



SPORT AND PRISONS IN EUROPE



Sport policy and
practice series

Gaëlle Sempé

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Gaëlle Sempé

Council of Europe

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Foreword by Stanislas Frossard, Executive Secretary of EPAS

The Council of Europe has more than 30 years' experience in the field of sports policies and is the only intergovernmental organisation to address international co-operation in respect of sports policies at pan-European level. Today, co-operation on questions relating to sport is promoted by the Enlarged Partial Agreement on Sport (EPAS) which, within the framework of an organisation based on values such as the Council of Europe, is committed to safeguarding and promoting the values of sport for all.

Given that sport is not managed exclusively by ministries of sport, EPAS also fosters dialogue between public authorities, sports federations and non-governmental organisations (NGOs), with a view to making sport healthier and fairer through better governance, while respecting the autonomy of the private sports movement. Since 2009, EPAS annual conferences have provided a highly welcome opportunity to reflect and to pool ideas and experiences about the valuable outcomes for sport of efforts made to promote diversity and non-discrimination in and through sport, in order to push forward policy debates.

It is against this background that an expert seminar took place on 5 March 2013 in Strasbourg on the topic of "sport in European prisons". It was organised by EPAS in co-operation with the Council for Penological Co-operation (PC-CP) under the aegis of the Andorran Chairmanship of the Committee of Ministers of the Council of Europe. The seminar was followed on 16 and 17 June 2014 by a Pan-European Conference on Sport and Prison, co-organised by EPAS and the French National Olympic and Sports Committee (CNOSF), in co-operation with several French ministries: the Ministry of Justice, Ministry for Families, Children and Women's Rights, and the Ministry for Urban Affairs, Youth and Sport.

If I mention these institutional partners it is not only in order to pay tribute to their contribution to the process but also to emphasise that the question of sport in prisons can benefit from a broad network of different partnerships. The attention paid to these events by the PC-CP and its active help with identifying good practices have been very encouraging. It is my hope that this study will have laid the foundations for future co-operation between the justice and sports sectors.

In many countries, sport in prisons developed informally, as a result of personal initiatives. The scale of it now means that support is needed from institutional policies. In this context, I am convinced that the Council of Europe will be able to bring together competent experts in a network to promote dialogue and synergy between the sports movement and prison authorities at international level as regards developing prisoners' access to sport, co-operating with clubs and training sports coaches.

This study focuses on sport as a way of addressing the well-being and social skills of prisoners, as a way of enabling them to change their behaviour and attitudes, to develop their ability to work and to live together, to learn respect for others, including their opponents, and to obey rules, so that their reintegration into society is made easier. It is often said that sport conveys the values invested in it. This is especially important in prisons, and their role demands a high level of awareness of the values at stake.

I hope this publication will serve as a reminder of the relevance of sport in prisons, that it will provide the theoretical background and that it will help to identify aims as well as ways of guarding against undesirable side effects. Its aim is to support the development of evidence-based policies relating to sport in prisons. It is also a compilation of good practice, a toolkit for communication and a collection of practical advice for setting up or strengthening a coherent system.

Foreword by Vivian Geiran, Chair of the PC-CP

Sport is valued in all cultures, and rightly so. Not everyone likes all sports, but it is not unreasonable to think that there is a sport for everyone, be it an individual sport or a team sport. Sport is an important part of human activity in communities all around the world, and it ought to be the same in prison. Sport is also a valuable tool for socialisation purposes, for developing self-confidence and promoting good physical and mental health. Lastly, sport is not only a physical activity; sport is also a cultural and educational activity that can make an important contribution to breaking down interpersonal and other barriers, as well as being a pleasant way of passing the time.

It is well known that sport benefits both mental health and general well-being. It teaches respect for others and self-esteem, provides a positive outlet for reducing frustration and aggressive behaviour, develops personal skills and creates good life experiences. In addition, sport is a good “leveller”, insofar as everyone begins a sporting activity or event on an equal footing, and it is the honest sharing of the sporting effort with our fellow sportsmen and women that helps to keep us engaged. For prisoners, experiencing equality like this in a sports stadium may be a unique moment in their lives and can have a very positive impact on them. It may provide them with the alternative they need to put their criminal past behind them.

