the 1920s.

justice system as a whole) made it an unusual and probably unprecedented experiment in activism<sup>3</sup>. As such, despite the brevity of its existence (a two-year run in 1971-1972), it arguably constitutes something of a landmark in the history of French social movements, contrasting with the silence or disdain of today's leading intellectuals on the subject of prisons. In other words, one may be able to accept the proposition that the forms of protest in which it engaged were fairly common at the time among left-wing social movements, but the fact remains that the mixing of these forms, the specific nature of the cause (*i.e.* the focus on imprisonment) and the "1968 years" context in this matter (see Bérard 2010; Salle 2012), was not common at all. The second premise relates to the peculiarities of prison life, especially in that era. This article assumes that there is something to be gained from re-examining the GIP's activities from the perspective of statactivism, on the assumption that, because prison is (and was, particularly at that time) a place of deprivation and scarcity, it was a world in which quantities, however low they may have been—even (or especially) the smallest ones—*did count*. It was a harsh reality that an outside protest movement could not dismiss as trivial, because it was an integral part of everyday life in prisons. Hence the need for evocative descriptions (on the qualitative side) and calculations (on the quantitative side), especially when addressing the lack of media attention (our third starting point) given to the "prison question", in the same sense as Robert Castel (2003) understood the "social question". By the 1970s, the French prison system—which, incidentally, conformed to Goffman's definition of the "total institution" (1961)—had indeed been pushed out of the public arena, and there was very little information about it in circulation. Official annual reports did exist, but they remained confidential, with the exception of that of the head of the Prison Administration. A few descriptions from the inside could be found as well, but they did not make the headlines, so that most ordinary citizens were kept in ignorance of even the basic facts of prison life.

But before tackling the subject of statistics, let us first take a look at the wide range of protest methods used by the GIP. A striking feature of the group was the diversity of the protest acts it undertook during its brief but intense existence. In other words, the GIP made extensive and rather creative use of the "contentious repertoires" (Tilly 1993)—the demand-making routines that characterized French social movements at that time. Meetings, pamphlets, press conferences, leaflet distribution in front of penitentiaries, press articles, demonstrations and street performances, unofficial (if not illegal) prisoner questionnaires/surveys smuggled in and out of prisons, the publication of convicts' own stories, petitions, even the staging of a short play mocking the criminal justice system, not to mention acts on the inside, such as hunger strikes... The polymorphous nature of the GIP's contentious performances reflected its loose structure, mixed social composition and broad ideological spectrum. The critique it formulated was all-

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<sup>3</sup> Here I beg to differ with Welch's interpretation, which asserts that the GIP "continued a long line of prison reform, dating back to Beccaria, Bentham, and Howard, as well as the American reformists of the 1870s" (2011, 310). Positing this continuity/continuation is somewhat problematic, considering the disparities in ideological conceptions, discursive styles or practical modes of protest, not to mention the contextual differences.

embracing. Nothing expressed this more clearly than the curt statement on the back cover of the first *enquête-intolérance* (2013 [1971], 16): “These are intolerable: courts, cops, hospitals, asylums, school, military service, the press, TV, the state and first and foremost, prisons”<sup>4</sup>. In those days, the critique of the prison system needed to be understood in the context of the critiques of capitalism and the state, giving it a very broad scope. Nevertheless, from the group’s standpoint, there was no reason to forego minor or sporadic acts. Publicizing the harshness of detention conditions by any means necessary was the real objective. And publicizing the dreadful plight of prisoners sometimes implied the need for figures, whether generated by institutions, produced by inmates themselves or compiled specifically for the occasion.

