Article

The Ideal of Highly Mobile Prisoners. Re-Legitimating Prison through a New Paradox

Christophe Mincke [1,2]

1   National Institute for Criminalistics and Criminology, 1000 Brussels, Belgium; christophe@mincke.be;
    Tel.: +32-473-210-265
2   CASPER, Saint-Louis University–Brussels, 1000 Brussels, Belgium

check for updates

Abstract: In our paper, we develop the hypothesis of a general call for high mobility and discuss the consequences of it regarding the legitimation of prison. First, we present the method we used for an analysis of the parliamentary documents of the Belgian penitentiary law. We then examine the contemporary social representations of mobility, looking for a definition of what is seen as being properly mobile, and show how intertwined social representations of space and time result in the prevalent vision of an inevitable and constant mobility. Next, we will thus discuss the importance of seeing mobility as much more than its material facet. Our following step will be to propose a formalization of the contemporary requisite for mobility. Through four imperatives (activity, activation, participation, adaptation), the mobilitarian ideal requires each person and organization to be constantly active, mobile, flexible, networking, etc. We argue that, today, we are all meant to be highly mobile. We will apply this theoretical framework to the legitimation of prison in the parliamentary documents of the 2005 Belgian Prison Act in which prison is open and porous, good inmates are described as dynamic individuals on the move, and the legitimate penitentiary system is a paradoxical mobilization system. We will conclude by discussing the need to reshape our vision of the prison, considering its apparently paradoxical relation with mobility.

Keywords: prison; mobility; activation; activity; participation; adaptation

1. Introduction

If one thing is certain, it is that when we speak of the 'highly mobile,' among the last to come to mind are prison inmates. Our imagination summons images of individuals with a lifestyle largely based on physical movement over long distances. Internal business professionals or civil servants, migrant workers or managers traveling to company branches across the globe come to mind.

Nonetheless, if we want to develop a full consideration for the place that mobility holds in our social norms, it becomes clear that we cannot restrict our view to upper and middle-class practices of mobility. Once we recognize that the term refers to the behavior of people whose way of life largely depends on mobilities and, even more, a serious investment in mobilities, we can see the need to broaden the envisaged field. For instance, when Vincent-Geslin, Ravalet, and Kaufman look at highly mobile individuals, they refer to people who are away from home over 60 nights a year, but also to those who daily travel more than an hour to their working place [1]. Commuting can be considered as the sign of a highly mobile way of life, although it is far from spectacular and has nothing to do with the contemporary valorization of any so-called nomadism [2].

Much more, the matter of social normativity entails questioning the extent to which the notion of 'highly mobile' is a model, or an imperative even, and also the extent to which it can shed light on prevailing social norms, as well as the way broad population categories relate to the world.

Our touchstone in this questioning will be the situation of prison inmates, or more exactly, a recent public discourse aiming to trace the outlines of a legitimate prison system for the 21st century: The preparatory works for the 2005 Belgian Prison Act. The idea is to explore the hypothesis that the requirement to be a highly mobile individual is so broad that it even addresses the situation of people among the most immobilized: Prisoners.

Our aim, after describing our methods and materials (Section 2), is to explore the definition of what, in the current social context, is experienced as relating to mobility (Section 3), in order to pinpoint what could be relevant for the definition of highly mobile individuals. This implies reflecting on how space-time is perceived (Section 3.1.1), how mobility is socially constructed (Section 3.1.2) and why it points to material movement, but also to non-physical forms of mobility (Section 3.1.3). The question here will be which behaviors can be included in the notion of 'highly mobile,' a necessary first step to considering the mobility-related normativity that we call the 'mobilitarian ideal' (Section 3.2). Through four imperatives: Activity, activation, participation, and adaptation we will describe how mobility has become a key criteria in the evaluation of social practices and institutions.

On the basis of these imperatives we will investigate the hypothesis according to which, in the representations of the authors of the Belgian Prison Act, the ideal inmate is highly mobile and the prison is an institution responsible for encouraging mobility (Section 4).

We shall conclude by questioning, on the one hand, the sustainability of this vision of the prison system, in its ambition to make prison a vector for mobility at the same time as it maintains its basic principle: Detention in the aim of security, and on the other hand, the way we define the carceral (Section 5).

