

‘IT’S LIKE A SENTENCE BEFORE THE SENTENCE’— EXPLORING THE PAINS AND POSSIBILITIES OF WAITING FOR IMPRISONMENT

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This article explores the implications of the ‘imprisonment queue’ in Norway. Based on interview data (N = 200), we show that while interviewees waiting to serve their sentences enjoy certain benefits such as being able to prepare for or negotiate the terms of their imprisonment, they also suffer from uncertainty and powerlessness. The suspension of their lives while they wait hinders them in pursuing their ground projects, things that really matter to them. This peculiar phenomenon has not received attention from prison scholars generally, as well as scholars writing on Nordic Exceptionalism specifically. This article addresses that gap and poses questions about the relative mildness of the short Norwegian sentences, and more broadly, about what constitutes punishment.

Key Words: waiting, punishment, uncertainty, ground projects

Introduction

Yes, it’s like a sentence before the sentence. You sit there waiting and waiting and waiting... You can’t really start anything new in your life (Kjell, waited two years to serve a four-year sentence¹).

In most European jurisdictions, people are imprisoned immediately after being sentenced, irrespective of whether there are spaces available. In Norway, however, the operation of a ‘call-up’ system—the prison ‘queue’—in which convicted offenders are only admitted to prison when a space becomes available has been designed to avoid the possibility of overcrowding that characterizes many other systems (Ugelvik 2016).² Denmark and Sweden also operate call-up systems, which makes this institutional barrier to overcrowding one of the ‘exceptionally humane’ features of Nordic prisons (Pratt 2008a; Pratt and Erikson 2013: 187). However, as the quote above suggests, waiting in the prison queue may not be experienced in this way by people who wait for months and sometimes years to start serving their sentences. Indeed, the prisoner quoted here describes the experience of waiting as ‘a sentence before the sentence’. This raises important questions about the complexities of this apparently humane penal arrangement and, more fundamentally, about what constitutes punishment.

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¹We refer to the actual waiting time between conviction and imprisonment in all quotes. This means that prisoners had often-times waited much longer from their arrest to their imprisonment than the quotes imply because of delays in police investigations, court systems, etc.

²The exception from this concerns those held on remand before, during and after the conviction.

The aim of this article is to provide an in-depth analysis of how Norwegian prisoners experience and adapt to being in the prison queue. In the discussion, we engage with the literature on Nordic exceptionalism (Ugelvik and Dullum 2012; Shamma 2014) and perspectives on the severity and reach of punishment (Duff 2010; Hayes 2018; du Bois-Pedain and Bottoms 2019) to interrogate the supposedly mild and humane character of this penal arrangement. The empirical material consists of a subset of data from a large comparative study on penal policy and prisoners' subjective experiences of imprisonment in Norway and England & Wales.³ The subset of data we draw on for this article consists primarily of qualitative interviews with approximately 200 prisoners, of whom many had experienced waiting in the queue, recruited from seven different Norwegian prisons.

Nordic Exceptionalism

International scholars and practitioners have taken considerable interest in 'Nordic exceptionalism', perhaps especially since John Pratt (2008a; 2008b) published his influential two-part article on 'Scandinavian exceptionalism in an era of penal excess' based on research on Finland, Sweden and Norway. Herein, Pratt describes a particular 'Nordic culture of control' with consistently low imprisonment rates, short sentences, humane prison conditions, an emphasis on normalization and rights, plus a high level of social solidarity. The roots of this, according to Pratt, 'are to be found in the highly egalitarian cultural values and social structures of these societies' (2008a: 120). Originally, Pratt saw the Nordic penal field as an example of expert-dominated policymaking, partly insulated from the drivers of punitive excess. Penal and prison policies thus diverged sharply from those in Anglo-American countries, especially after World War II (Pratt 2008a in Laursen 2016). However, in the second part of the article, Pratt (2008b; see also Pratt and McLean 2015) examines changes in the incarceration rates in the aforementioned countries (rising, albeit from a low base) and points to new penal values attached to crime as drivers behind this (Pratt 2008b: 277 in Laursen 2016). Curiously, he uses the queue as an example in both articles; first, to illustrate exceptional humanity; and second, to illustrate how political and media pressure began to drive harsher penal changes.

In his original article, Pratt characterized the 'prison queue' as emblematic of Nordic 'penal moderation', and an apt illustration of the 'humanitarian and pragmatic' (2008a: 135) spirit of Norwegian penal policy:

In Norway, prison levels have been kept artificially low because of the refusal to compromise the 'one man, one cell' principle by the authorities and their resistance to any expansion of the prison estate (ibid.).

Latterly, Pratt and Eriksson (2013: 186) have stated that such a policy 'could only be conceived of in a society with high levels of cohesion and stability, trust and tolerance'. However, the second part of Pratt's article uses the queue as an example of changes in penal debates in Norway. Pratt shows how the rhetoric around the prison queue changed in 2006, when political parties such as the Progress Party used the queue as a symbol of

³See <https://www.compen.crim.cam.ac.uk/>.

judges' leniency rather than 'pragmatic humanitarianism' (Pratt 2008b: 285). Pratt takes this as an indicator that matters of crime control had become much more politicized rather than being dealt with by experts. Overall, though, Pratt takes the queue policy to be an indicator of penal mildness, regardless of its effects on individuals and institutions in practice. That is, neither Pratt nor other scholars have explored how the prison queue actually works or interrogated the lived realities of those waiting to serve their sentences.

