The Incarceration of German Prisoners in France: Perspectives and The Limits to Projects of Reintegration

Emily Trombik
Translator: Uri Ben-Gal

Electronic version
URL: http://journals.openedition.org/champpenal/7433
DOI: 10.4000/champpenal.7433
ISSN: 1777-5272

Publisher
Association Champ pénal / Penal field

Electronic reference
Emily Trombik, « The Incarceration of German Prisoners in France: Perspectives and The Limits to Projects of Reintegration », Champ pénal/Penal field [Online], Vol. IV | 2007, Online since 20 October 2009, connection on 02 May 2019. URL: http://journals.openedition.org/champpenal/7433 ; DOI: 10.4000/champpenal.7433
The Incarceration of German Prisoners in France: Perspectives and The Limits to Projects of Reintegration

Emily Trombik
Translation: Uri Ben-Gal

1 Article 707 of the code of criminal procedure declares that the execution of sentences must facilitate, in the interests of society and the rights of victims, the integration or reintegration of prisoners as well as the prevention of recidivism. This requirement must also apply to foreign prisoners, that is to say, those who cannot claim French nationality (definition INED). While, as of January 1, 2005, they represented 21.5% (Ministry of Justice, 2005, 7) of the metropolitan prison population, little research has been done in relation to this group. We will do a quick review of the existing research in order to contextualize our own contribution.

2 A large part of the research done on foreign prisoners has been limited to those incarcerated for offences related to their entrances and stays in France (Gailliègue, 2000). The most important work on the question of foreign prisoners has been done by Tournier and his collaborators (1991). Legal, police and prison oriented statistics show that the over-representation of foreigners in prisons is not caused by their hypercriminality, but rather is related to the categories of offense for which they are sentenced and to certain mechanisms of the legal system. As well, although the judgement and main infraction are constant, the foreigners incur heavier sentences, because for each of these offences, their likelihood of being sentenced to a tough detention is greater than that of French nationals. Other studies demonstrate that foreign prisoners show a greater degree of financial insecurity than French ones.

3 We have concentrated our research on the social care by the prison administration and the prison experience that results from it. In order to deepen our understanding of this part of the prison population, it is advisable, as claimed by Chantraine (2003, 381), to move from a « sociology of prison » towards « a sociology of the prison experience ». We
have thus, to comprehend their experiences of the carceral world\textsuperscript{2}, solicited individuals who, socialized in and part of another country and culture, are incarcerated in France\textsuperscript{3}. Also, the study is limited to the case of German-speaking prisoners incarcerated in France, which brings us to concentrate exclusively on the Franco-German situation.

These persons were mainly arrested at the French borders with Spain or Italy and sentenced in relation to anti-drug legislation. Throughout the judicial procedure and during the trial, they were incarcerated in a holding prison in these French frontier regions, far from a German-speaking environment. The convention of transfer to Germany, adopted by the Council of Europe in 1983 allowing people condemned to more than six months to serve their sentences in their country of residence, has often been seen by the states and the condemned as too costly and too long to put into place. From that point, instead of being transferred to Germany to a society that shares their codes of language and behavior, a majority of the German prisoners remain incarcerated in France, where they are, at their request and after a large part of the sentence has been served, transferred to Alsace.

Our study examines the consequences of such a foreign incarceration upon the lives of these people and their prospects for future reintegration. To understand their experience, it is important to emphasize that the situation of the German prisoner does not correspond to Simmel's (1992a) definition of the foreigner. The foreigner is at the margins of the host society and lives there with a willingness to remake his life, while being well aware that one day he might be sent back. The German prisoners are different in that they are held by force in a foreign country and culture. We will examine how this lack of a future in France influences their carceral experience.

The confrontation of the legal systems with reality will create a perception of the limits of this coverage, a situation that will strongly influence the carceral experience and the attempts to reintegrate the German prisoner.

