

❖ Engaging the Civil Dead: Citizens' Media and Prisoner

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Abstract

If community media is at the forefront of new models of citizen participation, then what better way to test this claim than by examining how community radio facilitates those groups most segregated from the general public? Prisoners, by their very nature, are by far one of society's most excluded populations. In this paper I draw on international examples of prisoners' radio and, more specifically on an Australian case study (4ZzZ, Brisbane's *Locked In*), to investigate the practical implementation of citizens' media theory.

Introduction

Radio is wonderful because it enables, through the sound waves, to get to one another's ears and so to one another's hearts through the human voice, and that's very precious.

(Sister Helen Prejean, on *Locked In*, March 14, 2005)

It has been over five years since the term 'citizens' media' (Rodriguez, 2001) introduced an alternative framework for the analysis of grassroots media activities. Since then theories of citizens' media have been embraced by many researchers in the field of alternative communications (Atton & Couldry, 2003), not least by those focusing on community radio.

What is it about citizens' media that attracts community radio practitioners and theorists and in what way does community radio fit the framework of citizens' media theory? To explore these questions I am drawing on my PhD research thesis. This research focuses on prisoners'¹ radio, a specific type of broadcasting almost unique to the community. Given the tenuous status of prisoners as citizens, I believe this is an ideal area to test and explore the principles of citizens' media theory and how they apply to a particularly disempowered section of society.

Prisoners' Radio: A Brief Introduction

While radio programs designed explicitly for or by those in contact with the criminal justice system are not abundant, the forms in which they do exist varied. On an international level, prisoners' radio can involve playing requests to and from prisoners, their families and friends, sometimes with accompanying messages. They might broadcast news stories, interviews,

documentaries and other information that relates to prison and justice issues. Sometimes prisoners' programs broadcast from inside a detention centre or work with inmates to produce their own radio stories, and at other times broadcast from the studios of a community radio station without their physical presence. They may be weekly programs or annual broadcasting events. Programming involves prisoners, former prisoners, their friends and family, social justice activists and organisations and/or government representatives, as well as community radio broadcasters and stations.

I have so far identified seven prisoners' radio programs in Australia, five in Canada and five in the United States and one in Jamaica. There are also two prison radio training projects incorporating a community radio station in Britain, and three United States organisations that produce weekly prison issues programs for broadcast by community and public radio stations worldwide. Some of these programs and projects will be described in more detail throughout this paper.

The phrase 'prisoners' programming on community radio' is practically redundant because radio that operates for, or by, prisoners exists almost exclusively within the community radio sector. This is not surprising given the non-commercial nature, or even potential, of prisoners' programming. Also, with the complexity of laws governing prisoners' access to the media and journalists' access to the incarcerated, it is not surprising there are few incidents of government, commercial or private broadcasters facilitating media for prisoners. Although there are some exceptions to this (for example the United States' National Public Radio network's *Prison Diaries*), I am limiting the scope of this paper to programs specifically connected to the community broadcasting sector.

Why Study Prisoners' Radio?

A prison sentence has traditionally included loss of rights so as to deny a person their citizenship as well as their liberty. Since feudal England, people convicted of treason or a felony lost all civil rights, including the right to own or deal with property, to inherit and the right to sue — 'at law that person is dead' (Ridley-Smith & Redman, 2002, p. 284).

Through civil death, prisoners are marked as being without honour and without the right to participate in public life (Orr, 1998 in Ridley-Smith & Redman, 2002). Foucault (1995) also defined the prisoner as disqualified from citizenship. To him, crime and criminals are objectified as the 'enemy of all' who fall outside the pact and emerge, 'a wild fragment of nature' (p. 101). Foucault argued the secrecy of prisons is an essential element of their regular function and asked what prisons can tell us about society.

The notion that prisoners still suffer a form of civil death is alive today, most commonly through disenfranchisement. A pluralist understanding of citizenship demands we consider other means by which we enact our citizenship however the right to vote *is* one of the most common elements of citizenship raised during discussions of prisoners' rights and therefore deserves attention.

Legislation relating to prisoners and the right to vote is complicated. It operates on both the levels of federal and state/provincial government as well as being vastly different around the world. For example South Africa overturned legislation so as to enfranchise all prisoners through a ruling by the Constitutional Court in April 1999 (Leech, 2006) whereas the United Kingdom denies the vote to all prisoners, with this decision now facing review after a test case was brought before the European Court of Human Rights.