This distinction between policy and experience is one line of criticism that has been directed towards Pratt's 'Nordic exceptionalism' thesis (Ugelvik and Dullum 2012; see also Barker 2013; Mathiesen 2012; Smith 2012 for a different strand of critique). The statistics and policy indicators used to construct the exceptionalism thesis are significant, but these might or might not be consistent with the subjective experiences of prisoners themselves. As Shamma (2014) points out, the open Norwegian prisons are celebrated as key indicators of a mild and humane prison system, but open prisons produce their own set of pains that tend to be overlooked. Similarly, from a comparative perspective, Norwegian prisoners spend relatively short periods of time in prison, but this too might conceal a more complex reality if some of them are actually waiting for a longer period than their short sentence. Of all released prisoners in 2017, 56 per cent had spent less than three months in prison and 71 per cent less than six months (The Norwegian Prison Service 2018: 5). The widespread use of short sentences, in Norway and in the other Nordic countries, is thus taken as evidence of the exceptional penal modesty of this region. However, if waiting in the prison queue *feels* like a 'sentence before the sentence', it begs the question of whether short sentences are straightforward indicators of 'penal moderation'. Furthermore, if waiting to serve one's sentence *feels* punishing, we might need to rethink not only the penal mildness of the prison queue but also what constitutes punishment itself. In what follows, we engage with these questions through a detailed analysis of the lived realities of the prison queue.

The prison queue

The Norwegian prison service aims to summon a sentenced person to serve his or her sentence within 60 days after it is sanctioned by the sentencing court.⁴ The prison service is responsible for summoning a sentenced person at a specific time and place, guaranteeing them no less than three weeks' notice. If he or she fails to show up, the prison service has the right to report him or her to the police in order to be escorted to the prison. A lack of prison capacity resulted in a significant prison queue already in the 1980s, with an all-time high in 1990 of 6,900 sentences in the queue (White Paper no. 12 2014–15: 19; but see Kristoffersen 1988 for a critical review of how the queue has been measured).⁵ The size of the queue came to be seen as a *political* problem during the 2000s (Ministry of Justice and Police 2006), while media interest in the queue saw rapid growth (see Figure 1 below) around the same time (see also Pratt 2008b).

According to the Norwegian Ministry of Justice and Police (2006; White Paper no. 37 2007–08), the queue came to be seen as problematic because it was thought to reduce

⁴The Danish State aims to summon sentenced men and women to serve their sentence within 30 days, while the Swedish state aims to provide a prison space within three months of receiving a verdict.

⁵The queue is defined as 'sentences which are not, or will not be, initiated within 60 days, and where there are not given deferment or applied for electronic monitoring' (White Paper no. 12 2014–15: 19, fn. 2, our translation).

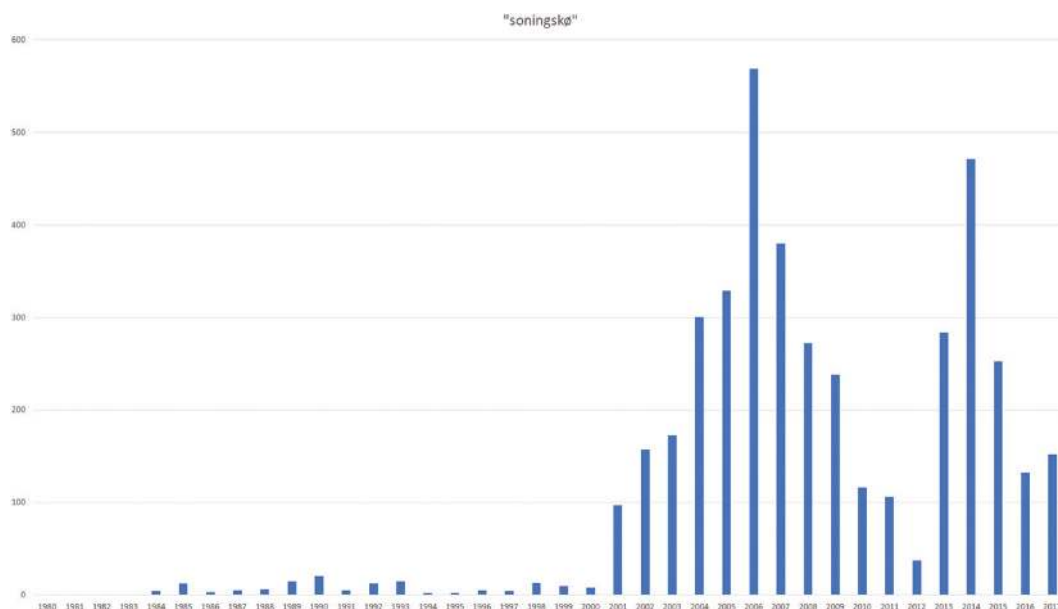


FIG. 1 Wordcount of 'soningskø' ('prison queue') in Norwegian newspapers 1980–2017. Source: Mediearkivet Atektst.

the preventive effects of imprisonment (based on the idea that wrongdoing should be met with a swift response) and because the queue undermined public trust in the criminal justice system. This two-pronged attack on the queue was expressed the following way in the 2007–08 White Paper on the Prison Service:

The prison queue undermines the preventative purpose of punishment. When someone waiting to be sentenced or waits in the prison queue to serve their sentence commits new crime, the public loses faith in the criminal justice system and the penal field (White Paper no. 37 2007–08: 17).

This quote represents a concern with public sentiments rather than a critique of the queue's effect on people waiting. In fact, in the policy documents describing the problems of the queue, there are very few references to the harmful effects it potentially has on offenders who are waiting (but see Ot.prp. no. 31 2006–07: 8), while there are, throughout the White Paper on the Prison Service (White Paper no. 37 2007–08), numerous references to the queue's detrimental effects on victims and the public's trust in the criminal justice system. The social democratic lead government at that time did introduce several measures to reduce the queue (White Paper no. 37 2007–08: 41–43) but came under fierce attack from the Conservative and Progressive party for falling short of dealing adequately with the issue. When the conservative and progressive party came into office in 2013, the government proposed more drastic means to reduce the queue (see White Paper no. 12 2014–15: 46–53). The most controversial of these involved renting prison capacity in the Netherlands from 2015 to 2018. The authorities discontinued this measure in 2017, when the prison queue was drastically reduced, to what is an all-time low (see Table 1).