1. The Limits of Social Coverage and the Measures to Individualize Sentences

The legislation foresees that the prevention of recidivism is accomplished through a social supervision and an individualization of sentencing, according to the characteristics of the prisoner. In requiring equality of treatment for prisoners, the French legislator is following the recommendations of the Council of Europe with regard to foreign prisoners. Now, international actors are no longer inclined to propose further efforts adapted to German prisoners.

It is often linguistic and cultural barriers that are obstacles for the Prison Service for Probation and Integration (SPIP), which is charged with promoting access to rights and systems for integration that are part of the common rights of prisoners (Code of Penal Procedure (CPP), Art. D. 573). No budget having been allocated for access to a professional interpreter, (OIP, 2005, 24), the counsellors for integration and probation (CIP) can only with difficulty communicate with the German prisoners. The CIPs, faced with these linguistic problems, limit their supervision to a strict minimum. An inquiry « on the ground » shows, for example, that the families of many German prisoners are not informed of the incarceration until a week or even two after the arrest.
Information for arriving prisoners as well as internal regulations available only in French leave the German prisoner in a complete state of uncertainty because he gets no official, reliable information on the functioning of the prison and regarding perspectives on his incarceration. In this context, the German embassy in France fulfills an important function: to each German prisoner, it sends a packet of information about the functioning of the French prison system, the modalities of international transfer and about measures available for the individualization of his sentence.

Also, that communication within the penitentiary is based mostly on writing, makes access to different services and actors difficult for the prisoners who don't know how to write in French. The German prisoners must therefore have to act through fellow prisoners or guards who speak German or English in order to access services and sociocultural activities. As a result, they only rarely participate in these activities intended for the development of the social and individual abilities of the prisoner. We will see that this isolation marks their carceral experience.

It is in the preparation for release, in the charge of the SPIP, that other limits appear in the capacity of the German prisoners for reintegration. The complexity of their social situations and the lack of information and of knowledge about reception facilities and assistance in Germany often prevents the CIPs from taking proper charge of the reintegration of these prisoners. Moreover, the Units for Outgoing Prisoners (UPS, which have existed for about 10 years in order to facilitate relations between prisoners and social institutions are only intended for people living in France and not for foreign prisoners who have been given a notice of expulsion. To this it must be added that the CIPs are nevertheless authorized by the CPP (Art. D. 573) to resort to participation, (...) all public and private organizations are reluctant to accept the support of associations that specialize in the supervision of foreign prisoners, such as the European Centre of Citizens, for fear of a loss of power within the prison. A majority of German prisoners are thus released from prison without preparation for reintegration-an important fact, given that studies show that a majority of people recidivate during their first period of freedom (Colin, 1998). The policy of opening prison to external intervenors, begun in the 1970s, does not provide certainty of an effective follow-up and reintegration of the German prisoners.

Also, the rights to make claims, like the rights to information, correspondence, work, education and the leisure activities that multiply in prison (Chauvenet, 1996, 55) and which aim precisely at promoting the social well-being of groups that suffer discrimination, are also of less benefit to the foreign prisoners. The organization of visits in the visiting room, which, especially in the holding prisons, are limited to 30 minutes per month, is not really adapted to the needs of foreigners whose families come from far away. The recommendation of the Council of Europe (1984, 3) that visits and other contacts with the outside world be organized in a manner that is responsive to the special needs of foreign prisoners, has not been followed.

Access to work or to education is also more difficult for a prisoner who has not mastered French. Indeed, investigation shows, following Marchetti (1997, 68), that foreigners form the least favored part of the prison population, while geographic distance makes family support difficult and creates significant expenses (such as telephone cards). Their lack of language comprehension limits them to unsuitable positions. The German prisoners often work in general service or assembly workshops. These positions not requiring a mastery of the language pay poorly and stimulate the prisoners less to find legal work on the
outside. This situation evolves little over the course of the incarceration because the prisons are often not in the position to provide real language courses. The German prisoners we encountered are thus often either on a waiting list or learning French—which is indispensable to prison life—through their own means. Furthermore, because the school is not paid for and the school and work schedules overlap, the prisoners often favor economic necessity.