2. Materials and Methods

2.1. Hypothesis

This text intends to clarify a simple hypothesis: The generalization of the injunction to be mobile, which, once it addresses an extremely broad population, thoroughly loses its exceptional nature. We shall use a specific example, that of prison inmates, to interrogate the very notion of high mobility.

The choice of this population category is not just by chance. Quite the contrary, the prisoners—being incarcerated—are particularly emblematic examples of immobility. By questioning the relationship that inmates have with mobility and seeking to show the extent to which they are expected to demonstrate mobility, we intend to demonstrate the general nature of the mobility injunction.

We shall base our analysis on studies, conducted with Bertrand Montulet, that formalize the shape of our contemporary relationship with mobility. This work will be used to analyze a specific discourse on prison, incarceration, and inmates deployed on the occasion of Belgium's adoption of a prison law.

2.2. Materials: The Report of the 'Dupont Commission'

This text is based on a discourse analysis of preparatory work leading to the Belgian Prison Act, the law of 12 January 2005 on principles governing the administration of prison establishments and the legal position of detainees. The texts emerged from the report of an experts commission, the 'Dupont Commission,' from the name of its chairman, which had been specially entrusted by the Minister of Justice to draw up considerations on the future of the prison system and to prepare draft legislation.

The Commission was chaired by Lieven Dupont (professor of criminal law, penology, and penitentiary law at Katholieke Universiteit Leuven—KUL). Its members were university professors G. Kellens (vice-chairman of the Commission, Université de Liège—ULiege), S. Snacken (Vrije Universiteit Brussel—VUB), and G. Smaers (Maastricht University—UM), but also members of the administration, as G. Van Belle, (superintendent of prisons), K. Kloeck (counsellor of the Minister of Justice), F. Pieters (magistrate), and four counsellors of the Ministry of Justice: R. Van Nuffelen (judicial organization), R. Troosters and S. Corthout (criminal law and human rights), and Y. Van Den

Berge (penitentiary administration), and a member of the civil society: J. Detienne (head of the Royal Commission on Patronage) [3].

The Commission issued a significant report presenting a vision of the prison grounded for the most part on notions of normalization and limiting the harmful effects of detention and including a draft legislation.

This report was submitted to the Belgian Parliament, which decided to submit the text as a proposed law and to add the Commission's report to the set of parliamentary documents [4]. This forms the essential part of document '1076' (hereunder referred to as Decroly and Van Parys 2001) of the 50th session of the Belgian House of Representatives. The proposed law itself, was submitted and discussed in documents 231 of the 51st session of this same House.

This text is based on a discourse analysis of document '1076' composed of two main (but inequal) parts: The presentations made on the occasion of the submission of the final report (12 pages) and the report itself (426 pages).

The first part includes an opening presentation by the MPs Vincent Decroly and Tony Van Parys (pp. 3–5), a presentation by Lieven Dupont, head of the Commission (pp. 6–8), another by Mr. Marc Verwilghen (pp. 9–12), Minister of Justice, and a final presentation by Mr. Fred Erdman, chairman of the Parliamentary Committee on Justice (pp. 12–14).

The second part includes the '*exposé des motifs*' (justification) of the draft law (general principles, pp. 16–192, and comment on the articles, pp. 193–277), the text itself (pp. 278–356), and a draft note on the external legal status of convicted prisoners and the institution of prison courts (pp. 357–426).

The text, elaborated by the Commission and finally adopted in 2005, governs all aspects of prison life. The draft law deals with the general principles of incarceration, categories of detainees, regulation and surveillance of prison management, access to the prison, entry in prison and planification of detention, material and social living conditions, contacts with the outside world, religious and philosophical matters, training and leisure activities, work, health, social and legal services, security and order, disciplinary regimes and sanctions and processing of complaint, claims and disciplinary procedures. In a final section the Commission expresses recommendations regarding the creation of prison courts and general principles about the legal regime of prisoners outside the walls of prison.

The analysis of the production of the Dupont Commission is part of a larger work in progress: The study of the whole parliamentary documents of Belgian penitentiary law (and the context of side projects such as the reform of the liberation system).