Besides the aim to prevent overcrowding, the Norwegian 'call-up' system has another positive feature, namely men and women waiting to serve their sentences may contact

TABLE 1 *Number of prison sentences in the queue 2009–17 (The Norwegian Prison Service 2018: 56)*

| Year | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 |
|-----------|------|------|------|------|-------|-------|------|------|------|
| Sentences | 522 | 902 | 926 | 768 | 1,176 | 1,181 | 595 | 261 | 157 |

the prison they have been summoned to in order to ask practical questions and prepare for their entry. Sentenced men and women can also apply to have their imprisonment postponed for reasons such as pregnancy, mental or physical illness, care responsibilities and work and educational commitments (Ministry of Justice and Police 2010: 11–12); several of our interviewees had used this opportunity.⁶

Despite the recent reduction in the number of men and women in the prison queue, there are several reasons why waiting to serve time is worthy of study. First, waiting in the prison queue has been a key yet unexplored feature of imprisonment in Norway for at least four decades. This is also the case for other Nordic countries such as Sweden, where a similar ‘call-up system’ is in place, and Denmark, where a growing prison queue from the 1980s and, similar to Norway, especially during the early/mid 2000s led to political turmoil and several measures to reduce it (Engbo 2003), including pardoning people who wait more than one and a half years in the queue (<https://www.retsinformation.dk/eli/lta/2019/181>). Furthermore, convicted offenders in Norway still wait to be summoned to start serving their sentence (although normally this waiting period is less than 60 days). This means that prisoners still wait but are not formally considered to be in the queue. Detailing the experience of ‘waiting’ for punishment, be it less or more than 60 days, is empirically and analytically interesting. Second, convicted offenders typically do not know exactly when they will be summoned to start serving their sentence, so uncertainty is still a key aspect of waiting. Third, a consideration of being in suspense prior to serving a sentence might reshape how we think about the nature of punishment, including when it begins. Fourth, elaborating the experience of being in the prison queue offers an empirically informed way of questioning some of the assumptions made about the liberal nature of this rather unusual penal policy and thus about Nordic penal exceptionalism more broadly.

The severity of punishment, the anthropology of waiting and ground projects

It [waiting] was completely mad because you don’t know what awaits you. You get worn out mentally, have trouble sleeping and it takes so much time where you just wait and wait and wait and wait. You don’t have a job, you live in a sort of vacuum (Rasmus)

Except for a few studies on time in relations to being on remand (Freeman and Seymour 2010; Smith 2014), the penological literature on time is predominantly based on studies of long-term imprisonment (see Jewkes 2005; Hulley *et al.* 2016; Crewe *et al.* 2019). Similarly, the literature on the way that prison sentences affect and interrupt ground projects typically focusses on the period of imprisonment itself or the consequences of the sentence on life post-release (Shapland and Bottoms 2011; Crewe *et al.*

⁶‘Forskrift og retningslinjer om innkalling og utsettelse ved fullbyrding av straff’, Justisdepartementet, 19.mars 2010. If the application is for postponement of less than six months, the prison where the offender is to serve has the authority to decide. For applications of more than six months of postponement, the Region has the authority to decide.

2017; McNeill 2019). In this article, however, our attention is drawn towards people's lives *before* they are imprisoned. At this stage, convicted offenders are formally free citizens and may pursue their ordinary lives until the day they walk through the prison gate. For those in Norway's prison queue, there are typically no formal requirements for supervision while waiting to be summoned. This is, in part, because being held in the queue is neither intentionally nor officially defined as punishment. Yet the quote cited in the introduction above highlights how waiting in the prison queue may feel like a punishment, indeed, like 'a sentence before the sentence'. To make sense of this discrepancy between the official definition of the queue (not punishment) and the subjective experiences of waiting in the queue (punishment/punishing), we are inspired by Hayes' (2018) discussion of penal objectivism and penal subjectivism. Hayes argues that penal objectivism obscures significant variation in the impact of criminal punishment: 'by focussing entirely upon what the State wants to do, rather than what it does, we implicitly focus the State's normative obligations to justify its pain delivery (Christie 1981) on the aims of state actors, rather than on the consequences for individuals and for society' (Hayes 2018: 237). This echoes Sexton's point that punishment is 'something that is done *to* people and experienced *by* people' (2015: 115) rather than just a set of stated aims and policies. As an attempt to solve some of the issues in the penal objectivism–subjectivism debate, Hayes proposes a proximity model wherein he conceptualizes punishment in terms of pain and categorizes these in terms of their closeness to the intentional actions of the penal state, distinguishing between four 'types' of pain: *direct* pains, *oblique* pains, *contextual* pains and *unrelated* pains. Contextual pains are of most relevance to this article because they 'are unintended, but still bear a causal connection to the severity of the penal intervention' (Hayes 2018: 240). Typically, they are not accounted for in objectivist accounts of punishment as they have no relationship to penal intentions; yet, as Hayes argues, they may have a profound impact on the experienced severity of punishment. In the analysis that follows, we explore whether waiting in the prison queue could meaningfully be described as a contextual pain and discuss the implications of this type of pain for how the supposedly mild and short Norwegian sentences have come to be interpreted.