If you work, you cannot go to school. It is only one or the other. (Mister P., German, 52 years old, ILS, before a holding prison in the south of France). It is thus the immediate material problems that prevail over any concern regarding future integration (Marchetti, 1997, 79). The German prisoners prefer working to learning French even though their reintegration back in Germany would be improved due to the acquisition of a second language. This situation reinforces a process of fragilization of their financial, social and familial situations.

2. Access to Measures for the Individualization of Sentences

Article 707 of the CPP plans for the individualization of sentences in consideration of the evolution in the personality and situation of the prisoner with a view towards a future integration. The French legislation here follows the recommendations of the Council of Europe (1984) in that the prisoners of foreign nationality are subject to the same regime as domestic prisoners belonging to the same penal category (Art. D. 505 CPP). But a survey of the situation shows that the foreign prisoners have only very rare access to these arrangements which are, even for the French prisoners, exceptional (Kensey, Tournier, 2004). The great majority of German prisoners believe that these arrangements are, in principle, not even accessible to them.

I always heard that it never applies to foreigners (Mister S., German, 42 years, ILS, before a holding prison in the south of France). Although they permit concrete preparation for social or professional reintegration and the maintenance of family ties, these measures of individualization are not implemented because of the fear that the prisoner, without territorial attachments, would escape the surveillance of the French justice system. For them, a progressive contact with society on the outside is especially important, for not having experienced life in their country of origin during their period of detention, they can meet with very real difficulties of readaptation.

The gap between the norms and practices can be explained by the fact that the French state prefers, in order to reduce its costs, to limit the supervision of these prisoners. The measures for individualization and implementation of the sentence must limit the recidivism of prisoners, but as these people are obligated to leave French territory upon their release, they cannot recidivate in France. It is for this reason that the modalities of allocation and surveillance of a release on parole are more flexible for the German prisoners. They do not have prove their serious efforts at social reintegration (CPP, Art. 729-2, D. 523, Paragraph 2, D. 535, 4) and they are not dependent on a probation officer after release. Therefore, being subject to territorial interdiction after release, even if there is an anticipation of it, they can no longer constitute a danger to the French society and justice system. The justice system therefore satisfies its need to punish by
condemning the foreign prisoner to a tough prison sentence, but his detention and reintegration are no longer of concern.

It is evident that this behavior corresponds neither to the humanitarian claims of the Council of Europe, nor to the European reality of free movement but rather derives from short-term financial calculations in the spirit of the individual nation-state. The means given to effectively fight criminality and recidivism are therefore insufficient and seem ineffective.

3. Consequences for the Carceral Experience

Analyzing the relationship to prison allows us to understand the sense given by the actors to their existence and the place they occupy in prison (Rostaing, 1996, 103). Through the testimony of prisoners we will approach their definition of the situation and their experience which necessitates a diachronic vision because it evolves throughout the incarceration. The hierarchy of different life plans changes according to the situation and according to the development of the personality.

The experience within the carceral institution is from the beginning marked by a feeling of shock which is explained by the entrance into a world which had, until then, been foreign.

At first, when I first arrived and saw all the other people, it was a shock, but in time...
(Mister E., from Kosovo, right of stay in Germany, 29 years old, ILS, before a holding jail in the south of France).

There is another dimension connected to the reality of suddenly finding oneself held in a country and culture whose language one doesn’t understand, as well as the codes of living that are added to it. Finding oneself unable to communicate, the person passes from the status of an actor integrated within his social universe to that of a foreigner, excluded.