In a plethoric public debate about prison, we chose these texts for several reasons. First, they are official discourses that underline legal reforms and public policies, not just opinions. Thus, they indicate how policy makers, when they decide to reshape detention and its management, conceive a legitimate prison for the 21st century. This point is at the very center of our work: We do not want to examine how prison is effectively ruled, nor if its basic principles are adequate or not to any value system, we aim to analyze this value system itself. In view of the profound discredit of this form of punishment and the institution in which it is generally served, lawmakers, for many years, opted for a wait-and-see approach. In the late 1990s, in favor of a renewed interest by lawmakers for general prison questions, it was decided to adopt the first prison law in the history of Belgium and to sketch the layout of a prison that would once again be legitimate. Therefore, the analyzed document is truly important as it is a milestone in the legal history of Belgium, being the basis of the first Belgian penitentiary law.

Second, the document we analyze can be considered, not as original or unique, but as a synthesis of a whole current of thought, deeply rooted in various scientific and political sources. From criminological literature to international standards, the inspiration of the Commission is vast, even if we will not have time here to discuss its representative nature. The aim is certainly not to study a revolutionary or an anecdotal discourse but, on the contrary, a banal discourse that can be an example of a shared conception of legitimate carcerality.

Third, this document is composed of over 400 pages of very systematic reflections about prison. A vast set of issues is addressed, so that we can question the coherence of the normativity expressed in these pages.

2.3. The Method

The parliamentary documents were analyzed through the lens of the mobilitarian ideal developed together with Bertrand Montulet and presented in the book *La Société sans Répit* ('Society without Respite') [5] and described in a chapter of a collective work [6].

The first methodological step was an inductive reading of the preparatory works described above, during the theoretical framework development phase that lead to the publication of the book, in parallel with analysis of several other public discourses on the question of change, mobility, or the relation to space. This exploratory reading was used to reflect on mobility issues and conceive the framework presented in Section 3 below.

Then, once the theoretical framework was finalized, we decided to undertake a systematic analysis of this material, using NVIVO software to perform deductive analysis. As stated above, the results presented here are based on coding by NVIVO of the Dupont Commission Report as it was published in the parliamentary document number 50–1076.

NVIVO is a tool for qualitative discourse analysis. It is mainly used by coding stretches of texts, referring to categories and subcategories (called 'nodes') defined by the user. We chose to use five broad nodes. The first node tags the ways the discourse refers to its context of production, be it the multiple flaws of the penitentiary system or legitimacy issues of prison. Sub-nodes are: (il)legitimacy of prison; description of the situation prior to the designation of the Commission, management issues; necessity of a regulation, prejudices caused by the prison; specific issues regarding pre-trial detention; overcrowding. The second codes the various 'areas' of prison life, such as social services, work, or relations with the victims. Sub-nodes are: social services; canteen; communication with the outside; working conditions of the staff; culture, training and learning; determination of the nature of the penalty; discipline, complaints and claims; family and visits; liberation; detention plan; religious matters; carceral regime; health; social security; security, order and control; sport and leisure; transfers; work (inmates'); relationships with victims. The third consists of all the considerations about the carceral project and its basic principles, from normalization to incapacitation. Sub-nodes are: amendment; dissuasion; general aims of prison; incapacitation; individualisation; rule of law inside prison; limitation of imprisonment to physical immobilisation; limitation of the prejudice; loss of exclusivity of prison for the service of liberty deprivation penalty; normalisation; restoration of the distinction between pre- and post-trial detention; respect of the individuals; respect of legislations; accountability; reinsertion; reparation; retribution; security; treatment; use of prison as last resort. The fourth is used to identify references to extern norms (legal and doctrinal). The fifth points to all the considerations that can be linked to the theoretical framework, thus reproducing its structure, distinguishing representations of space, time, and mobility, and identifying the use of the anchorage ideal or the mobilitarian ideal (see developments hereunder).

2.4. Context

The reflection that we develop here is an articulation of three different fields.