In Australia any person serving a prison sentence spanning the full term of the House of

Representatives (maximum three years and three months), is ineligible to vote while incarcerated. However state and territory legislation varies to often impose further limitations. For example Tasmania disallows all non-federal prisoners from voting whereas South Australia enforces no such disenfranchisement (Australian Democrats, 2006).

The mass disenfranchisement of African-Americans in Florida is a case in point when considering the long-term effects of losing the right to vote. Florida denies the vote to ex-prisoners even once they have fully served their sentence. In the 2000 US elections, there were more than 400,000 people legally prohibited from voting in Florida (which included one third of the state's African-American men). New York-based group Human Rights Watch, claimed that 'assuming the voting pattern of black ex-felons would have been similar to the vote by black residents in Florida generally, inability of these ex-offenders to vote had a significant impact on the number voting for Vice President Gore' (Rosen, 2001, p. 1).

Brown (2002, p. 309) said denying prisoners the vote was a feudal hangover entirely out of place in modern democracies, offensive to secular notions of rehabilitation and religious notions of redemption. Ridley-Smith and Redman (2002) agreed that the denial of civil rights in general 'is out of step with a modern rehabilitative approach' (p. 252) and alienates prisoners from further shaping the political community in which they will live and work. This reinforces a sense of non-citizenship and a status of non-person. The effects of civil death were summed up by long-term, (and now deceased), prisoner Jack Henry Abbott (1981) in his diaries *In the Belly of the Beast*. After a failed attempt to disinter a fellow prisoner for autopsy after a suspicious death, Abbott wrote:

How am I going to get him out of his grave? How am I going to get justice for him? As long as I am nothing but a ghost of the civil dead, I can do nothing. (p. 91).

Prisoners' rights are enshrined by The United Nations in the International Covenant on Civil and Political Rights, Basic Principles for the Treatment of Prisoners and The Body of Principles of the Protection of all Prisoners Under any Form of Detention. However, as Brown and Wilke (2002) reminded us, despite rights existing in the abstract it is through the ability to 'exercise the trappings of citizenship that real content and meaning is breathed into the claim of rights' (p. xxviii).

While acknowledging the pivotal function voting often plays in a citizens' life, we need to expand our definitions beyond the legal to recognise other ways by which prisoners might 'exercise the trappings' of citizenship. Radical democratic theory defines citizenship as a pro-active construction of identity rather than citizenship in terms of legal status (Mouffe 1992). It is this definition of citizenship that Rodriguez (2001) used as her basis for citizens' media theory. Atton and Couldry (2003) said few involved in alternative media would disagree that citizenship is an issue relevant to alternative media practice.

I argue that prisoners face civil death when they are denied their political voice. Imprisonment involves much more than separation and loss of freedom of movement but also the severe deprivation of autonomy, privacy and voice (Hogg, 2002; Darebin Community Legal Centre, 2004). Foucault (1995) also focused on this concept of prisoners' loss of voice. As an active campaigner on behalf of prisoners for most of his life, Foucault assisted in the establishment of *Groupe d'information sur les Prisons* in 1971 and lobbied for creating the conditions such that prisoners could speak for themselves *and* have their voices heard (Lumby, 2002). Participation in media production can also be viewed as a direct act of citizenship (Rennie, 2002) and a citizens' media framework may well foster these conditions.

Prisons are one of the most closed and silent institutions in the justice system (Roberts & Hough, 2005) and the general public probably knows less about imprisonment than about any other stage of the justice system (Surette, 2007; Roberts & Hough, 2005). Fictional representations of the prison — such as the movie *Ghosts ... of the Civil Dead* and the television series *Oz* — significantly affect wider understandings of prison issues. Roberts and Hough (2005) found that 12 percent of a sample of the British public identified detective series, films and other fictional television programs as most influential on their views on prison issues. Gina Dent (as cited in Davis 2003) said the history of visibility linked to the prison is a major reinforcement of that institution as a naturalised part of our social landscape.

Former prisoner and political activist Angela Davis (2003) said the lack of real public dialogue about prisons had led to a deficiency of critique about prison growth and reform. Journalist Noelle Hanrahan (2001) who works closely with death-row prisoner Mumia Abul-Jamal, claimed it is the job of the journalist to 'reach behind the iron curtain ... so that we may hear prisoners' voices; voices of dissent and voices of those we condemn' (p. 31).