Sport in prison can influence many different categories of people: the young, older people, women, and people with all sorts and levels of skills. It may also further the pursuance of other goals, such as making good use of spare time, meeting new people, exercising self-control in order to achieve positive outcomes and staying “clean” from drugs and alcohol, as well as establishing and developing closer links with the community at large. Accordingly, sport can be beneficial for the positive management of sentences, and for preparing prisoners for their release. To have a greater impact, rather than being limited to closed or privileged groups in society or in prison, opportunities for sport should comprise the basic elements of a healthy, social activity for all prisoners who stand to benefit.

When we engage in sport, we compete with ourselves, against the limits we and others have set for ourselves. Above all, I think sport helps those taking part to build relationships, work as a team, and feel part of a group. As such, and just as it can help all of us, sport can help prisoners to lead a better and healthier life. I recommend this book as a useful resource for anyone who has anything to do with sport in prison, and I hope that it will encourage the continuing development of sport for all kinds of prisoners, so as to promote their good health and social skills, and so that they will turn their backs on crime and take up their place in society again.

Preface

As part of a pan-European study led by the Council of Europe and the Enlarged Partial Agreement on Sport (EPAS) on the organisation and development of sport in prison, this publication signals the Organisation's desire to render sport in prisons more visible and to garner support for a pan-European institutional approach to prison sports policies. The study, conducted in four main phases, kicked off with a seminar on sport in European prisons organised on 5 March 2013 in Strasbourg by EPAS in co-operation with the Council for Penological Co-operation (PC-CP) under the auspices of the Andorran Chairmanship of the Committee of Ministers of the Council of Europe.

These initial exchanges during the seminar led in a second phase to a questionnaire, drafted as a result of a collaboration project between the Council of Europe and the VUB University in Brussels (Vrije Universiteit Brussel), under the scientific leadership of Professor Marc Theeboom, who holds the Chair of Sport and Society at the VUB, with a view to analysing and identifying "good practices" in prison sports programmes in the member states of the Council of Europe.

In the third phase, the results of the questionnaire were presented during a Pan-European Conference on Sport and Prison co-organised by EPAS, the French National Olympic and Sports Committee (CNOSF), and the French ministries of Justice, Families, Children and Women's Rights and Urban Affairs, Youth and Sport on 16 and 17 June 2014 in Paris. As well as providing a platform for the researchers from the VUB University in Brussels to present the results of their questionnaire, the conference was also an opportunity to hear many first-hand accounts from stakeholders involved in sport in prison in different ways (political, administrative, scientific, educational), at different levels of their institutions and based on their differing experiences.

The fourth phase of this study looking at sport in prison is the publication of this report, which aims to serve several purposes. First of all, it sets out to map the different approaches to sport in prison in order to produce an overview of the situation throughout Europe. Then, in response to expectations on the part of the Council of Europe and its member states, it presents examples of sporting practices which are regarded by the different stakeholders involved in sport in prison as significant and/or relevant and are referred to as "good practices". Lastly, this report adopts a scientific and in particular a sociological perspective, a critical stance, which in the heuristic sense seeks to question practices and representations so as to pinpoint and highlight the profound challenges, obstacles and difficulties surrounding sport in prison.

Responsibility for the content of the report rests solely with the author, not with EPAS or with the people consulted. However, we would like to thank the Council of Europe, and in particular the EPAS Bureau, for trusting us enough to allow us to work alongside them on this new study. Our thanks also go to all those (fellow researchers, institutional partners, family and friends) who made helpful comments and suggestions on a draft of this report.

Gaëlle Sempé

Lecturer, Rennes 2 University

Member of the VIP&S Laboratory

(Violence, Identities, Policies and Sports)

Introduction

To understand sport in prison, it has to be seen in connection with the social problems inherent in locking people up in our societies. Accordingly, a brief analysis of prison systems and detention conditions is essential for gaining a clear grasp of the challenges posed by sport in prison. This introduction describes the background to sport in prison from a socio-historical perspective. The aim is to highlight the challenges facing sport in prison against the backdrop of present-day conditions in European prisons, structural constraints and the role assigned to sport since its gradual introduction in prisons and prison policies. The typical features of European prison systems, the current conditions of detention and the philosophy of imprisonment all influence the introduction and subsequent development, and consequently the take-up, of sport in prison.