In the first place, it belongs to a set of theoretical productions that aim to integrate questions such as mobility, acceleration, or change with reflections on social structures and practices. Thus, John Urry has questioned the centrality of mobility in social practices and the social sciences, formalizing a 'mobility turn' [7]. Hartmut Rosa has discussed the theme of acceleration and the resulting alienation, describing how mobility has taken the path of an acceleration that has lost all aims other than itself [8]. Along these same lines, Boltanski and Chiapello have explored the links between capitalism and the value placed on instability, lightness, and flexibility, through the idea of a 'city by projects' regarding systems to legitimate inequalities in contemporary managerial systems, characteristics of late-stage

capitalism [9]. This question of the evolutions of late modernity and its relationship with capitalism, the decline of frontiers and the conquest of space, making way for lightness, fluidity, and change is also described by Bauman, in what he calls 'liquid modernity' [10]. We could also cite Alain Ehrenberg when he questions the 'fatigue of being oneself' emerging from the infinite imperative to be 'oneself,' a notion specific to late modernity, or mobility as a condition of the contemporary individual [11–13].

The second facet of this reflection is inspired by the current, strictly speaking, of mobility studies. The phenomena that are studied here and the reflection on what mobility is are of major interest for our research. To begin with, this is the case because Bertrand Montulet, with whom we wrote the above-mentioned work on *La Société sans Répit* ('Society without Respite') focuses on this field of reflection and has forged some of the conceptual tools that we discuss below [14–17]. It was the encounter between these first two fields that incited us to propose a more general application of this approach in terms of mobility to a series of social phenomena not covered by mobility in the traditional sense of the term, or rather to use a term that is particularly relevant for us, not covered by 'material mobility.' In this area, we have been inspired by rich interrogations on the profiles of mobility [18,19] or on related concepts such as that of motility [20,21], of rootedness, anchoring, and mooring [22]. Furthermore, as we shall see below, even if we are not interested here in mobility policies in the traditional sense of the term, the field of mobility studies nourishes our ideas through its contribution in the realm of public policies [23–26].

The third area of focus for us, is emerging work in carceral geography. It has grown, on the one hand from an interest by geographers in the prison and, more broadly, in carceral phenomena (retention camps, penal limitation of mobility outside prison, depriving of liberty in psychiatric institutions, and so on). On the other hand, it has been fed by criminology's new look at a classical object, through particular attention to questions of space. This current leads to exploration of basic questions such as the definition of prison [27,28], specificities of its space compared to other confinement areas [29], the role of space and its arrangement in the experience of incarceration [30–32], management of transfers between prison facilities and mobility [33–36], etc. Although mobility is not the heart of the issue, it is nevertheless far from absent.

The knowledge gleaned in the first two areas of reflection enable us to approach prison with the tools of mobility studies and a general framing that looks at mobility's role in contemporary contexts. This enables us to develop a theoretical proposal rooted in the question of our societies' relationship with mobility, to base ourselves on this framework in order to propose extending our interrogations in terms of mobility to issues not usually studied from this angle. Lastly it enables us to apply it to the prison, henceforth no longer limited to studying material spaces and mobilities, but extends into spaces that are social, legal, symbolic, etc.

Exploring this final point is our more particular ambition in the pages that follow, studying the extent to which high mobility can be a sufficiently broad category to serve in describing an injunction addressed to prison inmates.

3. Mobility?

The answer to the question we address (in which way might we all be urged to be hypermobile individuals, including inmates?)—must be underpinned by a definition of mobility. This concept is not self-evident but is a social construction. Indeed, the mobility we are interested in here does not relate to physics. It is not a pure movement through a space over time, but rather a social construct and practice [25]. In other words, our approach will not be based on a mobility seen as incontestable, but as something produced by a given society, linked to and built by its representations of the world. Thus, what interests us is the characterization of what a given society, at a given time, considers to be a form of mobility and the way it formalizes the corresponding behaviors.

What we have written above does not mean we can no longer see mobility in its simplest light, as a mere movement in space over time or, even better, as a variation, over time, in localization data—which determine one's situation in various possible spatial dimensions. We could also refer to Cresswell's

thought that movement consists in spatializing time or temporalizing space [25]. This nevertheless implies the question of how a given society conceives of space and time.