The unintended and intended pains of a prison sentence are felt before, during and after the actual sentence. Being on remand, e.g., is often a period filled with uncertainty, distress and anxiety (Freeman and Seymour 2010; Smith 2014). In the context of post-release, the third author (Crewe 2011) has introduced the concept of 'breadth' to describe the reach and impact of the prison sentence beyond the point of imprisonment. This is not just the official 'disqualifications and disabilities' that result from a conviction (Garland 2013: 478) but breadth also refers to the multitude of unofficial consequences that are carried by the prisoner post-release. Some are psychological, such as changes in levels of intersubjective trust, intimacy, existential security and sense of routine (Jamieson and Grounds 2005); others are social, such as concerns about public stigma, ostracism by family and friends and being enduringly 'marked' by one's offence. Even though these consequences are not intended outcomes of the penal sanctions, they are often a direct result of serving a sentence and can be experienced as both painful and punishing. In the context of post-release supervision, McNeill (2019: 5) draws on Cohen (1985) to show how contemporary supervision not only widens the penal net but also thins its mesh. McNeill and colleagues go on to argue that '[...]the

effects of supervision are often diffuse – they pervade the lives of supervisees – and [that], even when experienced as helpful, they hurt’ (Fitzgibbon *et al.* 2017: 318). The key point that even helpful interventions can be painful is relevant for making sense of the men and women in our sample’s experiences. Similar to probationers, they often feel ‘semi-free’ (McNeill 2019) and the uncertainty they experience can contain both hope and despair; a common theme in the ‘anthropology of waiting’ (Crapanzano 1985; Jeffrey 2008; Hage 2009) discussed below.

In the foreword to an ethnography of waiting, Bandak and Janeja (2018: 1) argue that waiting ‘[...] must be scrutinized in relation to the central figures of hope, doubt and uncertainty. Waiting is a particular engagement in, and with, time. For a period, short or extended, an individual or a collective finds itself placed in a situation where what is hoped for or anxiously anticipated has not yet been actualized’. Waiting then, ‘allows people’s *doubts and uncertainties* [...] to *coexist with potentials of hope*’ (Bandak and Janeja (2018: 4, our italics). Control, and loss thereof, is a central theme in this literature: who is able to act *on* time, and who is acted *upon*, which is also a central theme in the work of Arendt and Jackson where ‘the capacity and experience of being able to act, and being acted upon, [that] is pivotal to a sense of well-being as well as agency’ (Arendt 1958; Jackson 2002 in Bandak and Janeja 2018: 21). Crapanzano’s ethnography of South Africans waiting for better life opportunities shows how they were ‘caught in a structure of waiting’ (Crapanzano 1985: 115), a sort of ‘waiting-induced paralysis’. Time, then, may feel endless, empty and unreal (Hulley *et al.* 2016) and, we will argue in the analysis below, this ‘misty abyss’ (Cohen and Taylor 1972: 95) can extend to life before imprisonment. Waiting to go to prison can be described as a particular form of ‘waiting out’ ‘where one is not waiting for something but rather waiting for something undesirable that has to come, like a spell of cold weather or a disliked guest, to end or to go’ (Hage 2015: 41). Such waiting can shift from being temporary phenomena to more permanent and pervasive figures when waiting is prolonged and perhaps even become a ‘form of life’ (Das 2016). In this article, we aim to follow ethnographers of waiting and explore what ‘forms of thinking, acting and relating are shunned, occluded or neglected’ (Bandak and Janeja 2018) when people wait for imprisonment.

One aspect that makes waiting painful is the sense of entrapment that people describe, which limits their worlds and possibilities (Crapanzano 1985) and prevents them from pursuing their ground projects. According to Cheryl Mattingly (2014:12) drawing on Bernard Williams (1981), ground projects are:

The kind of commitments that people find so deep to who they are that they might not care to go on with their lives without them, or would not know themselves if they no longer had them.

Ground projects thus include the self-defining ideals, activities and associations that people care about deeply. In this context, they comprise interviewees’ familiar commitments, aspirations and responsibilities, their educational aims and needs, their employment and their hobbies. Mattingly argues that adopting a ‘first person virtue ethics’, which presumes that ordinary people under ordinary conditions face complex moral situations, is necessary to understand people’s everyday moral choices and ethical stances. Taking morality seriously does not presume that people are good but rather that they are evaluative in moral terms about their own actions and those of others (Robbins 2013; Laidlaw 2013; Mattingly 2014). We are interested in the manifold ways that our interviewees tried to imagine their possible futures, do the morally good and

right thing to the people who mattered to them and pursue their ‘ground projects’ while they waited to serve their sentence. The idea of ground projects is valuable in terms of analysing whether the queue helps or hinders prisoners in pursuing the things that matters most to them. Through the prism of ground projects, we aim to go beyond an evaluation of the queue as being positive or negative, especially since our data imply that, for many prisoners, the experience of waiting can be quite conflicted.

In the following, we briefly touch upon our methodology before we move on to the analysis, which falls in three distinctive analytical themes, namely waiting as possible futures, waiting and the *disruption* of ground projects and waiting and the *destruction* of ground projects. Lastly, we discuss how our findings raise questions about punishment more broadly and about punishment in the context of Nordic Exceptionalism in particular.

Methodology

Between 2016 and 2018, as part of a large comparative study, we conducted around 200 in-depth interviews with male and female prisoners in Norway. The majority of these interviews were undertaken as part of a longitudinal sub-study of prisoners’ experiences of entry into and release from prison, supplemented with ethnographic observations of the processes relevant to these key phases of the carceral trajectory. Seven Norwegian prisons were included in this study, selected to take into account of three population groups: ‘mainstream’ male prisoners, female prisoners and men convicted of sexual offences. Most prisoners in this sample were serving sentences of less than two years, and we tried to interview them three times (shortly after entering prison, shortly before release and two to three months post-release). In addition, prisoners were interviewed in a range of open and closed prisons and in the community following release as part of the broader research programme. Interviews were conducted in private rooms within the prisons (and, on some occasions, in interviewees’ cells), lasting between one and three hours, and were recorded verbatim and subsequently translated from Norwegian to English. Data were coded manually, drawing on a conceptual framework deriving from established work on the nature and experience of confinement (see [Crewe 2011; 2015](#)) and on themes emerging from the data itself.