Prisoners' Radio as Citizens' Media

If democracy lives through public discourse and dialogue, then the prison and the incarcerated are outside of democracy (Garland, 2002). In what ways can prisoners' radio, operating as citizens' media, address this issue and assist in returning prisoners to democracy? Most prisoners will return to their communities within a short period of time (for example the average length of all custodial sentences imposed in the Queensland Magistrates court is 3.6 months [Bell, 2004]). Considering this, I believe it is a practical concern (rather than purely academic musing) to assist people in prison to stay connected to their communities and retain some sense of citizenship or membership of society.

Previous literature has covered citizens' media and it seems fruitless to re-write the theory here. Rodriguez (2001) concluded that alternative media could empower participants and facilitate active citizenship. She defined citizens' media in terms of three major features; that citizenship is being enacted by intervening and transforming the mediascape (that is, by participating in producing media); that social codes and institutionalised social relations are being contested (representative issues are being addressed); and these community practices are empowering the community involved to the point where these changes can occur (Rodriguez 2001, p. 20). Rodriguez (2001) also argued that citizens' media should open social space for dialogue (fostering public sphere activity), break isolation, encourage creativity and demystify the mass media. As such citizens' media nurtures 'an everyday life charged with meaningful experiences and practices' (p. 63). Prisoners' radio facilitates participation and empowerment in a number of ways and it is this aspect of citizens' media that I would like to concentrate on in this paper.

The most direct example of prisoners' participation in radio production is probably *Souverains Anonymes*, a weekly show produced in a men's prison in Montreal, Ontario, Canada. This French-language program has been running since 1999 and involves approximately 20 prisoners. It airs on Radio Centreville, CKUT and CISM (all in Montreal, Quebec) as well as the website www.souverains.qc.ca (Gravenor, 2004). Another program to broadcast live from inside prison via community radio is Melbourne station 3CR's *Beyond the Bars*. This is an annual event broadcasting the songs, poems and thoughts of indigenous prisoners from a number of correctional institutions during NAIDOC Week (held in July each year to celebrate Indigenous culture). *Beyond the Bars* first broadcast in 2002 and since 2004 a CD (available from 3CR) has been produced containing highlights of each year's programs.

Prisoners' voices and ideas dominate both of these participatory programs but the logistics of such ventures can be extremely complicated and, it would be fair to say, often beyond the scope of volunteer labour. *Beyond the Bars* presenter Kutcha Edwards (personal communication, Feb 12, 2007) said 3CR had to 'jump through a lot of hoops' to attain the level of participation now enjoyed during their annual broadcasts:

It's practically giving (prisoners) license to say anything they want to really...It's like giving them the phone and letting them speak to who they want to, when they want to. That was the scary thing I suppose (for Corrections Victoria).

A Montreal station, CKUT, developed a unique idea for overcoming logistics limiting maximum security prisoners' access to the airwaves. *Prisoner X Program* worked with prisoners to produce their own radio pieces. CKUT news coordinator, G. King, would visit local prisons where the prisoners had indicated an interest in workshops that would improve their situation with the parole board. King facilitated documentary making processes that circumvented her being prevented from taking recording equipment into the institutions. King would assist the workshop participants to identify documentary topics, develop questions and choose people to be interviewed. She subsequently conducted these interviews and played them back to the participants who then made editing and voice-over decisions (G. King, personal communication, June 6, 2005). Such facilitation with prisoners meant they were able to produce 'their own' media negotiating limited access.

While such examples exemplify best practice in terms of participation, this does not mean programs that incorporate 'less' hands-on methods should be ignored as meaningful activity. If citizenship is enacted when we participate in the media, what level of participation is required before we can genuinely say effect is taking place? For citizens' media does not require that people be 'only' participating but that this occurs within the context of some level of empowerment. However, according to radical democratic theory we all, as individuals, experience and exercise power on various levels in differing contexts rather than existing at a static level of power. This alternate viewpoint is an essential condition for understanding the richness of political struggles (Rodriguez, 2001), struggles which often present themselves as the resistance of the quotidian — the everyday. Do prisoners' programs need to demonstrate grand gestures of direct participation to cause shifts in the power structures for those involved?