Quantification was certainly not the most important of the GIP’s wide range of activities. And one should bear in mind that gathering facts, whether quantified or not, was by no means an end in itself. Every investigation conducted by the group was “not designed to amass facts, but to increase (...) intolerance, and turn it into active intolerance” (Artières, Quéro, Zancarini-Fournel 2003 (1971), 52<sup>5</sup>). Yet quantification was crucial under certain circumstances, or for addressing certain issues. Prison is by definition inextricably linked to censorship, secrecy and impenetrability; it was originally designed to be separated from the ordinary social world. In post-war France, prisons remained a locked, obscure world, making it possible to maintain the general public’s ignorance of, and misconceptions about, what was really happening on the inside. In this respect, disclosing figures—and, if the need arose, even resorting to an original quantification operation—turned out to be an obvious way to expose conditions or facts that most people had been unaware of, because these had either been concealed or simply been ignored. As we shall see, in many respects the role that figures have played in some political campaigns was not insignificant, especially for the world of prisons, where what seems trivial on the outside is often crucial on the inside.

## 2. “Information is a weapon” ... and so is statistical information

The name of the group says it all: information was literally central to the *Groupe d’Information sur les Prisons*<sup>6</sup>. This name can obviously be seen as a (strategically chosen) euphemism.

<sup>4</sup> The five pamphlets called “*Intolérable*” (only four of which appeared under this name) have recently been published in a single volume by historian Philippe Artières (GIP 2013). Given its accessibility for the reader, I make direct reference to this volume, just as I refer extensively to the archival materials published by the same author along with co-editors Laurent Quéro and Michelle Zancarini-Fournel. I myself did extensive work on the archives of the group in 2000-2001, when they were still housed at the Institut Mémoires de l’édition contemporaines (IMEC) in Paris; they now are to be found at the Abbaye d’Ardenne, near Caen (<http://www.imec-archives.com/fonds/gip-groupe-dinformation-sur-les-prisons/>).

<sup>5</sup> Emphasis in original. Here I again use the translation of Brich 2008, 28.

<sup>6</sup> Christophe Soulié (1999) also drew attention this aspect in his work on the CAP, which, as mentioned, followed the GIP.

It sounded very neutral and innocuous for a group whose origins were largely rooted in the Maoist activism of the "*Gauche prolétarienne*" group (officially banned by order of the Ministry of the Interior in May 1970, though it continued to exist secretly) which at that time was closely associated with revolutionary subversion<sup>7</sup>. The choice was based on the fact that, although plotting against the state security apparatus by mobilizing people against and around prisons was against the law and therefore punishable by imprisonment, gathering information was not—at least in theory. It was well known that prison walls are walls of silence; hence the challenge of bringing information from behind these walls into the public arena. This being the case, collecting data (events and facts describable through identifiable places, people, time and so on) actually did constitute the group's starting point, if not its *raison d'être*.

The reason for this insistence on information is anything but mysterious. The GIP forcefully expressed it in its founding declaration during a public presentation in February 1971, by characterising prison as a "black box" ("*case noire*" in the declaration, literally "*boîte noire*"). It was closed world about which very little reliable information could be easily obtained, especially given that the voices of both inmates and prison staff were silenced if not banned. Knowing this, the group's founding members insisted that the credibility of collected information was a condition of effective political action<sup>8</sup>. For example, the text accompanying an unofficial questionnaire to be completed by prisoners warned: "Rumours circulate quickly within prisons. Fact-checking is slower. The impact of the investigation depends on our activism and on the credibility of what we spread. So each group must propagate the information it receives only after it has been verified." (quoted in Artières *et al.* 2003, 54). Factual accuracy did not, however, impede radicalism. Most believed that incarceration conditions were so appalling that a cold, factual description inevitably amounted to an indictment of the prison system. Hence the rallying cry "information is a weapon", which also conveyed the idea that sharp criticism and effective protest needed to be based on hard facts more than impassioned rhetoric.

If information was (understood and employed as) a weapon, then statistical information was no exception to the rule. Exposing the distressing nature of prison conditions naturally went way beyond disclosing figures. Attention needed to be drawn to things that were difficult to quantify or could not be quantified at all, such as boredom, pain or fear. However, as we will see, figures were sometimes important components of descriptions; not to mention the fact that they could often convey more than written text alone, by stamping just a few signs on people's minds<sup>9</sup>. In this respect, the effort to increase activism called for figures, for example on the number of hunger strikes being staged around the country, or even the number of visits allowed

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<sup>7</sup> On this group and its subsequent relationship with the GIP, see in English Christofferson 2004, 57-71; also Bourg 2007, 51-60.