(...) As a foreigner, it is really strange in the beginning, because you arrive into a culture that is completely foreign. You don’t understand a word. (Mister Sp., German, 29 years old, ILS, before the holding jail in Alsace). (…)

Not being able to predict the codes of behavior, the prisoners lose their ontological security (Giddens, 2005, 100), indispensable to maintain corporal control and control of action.

In trying to get out of this situation, the German prisoners become aware of their isolation in relation to the institutional actors and the social world on the outside. The speech that constitutes the means of control for the CIP of the prison population—that allows one to recognize the prisoners—(Rostaing, 1996, 106), plays no role in this case. The prisoners are aware that this isolation can have serious consequences for the remainder of the incarceration and feel that they have been rendered fragile.

And naturally, in prison you have the same problem, except that here it is more serious, because you are forced to make yourself understood by a means, I mean that it’s not the next five minutes that depend on this understanding but the question to know is whether you stay one, two, three years more or less (Mister L., Austrian, 60 years old, ILS, before a holding jail in the north of France).

They also experience less integration within the group of prisoners because of a deficiency in the verbal exchange that is essential to normal comprehension (Schütz, 1987).

And at first, I had a lot of trouble adapting because of my understanding of the language (Mister W., German, 43 years old, ILS, before the remand jail in Paris).
Separation-reinforced on the outside, with family connections often already fragile and difficult to maintain over such great geographical distances-is also a source of suffering and revolt.

And of course, the possibilities for maintaining family ties are complete shit. A half hour for 1500 kilometers of travel. Of course, it’s a joke (M.P.).

Therefore, the proximity of the network of relationships on the outside plays an important role in the acceptance of the carceral life on the inside (Marchetti, Combessie, 1996). Prison is perceived as less unjust when visits add a rhythm to the monotony. Furthermore, the impossibility of communicating with the outside or of connecting with those close to one reinforces the impoverishing effects attributable to incarceration (Marchetti, Combessie 1996, 185). In this sense, the removal of the normal world, one of the characteristics of the total institution as described by Goffman (1968, 41), is very present in the experience of the German prisoners. One can therefore speak of a double isolation in relation to foreign prisoners. All of the contacts that can engage the first steps towards a successful reintegration are lacking. This situation brings the prisoners to withdraw into themselves.

- And this is enough contact for you ?
- Eh, I don’t need anyone (M.P.)

This behavior can be seen as a form of apathy, a reaction that Bajoit (1988) added to the typology of individual reactions to the dissatisfaction elaborated by Hirschman (1972). The German prisoner, deprived of the most usual means of communication, thus does not make efforts to improve his carceral situation, but seeks solitude in sport or reading.

- Yes. Well, I prefer to always remain in the cell and I don’t go...because, for example, there are guys who go...for a walk and always talk about stuff.
- You don’t do this ? And you don’t take walks ?
- No, very rarely (M.E.).

In this way, the individual runs away from himself towards a protected world where he is master of the situation (Marchetti, 2001, 266).

There is only one possibility, trips that occur in the mind. Anything else you want to do...no. (M.L.).

The cell is also important in that it is the only space to which the prisoner can retreat, to protect himself from a contact which never flows from him.

No, no, no. No one comes into my cell. (…) I remain, I remain outside of all that. I have nothing to do with all that. I want nothing to do with all that, I myself have problems (M.P.).

This isolation could have fatal consequences for the communication competence of the prisoners in relation to their future reintegration. Some report difficulties with language, which according to Chantraine (2004), are a consequence of a passive adaptation to incarceration. This process, which Goffman called asilization, can provoke the loss of certain everyday habits required for life in society (1968, 118). So, not being used to speaking German with people in organizations could make the post-release search for work in the German speaking country of origin a delicate matter.

This isolation created a feeling of uncertainty in many of the prisoners encountered. Contacts with the CIPs and the guards being limited, they had only a reduced access to information about the progression of the sentence and the possibilities for its individualization. This gives them the impression of being deprived of any possibility for
taking action. They are not able to project themselves in time, to imagine life projects, such being a definition of precariousness.