As has been previously mentioned, prisoners' access to the media is notoriously difficult and beyond the institutionalised nature of incarceration there are also legal hurdles to contend with. Brown and Wilkie (2002) claimed the political imperative for Corrections Ministers in Australia was to keep prisons out of the media and 'off the front page' (p. xxi). This is reflected in Australian legislation affecting journalists' access to prisoners as interview subjects and prisoners' access to their representation in the media.

In Queensland, Section 132 of the Corrective Services Act (2006) states, in relation to interviewing and photographing prisoners, that a person must not interview a prisoner or get a written or recorded statement from a prisoner, whether the prisoner is inside or outside a corrective services facility, without the permission of Corrective Services. In July 2000, journalist John Anderson was charged for interviewing prisoners without authority consent. (Brown & Wilkie, 2002).

Faced with such legal restrictions, prisoners' radio often has to deal with limited access for their immediate audience. It is quite common to find prisoners' radio existing as weekly information or issues programs (for example in *Doin Time*, 3CR, Melbourne, Australia; *Stark Raven*, Co-Op Radio, Vancouver, Canada; *Prisoner Pipeline*, KBOO FM, Portland, USA and *Jailbreak*, 2SER,

Sydney, Australia) or incorporating requests and dedications (such as *The Prison Show*, KPFT FM in Houston, Texas, USA, *Green Bush*, CAAMA Radio, Alice Springs, Australia and *The Prison Show*, Three D Radio, Adelaide, Australia). To assess the effectiveness of such programs I focus on one particular requests and information program, *Locked In*.

Locked In

Locked In is a two-hour program produced at Brisbane community radio station 4ZZZ. Trained announcers and informal presenters play requests (from prisoners, family and friends), read prisoners' letters, community announcements and news stories. The show also broadcasts interviews and documentaries related to prison and social justice issues. Former prisoners, friends and family of prisoners and others working in prison-related areas, are invited to come into the studios, and at the time of writing, three former prisoners were involved in presenting the show along with two trained 4ZZZ announcers.

4ZZZ has included a prisoners' show in its programming (under various names) since the early 1980's (Tracey as cited in Williams, 2000). I have personally been involved with *Locked In* on an irregular basis since the mid 1990's, as a journalist and occasional presenter. Through the research for this PhD, I have developed a closer relationship to the program and am currently a regular presenter and producer. It is important to note the case study sample represents approximately two years of broadcast and I acknowledge there are many former presenters and formats of 4ZZZ's prisoners' programming neglected in this snapshot.

The aims of *Locked In* are to give prisoners' access to the media and to participate in the life of the community; to keep prisoners and their love ones in touch with each other; to provide information regarding imprisonment, the law and social justice issues to listeners inside and out; to educate the community about the reality of imprisonment; and to explore alternatives to punishment (N. Debreczini, personal communication, January 29, 2005).

How is participation facilitated on a practical level? Prisoners' access to the program is almost exclusively through writing letters that are read aloud on air. Neither regular long-term announcer could claim to have any direct experience of imprisonment beyond a few hours in a police holding cell. This may not indicate substantial participation, however if we examine some of the comments made by prisoners, the significance of the program is evident. These comments were made in personal communications to me in response to a call on air for assistance with my research. Initials have been used with permission of the contributors.

I listen to the show mostly for the music, music is my escape, I love it. But stuff like the new prison out at Gatton and all the shit that's gonna be happening in the next few years, I'd never of known if it wasn't for the show. (L.S. at Brisbane Women's Correctional Centre, February 9, 2007)

I know this may sound somewhat odd, but (the show) gives me a sense of importance and responsibility which is a rarity inside! (S. M. at Wolston Correctional Centre, February, 2007)

The thing I want to make a special point on is ... the fact that each member of the *Locked In* crew turning up each week has had a positive effect on me. I think it's fair to say I'm institutionalised and sadly with that comes a certain coldness with emotions etc. And it also carries with it a build up of hate and self centeredness that's just a build up of frustration. What I've found this program has created in me is a high level of respect and thankfulness for others who take the time out of their lives for my/others benefit, without judgement, and share enough of

themselves to make those who participate and listen feel like someone. (T.C. serving life at Wolston Correctional Centre, January 28, 2007)