To understand prison, and sport, also means taking an interest in prisoners and those of them who engage in sport. Analysis has shown that the majority of prisoners are lacking in terms of education, employment, culture and identity, and thus are ultimately impaired in the way in which they regard themselves and others. Accordingly, a better understanding of the features that characterise the prison population could go some way at least to providing an answer to the questions “Why should sport be developed in prisons?” and “How can it be done?”

I. The origins of corporal sentencing

A prison is a social institution. The way prisons are run and how they are structured reflect the dominant social and cultural values of the society in which they have been built, as well as changes affecting that society (Bourdieu, Chamboredon and Passeron 2005: 56). A historical approach is key to understanding the processes that explain how prisons have changed, why some features remain unchanged, and why they are still so complex some two centuries on from when public prisons were first established.

The history of punishment ... is a history of power, in which those it calls rebels indicate the dominant concepts of public order ... Viewed in this way, a political system can be understood by how it treats its deviants. It is a history of poverty and how it is managed, with the “bad pauper”, as described at the end of the Middle Ages, one of its most constant figures. (Perrot 2002: 13)

Understanding the origins of imprisonment and how prisoners are managed is a good lens through which to analyse our prison systems and, more generally, our societies which, so many policy makers and scientists believe, produce the criminals they deserve (Lacassagne 1913: 364). Thanks to its worldwide presence, its plural dimension, and the social, political, economic, biological and other functions assigned to it, sport can be considered a “total social phenomenon” (Mauss 1934/1989) and it remains a mirror of society and how our societies operate (Elias and Dunning 1986/1994).

A. The shame of inflicting punishment

According to penal experts, from the end of the 18th century, when punishment was synonymous with arbitrariness and physical suffering, with the gradual end to torture up until the late abolition of the death penalty in a number of European countries, there were two styles of punishment: one coercive, and the other, over a century later, normalising. The setting up of a penal state in Europe was slow and ultimately recent.

From the 17th century onwards, there were many opponents of the use of torments and torture to obtain a confession from a convicted person, to dispense with the need for an investigation and trial. For over two hundred years many fought for an end to such practices. From Montesquieu to Voltaire and later Rousseau, all the Enlightenment philosophers were involved in this struggle. In 1764, Beccaria published his treatise "On crimes and punishments", which makes clear that punishment must never erase the crime but try to ensure it is not repeated. At that time, punishment mainly evoked fear on account of its very eloquent demonstrations of suffering. In 1773, Howard also joined the debate after making many visits to prisons throughout Europe. For him, work and religion had to be the basis of any form of punishment. The penal prison was already "a cosmopolitan dream. The Catholic Inquisition had experimented with it, but it was the 17th and 18th centuries in Europe that developed it in the primitive form of *maisons de force* ... The Englishman Howard made it fashionable, with his search for the ideal prison during his Grand Tour of Europe" (Petit, Faugeron and Pierre 2002: 56).

Foucault (1975) sees this long transformation as the redistribution of the economy of punishment, both in Europe and the USA. The end to torture and the advent of imprisonment reflected two main processes taking place, namely the disappearance of punishment as a public spectacle and the rationalisation of the penalty of imprisonment.

Several reasons drove these processes of change, including the gradual emergence "in the modern justice system and among those who mete out justice, of a shame of inflicting punishment" (Foucault 1975: 17). The human body was placed at the heart of the penological debates and ideas during these two centuries of change. This period marked the beginning of a move away from bodily punishment, specifically so that "[o]ne no longer touched the body, or at least as little as possible, and then only to reach something other than the body itself" (ibid.: 17). Avoiding pain or suffering, no longer acceptable in our democracies, gradually came to mean reaching criminals by some other, more acceptable, form of economy and governance, and in particular by keeping their bodies locked up behind bars.

The search for an alternative to physical punishment gave rise to a new "utopia of judicial reticence" where the aim was to "take away life but prevent the patient from feeling it". The goal was the same punishment for all, regardless of social status, "an execution that affects life rather than the body" (Foucault 1975: 18-19). Used until then as a real means of coercion for reinforcing the deterrent and expiatory effect of the penalty, corporal punishments gradually strayed from their original punitive dimension towards a goal of correction, particularly moral and social, as part of a

“civilizing process” (Elias and Dunning 1986/1994) which, although exemplified in prison, is not restricted to prisons and extends to all post-industrial societies.