Yes, in each prison I was in up to now. In each prison I was in until here. The information is zero. (M.P.).

The German prisoners feel a great need for information about their situation and their future in detention in the face of this vague state of law (Herzog-Evans, 2004, 43).

The only thing I need is legal advice, where the person really tells me things. Later you are more calm, because you know, you have to wait one month and after that you can write to them (to customs) (M.P.).

Only the prison visitor can break the double isolation for some prisoners. The visitor becomes a major resource in prison life (Marchetti, 1997), for he is often the only person that the prisoner can speak to in his own language. Also, he allows the prisoner to maintain his link to their culture by, for example, bringing German newspapers.

I had a very good visitor at Carcasonne, she used to visit me once a week, she always brought me German newspapers and she also had contacts with my family. She also had contacts with my daughter. She was a very nice woman. She came to see me every week. (M.P.).

The visitor is often the indispensable connection to the family in Germany. He or she can more easily make contact, explain the situation in prison and sometimes even provide it with accommodation during a family visit to the prison.

I have it (contact) thanks to Madame S., I’ve had very good contact with her. She has come to visit me once a week, she has phoned my wife. Madame S. went to get her at the airport…and they have, my wife has slept at her home (M.P.).

This contact gives the prisoner, for the length of the visit, the chance to escape his isolation. The visit allows him to take some distance from the incarceration and to have a positive human experience, one which includes French people and culture.

-Was it important for you to have this contact with the outside world ?
-I think so. Because...above all for...people who don’t have visits and also because they don’t speak the language and in similar situations, it’s still important. Because I knew nothing neither about the culture or stuff like that. And I had to get myself used to it...and that was still difficult (M.E.).

The prisoners, wanting to become active actors again in the carceral environment, also search for resources inside the prison, through their co-prisoners.

In the remand prison, the prisoner with whom one shares a cell is often the only regular social contact. These people assist in the organization of everyday life and in contacts with the administration. It is they who inform the new arrivals about the rules and conditions of the prison. They allow them, then, to acquire another part of the stock of knowledge.

-She (the CIP) also explained to you how things work in prison ?
-No, not at all. It was some buddies in France...in prison (M.P.).

The cell mate brings the new arrival up to speed with the sentence individualization measures, and so partially mitigate the failings of the support from the social services. The fellow-prisoner here becomes a functional substitute (Merton, 1997) for the SPIP.

-And about parole...how did you learn about it ?
-Through the other prisoners. For sure. That’s the first thing that you learn : how much time you have. Aha, everything is clear, parole, ok. It comes with time. It’s normal. Things like that happen in prison...how, how things work at the tribunal, that we learn very quickly. It’s...it’s what interests us (M.S.).
Fellow prisoners also help the German prisoner in his dealings with the authorities by translating or writing letters in French. It’s thanks to this mutual aid that they can partially end their isolation. Often having had negative experiences with letters written to the judicial authorities in German or English, the German prisoners are therefore aware of the importance of complying with French judicial language. So, they ask their French fellow prisoners to write or translate letters addressed to the CIP, the court or to the customs service.

–The French? How did you communicate then?
–Yes I’ve...I’ve written in German and another prisoner who knew a bit of French eh German. He understood a bit and he then wrote it all in French (M.P).

This help can also facilitate verbal communication with the guards.

Or if I want something from a guard, I get someone who speaks French better, I explain the thing to him with my very limited French and then he explains it after. (M.Sp.).

But this system of mutual assistance requires the creation of a relationship of trust, because the German prisoner has to often convey personal information to a stranger. Furthermore, he doesn’t know what his fellow prisoners say or write on his behalf in French. For that reason, some people interviewed refuse the mutual assistance and continue to suffer the deficiencies of institutional care.