Nevertheless, it is not enough to merely update the way our societies represent space-time and mobility in order to understand the mechanism with which these notions become the object of social norms. To do this, we must take one further step, to what separates the description from the prescription. We will thus use the notion of the mobilitarian ideal that will shed light on the structuring of social norms linked to mobility.

Lastly, in the sections that follow we shall propose to extend the field of mobility far beyond that of material mobility so that it can be a tool to analyze a larger set of social practices.

In order to understand the analyses that follow, it is useful to present a theoretical framework that has been discussed in earlier publications, to which the reader is invited to refer for a more detailed understanding of its exact groundwork [5,6,37].

3.1. A Shift in Spatial-Temporal Representations

3.1.1. From the Border to the Network

In order to qualify representations of space-time, we make use of 'spatial-temporal morphologies' [14]; in other words, categories that combine representations of space and corresponding time. The basic idea is that space and time are interdependent and that the way a society conceives of space has an impact on its concept of time, and vice-versa. These representations are not immutable; spatiotemporal morphologies can follow from one to another, marking fundamental evolutions in the relationship to space, to time and consequently to mobility. This is precisely what is happening now. For some decades we have been experiencing the emergence of a morphology that we call 'flow-form' competing with the one that predominated since the 19th century, the 'limit-form' [5,14–16].

The limit-form is characterized by a representation of space based on the notion of border, which enables the passage from an unformed stretch to organized space. Borders circumscribe territories having particular characteristics, for example, an area controlled by a State. This is how the Europe of nations took shape, but it is also the way the colonialist world created by this Europe became structured. Planting a flag, tracing lines, delimiting, finding natural borders, defining precise contours for continents, drawing maps—all these acts served to make borders the ideal way to order space [10]. Obviously, each circumscription can also contain others. This is how the nation-state came to be divided into states, provinces, counties, townships, and so on. Furthermore, the State is not alone in defining itself by its borders. The business world does the same, surrounding its production facilities with walls that are hard to pass through [10]. The classical prison was built with this image in mind, conceived as a space denoted by its surrounding wall, cut off from the world and, itself, sub-divided into a multitude of compartments. Although one may ask whether the prison is actually as sealed off as that [27] this representation of space-time is indeed the way prison was seen for many long years and one that remains quite vivid to our days. For example, we can see what Julie de Dardel has to say about the encounter between a USA model of prison based on the idea of absolute closure and South American models based on a largely accepted porosity [38]. A spatiotemporal morphology is actually not an organizational principle limited to one specific domain, but rather a way to represent space-time, based on all the different relations between the two.

A border obviously must be defined, but also guarded [10]. It calls for efforts to preserve, consolidate it against erosions or opposition—it is meant to last. Thus, it corresponds to a particular representation of time: Spasmodic, alternating periods of stasis and rupture. A situation can remain stable for a long time, then change brutally: A border is moved following a conquest or a treaty, a company expands its territorial coverage by purchasing new building plots, prison doors open to let someone out or bring someone in. These are not slow transformations but sudden changes to borderlines, boundaries.

This spatiotemporal morphology, which we call 'limit-form' [5,14], is a special way to envision space-time, likely in competition with others. This is how its power gradually receded in profit of another.

The change that follows here is closely linked to an evolution in the social representation of time: The idea that it is possible for any kind of stability to disappear gradually. Time is no longer seen as composed of sudden ruptures but is more akin to a process of constant erosion and evolution. In this incessant time flow, the present increasingly contracts, the past is never truly over, and the future is already announced. This can be directly linked to what Rosa said about the acceleration of social rhythms in modern societies [8] or to Bauman's qualification of our modernity as liquid [10].

In a time that constantly flows, it becomes hard to define, or even conceive of, a border or boundary. The idea of stability, in fact, is consubstantial to boundaries. In a constantly changing world, in which evanescence is the rule, it may appear unfeasible to structure space by means of a boundary. In an unstable environment, constantly changing, a boundary appears to be increasingly indefensible, and in fact, counterproductive. If movement between inside and outside the prison becomes incessant through a series of factors such as early release, electronic monitoring, growing availability inside of services offered outside the prison itself, families encouraged to visit the detainees or even the need to prepare for release, then the question emerges whether the prison is best defined by its boundary [39]. What is the use of conquering a territory, colonizing it, creating permanent settlements, when the real issue at stake is having access to it when needed? Furthermore, who can guarantee that this need will remain over time? At a time of technological evolution and instant communications, it seems useless to secure spatial perimeters. Likewise, companies no longer try to locate all their processes at the same site, but to be situated at the hub of exchange networks giving access to permanent and flexible supply, through hundreds of sub-contractors. We can find here what Bauman called 'light capitalism,' the incarnation of 'liquid modernity' [10].