Prisons accordingly take on “the general form of an apparatus designed to render individuals docile and useful by means of precise work upon their bodies” (Foucault 1975: 267). By assuming responsibility for the body and the time of the convicts, and by regulating their behaviour, this system of authority and knowledge sets out to reclaim them individually by the traces left in the form of habits (ibid.).

B. “The detestable solution, which one seems unable to do without”

Prison is “the detestable solution, which one seems unable to do without” (Foucault 1975). So prison is necessary, “that darkest region in the apparatus of justice, is the place where the power to punish, which no longer dares to manifest itself openly, silently organises a field of objectivity in which punishment will be able to function openly as treatment and the sentence be inscribed among the discourses of knowledge” (Foucault 1975: 298). Although no longer the most common form of modern penalty, imprisonment remains the “penalty par excellence” (ibid.: 267), in other words the “reference sanction, in relation to which other forms of sanctions are assessed and organised” (Lascoumes 2006: 406). It is true to say that since the 19th century all societies have adopted this system.

It became such a natural system during the 20th century that it survived all crises, wars, decolonisation and different forms of democratic transition. ... From western democracies to colonial empires, from capitalist to socialist regimes, all political systems have adopted imprisonment as the core of their system of penalties. (ibid.: 406)

The success of the prison as an institution and its historical and geographical spread since the 18th century is probably due to the fact that imprisonment established itself as the “egalitarian punishment” in systems and cultures where liberty was equally dear to all (Foucault 1975: 269). Better than fines and less unbearable than corporal punishment, it was seen as a true victory over arbitrariness and over the violation of the physical integrity of convicted persons.

It appeared to be an adequate solution, one that allowed prisoners both to atone for their crimes and to mend their ways. A preventive, utilitarian and correctional system, based on the philanthropic ideals prevalent at the time, imprisonment managed to combine the main criteria and concerns of the reform movement and an emerging humanism. It was a system consisting of “a compromise between the optimistic idealism of the philanthropists and the realism of those members of parliament who were committed to defence of the new social order based on property” (Petit, Faugeron and Pierre 2002: 33). The same description still applies to European systems today:

They combine the traditional principle of individual discipline with new standards of “good prison governance” based on respect for basic human rights, rational prison management, and the goal of effective sentencing. At any given time, one of these principles will take precedence, without ever eliminating the other one, which can be updated once circumstances have changed. (Lascoumes 2006: 406)

After the Second World War, when prisons were in a state of chaos, particularly on account of the economic situation, management of long sentences once again became a matter of urgency. More emphasis was placed on the social rehabilitation of prisoners and the need to treat them more “humanely”. It was suggested that the system of detention should be better suited to individual prisoners’ attitudes and their capacity to mend their ways. In short, this saw the emergence of the concept of individualised sentencing and marked the start of a lasting belief in the need for more humane prisons. Efforts to achieve that goal still continue.

C. From the humanisation of sentences to the use of sport

This notion of humanisation, although intellectually including the role of sport, is rather confusing in its definition. According to one of these nuances, “the use of humanism constitutes a provocation” (Foucault 1994/2001: 644), implicitly supporting a policy of control and supervision, in particular of the working classes. It could be used to justify this control, which Foucault saw as a cross between public intervention and the “charitable” (but no less alienating) bourgeois culture.

Used indiscriminately from a political point of view, and historically instrumentalised, humanisation was the cornerstone of prison policies, resulting in better detention conditions and greater respect for prisoners’ rights. Thus, “humanising consists in creating acceptable detention conditions and allowing more freedom in the daily routine. It precedes the introduction of rehabilitation programmes but is not the same” (Lemire 1990: 110). The second half of the 20th century therefore saw a wave of penal policy reforms in the different European penitentiary systems that reflected these “liberal” ideas, with priority given to reintegrating prisoners into society and efforts to prevent them from reoffending upon their release. Centred first and foremost on the introduction of and continued respect for rights in prison, the aim of these reforms was to combat continuing arbitrariness and inegalitarianism.