The relevance to our thinking and framework of ‘the prison queue’ was discovered somewhat serendipitously in the initial phase of our fieldwork. As a result, a few months into the study, we added into our interview schedule the question ‘Did you prepare for your imprisonment in any way?’ to allow us to explore this systematically in subsequent interviews. This question, along with prompts to talk about life before imprisonment and experiences of waiting, elicited very dense responses, on which this article is based.

Waiting and possible futures

As described in the introduction, the level of communication in Norway between the prison and the future prisoner is made possible by the fairly porous border between outside and inside ([Turner 2016](#)) in comparison to other jurisdictions. Accordingly, our interviewees described a strikingly high level of contact between themselves and the prison system when they were awaiting their imprisonment. Many said that they had

phoned the prison in advance to ask specific questions about what they were allowed to bring, while others called because they wanted to learn about the prison and the entry process. This communication goes two ways: prisoner to prison and prison to prisoner. In one high-security prison, the senior officer at the reception wing was responsible for summoning prisoners to start serving their sentence. Formally, this was done by a letter to the sentenced prisoner, with information about the prison and when he/she will have to appear there. Sometimes, he phoned prisoners in advance to discuss the terms of the sentence. This level of contact between the prisoner and the prison has implications for both parties. It provides the prison with information about the prisoner's situation, which allows its staff to tailor the entry process to their specific needs, as in the case of a young man who had to be met in the parking lot and walked to the wing because he was so anxious. For the prisoner, it provides an opportunity to be better prepared, practically and emotionally, not only for the entry process but also for the first couple of weeks in prison. Kristy's story, despite it being an exception rather than the rule that prisoners are able to push their entry date forward, is a good example of the negotiation that sometimes goes on between a convicted person and the prison they are summoned to:

Were you in a queue to serve your sentence?

Yes, I was. From August 2017 until I was supposed to go inside in May, but I was able to push it forward, because I called the prison and told them I really didn't want to wait any longer, so if they had a vacancy anywhere, I would be happy to turn up tomorrow. That meant I was able to go inside 19 March instead of 19 May, which was the original date (Kristy, waited 8 months to serve 6 months).

Likewise, Einar's story illustrates the flexibility that this arrangement allows. He said it was 'awful' to wait to be summoned to prison. At the same time, he 'worked quite hard to get things into place. And spent lots of time with my family. So the time passed quite quickly from when I was told when I had to serve to when I was going inside to serve'. Lars's story is also a good example of the benefits of the flexibility of the Norwegian prison system. He 'applied twice to have the sentence delayed, actually three delays, because of my daughter, because of her, not exactly illness, but her special circumstances [...]'. (Lars, waited 3–4 months to serve 15 months). He found it difficult to wait for his upcoming prison sentence and to talk to his partner about the impending imprisonment: 'I was scared, I didn't dare open up about my feelings, not even to my partner who is also my best friend'. Lars was relieved to:

[...] have received a confirmation from her that she would not have had my daughter at home with her if she had not been fond of her and if she had not been fond of me. She told me we will pick up where we left off when I am released. We are going to just look forward [...].

Lars's relief when his girlfriend 'confirmed' that she would take care of his daughter is tangible; he was able to envision how they would be reunited after his imprisonment, relatively unharmed and still a family unit. Actually, when one of the authors interviewed him three months post-release, he was still living in his own house with his daughter and partner and had been able to re-establish his life in a positive way. Although this was not an intended effect of the prison queue, it enabled Lars to maintain his 'ground project', an important aspect of which involved attending to his daughter's well-being. Lars's example demonstrates the benign and significant nature both of the Norwegian

call-up system and of its concomitant ethos of humane flexibility. Geir's story also shows the flexibility embedded in the Norwegian prison system:

I just called the prison myself and asked if it was okay with such and such. And it was no problem. In fact, I was told that I was warmly welcome on the phone. [...] And then [the prison] offered me, they're so accommodating, they said you don't need to come until January, you can spend Christmas and New Year at home. But I said that I've already psyched myself for going on the 19th, so I would very much like to come then. Then they said that's fine, and just come. So I came here on the 19th (Geir, waited 1.5 months to serve 90 days).

A multitude of narratives detailed how interviewees managed to use this preparation phase to negotiate their summoning to prison and thereby ensure that before starting the sentence, they had everything in order or were able to share important moments with significant others. Caroline, who had recently stopped using drugs, was able to sort her medical affairs as well as practical matters regarding her children, dog and house. As her head started to clear up, as a result of her abstinence, she realized that she might be due to start her sentence:

I said to mum, 'Bloody hell! I've been to court' I didn't even remember... I hadn't had a summons or anything. And I've been changing addresses and ... No post, right? I called on the Tuesday, 'Hello, this is Caroline. I just wondered if I've had any summons for serving a sentence'. 'Yes, you should've showed up yesterday'.

Caroline was offered a three weeks postponement, and although still somewhat fragile and emotional, she described being able to sort out her health, relationships and living situation. Some prisoners are granted postponement on more social and festive grounds:

... it was before Christmas that I was going to begin the sentence, and I asked if I could be allowed to celebrate Christmas and New Year at home, with my friends in Oslo. And I got that. So then I got the notification that I was going to begin the sentence in early January. So then I was here at 10:30 in the morning, and the sentence began (Michael).

Such stories illustrate how some of our interviewees managed to use the 'liminal' (Turner 1967) phase between conviction and imprisonment constructively, often through extensive contact with the prison. It also illustrates how some Norwegian men and women become agentic *actors* in a court and prison system that otherwise can be known to strip people of precisely their autonomy and agency, thus allowing them to retain hope for the future.

While many people had sought a postponement of their sentence, other interviewees were longing to begin serving their time. Paradoxically, entering prison can be a relief, especially in the case of men and women who feel they deserve their punishment. Hence, some of the narratives about waiting involved the need for and desire to redeem oneself, to be punished for their wrongdoings and pay their 'debt' to society:

Do you agree that you ought to be punished?
'Yes of course' (Petter, 10 years sentence).