Cut off from their family and carceral context, they eventually find their points of reference in prison and integrate the cultural model (Schütz, 1987, 218-219) of the group of prisoners, which does not help a future reintegration. Wanting to a certain extent to free themselves from the status of foreigner, they respect a code that obliges the prisoners to be loyal to other prisoners, to keep his cool, not to exploit prisoners, to show courage and never weaken in adversity and to not associate with the enemy, in this case-the guards and management (Lemire, 1990, 36-37). Some of these values are far from social norms on the outside.

No one allows himself to be oppressed by anyone. That doesn’t exist here. (...) Each person knows why he is here and each one respects the other. And after that, it works. It’s probably more tolerant than on the outside in ...in the work place for example. It’s...it’s quite simple, the rules here...the guy who thinks he has to denounce other people, he’s going to get some beatings. (...) In this way-each one does his own silly things and leaves the others alone, basta (M Sp.).

Added to that are the hypermasculine values of honor, of toughness (Wacquant, 2001, 41), that is to say the acquisition of individual respect by aggressive exhibition and the periodic actualization of the capacity to inflict physical violence, values that are integrated by the German prisoners and which allow them to be understood and respected without necessarily resorting to the use of language.

The study shows that it is indeed these codes that assure mutual understanding and cohesion among the various cultural memberships. A sign of this integration is the common language and the utilization, even while they are speaking German, of French terms whose meanings are connected to the carceral universe. By using a certain argot (Graven, 1962), they openly advertise that they are, unlike the investigator, part of the prisoner group.

Carcassonne, da war die Promenade...(the walk) so groß wie ein Tennisplatz(M. P.). solln wir Appel (a call) machen? (M. W.).

They also refer to what Simmel (1992b) calls typification. The terms guard or social assistant thus summarize all the knowledge about a guard necessary to initiate contact with him.
When the prisoners use these words, they do so to precisely evoke the concept that they embody. This summarizes all the stock of knowledge they currently have as much as an internal member had a failure of a perspective for reintegration on the outside.

(...) da hatten wir dann auch einen *surveillant* (guard) (M.W.).

Hence, being aware that people perceive the environment differently, depending on their situation (Schütz, 1991), it is understood that in order to fight their isolation in relation to other prisoners, the German prisoners currently see themselves as integrated members of a criminal but multicultural society. This union is all the more effective in that it was created in opposition to the category of prisoners of Arab-Muslim origin. This group of people, defined either by cultural origin, or through its belonging to Islam, occupies a place that is increasingly important in French prisons (Khosrokhavar, 2004). It is they who are then designated as *foreigners* and constitute the adversary who creates unity, according to Simmel (1995). The Germans no longer consider themselves as foreigners.

-And you’re not treated as a foreigner there ?

Why ? No. It’s...in prison it’s normal. Here you meet people from all over. Each one has this stamp of criminal, each one carries a label on his back. It’s ok. With this certainty, we converse with people. Each one has his thing, one does hold-ups, the other is a ..., rapist...maybe not, another works with drugs, another steals. So, each one has his load. Each one tells his stories. (M Sp.).

Beyond this criminal culture, it’s the type of crime that also connects the prisoners. The idea of a prison Who’s Who, developed by Chantraine (2004, 214), allows us to understand the importance accorded to the crime committed in order to define the circles of membership. The German prisoners, often incarcerated for breaches of the drug laws, are integrated in the group of people sentenced for the same reason.

Often, we have different kinds, one is in this branch, another in that branch, people who are doing the same thing, in quotation marks, they are often together. It’s often like that in prison. (M.S.).

This mode of organization makes the prevention of recidivism more difficult, because this exchange of international contacts is related to the creation of life projects based more on careers in crime than ones that are legitimate with regard to law.

They almost always talk about business. (...) You can’t change a person in prison. When someone was a businessman, who trafficked in cocaine or hashish or heroine, he gets out and keeps trafficking. It’s not a problem for him. In prison, he learns still more in order to be more clever (M.W.).