In the face of this declining use of borders to structure space, must we, like Zygmunt Bauman, conclude that time has killed space? [10]. It seems more prudent to reach a verdict of attempted—or symbolic—murder, for we feel it is necessary to maintain the possibility for space to resurface in a universe of meaning that thought it could do without it and, also, as we shall see below (3.1.3) to avoid turning space in its material sense into the only one imaginable. We prefer to try to conceive a new representation of space capable of coping with this flowing time. Nonetheless, maintaining space does not imply seeing it as everything or holding it up like the cornerstone of relations with the world, as Michel Lussault has done [40]. The decline of the limit-form does not lead to vacating representations of space-time, but rather to a new morphology: The flow-form.

The network is a spatial organization mode perfectly suited to constant temporal flow. It does not rely on a pre-established spatial grid, nor on setting up a priori delimitations, within which objects, people, and organizations are assigned a clear position prior to any movement. Quite the contrary, a network is based on a scaffolding of potential relationships between points, it is a system of links that unite elements, one by one, rather than a system of partitions separating them. In this context, the relative positions of the network elements vary with time, depending on the reinforcement, creation, or abandoning of the links. The question is no longer that of being closed into a circumscription, but of the expanse, number, and sturdiness of the relations with other nodes on the network. The relations between positions are no longer measured in terms of distance but of accessibility.

As such, in this view, a city is no longer a fixed geographical reality, defined by an administrative circumscription, walls, a ring road, or clear spatial constitution (population density, type of buildings, town planning modalities, etc.). A city, seen through the lens of the network is above all a hinterland or a basin. This is how it will be defined by its relationships with its own environment, which vary depending on domains (employment, education, culture, businesses, etc.) and time periods, accessibility depending primarily on the time of day, week or year, or on the time of departure. The expanse of the city in question will thus be variable once it is conceived as a scaffolding of relations, like a network. The prison could be seen from this same angle, as a network of dispositifs, places,

and actors having in common the fact of managing—restricting or encouraging—the mobility of convicted offenders, and not as a territory isolated from the rest of society.

And, corresponding to a time socially constructed as an irrepressible flow, there is a space seen as structured by reticular interconnections.

3.1.2. From Crossing to Drifting

We have just seen how the notion of space-time, as a social construct, cannot be conceived of as an immutable data. It is therefore logical that the same holds for mobility. Even if it is defined quite simply, as a modification of spatial coordinates over time, we can nevertheless see that its nature depends on the representation we have of space and time.

In the context of the limit-form, mobility is understood as a movement in a pre-structured space, marked by the trace of fixed borderlines, which always have already delimited the space by the time the mobility is observed. Movement means crossing borders, leaving one anchorage in a circumscription to enter another. This is what we call 'crossing-mobility,' a mobility that follows inclusion within borders and depends on conditions allowing them to be crossed. This mobility is obviously limited in time, as it consists in linking two points in space located in different circumscriptions. It is also intrinsically linked to the notion of scale because this is what determines whether limits will be visible or not. Scale is what makes it possible to define mobilities that are intercontinental, international, interstate, and so on. In the context of the prison, this mobility will be that of an inmate leaving their cell or leaving prison after serving the sentence, crossing a clearly established limit at a precise moment.