Petter seemed puzzled we asked him whether he deemed his punishment fair—that was obvious to him—he saw the pain inflicted by the punishment as a correct response to the pain he had caused. Likewise, Tobias felt like he was 'carrying a heavy suitcase

around for a long time, which instantly got lighter when I arrived in prison', while Stian, who waited two years to serve a 60-day sentence, said that 'the waiting time before the trial has been very difficult and uncertain. After the verdict was made, it was actually a relief'. These men awaited their punishment for a long time, and although they sometimes struggled once imprisoned, they described a feeling of carrying less weight than when they were outside; their 'suitcases' might have been a burden of guilt rather than just the weight of waiting. Perhaps, these men are not just referring to practical reasons to 'get it over with' but also in relations to repentance and paying their 'moral debt' (Duff 2010) since it might be difficult to rid oneself of guilt before a sentence is served. In this sense, people can be eager to suffer their punishment, but that does not mean that they do not suffer (Hayes 2018: 239).

However, expiation was not always at the forefront of our interviewees' narratives; many simply expressed a desire to be done with the sentence. A minority of prisoners described the experience of waiting in terms that were more neutral. Unni, who waited one year to serve a 38-day sentence, said she 'hadn't thought about it' while she was waiting to serve her sentence. Ulrik was similarly pragmatic about his experiences of waiting nine months to serve a one-year sentence:

I knew that I was going to go in. But there wasn't anything especially different other than that that day was going to come where you have to go in. In one way you didn't have freedom because you knew that you're going to go in. So, I sat, yeah it was spinning around in my head a bit all the time. That it did. But not anything special. Just had to take it as it came.

Jens, who had waited six months to serve the same amount of time, 'was working the whole time, so it was fine'. These narratives are relatively straightforward and unemotional and more often expressed by interviewees with shorter sentences and/or milder offenses. For a majority of interviewees, however, whose narratives we will now turn to, waiting for prison was a painful, uncertain period which derailed their life and impeded their ground projects (Mattingly 2014).

Waiting and the disruption of ground projects

Waiting has different kinds of effects on ground projects, depending on whether it is prolonged or experienced as difficult. Waiting can disrupt ground projects, as we show in the following, and it can destroy them all together. These are important distinctions, which we will discuss in turn below, because the first allows for hope and opportunity, while the other leaves the person despondent and powerless. Tommy, who postponed pursuing further education because he was waiting for a 'very long time' to serve two years and nine months, describes both despair and hope:

Now my studies are underway, I'm doing a lot of the things that I was waiting, I was waiting in a way for my incarceration. Because I thought there's no point in finding an apartment, starting an education, do anything before the sentence. And then it took a very long time, took some time before I got my sentence, but after I got my sentence, things have actually gone better.

Jacob, who waited 14 months to serve 16 months, said that this period 'wasn't funny at all'. Applying for jobs while knowing that he would have to go to prison was 'gruesome', and he felt so upset about waiting to serve his time that he ended up wishing he had

committed a new or more serious offence in order to be remanded in custody immediately. ‘Life was on hold’, both relationally and professionally, and he was ‘looking forward to serving the sentence’ when his partner drove him to prison.

Oliver’s story provided another example of ‘a life on hold’ due to a prolonged waiting period before confinement. Asked how he had experienced these eight months of waiting to serve three years, he recalled:

I was so down I had nearly given up on everything. The days just went in a blur, I did not have any contact with anyone. I had prepared myself for going to prison and that I would not be speaking to my friends for a long time. I shut myself in, I isolated myself a long time before I went into prison. I never knew when I was going into prison, I didn’t know how long it took after I was told I was going to prison. I didn’t know anything. It ruined a lot for me. I could have finished my apprenticeship, I could have been fully qualified by the time I went to prison. I was told I would have to go to prison in three to five weeks and then it took eight months. I feel my punishment turned out to be even longer. It took over three years from [when] the police came and arrested me until I started serving my sentence.⁷

Oliver’s description was saturated with dread for the present as well as the future. Struggling to deal with anxiety and uncertainty and continuously expecting to be summoned to serve his sentence, he isolated himself and suspended most of the activities that mattered to him: his apprenticeship, his relationships with friends and his otherwise close and regular contact with his family. He felt paralysed in the present, unable to pursue his ground projects and lead a life that was meaningful to him, in part because it was impossible for him to conceptualize his own future—a finding also reported among prisoners serving very long sentences (Hulley *et al.* 2016: 521). Likewise, Roger called waiting “hell” because you, even if it’s just three months – that’s nothing really – but you just can’t start anything’ (Roger, 90 days sentence). Øyvind described how he:

waited and waited and waited and waited; then all of a sudden I received a letter (stating) that in two weeks I’d go in and then I called in and said that: “Two weeks -- can’t do that. We’re working on different things at home to get our finances in order, so... Then I managed to postpone it for one to two weeks.

Øyvind went on to describe how he had suffered from panic attacks and ‘felt really low’. Receiving the summons to serve his sentence was a relief:

When I got to know when it was, then it was all of a sudden a bit easier because then I had something to adhere to. To walk around in uncertainty and all of that, that was difficult. [...] Actually, it’s awful that it has to be that long [...]. I felt worse before I came in than I’m doing now. (...) I actually had a hard time leaving the house. It was a struggle to go to work every day. Then you just wanted to call in sick every day. [...] So it actually feels like I’ve been home with an electronic tag’ (Øyvind, waited three years from arrest to imprisonment).

Øyvind’s description of being home with ‘an electronic tag’ rang true for many of our respondents, who described the waiting period as ‘a sentence before the sentence’, i.e. a period of being officially free yet constrained and restricted psychologically.