<sup>8</sup> This insistence is admittedly not specific to prison and is linked to a Maoist watchword (investigate and organize).

<sup>9</sup> Among many possible examples is the following statement from a prison warder, published by the GIP in January 1972: "I saw 35 prisoners getting medical treatment [*passer aux soins*] in twenty minutes. Could the best doctors possibly manage to treat 35 prisoners in 20 minutes?" (Artières *et al.* 2003, 158).

for “political prisoners”<sup>10</sup>. In denouncing the government’s lack of respect for the conventions of political detention, incarcerated Maoists pointed out that in May 1920, unlike the current policy fifty years later, “revolutionary activists imprisoned for plotting against the security of the state did receive, in the first week of their incarceration, eighteen visits from political friends” (quoted in Artières *et al.* 2003, 31). Although the precise number could seem incidental, its mention contributed to the symbolic (as well as political and legal) battle between incarcerated activists and key officials.

Generally speaking, figures were primarily essential for documenting the harsh reality of prison conditions, whether in terms of hours, sizes, costs... What is the exact size of cells? How many people are confined in a single cell? How long can prisoners be out for a walk? How many meals do they really get? How long does it take to see a doctor? How many parcels/packages sent by their families are they allowed to receive, and during which strictly circumscribed period of time? For how many weeks or even months can a prisoner be placed in solitary confinement? And so on. Most citizens, especially among the middle and upper social classes, were ill-informed when it came to these kinds of questions. In 1970, when far-left activists—most of whom had middle-class backgrounds, which meant that they were socially not supposed to end up in jail—first discovered the prison world, they wrote a report in which quantification seems to be a natural means of documenting the tough reality they were witnessing:

“WALKS IN THE INNER COURTYARD [*Les promenades*]. Theoretically they are supposed to last 1 hour per day (before the 1969 decree, it was half an hour). In practice: in Dunkerque, they last 10 minutes; in Paris-La Santé, time spent walking to the courtyard is subtracted from the duration of the walk. Most of the imprisoned activists go to court #4. (...) Dimensions of the court: 10 x 26 feet. (...)

200 inmates, those who are “listed”, only get a 2-hour walk on Sundays. (...) Restrictions on mail also contribute to prisoner harassment and isolation: letters must not exceed 60 lines, or 30 when written in a foreign language (...). There is often as much as a 2-week delay in receiving mail. (...)

There is also the prison special court [*prétoire*]: every day, 50 to 100 inmates appear before it (...) the cases are disposed of in 1 minute and it’s all a sham (...).

Over 45% of prisoners reoffend after their release. Prisons are places of individual humiliation and degradation, not places of rehabilitation. (...)

Salaries are derisory: the received sum is paid as follows: for prisoners on remand, 1/3 of their wages is deducted for the prison; for convicts, it’s ¼ for the prison, ¼ for legal fees, ¼ for the prisoner’s own nest egg; ¼ for the prisoner to buy things at the prison canteen.

(Artières *et al.* 2003, 35-36)

This information came directly “from the inside”. This stems from the fact that, only a few weeks after this report, the GIP stated that its objective would be to enable prisoners to speak out and speak for themselves, as political subjects instead of merely subjects of (so-called) sci-

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<sup>10</sup> The quotation marks suggest that this status is controversial, since it was claimed by activists but first denied by government officials.

entific discourse. This raises the question of the origins of the data<sup>11</sup>. We must make a distinction between two sources: official figures, and data produced by the prisoners themselves. We can refer to the latter as “counter-knowledge”, to use Foucault’s term, that is to say information provided by prisoners themselves on basic facets of prison life, as opposed to ready-made figures generated by government agencies. If “information is a weapon”, this is also the result of the scarcity or bias of available official records. Two different attitudes to official statistics were then possible, according to the different situations and opportunities.