On the other hand, in a flow-form context, mobility can no longer be based on crossing and is understood through modification of the relative position of the points under consideration. Indeed, in a network a position does not depend on the relation to a previously marked space, but is determined in a relative manner, in relation to other network nodes, through the links that, themselves, structure the space in question. Thus, if the position of each node depends on its relation with the other nodes in the network, then any movement by one of them modifies the position of all those in direct or indirect relation with it. A network is thus the epitome of a reality in motion. Mobility therefore is no longer spawned by the fact of leaving a state of rest to start a movement towards a place where the state of rest will resume. In the flow-form, it is consubstantial with presence in a space. The state of rest has thus disappeared and the spatial structuring comes about through dynamic relations themselves, which is what we call drifting-mobility. In such a situation, mobility is thus a constant phenomenon, rather than an action that is planned and set in place for a limited period. To return to our carceral example, when release is under preparation as soon as the person enters the prison, when it is set up progressively through prison leaves, parole under electronic monitoring, then, possibly under lighter conditions, to move on to other forms of assistance and control (such as finding a job, receiving welfare assistance, or following therapy), it becomes hard to pinpoint the exact time and place when someone leaves the carceral system.

3.1.3. Non-Material Spaces and Mobilities

If mobility can be defined as any modification of spatial coordinates over time, there is no reason for considering it as a strictly material phenomenon. Thus, once a space can be any reality conceived through categories of positioning, distancing, or accessibility, we can consider that a social space is just as much a space as the physical one of a room or national territory (with Kaufmann, we have discussed this question extensively and have applied this conception to empirical data on residential mobilities in the area of Geneva [37]). This is how human societies, referring to largely shared categories of understanding, thought of social, religious, philosophical, ethnic, clan, family, and other realities as spatial categories of understanding. The boundaries between scientific disciplines, family inclusions and exclusions, topologies of the hereafter, separations among human groups (families, clans, ethnic groups, etc.) are nothing more than ways of looking at these categories as spaces. As the spatialization of these realities has shaped them into spaces it is now possible to analyze them as such, using the

same analysis categories that we apply to material spaces. As it is a question of examining how our societies think of and govern the relation to space-time and mobility, it thus seems necessary to not limit our thoughts to material spaces, but to include all spatialized realities.

An excellent example of this need is that of the nation-state, a phenomenon that can be considered as the intertwining of multiple spaces, both material and non-material. As we saw earlier, the nation-state is organized around a circumscribed territory. Yet it has its physical borders correspond to immaterial ones. For example, the aim to give a nation a political embodiment implies a national group of humans, separated from other people through their nationality. This group, moreover, is often considered distinct from others in virtue of ethnicity, language [41], race, etc. This is why nation-states take shape around narratives that hold this population up as something special, corresponding to their nation, with their own national language, specific cultural characteristics, and so on. In another facet, the spatial organization of national territory corresponds to a legal organization based on mirroring normative boundaries: The territorial subdivisions correspond to subdivisions in normative, judicial, administrative, fiscal, etc. competence. In this context the competence boundaries among various institutional authorities are defined and defended just like material borders among different territorial subdivisions. In the same way, the prison can be seen as multiple spaces: Walls and cells, but also as distinct human groups, separated inmate categories, a distinct normative system, be they structured through borders or networks.

Our proposal is thus to make use of these reflections on space-time categories and mobility to think about our societies beyond their mere relationship to physical spaces. Therefore, highly mobile individuals can be physically immobile if they experience multiple or intense non-material mobilities.

3.2. The Mobilitarian Ideal

If, in the context of the flow-form, mobility is irrepressible and primary, it assumes a special meaning for our society. Henceforth, the normative relation to mobility can only be changed by the evolution of the descriptive relationship.

As such, in a context where mobility is considered as an inevitable component of one's relationship to space, and where it is even the prime feature—just as anchorage was in the limit-form context—then this mobility becomes a practice that is not only inevitable, but also desirable. For in a world in constant evolution, where nothing can claim to be constant, trying to remain immobile would be absurd. This is what Cresswell calls 'nomadic metaphysics,' born of a refusal to be rooted [25], or what Rosa describes as the obligation for everyone to enter the cycles of constant acceleration [8].

In this light, it is not at all surprising that a representation of the world based on the primacy of mobility would be embodied in a normative system that holds mobility up as a good on its own, which we call the 'mobilitarian ideal' [5,6]. We should note in passing our use of terminology has evolved, from 'mobilitarian ideology' to mobilitarian ideal,' so as to avoid any misunderstanding arising from the scope of the term 'ideology.' This system of requisites for material and non-material mobilities revolves around four imperatives: Activity, activation, participation, and adaptation.