⁷Oliver is referring to a total period of three years of waiting, including the time between the arrest and the court case. He ‘only’ waited eight months between his conviction and his imprisonment.

Importantly, in associating waiting in the queue with electronic tagging, Øyvind implicitly described the experience as punishment. This ‘semi-freedom’ (McNeill 2019) can expand into an ‘existential nothingness’ (Mathiassen 2016) where people describe a lack of agency and a sense of being powerless in one’s own life. Therese described a vicious cycle of being arrested, sentenced, waiting to serve her sentence and being arrested in the meantime thereby facing new charges and new sentences. As she explains in the quote below, such circumstances left no room for meaningful family contact or career development, creating a sense of shame and leading to a form of self-ostracism.

From when you are caught until your court case can be anything from one to two years. That’s like being in a vacuum, because you don’t get to do anything. You can’t apply for a job, you can’t do anything because you don’t know when your court case will be coming up. You can be convicted and you don’t know how long you might get. It’s an unknown. Your life can be on hold for two or three years before you get to serve your sentence. [...] You normally stop contact with family and friends, other than close ones and it is not that easy to just go back to the way things were before. You might be a bit ashamed as well and you try not to think about it.

The vacuum Therese describes is a sort of transient ‘non-space’ (Augé 1995), in which real existence is suspended and she simply waited for time to pass. Similarly, Kristy, who had waited eight months to serve six months, described the waiting period as being ‘on hold’ and ‘extremely’ stressful:

It was very difficult, I was thinking more and more that I just wanted to get it over and done with. Your life is put on hold. I couldn’t apply for any new jobs either, even if I knew that’s what I had to do. I wouldn’t have been able to accept a new job either. You can’t work for two months and then say ‘sorry, I have to go to prison’ or even tell them you want to go on extended leave, so your life is put on hold. You just walk around thinking that you want to get it over with, and now it’s nearly over.

These emotions and experiences can induce a ‘waiting paralysis’, a feeling of powerlessness, producing feelings of increasing anxiety. This is not so much about ground projects being disturbed or restricted as about them becoming out of reach and intangible. Lars’s story below serves to show how thin the line can be between disruptiveness and destructiveness:

Can you describe how the waiting time was, the time you were waiting before you went inside?

‘Yes, it was difficult. It was tough, very tough. I tried to function as normal, but [...] I was irritable and in a bad mood, compared to what I am normally like as a person. It’s something I hope to correct when I get back out again. [...] I was not able to open up, I had far too many thoughts about what was going to happen and I was scared of how I was going to get through this. [...] Would I be alone when I was released? I didn’t know anything, I was worried about that as well. I was thinking a lot about everything’ (Lars, waited 3–4 months to serve 15 months).

In the quotation above, Lars was not only describing a gruelling waiting period before coming to prison but also considerable anxiety about how his imprisonment and release would play out. In particular, he was worried about whether he would end up alone when eventually released and whether he would be able to stabilize his mood again. Lars insisted that he was not normally an impatient or anxious person but said that the waiting period had changed his perception of himself and worried that it might ‘stick’ (Crewe 2011) to him once he was released. Hope is largely missing in Lars’s account,

while despair seems to loom large. Generally, hope is furthest away when ‘prolonged’ waiting not only disturbs but destructs people’s ground projects.

Waiting and the destruction of ground projects

We turn to narratives where prolonged waiting for imprisonment had rendered ground projects impossible or unimaginable. We argue that it is important to distinguish between disruptive and destructive waiting in this context. The latter seems to prevent people from even trying to pursue the things that matter to them—present and future—which can be very painful. Ground projects can be ongoing, e.g. educational or vocational aims and goals, or they can be future oriented. An example of people with future-oriented ground projects is interviewees who had multiple sentences and have spent many years in prison throughout their lives. They might be aiming to desist from crime altogether and ‘go straight’ (Shapland and Bottoms 2011), but they feel prevented by the sense of destruction and powerlessness that prolonged waiting entails. In this sense, waiting can have ‘[...] diverse affects ranging from hope, enthusiasm and urgency to apathy, paralysis and lethargy’ (Bandak and Janeja 2018). These feelings were equally felt by interviewees who were already leading ‘straight’ lives; a sense of being powerless was shared by both groups. Apathy and a feeling of being acted on, rather than acting, is tangible in Ask’s account. He characterized waiting for 19 months to serve a six-month sentence as like being in a ‘trance’:

There is no connection between...you just wander around in a trance, you cannot plan anything, you can’t, time just goes, and you don’t care about a damned thing because there is no point in trying to build anything when you know you’re going to prison anyways.

Ask’s paralysis was tangible, and his apathy was still evident when he was interviewed after having served his sentence. Albert—who had waited three years to serve a ten-month sentence—described how he had chosen to not seek out a permanent place to live for fear that he would end up losing it again when summoned to do his sentence:

It’s at the back of your mind, it is. Certainly for my part, it was. It slows things down [...] You kind of hold back. I’m thinking about this part about housing for example. Then I thought that I have to do time, so I’ll wait before I find something permanent.

Similarly, Rikard, who had waited a year and a half to serve 90 days, postponed his need and desire to obtain employment because of the disruption promised by his looming summons:

[...] I’ve often thought about trying to start working again, but every time I’ve thought about it then every time I’ve remembered that I have to go in to serve at some point and then it’s a fucking drag to be --You get a permanent job... and then you know that you have to tell your employer that: ‘Listen, I all of a sudden have to have two to three months off because I’m going to prison’. It’s not exactly that popular (Rikard, waited 1 ½ years to serve 90 days).

While some people suspended ambitions to secure housing or employment, others increased their drug use in the period leading up to their imprisonment, often as a way of dealing with anxiety:

I kind of think that the waiting time is the worst, so to say. Yes, it's much better as soon as you've started to serve, because then you don't think too much about it -- time and all that. But the time when you walk around and wait to get in is the worst. There are many who do a lot more drugs during that period, because they're nervous about going in (Berulf, waited two months to serve eight months).