In the first case, prison activists could use official figures (*i.e* figures generated by prison authorities or the Ministry of Justice) to support their own claims. It could simply be a way of bringing unknown facts to people’s attention, especially when the figures spoke for themselves. Take for example the percentage of remand prisoners, who in theory are innocent until proven guilty, but still have to withstand the worst incarceration conditions in jails (*maisons d’arrêt*), many of which have fallen into disrepair. Or activists could highlight one number rather than another, since although some figures might be equally true in absolute terms, they still tended to present things from different perspectives. For example, the figure of 30,000 people being held in prison at a given time omits the 100,000 people who “pass through” prisons each year. But using official figures offered another strategic advantage. Official figures could hardly be rejected or even challenged by the authorities. This could be highlighted to prove that the state’s duplicity was plain to see in its own statistics. One relevant example would be the reconviction rate—admittedly a somewhat dubious example, considering that there was no such thing as an official well-established rate, only more or less reliable (or rather questionable) assessment. Nevertheless, though estimates may have varied, they all shared a common feature: they were high, and therefore highlighted the prison system’s failure to uphold its own promises and fulfill its expected social role, that of facilitating the rehabilitation and social reintegration of ex-convicts. By extension it also highlighted the state’s failure to meet its own standards.

Conversely, in the second case, GIP members condemned official records as incomplete at best, unreliable and even misleading at worst. A primary criticism consisted in attacking the lack of genuine information, that is to say information that directly relates to the experience of confinement. In other words, it was the kind of criticism that is often made against statistics in general, revolving around the issue of reification or depersonalization. It is for that very reason that, as mentioned above, the GIP decided at the outset to smuggle an unofficial questionnaire in and out of prisons, in order to get first-hand information from inmates, in accordance to its

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<sup>11</sup> In an April 1971 interview, Foucault went as far as to say that official data was not a problem in itself, as if he were inclined to accept it at face value and did not care about challenging its relevance: “Our problem is not really getting hard data, it is perfectly possible get it from official documents that are available. Our problem is giving prisoners a voice, give them for the first time, I think, the right to speak.” (quoted in Artières *et al.* 2003, 67) Foucault was obviously aware of the flaws of official records. This apparent lack of lucidity must therefore be explained by his insistence on the purported primary aim of the group (which at the time had existed less than two and a half months), the desire to speak on behalf of prisoners without imposing themselves upon them. This is why he insisted on problematization rather than on information.

primary objective. The questionnaire was deliberately fact-based, soliciting the kinds of detailed facts and figures about everyday life that did not appear in official documents:

- Question: *Do you get visits?* Answer: Yes.  
Q: *How many in a month on average?* A: Eight.  
Q: *How long do people have queue outside?* A: Depends. Sometimes forty-five minutes, sometimes only ten minutes. (...)  
Q: *Exact duration of a visit in a visiting room?* A: Thirty minutes. (...)  
Q: *Can you give us examples of censorship of your correspondence with your family and friends?*  
A: all letters are delivered censored. It has already happened that I only received my mail 46 days after it was sent. (...) Eleven days is the minimum. (...)  
Q: *How many showers are you allowed to take each week?* A: One. (...)  
Q: *How many times is the bedding changed?* A: sheets, once a month.  
Q: *How do prison walks work?* A: a one-hour walk in the morning. About 60 guys in a 3200 to 4300 ft<sup>2</sup> space. In the upper block, twelve to fifteen guys in a 13 x 26 ft courtyard. (...)  
Q: *How many times a week do you eat meat?* A: Four times, and fish twice.  
Q: *Fruit?* A: 3 times. An apple or an orange, a pear, a banana, depending on the season.  
Q: *Quantity?* A: around 100 grams of meat (...) a 100 to 150-gram slice of a big fish. (...)  
Q: *Were you ever sent to solitary confinement?* A: Yes.  
Q: *How long?* A: 90 days in all.