The spread of the requirement to introduce rights in prisons presupposes revealing the hidden reality of prison for what it is, an obsolescent, static, and arbitrary system, a uniquely shocking place incompatible with any concern for carceral equilibrium and social progress. (Salle and Chantraine 2009: 97)

On a European level, this was shown, for example, by the establishment of the European Court of Human Rights (the Court), followed by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT). To quote the Council of Europe leaflet “The CPT in brief”, the CPT’s title

highlights two important features: first, it is European, and second, it not only covers “torture”, but also a whole range of situations which could amount to “inhuman or degrading treatment or punishment”... The CPT was set up under the Council of Europe’s European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, which came into force in 1989. It builds on Article 3 of the European Convention on Human Rights which provides that “No one shall be subjected to torture or to inhuman or degrading treatment or punishment”. The CPT is not an investigative body, but provides a non-judicial preventive mechanism to protect persons deprived of their liberty against torture and other forms of ill-treatment. It thus complements the judicial work of the European Court of Human Rights.

As a result, “The application of a few European Prison Rules, the recommendations of human rights commissioners, the role of mediators, the appointment of a controller-general of prisons are all signs of this reminder that, by law, prisoners continue to be citizens who, apart from the freedom to come and go, still have all their rights, as pointed out in the Canivet report [in 2000]” (Rostaing 2009). To some extent “prison relations are ‘normalised’, meaning that conditions inside prison are brought closer to those on the outside or lose their exceptional characteristics, not that stricter discipline is imposed” (ibid.).

This paradigm also led to the gradual introduction of other cultural practices in prisons, including sporting activities, from the second half of the 20th century. This gradual introduction of sport in prisons was perfectly in keeping with the prevailing mood at the time, which favoured the humanisation of sentencing and its rationalisation in our societies (Foucault 1975; Faugeron, Chauvenet and Combessie 1996; Rostaing 1997; Petit, Faugeron and Pierre 2002). Little by little, authoritarianism gave way to an increasingly normalising regime. “The new norms ... are being adjusted by the various stakeholders, but the changes made are starting to have profound effects on prisoners’ relations with the prison and prison staff” (Rostaing 2009).

In other words, sentencing was gradually moving away from arbitrariness and physical suffering for two reasons, namely the shame of inflicting punishment, due to the growing desire for humanisation, and the need for a new rationale in relation to punishment, consisting in taking responsibility for the detained body in a different, more effective way. Although it did not stop completely, the “disciplining” of prisoners and their bodies turned into a political economy of a new power of punishment that was organised and internalised, and therefore less visible and more acceptable.

Although still defended in intellectual circles, in light of these different developments, Foucault’s theory, which is centred on the institutionalisation and internalisation of a new economy of punitive power and discipline, and Goffman’s concept of the total institution are currently controversial. Accordingly, some authors who have analysed how prison policies are changing describe the present approach to them in terms of abandonment and “de-totalisation”, although these prison policies are also complex, sensitive and in some respects still in their infancy. As Rostaing (2009) says, “these changes are not only due to legislative reforms, in response to certain European ‘injunctions’ (European Prison Rules, in particular the draft penitentiary law, the medium-term effects of which it is too early to measure), but also part of what public policy analysts call ‘incremental changes’, in other words ‘minor adjustments made from within by players *in situ*’ (Lascoumes 2006: 413)”. However, the abandonment of coercion has been complicated by other factors.

The forms of de-totalisation of prisons, the recruitment of different categories of staff and outside stakeholders, the growing reliance on law, the creation of Family Units, the ways in which the relations between prisoners and prison staff are being “normalised”, all these aspects of the “decline” of the institutional programme confirm that prisons are opening up to society and reflect a trend common to other institutions. At the same time, however, increasing numbers of people are being imprisoned for increasingly long periods of time. Also, some changes are being cancelled out by overcrowding which prevents prisons from operating in decent conditions. Starved of additional human resources, security policies are reducing prisons to guarding over men kept

in humiliating conditions. What prisons had gained on the one hand as a result of the reforms, bringing the way they are run more into line with that of other institutions, they are losing on the other hand. (Rostaing 2009)

Although sentencing has distanced itself from physical suffering, because sentencing still involves imprisonment the human body remains a central issue. Far from waning, concerns about prisoners' bodies take on a new meaning and assume a different significance. At the very core of the introduction and use of sport in prisons, this focus on the body is henceforth seen in terms of a normalising education, consisting in particular of "learning by body" and responding simultaneously to the need to regulate detention facilities and to meet the needs of prisoners in terms of their well-being, fulfilment, health and upkeep.