Rennie (2002) confirms that part of the appeal of citizens' media theory is 'it is about discovering how people use media within their lives, not another grand narrative for democratic reform' (p. 10). Prisoners' comments about *Locked In* definitely suggest they are using the program in ways that improve and benefit their lives. On a very basic level, listening and writing to a program engages prisoners in citizens' media activity — after all, the content of the program is dictated by the requests and the letters drive much of its narrative, either directly or by providing comment and ideas for the presenters spoken word contributions. Indeed one regular contributor to *Locked In* (who wrote from prison almost every week for over 10 years) was defined and praised by another listener as being 'part of the 4ZzZ team for as long as I can remember' (S.W.P., personal communication, February 9, 2007). In one of the quotes above T.C. describes the audience as both participating and listening.

For the first year of my research, *Locked In* received an average of two letters each week, with the occasional phone call from prisoners in pre-release accommodation. It would be misleading not to mention that, as a presenter at this time, the limited number of letters from prisoners was somewhat disheartening and 4ZzZ may well have considered re-assessing the objectives (and existence) of the program. There is significant competition for programming slots at 4ZzZ and shows are regularly expected to justify their existence. However Jacobs (1991) said small and large public spheres both have their place, citing the example of the Black press which he claimed is not successful in terms of the *number* of people who actually read it, but in the *potential* that people know it is available.

This also proved true for *Locked In*. Across the month of May 2006 three new presenters joined the program. Charlie² joined almost immediately after his release from serving a thirteen year plus sentence. Zim had been incarcerated over ten years ago for a significant period with Blue 'half way between the other two' (personal communication, February 1, 2007) in terms of his prison sentence and release history. All three presenters have since become the backbone of the show. Correspondence has increased to an average of seven or eight letters and the messages of a number of prisoners are quite often included in each individual letter. An extra two hours was allocated to the program on Christmas Day 2006 to incorporate the number of dedications and requests. The profile of the show has increased dramatically.

There are a number of reasons for the increase in prisoners' participation in *Locked In* since the involvement of former prisoners. Charlie has become a personality. He has become a direct representative of those he has 'left behind' in prison. Prisoners have expressed a connection with the new announcers who share their own experiences and a level of trust has been established that could not have existed formerly. This is not to say there was animosity extended towards Nicky and myself. Rather, an increased connection between audience and announcers developed with the inclusion of former prisoners' voices.

I think having the boyz included in the show is mad. They can relate to all the bullshit that goes on in these walls which, sad to say, becomes the norm after a while. And they make me laugh which sometimes you need on a bad day ... It's good to see even though they're out now they still give a fuck which is rare as. (L.S. at Brisbane Women's Correctional Centre, February 9, 2007)

It would be careless to paint an overly rose-tinted impression of *Locked In* that fails to acknowledge some prisoners may not feel comfortable communicating with the programs'

current announcers due to personal histories. Also, with the increase in requests and dedications less time is available to discuss correctional issues facing prisoners and their families. However, this is 'juggled' whenever possible and prisoners' themselves initiate such discussions in their letters. There are many other elements to *Locked In* that could be discussed (especially in terms of introducing prisoners' issues to the wider public sphere), however space permits a limitation to those ideas relating to participation.

One of the main forms of participation during *Locked In* is spent communicating with loved ones, both inside and outside of prison. The program often receives phone calls from the family and friends of prisoners. They make requests and dedications to those on the inside (with these now occasionally going live to air by the caller via a talkback line). Prisoners' letters are also dominated by messages to people on the outside or serving sentences in other correctional facilities.

Kelly just called up and is sending a message out to Scotty. She says 'congratulations honey, the worst is over, can't wait to catch up and have a chat today. Did you get my kite (letter) today? If so, help me. Love always, Kelly'.
(*Locked In*, March 6, 2006)

Alpha Girl says she's still waiting for an answer from the parole board, they are sitting again tonight, she is hoping for an answer this week and ... she says she'll ring your grandparents as soon as she knows anything and if you don't get a message from them about it that means then nothing has happened and she doesn't know anything and she says 'I love you to death and miss you more and more everyday'. (*Locked In*, May 15, 2006)

Keeping in touch is an ongoing theme raised by prisoners and reinforced by prison activists and researchers. According to Toch (1996), absence of contact may create a psychological vacuum and any increase in the existing alienation exerted on prisoners makes them even more susceptible to the psychological and physical abuse. According to Canadian prison activist Claire Culhane (2004), this has 'become the hallmark of prison life' (p. 17).