(Artières *et al.* 2013, 21, 22, 23, 24, 29)

#### WORK

It is sometimes hard to get the chance to work in Paris-La Santé prison, and when it does happen, it is for derisory wages: about 3F [francs] for making 1000 tags; an ordinary worker working 8 hours can make as many as 2500. If he's a convict, the prison administration will deduct half of the 7.50F that he earns, that is to say 3.75F; of these 3.75F he will only be allowed to spend half (1,87F) and the other half will be divided into two parts: 94 cts [centimes] for the legal fees and 94 cts for his nest egg, put aside for when he gets released. (...)

(*ibid.*, 39)

A second criticism consisted not so much in pointing out the shortcomings of official data. It consisted more in accusing the prison administration of misinformation or manipulation. However, the prison authorities were not necessarily accused of tampering with the figures—a crude and perilous strategy that is generally compromised by its lack of subtlety. It was trickier to demonstrate that official statements that sounded informative were lies-by-omission in the guise of objective accounts. This was the case in the GIP's critique of a January 1972 official report (known as the Schmelck report, named after lawyer and former prison administration director Robert Schmelck), which was supposed to give the official account of violent events that took place at Toul prison during a mutiny that was harshly repressed:

- "The content of the Schmelck report is inadequate. (...)  
– when the Schmelck report counts 25 wounded inmates in all, 'for the most part not seriously injured', this is a way of not giving the number or condition of those who were seriously injured;



– when the Schmelck report mentions the 191 inmates appearing before the prison special court [*prétoire*] in two months, it does not say that this means the prisoners will face delays of months or even years before getting released on parole.”

(Artières *et al.* 2003, 175)

A third basis for criticism was the fact that the categories underlying official statistics and the terminology employed obscured some important aspects; in other words, these were to blame for bias and inadequacy. A relevant example is the lack of data on prisoners' education levels and social backgrounds, an omission that obscures the grim reality of class inequality. This leads us to more closely examine two scenarios in which generating alternative data, as well as quantifying something that had not been (or had only been poorly) quantified, was the way to expose a reality that was not only unknown, it had been censored or hidden.

### **3. Making the invisible visible: issues of suicide and class justice**

#### *3.1. Shining a light on a dark side: from suicide in prisons to suicide caused by prison*

Gilles Chantraine and Gaëtan Cliquennois (2009) recently wrote about how the issue of suicide in prisons suddenly became a subject of public debate in France, to the extent that it has now become a “social issue” that occasionally gets some media attention. Over the past quarter of a century, French prison authorities have started making suicide prevention policies a priority, adopting regulations and procedures to detect and prevent the risk of suicide. Even though wide gaps remain between prevention standards and actual practices on site, a proliferation of risk management guidance can be seen even within the prison walls. Several decades ago, the situation was quite the reverse. In 1960s France, very few topics were less popular than suicides among prisoners, a group of people socially stigmatized and severely discredited by their “spoiled identity”, to use Goffman’s term (Goffman 1963). As historians and other social scientists have shown (see for example Faugeron 2002; Vimont 2004), French prison life was tough, and prison conditions were marked by regular, severe deprivation. Moreover, ordinary prison life was kept out of the public arena, in contrast to the uproar generated by political prisoners: “political imprisonment has never met with indifference and it is important to keep in mind this characteristic, which distinguishes it from ordinary imprisonment” (Vimont 1993, 10). Therefore, suicide among prisoners was then far from being an important social issue. The prison administration barely drew attention to it, as long as order was maintained. The circular that marked the emergence of suicide prevention programmes dates from 1967 (Cliquennois 2010, 1026), yet at the time, official concern was still in an embryonic state.