Thus, there are two sides to the introduction of sport in prisons, one to do with discipline, through the drills and work performed on the body to combine the power to inflict punishment with the normalisation of behaviour, and the other humanist, a more acceptable way of rendering imprisonment bearable. Prisoners who engage in sport and/or who are institutionalised by it are controlled in a far subtler way by dint of their taking part in and adhering to this pleasing and fun occupation.

In this context, there were deeply legitimate reasons for establishing prison sports policies in Europe. From the 1960s onwards, some countries decided to try introducing physical and sports education in prisons, adding a genuinely educational dimension to so-called "sporting" practices.

From the beginning of the 20th century, it changed from being a kind of sanction inherent in the prison sentence to become more of a social activity which gradually modelled itself on the dominant social reference models found outside prison. The shift from one approach to the other was gradually confirmed in official texts through the terms chosen to define and organise these practices. (Sempé 2007: 197)

The speed at which the transformation of corporal practices took place varied from one country to the next. What used to be basic physical exercise, imposed often for disciplinary and hygiene reasons and organised in a rudimentary fashion in the prison quad, became genuine physical culture and/or, depending on the country, physical education that was more elaborate and sometimes daily, before being replaced by sports cultures that reflected the dominant models found in society, in other words, with reference to regulations, based on a "sport for all" approach that was open, voluntary and even sometimes performance-oriented. The change in terminology not only marked a gradual rise in the importance attached to sporting practices but also revealed a desire to legitimise these practices over time. From then on most countries adopted "sport" as a general term to describe and include all physical practices, both recreational and competitive. In spite of the scientific controversies surrounding it, the decision to use the term "sport" in this publication is therefore the result of this historic process and the widespread and significant use of the term, also in prison.

The changes on the ground were equally striking, since the organisation and widespread use of sporting practices in prisons gradually spread to all prisons and all member states of the Council of Europe. At different times and paces, in a different

order, and with means that varied tremendously, prison sports programmes combined several different dimensions: implementation in as many prisons as possible so as to reach more people; progressive rules and regulations within the different prison authorities; a broadening of the range of different practices and activities on offer; the emergence of a professional body of dedicated sports instructors within prisons, and sometimes even the institutionalisation of special training courses; the allocation of new resources; and, lastly and more recently, a gradual opening-up towards the world outside, in some cases to the point of making sport available outside the prison. All of these dimensions backed the hypothesis that more porous prison walls were a way of “de-totalising” the penitentiary system (Lemire 1990: 79, 144) so that it could fulfil its role of integrating prisoners back into society.

Accordingly, the “sportification” of prisons (Courtine 1980) took place throughout Europe, a process that started with the use of physical exercise as a strictly disciplinary tool and ended with the present-day situation of a genuine opening-up of prisons through the cultural or sports “offer” now available. This process and the fact that a pan-European study is being conducted on the subject are clear signs of the positive light in which sport is still regarded and the firm belief in its benefits and virtues.

Constructed, reproduced and then taken for granted as the history of sport has evolved, the connection between sport, ethics and virtues is well documented in scientific literature. Conveying throughout its history a set of values associated with a multitude of benefits, sport has been regarded as both supposedly immune to the dysfunctional aspects of our societies – although it may experience them, and in particular their violent side, at first hand – and a miracle solution capable of containing and even preventing such excesses. Faced with this finding, many scientific studies have stressed the importance of cultivating an evidence-based approach to sport capable of serving both purposes. Not in any way virtuous by nature, sports, in their broad sense as cultural practices, are a reflection of our societies. Therefore, sport is just as likely to include as to exclude, to prevent violence as to trigger it, to improve physical, mental or social well-being as to harm it, depending on how it is used (intensity, frequency, institutions and stakeholders that develop it, resources allocated to it, organisation, supervision and monitoring conditions, political and pedagogical aims, target groups, adaptation and assessment measures, etc.).

Although the introduction of sport in prison is analysed here in terms of the progress and benefits it represents, it must also be examined in the light of critical studies and discourses regarding prisons. Three reports are particularly good examples: in France, the report by the Senate in 2000; in Europe, the report by the Commissioner for Human Rights of the Council of Europe in 2006; and internationally, the report by the Observatoire International des Prisons (OIP) in 2011. At different levels, one feature they have in common is that they still criticise the dysfunctional aspects, inequality and even failure of prison policies, which they regard as being hampered by scant resources, held in poor regard and in need therefore of more attention and greater reflexivity.