With their transfer to Alsace, the final phase is reached\(^\text{10}\), where the limits of their supervision reappear. It is therefore important to bring the analysis back to their status of foreigner. The desire to participate can only be fulfilled with difficulty because the foreign prisoner has become part of this new society involuntarily. But if he wants to leave as quickly as possible, he will have to integrate there, to adopt the rules of behavior and communication. We are here faced with a paradox, already underlined by Rostaing (2001, 153) : officially, the prison administration wants to transform the individual, to desocialize him with artificial living conditions isolated from his familial, professional, friendship and cultural groups in order that he learns to live in a collectivity, before he is reintegrated within society.

This phenomenon is accentuated in the case of foreign prisoners who truly arrive in a culture and society that are foreign and within which they are forced to integrate for a time, hoping, as a result, to be able to leave as quickly as possible. But the institutional codes and understandings thus acquired do nothing to help them when they are released-
since they are prevented from sojourning in French territory, they must return to their
country of origin. They cannot hope to remake their lives there. Thus, a question emerges: why make an effort to integrate into a society that you will later be obligated to leave?

-And French courses?

-(...). Honestly, that doesn’t interest me at all. Whatever I can say in French is enough for me. I mean, I work every day. Aside from this afternoon, I’m free, but I don’t feel like going to school again from 3 to 5 o’clock. What for? I will be banned from the territory for the rest of my life. I won’t need this language after. That’s why...It’s completely uninteresting for me (M.Sp.).

This intermediate status allows them, as disinterested observers, to identify dysfunctions and real problems of the French prison system but also forces them into the role of cultural hybrid (Schütz, 1987, 233). They thus interpret their negative experiences and their suffering in the same manner: it’s France that is the cause of their suffering and of injustice. Thus, in certain cases, the inability to integrate is a conscious act that is expressed by the hatred for the language and culture of France.

- No French, I said it right away when I was at Fleury-Mérogis, I don’t learn it.
-Why not?
- (...) right now I feel such disgust for France, well, learning the language would be just too sad (M.W.).
I prefer to deviate from it. I don’t know... I...in any case, I’m not going to stay in France. When I leave prison, I’m going to Germany right away. And I don’t even want to know it, the culture and all that (M.E.).

The Alsacian phase is thus a key moment in the detention of German prisoners. Beyond the passage to the detention centre, where incarceration is by definition more flexible, it’s the rapprochement with German-speaking world that makes the incarceration easier. It is experienced in a very positive manner by the prisoners, like the solution to all their problems.

-Has the situation improved for you?
-Yes, in every way. The people...are nicer here. Yes, I have no problems here. (M.P.).
So, here I have no problems, here almost everyone speaks German. But where I was, it was a rather serious situation (M.E.).

The influence of the surrounding social ecosystem (Combessie, 1996, 91) is very important. Indeed, the proximity to Germany allows the prison administration to offer German television and newspapers. With the following quote, we can measure the importance given to this change, often experienced as a step on the way to freedom.

Because we also have German television...for two years I haven’t watched television and...after sometime it was ok but...it might be a bit stupid to say so, yes...German television, but for me it was something...it’s better when you understand everything. I feel in some ways more free. It’s also...if I go out now, maybe I’ll meet someone who speaks with me in German, but at Pau when I passed someone, well, I lowered my head and rushed off...it was rather hard. (M.E.).

But this transfer to Alsace also has a consequence that is more ambiguous. Once they have arrived in this region, the Germans isolate themselves. In this social circle, they can once again communicate without an intermediary and without effort.

According to Goffman (1975, 36), people who belong to a given stigmatized category have a tendency to gather in small social groups whose members all stem from this category. Henceforth, it’s inside this circle, the primary group (Lemire, 1990, 57), that the values of solidarity and cohesion assume their true significance. However, this blossoming into

Champ pénal/Penal field, Vol. IV | 2007
German sometimes goes so far that the prisoners behave as though they are already in Germany.