Suicide emerged as a key issue in the prisoner accounts collected by the GIP<sup>12</sup>. These accounts depicted suicide—and more generally various self-inflicted injuries—as a last resort when surviving in prison became too painful. But they also drew attention to the unclear and disturbing circumstances behind certain cases, some of which raised serious suspicions that prison guard brutality could have contributed to deaths that were then disguised as so-called (dubious) “suicides”. This was reflected in the “Mirval affair” in 1974 (see Boullant 2004). That is the reason why the GIP fought the blackout on this subject by devoting its fifth and final brochure (and last under the name “*Intolérable*”) to suicide in prisons (GIP 1973). This leaflet, published in early January 1973, was wittily entitled *Suicides de prison* (which means *prison suicides* or *suicides caused by prisons*), in order to highlight the prison system’s responsibility in these deaths. “These suicides did not just take place in prisons: prison life, prison authorities and the penal system share responsibility for them. They are suicides *of* prison” (GIP 2013 [1973], 275). The document also contends that these suicides are not just negative reactions expressing angst or despair, but must also be understood as “positive” actions, in the sense that they constitute a break or represent a radical way of taking a stand against the unbearable pressure of prison life.

Like the other pamphlets published with the help of the GIP, prisoners’ personal accounts conveyed their experiences in a literary way, but statistics were not left out of the conflict; they were actually a central issue. Shedding light on prison suicide meant not only campaigning to increase critical oversight of a socially neglected but at least unequivocal reality. It was also a matter of revealing the ambiguities and confusion surrounding this reality, which were reflected in the vague and controversial figures that measured it. The GIP intended to show that official statistics on the subject were far from reliable, and that not all the inmates who had committed suicide were represented. The prison authorities were accused of quantitatively and qualitatively minimizing the reality of it, either by simply denying it, or by employing euphemisms, such as “self-inflicted injuries” instead of “attempted suicides”<sup>13</sup>.

The GIP therefore decided to count the number of suicides, not just as a means of challenging official figures and exposing their inaccuracy, but also to be able to show alternative data, produced with the help of the prisoners themselves. The document *Suicides de prison* begins with a table listing 32 people reported to have committed suicide, including the date and their age. It specifies that of these 32 people, 8 were immigrants, at a time when the issue of immigrants in prisons was completely neglected. The circumstances behind seven of these suicides

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<sup>12</sup> In retrospect, it is clear that the issue was all the more pressing in that the number of suicides in prisons reached a historical peak during the 1972-1975 period (Chesnais 1976, 84), just after the GIP disbanded. Now, as then, it is common knowledge that the suicide rate is much higher in prison than in the outside world.

<sup>13</sup> A couple of years later, a journal that assembled contributions from left-wing lawyers, sociologists, intellectuals and activists (*Actes. Cahiers d’action juridique*) formulated the grievance as follows: “although the prison administration is reluctant to include in its suicide count deaths for which it would then have to accept moral responsibility, it is obviously eager to classify as suicides deaths of which it intends to hide the real cause” (quoted in Artières *et al.* 2003, 271).

are then described in some detail. It also points out that at the same time (in January 1973), the newspaper of record *Le Monde* had just published its own list, containing 37 people, whereas the highest estimate was 45, made by a group formed by Félix Guattari. Faced with this evidence, prison authorities were ultimately more or less forced to concede that there had been 36 suicides (Artières *et al.* 2003, 271). These varying numbers reflect the great uncertainty that surrounded this matter. At least for once the issue was receiving some media attention and, perhaps for the first time, it even made the headlines of the popular daily newspaper *France Soir* in November 1972. As we have suggested above, this marked the beginning of new concern for this issue.

### *3.2. When the obvious is not tangible enough: from prison life to class justice*

In those years, what one might call the anti-prison movement—encompassing anti-prison campaigners, prison reformers and prisoners' rights advocates—did not limit its critique and protest to the painful ordeal of prison life and the harshness of confinement conditions, as if prison were an autonomous underworld. From the outset, prison was reinserted as a component of the state machinery, beginning with the penal apparatus. A GIP text written by Daniel Defert in May 1971 was very clear on this point: "It is not that there are, on the one hand, run-down prisons that need to be replaced and, on the other hand, top-quality, efficient prisons that should be built in greater numbers. There is just prison full stop, as a function, as a major component of the penal system, as an instrument of class oppression. It is against this system as a whole that the GIP calls for mobilization" (Artières *et al.* 2003, 73). The GIP's theoretical critique and practical protest reflected a firm belief: contrary to the official narrative according to which the penal apparatus—and by extension the state—is socially neutral and merely operates for the public good, the justice system is in fact class justice for the benefit of the middle class. From the very beginning, the anti-prison protest conducted by the GIP (and subsequently by the CAP) was therefore part of a broader condemnation of social injustice, political domination and state violence—a challenge to oppressive power.