Thanks to, but also for the sake of, the development of more humane prison sentences, such criticisms have led to a greater collective awareness of the need to improve unsatisfactory conditions in prisons. They have also helped to put the media spotlight

on the prison situation, establishing it as a recurrent and sensitive topical issue. It is hardly surprising therefore that the interest shown in this question by the public authorities and, via the media, by public opinion, has accentuated a pendulum movement, such that the priorities of prison authorities risk swinging backwards and forwards between the need to detain and the need to reintegrate convicted persons, between a coercive approach and a normative approach (Lemire 1990), between a defensive philosophy and a correctional philosophy (Combessie 2003), and between a protective philosophy and a social work philosophy (Ohlin 1960). Experts agree that this pendulum movement is the main feature of prison policies, and it is what makes them so complex.

Despite the fact that in some countries there is this constant swinging back and forth between periods of tougher prison conditions, in response to the successive waves of overcrowding and reforms, the move towards more humane prisons is not under threat. Reintegration has now been enshrined in European legislation as a goal of prison policies – and one to which sport can contribute – alongside their historical function of detaining people sentenced by the courts.

II. Prison expansion: European prison populations

We need to review the role of sport in the present context of massive prison overcrowding (Aebi and Delgrande 2014), given the current trend towards more widespread criminalisation and imprisonment, especially of very vulnerable people. Such overcrowding can be seen as evidence of a paradigm shift in prison policies, a sign that in most post-industrial countries the pendulum has now swung towards prison policies where the emphasis is on security concerns rather than the rehabilitation of offenders.

Many recent studies of prison conditions are critical of the use made of imprisonment as a political strategy for controlling advanced capitalist societies (Wacquant 1999; Nils 2003). They all refer to the steady erosion of the welfare state “under the influence of an intensification of the practices of surveillance and imprisonment” (Artières and Lascoumes 2004: 24). Faced with the decline of the mass workforce, many systems are responding by introducing measures that lead to a rise in precarious employment and by abandoning social protection. Faced with the erosion of state welfare assistance and state management of poverty, others are stepping up recourse to the courts and developing the industry of punishment. As the welfare state dwindles, still others are responding with force and the emergence of a “punitive state”. In this general political context of giving in to the temptation of a so-called zero-tolerance policy, on the pretext of “preventing” violence and crime, states must fight a tendency towards mass incarceration of the poor.

Since the mid-1990s, it is this zero-tolerance policy which has influenced most penological policy decisions. Now clearly evident in all sectors of detention and acutely felt in prisons, it is determining so-called rehabilitation activities, which often have to take second place behind security considerations. How can there be a focus on developing and investing in sport when prisons are so overcrowded that, for example, a third bed has to be put on the floor of a 9 square metre cell originally meant for

two? Conditions such as these are all the more problematic because they concern people who were already very vulnerable before being imprisoned. It is to be noted, however, that according to the survey conducted by the Council of Europe,

European prisons have made some progress in reducing overcrowding. Overcrowding has been slowly declining in European prisons since 2011, although it remains a problem in one out of four prison administrations, according to the 2014 Council of Europe Annual Penal Statistics of the Council of Europe (SPACE).¹

European prisons were close to their maximum capacity, holding 1 600 324 people. However, the number of prison administrations with overcrowding decreased from 21 in 2013 to just 13 in 2014. Aware of the adverse effects of mass incarceration, the Secretary General of the Council of Europe welcomes this reduction and is supporting the efforts made to resolve the problem and apply alternatives to prison sentences: "Overcrowding creates enormous obstacles to rehabilitating offenders and thus to better protecting society from crime. It can also breach human rights. I welcome the progress achieved in reducing prison overcrowding"²

III. The process of social disaffiliation

In the current context, no study of the prison environment is complete without considering the fragility of the prison population. Such vulnerability is typical of life in prisons where inmates are mainly poor (Wacquant 1999) and socially disaffiliated (Marchetti 1995, 1996). It applies to all post-industrial countries, where prisoners "come overwhelmingly from the unstable fractions of the urban proletariat" (Wacquant 2004: 302-3).