Jonathan, who had waited nine months between being released on remand and being summoned to serve his two-year sentence, echoed Berulf's words, describing his final months of 'freedom' as a time of heroin use and partying: the most 'intense' drug period of his life. In these circumstances, it is difficult for our interviewees to 'do good' (Maruna 2001) and desist from crime should they desire to do so.

Thus, for many interviewees, finally receiving the letter summoning them to serve their sentence was a considerable relief. Having waited for three and a half years to serve 90 days in prison, Sverre recalled that 'it was nice to get that day, and have something firm to deal with. Know when. Because when you're waiting for that long it wears on you, on your sleep, on your focus, on everything'. For some interviewees, then, receiving the summons and going to prison felt lighter than being in the queue. Rolf, e.g., explained that the waiting period before his case went to court:

'was the worst time, because your life is on hold. [...] Few things have any meaning. You just go around waiting'. (...) 'It's a relief to actually have it over and done with' [...] Everything feels completely hopeless. [...] It's the whole process and the last few weeks before you have to go inside. That's the worst time, the last four or five days before serving, they become so traumatic that I can hardly remember anything about it (Rolf, waited three months to serve six months).

For Rolf, as for others, imprisonment was painful but felt, in certain respects, less psychologically burdensome than being in paralytic suspense:

[Waiting was] Awful, awful, awful – it was the first thing on my mind when I woke up in the morning and it was with me the whole time. It was hell, it was. It breaks people to have to sit and wait. I became ill and I had physical aches and pains. I was hardly outside my apartment by myself. I felt I had been in a prison for many months at home and I also applied to serve my sentence at home, but that request was declined (Jonas, waited one year and four months to serve 60 days).

Jonas dreaded his imprisonment and described waiting for it as, in itself, like being in prison. Living in a small community, he felt extremely worried what 'the postman will think – he's [Jonas] is getting a letter from the prison' and about being ostracized by his neighbours: 'I wanted to hide it. I was thinking of selling everything and moving away. It was quite dramatic'. When he did receive his summons letter and found himself in a car on his way to the prison, he was thinking 'finally, finally I'm on the way to getting it over and done with'.

Concluding Comments

The Norwegian call-up system prevents overcrowding (Ugelvik 2016), enables (some) flexibility with regard to the conditions of the impending imprisonment and, to some extent, accommodates for individual's specific needs. Accordingly, Pratt and Eriksson (2013: 186) argue that this penal arrangement 'could only be conceived of in a society with high levels of cohesion and stability, trust and tolerance'. Our article is the first to

empirically analyse narratives of actually waiting in the queue and thereby to problematize assumptions that this process is always and unambiguously productive. In drawing on the idea of ground projects, one aim has been not only to demonstrate that experiences of the prison queue are varied, and often, for individuals, highly conflicted, but also to explore the impact of waiting to serve a sentence on what matters most to those undergoing this peculiar experience of the criminal justice process. Doing so enables us to move beyond a simple characterization of the pain and possibilities experienced by people waiting to serve their sentence. Being in this position entails an existence filled with doubt, uncertainty *and* hope; our interviewees narratives are both filled with positive stories of great flexibility, reflecting a prison system with humane features and great despair and anxiety, which stems from not knowing what the future holds. Our empirical data shows that while some ground projects merely have to be suspended while people wait to serve their sentence, others may never get off the ground. The latter narrative is the most destructive because it does not hold much hope for the future. The first narrative is much more ambiguous; (prolonged) waiting is painful but the benefits of flexibility are sometimes worth the wait.

The narratives of the pains and possibilities of waiting for one's imprisonment are multi-faceted and ambiguous. We agree with [Bandak and Janeja \(2018: 3\)](#) when they write that '[W]aiting may both forge innovation and creativity as well as destroy the persons waiting'. The Norwegian in-built opportunities for agency and flexibility allows people to keep (some) control over their own lives, which again effects their experiences before, during and after the imprisonment. Our data shows that prisoners, who, while waiting in the queue, are able to negotiate their imprisonment, feel more heard, seen and valued as persons. They may still suffer, especially if the waiting is prolonged, but at least they retain a sense of agentic power.

Our analysis also draws attention to the nature of queueing within the context of notions of punishment. As we note, while waiting in the queue is not intended by the state to inflict pain, or as part of the penal sanction, in practice, it often feels more difficult and psychologically burdensome than serving the sentence itself. In this regard, it represents a peculiar form of penalty, highlighting the way in which the 'breadth' ([Crewe 2011](#)) of a sentence can extend not only beyond but *in advance of* the formal term of punishment. In essence, waiting to serve a sentence is—for many people—a non-penal, non-supervised but deeply painful experience. Since Norwegian prison sentences are often relatively short, but waiting periods often rather long, this finding is somewhat ironic. An apparently mild, humane and benign practice which safeguards against prison overcrowding has effects that feel punitive, in which, prior to imprisonment, citizens experience elements of the pains of imprisonment ([Sykes 1958](#)) and considerable disruption of their ground projects.

To make sense of this discrepancy between the official definition of the queue (not punishment) and the subjective experiences of waiting in the queue (punishment/punishing), we return to [Hayes \(2018\)](#), who argues that contextual pains 'are unintended, but still bear a causal connection to the severity of the penal intervention' ([Hayes 2018: 240](#)). Likewise, Foucault emphasized that punishment should always be considered not simply in legal or philosophical terms but also as a socio-political phenomenon ([Foucault 1977](#) in [du Bois-Pedain and Bottoms 2019](#)). It is, therefore, crucial to take into consideration sentenced citizens' subjective experiences of waiting to serve prison sentences when we discuss the mildness or severity of state punishment.

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