It is common knowledge that the critique of class justice articulated by far-left movements was a core feature of the period (see recently Bérard 2013, 37-62). But what particularly distinguishes this period is the fact that this critique was widely shared beyond the far-left. "It has almost become a cliché to say that we have to contend with class police and class justice", wrote writer and lawyer (and ex-military prisoner, incarcerated as a conscientious objector) Denis Langlois (1971, 12). Therefore, we could assume that viewing the judicial system as a system of class justice meant simply facing the facts, as if this bias were quite obvious, at least among left-wing activists and sympathizers. However, in order to reveal the processes at play, a major obstacle had to be overcome: however "obvious" it may have been, this phenomenon was literally invisible. The concept of "class justice" was something of a label designating a relatively complex machinery at different stages of the criminal justice system; it was not as consistently visible and tangible as, for example, police brutality. Moreover—and this is a crucial point—official data did not take into account (and in the GIP's view, they tended to conceal)

prisoners' social backgrounds, as well as the selection process that allowed white collar crime to benefit from social and judicial leniency. Then the question was: how can this longstanding class asymmetry be made visible and tangible? How can one prove something that plenty of narratives described or suggested, but could not really demonstrate? This is the question of objectification, and this is where statistics came into the picture.

A text written by Jean-Marie Domenach in 1972 is particularly interesting in this context, in that although he represented the social-Christian and therefore moderate wing of the group (the text was significantly published in the social-Christian journal *Esprit*), it represented his most radical statement on the subject. Entitled *En finir avec les prisons* ("Do Away with Prisons"), the text begins with a very dramatic opening ("Ten years from now in public opinion, the horror of the French penitentiary system will be as glaringly obvious as that of the torture in Algeria is today"), and criticizes various aspects of the gap between discourse/standards and practices: prison is characterised as a "lawless" world, "without progress", "without hope". But Domenach also endeavoured to draw attention to class justice, citing statistical evidence to prove his point:

The product of class justice

- four-fifths of the inmates have been charged with petty crimes.
- 93.8% of them have no education beyond the *certificat d'études*<sup>14</sup> or they are illiterate.
- About the half of them are under the age of 25.

These three facts are enough to define the vast majority of the prison population (numbering as many as 30000 prisoners). They enable us to conclude (...): "Prisoners belong to the poorest and most unsophisticated part of the proletariat, and are for the most part young working-class people."

(...)

This over-criminalization of the proletariat is primarily a consequence of legal/judicial discrimination. An unpublished investigation by the GIP based on a month of legal indictments in Paris reveals astonishing results:

- 48% of the charges were against members of the working class (8% against servants);
- 90% of middle-class convicts receive a suspended sentence, as opposed to only 33% of working-class convicts.

Nevertheless, the fact remains that some crimes are more often committed by young people, illiterate people and working-class people than by people from the middle class (...).

(quoted in Artières *et al.* 2003, 264)

The point is not to consider the validity of those figures, something that would in any case be doomed to failure since it remains unknown how they were generated. It is rather to show how activists cited statistics that not only highlighted the criminal justice system's long-term ineffectiveness at preventing new offences, but also emphasized the existence of class justice that disadvantaged the working class.

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<sup>14</sup> A certificate students used to receive at the end of primary school.