Most inmates of European prisons left school early, have no secure job and have had to cope with family break-ups. "For many, prison is merely the last link in a chain which, from school dropout to social precariousness, from exclusion to discrimination, can slowly lead to law-breaking and crime" (Conseil économique et social 2006: 15). Prisons bring together the most disadvantaged members of our societies, even though individually their inmates may have very different life histories.

Sociology gives an insight into these paths into poverty, pinpointing the mechanisms at play that ultimately produce these "marginal situations". It becomes clear that individuals can fall prey to "a double dropout process" (Castel 1995: 15) with respect to work and relational integration. The overlapping of these two processes can lead to disaffiliation, even exclusion, since they are made worse by imprisonment.

According to this sociological definition, the process of social integration, dependent as it is on these two levers of work and relationships, is thus either an upwards or a downwards slope, with, according to Castel (1994, 1995), three zones: an integration

1. Council of Europe, Press release DC038(2016), Strasbourg, 8 March 2016. The SPACE report is available at <https://wp.unil.ch/space/2016/03/space-i-and-ii-2014/>, accessed 5 August 2018. The countries with the most crowded penal institutions were Hungary, Belgium, "the former Yugoslav Republic of Macedonia", Greece, Albania, Italy, Spain (state administration), Slovenia, France, Portugal, Serbia, Romania and Austria.
2. Thorbjørn Jagland, Statement by the Secretary General of the Council of Europe, Press release DC038(2016), Strasbourg, 8 March 2016.

zone characterised by stable work and a strong social network, which often go together; a vulnerability zone defined by job insecurity and relational fragility; and, lastly, a disaffiliation zone seen not so much as a rupture of the social bond, unlike exclusion, but as a path marked by lack of work and social isolation. Characteristic of life in prison, is it because of this double dropout, from work and social relations, that prisoners face ending up on the fringes of our society?

The European prison population cannot be analysed as one homogeneous group, because individual prisoners' positions on this slope of integration are not identical, owing to their different experiences and their distinctive employment and relationship histories. What prisoners do have in common, however, is the stigma of their low social status. In a utilitarian society obsessed with performance (Ehrenberg 1991), they are seen as being of no use to the world (Castel 1995). They are unable to convert their skills to suit present-day systems and are often seen as supernumerary or redundant (Castel 1995: 20). Lastly, without social and cultural provisions and the capacity to fight, or, in some contexts, lacking a welfare state that would help it to operate as a society, the prison population has at least two difficulties to contend with. Firstly, prisoners have to carry the weight of the constraints associated with their disaffiliated social path prior to imprisonment, and, secondly, their disaffiliation is then reinforced by their prison sentence which leaves them poorer and gives them an identity against which society discriminates. There is therefore an obvious risk that prison will make prisoners even more vulnerable by cutting them off from employment and their social connections, which, combined, are the main factors for promoting integration.

More specifically, it would appear that only the rare few who already possess some form of capital, be it economic and/or cultural, and who also have access to a protective social network, are spared (Faugeron, Chauvenet and Combessie 1996). Interpersonal relationships, particularly in the family and professional sphere, are bound to be affected by this phenomenon of disaffiliation, which greatly exacerbates the fragility of social ties and the relational vulnerability of individuals who find themselves more isolated than ever. Imprisonment therefore makes poverty and precariousness worse. Upon their release from prison "60% ... are jobless compared with 50% when they entered prison; 30% have nobody supporting them or waiting for them; over a quarter have no money (less than 15 euros) to cover the costs of their release; and one in eight has nowhere to live upon leaving the prison" (Wacquant 1999: 302-3). It is important to recall here that, although prisons are still necessary in Europe, European organisations are all well aware of the effects of imprisonment, which is why they are proposing that more attention be paid to prisons, and that recourse to them be reduced. Given that a prison sentence is unlikely to lift prisoners out of poverty if they were already poor prior to detention, that prisoners generally become poorer upon their release, and that prison exacerbates social inequalities, it is worth giving some thought to the impact of sport in prison.

IV. Issues in the role of sport in prisons

In view of these structural features associated with the prison context and the cultural features associated with prison populations, to what extent can sport influence the downward slope towards exclusion? A key question addressed in this publication is in