Prisons are not usually successful in preparing prisoners for their return to the community and the resumption of their status as ordinary (full time) citizens. The very nature of incarceration can fracture family and social networks, undermine employment opportunities and introduce criminal alternatives to life in open society (Hogg, 2002). It is important for prisoners to maintain contacts with the community and society and numerous studies have emphasised the value of outside relationships (Culhane 1988; Toch 1996; Brown & Wilkie 2002).

It is my belief that prisoners' radio assists with overcoming alienation and helps prisoners maintain relationships and contact with life outside of jail. Whilst by no means am I claiming such activities equal the personal contact of visits, phone calls and letter writing, or the positive relationships formed within prisons, I do attest to the additional benefits of prisoners' engagement with the media. Browne and Wilkie (2002) support this:

The expression and communication of prisoners' voices in their diversity depends in great measure on their access to various forms of media, electronic and print, and the family and various support groups and services, government and non-government. (p. xxii)

With less than three out of five prisoners receiving any visits from their main social contact outside of prison (Hogg, 2002), there is an opportunity for prisoners' programming to facilitate

important connections to the outside world. *Locked In* listeners have certainly indicated the existence and importance of these connections being maintained by the program:

For me it's another avenue to connect with (name deleted)! Love has to be nurtured and the show helps me stay connected with her.' (M.P. at Wolston Correctional Centre, May 30, 2005)

I am serving a life sentence, I'm into my 19th year of jail and I've made some close friends along the way. Due to the differing status of us all we can't stay in the same jail, so (the show) gives us that extra opportunity to stay in touch. (T.C. at Arthur Gorrie Correctional Centre, January 28, 2007)

On the outside people obviously have a support network, whether it be family, spiritual or organisational ... In my experience, and that which I have gathered from others, when someone comes to jail access to those support networks is diminished and in some cases severed altogether. That's where you guys come in. It might not seem like it to people on the outside but even the smallest recognition can make a big difference. Sitting in here spending up to three or four years on remand can make you feel very distant from the general population. The notion that you address the issues specifically important to us replaces that sense of exclusion. (A.D. at Arthur Gorrie Correctional Centre, February, 2007).

Conclusion

When prisoners are able to engage in their own radio production, they can be seen as participating in a form of meaningful community activity. This may be beneficial to the prisoners themselves and the wider audience (including family and friends). Prisoners' programs also challenge stereotypes that may shape wider public discourse and provide their own arena to which prisoners, former prisoners, family and friends, community groups and other stakeholders can contribute. Also, when presenters read prisoners' letters on air, they are exposing their voices to a wider audience and also demonstrating that prisoners' opinions are valid and worth broadcasting. If one of the tests of the liberality of a society is the extent to which its citizens have a diversity of ideas made available to them (as claimed by Horne, 1994), then the inclusion of prisoners' voices and issues in the media can only enhance this liberality.

Prisoners' radio is citizens' media in action. Projects such as *Beyond the Bars* demonstrate what can be achieved, in terms of direct participation, with tenacity and dedication. *Locked In* reminds us that community radio constantly changes as new volunteers arrive and dynamics shift as the environment is transformed. It may be easy to give up on prisoners' radio when participation is limited, or conditions restrict direct action, yet programs such as those discussed above tell us otherwise. If community radio is able to meet the challenges of one of the most isolated segments of society to produce meaningful and worthwhile media then I believe the sector is on the right track.

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Notes

I have chosen to use the word 'prisoner' as opposed to 'inmate' throughout my research. This is informed by Canadian prison activist, Claire Culhane (1988), who says 'inmate' is a label that creates a sense of institutionalisation and powerlessness. The preferred term, 'prisoner', is more accurate as it alludes to those who are 'temporarily deprived of freedom and liberty, held captive' (Culhane, 1988, 20). Similarly, I prefer 'prisons' to the plethora of terms now used to refer to places of incarceration (such as correctional facilities, reception centres and institutions) which serve to 'camouflage their restrictive and secretive role' (Culhane, 1988, 20). [Back](#)

2 Program presenters' 'on air' names have been used with their permission.

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