Furthermore, we can see that Domenach referred to an original survey conducted by the GIP, based on direct observation in courts—an original and somewhat sociologically inspired quantification operation that reflected the group’s intention to shift the focus of their investigation from prison to the justice system in general. As a matter of fact, these empirical calculations did pave the way for sociological inquiries. Drawing on in-depth observation and/or robust statistical data, these inquiries would later provide evidence of double standards in the criminal justice system (the “two weights, two measures” [*deux poids, deux mesures*]) in the law enforcement according to Herpin 1977), showing for example that members of the middle class and lower middle class were preferentially punished by fines, while the underclass was penalized with unconditional imprisonment and members of the working class were handed suspended prison sentences (Aubusson de Cavarlay 1985, 293).

#### 4. Conclusion

Cecile Brich (2008) has sharply criticized the hagiographic manner in which the history of the GIP was first recounted. In particular, she argued, the protest methods used by the group, especially in the form of a questionnaire, were not adapted to the proclaimed objective of letting prisoners speak out for themselves. At best, they restricted prisoner discourse as much as they liberated it, and consequently represented a filter, if not a discursive-symbolic *coup de force* against prisoners’ wishes and will. Although it was an interesting and original social movement, the group did not live up to its claim of being a mere intermediary: “the failure of the GIP can be attributed to its imposition of a hegemonic discourse on prisoners, defining subject positions for them which they neither wanted to nor could adopt (...) the GIP did not simply give prisoners a platform, but inevitably contributed to channeling, moulding and mediating inmates’ discourse.” (*ibid.*, 41, 46). This point of view is as debatable as it is incisive, but be that as it may, it must be stressed that the aim of this article is not to credit the GIP with a success. As a matter of fact, it is known that a couple of years after it was disbanded, Foucault himself believed that the experiment had failed, or at least that its impact was ultimately disappointing. This article’s main objective was merely to highlight an aspect that, though understandably neglected up until now, is far from insignificant.

The aspect in question is the use of numbers to reveal, expose and speak truth to power, in the tradition of using statistics to serve (or at least attempt to serve) the cause of social emancipation, whether in a spirit of radicalism or reformism (Bruno, Didier, Prévieux, and Tasset 2014). And this, we should point out, in a time and place (the early 1970s in France) in which the social authority conferred by statistics—that boundary object between state and science (Desrosières 2002)—was very strong; the idea that figures express neutrality and veracity was at that time more widespread than it is today. In fact, it was not until a decade later (Robert 1985) that a systematic historical and sociological deconstruction reviewed the origins of official 19<sup>th</sup>-century French crime statistics and their associated “trade secrets”.

From this perspective, the GIP implemented various strategies, from using official data to challenging it and generating alternative figures. In this respect, the main effect of quantification, *i.e.* objectification and the resulting creation of a space of equivalence and consequently of comparison (Desrosières 2002), has particular significance in relation to the prison issue. Prison is indeed an institutional device designed to facilitate the atomization of individuals; prisons were designed with a view to preventing collective action as much as possible and isolating prisoners from one another. This structure made it easier to interpret facts and events as merely individual matters and, *de facto*, prison authorities could hide behind the irreducible heterogeneity or uniqueness of practical situations. Therefore, where convergent descriptions may be insufficient for revealing common structural principles, the use of statistical data is the obvious way to “rise towards generality” (Boltanski 2011, 81). In so doing, the GIP paved the way for a critique that is now commonplace, that of what would today be called the social construction of crime. In particular, it has brought about a decisive and somewhat paradoxical shift, by which citing numbers no longer only answered the conventional question “how many?” (how many prisoners?), but also answered the more disturbing question “who?”: sociologically speaking, who are the prisoners?

All in all, the GIP’s legacy may be an enduring one. Forty years later, prison is characterized by processes usually described as “detotalization” or “normalization”, in reference to the opening of the institution and a certain willingness on the part of the administration to supply information about its activities. However, a major exclusion effect remains: despite the fact that the French prison system has found itself increasingly under the spotlight since the 2000s, the voices of prisoners are still disregarded, so that it is possible to speak of “media attention on prisons without prisoners” (Ricordeau 2009).

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