Here we only speak German (he laughs). The warden speaks German well enough... they all speak German well enough. It’s not a problem here, I feel like I’m in Germany (M.E.).

So, they address all their interlocutors in German and some CIPs reproach them for feeling too much like they are in Germany and no longer respecting the French prison rules, contrary to what they had been able to practice elsewhere. So then, we witness the unintentional consequences of the measure undertaken by the prison administration in order to facilitate the reintegration of German prisoners. They had been transferred to make their supervision more effective. But they withdraw completely into their German-speaking world and often refuse to work with their CIP which is, according to them, too focussed upon the French issue. Also, the activities aimed at their reintegration become less interesting because from that point on, they keep busy by chatting and watching TV.

The German prisoners have passed through different stages in their prison experiences. They begin in complete isolation and end with a partial integration in prison society. But this integration remains very limited and does not relate to French culture or society. It is in this way that they end their carceral stay in France in a new isolation but as part of a community and by deliberate choice.

Conclusion

Let us return to the core of our investigation: does the French prison administration impose a supervision of the German prisoners that allows it to prevent their recidivism?

The various actors and services charged with progressively preparing reintegration have difficulties faced with the linguistic and cultural barrier which these prisoners represent. Abandoned by the institution, they search among their fellow prisoners for the points of reference and support needed to face daily prison life. This newly acquired culture removes them even more from a route that would lead them to a possible reintegration. The transfer to Alsace undertaken by the prison administration to again facilitate their reintegration, leads to a withdrawal into the German group and the rupture of the last ties to the institution. The German prisoner, having often lost the last attachments connecting him to a social world outside of the prison, must give himself future prospects with the means and contacts that present themselves to him but which direct him more toward a deviant career. The prevention of recidivism thus currently seems ineffective.

To counter this limitation in the support provided, it would seem beneficial, either to make sure that the prison considers as early as possible the specifics of the foreign prisoner, thus allowing him a socialization other than the one offered by his fellow prisoners, or to concretely envisage the application of transfer measures that allow the prison in each country to organize the reintegration of its nationals.

But these measures require significant economic resources which seem not very available in a civil society where the security imperative prevails. The public debate on the situation of prisoners called for by Faugeron (2000, 41) is thus indispensable if we do not want the warning formulated by Gil-Roblès in its report on French prisons (2006, 26), that
prison is becoming a warehouse and not a place which prepares (prisoners) for reintegration, to remain a reality.

BIBLIOGRAPHY


Colin P., 1998, La multirécidive pénitentiaire : analyse sociologique des contextes de la multirécidive pénitentiaire chez des hommes condamnés à de courtes peines pour atteintes aux biens, thèse de sociologie nouveau régime, Strasbourg, Université Marc Bloch.


Simmel G., 1992a, Gesamtausgabe II, Soziologie, Untersuchungen über die Formen der Vergesellschaftung, Suhrkamp, Frankfurt am Main.

Simmel G., 1992b, Gesamtausgabe II, Suhrkamp, Frankfurt am Main.


ABSTRACTS

The text raises questions about the effectiveness of the social programme and proposed reintegration measures for foreign inmates. Is the French penitentiary system capable of dealing properly with these people who are locked up in France but whose social and cultural roots lie in another society? The survey conducted in Alsace shows that the linguistic barriers hinder the social programme. These inequalities are just as noticeable in the way reduced sentencing powers are applied. The consequence of this limited support is a prison existence that often evolves through isolation from family and prison services, leading to insecurity and a withdrawal to the familiar values shared with fellow German inmates.

AUTHORS

EMILY TROMBIK
Ph. D. candidate in Sociology ; Université Marc Bloch, Strasbourg; Laboratoire Cultures et Sociétés en Europe, UMR 7046 22, rue Descartes, 67084 Strasbourg Cedex. Emily.Trombik@etumb.u-strasbg.fr