The activity imperative enjoins people and organizations to refuse all rest. One must be in constant motion, not only professionally, but also in private life. From governance of productive processes through Lean management to encouraging the elderly to be active senior citizens, through stigmatizing people on welfare for their inactivity, any 'time-out' is tracked down and denounced. Therefore, prison-time now tends to be considered as a useful time, not as a period that is deprived, empty, for the sake of punishing the convicted.

Nevertheless, the activity required is not just knee-jerk compliance with instructions, like Charlie Chaplin in Modern Times. Neither is it an exercise in discipline as described by Foucault [42]. On the contrary, the imperative also implies activation, that is, the capacity to set oneself in motion. It promotes being proactive, taking initiatives, following the less travelled road, to be the initiator of one's own movement, autonomously. As such the unemployed are activated, implying that they are not just sent by a 'placement office' to a job available, but that they look towards the future, decide on their

trajectory, and muster the means needed to ensure their return to the work force. Rather than playthings in the hands of agencies that decide for them, they are presumed to be the ones who truly drive their professional reinsertion. As we will see, the detention and reinsertion plans—inside prison and included in one's application for parole—are based on the very same logic.

The activation requirement is deployed in a project logic, governed by the participation imperative. The activities that people and organizations develop must not be lone ventures but involve networking. As such, the basic unit of the activity is the project, collective and temporary. The accumulation and interlinking of projects become pathways formed of multiple projects, reuniting a set of partners collaborating, for a time, in relation to their skills and needs. To return to the person on welfare, they are now almost systematically asked, 'What are your plans?' [43]. And so, people head into the fray, attempting to reconcile their projects for their professional life, parenting, matters of the heart, personal development, and so on. Obviously, each project lasts for just a certain time and one challenge for social actors is the ability to bounce from one project to the next [9]. This logic is to be found in prison as well, through the demand to conceive of a detention plan.

Accumulating and enchaining projects calls for quite specific capabilities, to begin with, a high capacity for adaptation. This is the fourth imperative: Adaptation, which requires maximal flexibility from everyone, an aptitude for combining different postures in multiple projects, and revisiting these postures when they interact with successive or simultaneous projects [9]. People and organizations are thus supposed to abandon all rigidity, all anchorage, all stability and make themselves totally available. Workers, for example, are urged to reorient themselves and follow permanent training throughout their career so they can adapt to the fluctuating requirements of the workplace. Or companies working in just-in-time mode must constantly adapt their supply to align with the demand. Or states adapt their laws to mirror social demands rather than formulating them as a framework of obligations to which society must adapt. Or the penitentiary administration is asked to adapt the prison penalty to each individual who enters its system.

The mobilitarian ideal thus revolves around these four imperatives, which are also criteria enabling each one to evaluate a situation or a behavior. These normative axes can thus be considered as values imposed on people and organizations, whether explicitly or through discourses indicating behaviors deemed to be acceptable or desirable, but also as points of references enabling everyone to give meaning to their observations and experiences. In this light, activity can just as well be something required of an inmate in the hope that they shake the doldrums caused by incarceration as it may be criteria evaluating the situation of this same inmate when they apply for parole.

4. Incarceration in the Age of Mobility

In the theoretical framework that we have just described, the notion of 'highly mobile' is seen in a new light. It is no longer merely a question of constant movement, across vast distances or at length in material space, but rather one of incorporating the mobilitarian imperatives and striving towards mobility in multiple material and non-material spaces. One who is highly mobile may work 10 km from home and rarely travel abroad, yet deploy her mobility in family, professional, or political domains.

It is along these lines that we shall look at the preparatory works for the 2005 Belgian Prison Act, in order to determine whether the inmates themselves are invited to join the ranks of the highly mobile, even though they are being held by an institution that symbolizes the quintessence of immobility.

This discourse is particularly interesting especially as it places the ideal prison under the sign of normalization: The objective being to make prison life correspond as closely as possible to what happens on the outside. As such it clearly announces the ambition to submit prison life to the same imperatives as life as in free society. We have here sound reasons to consider that the mobilitarian ideal which, we think, is widespread on the outside, can also be applied on the inside. In the following pages, we will this examine the forms it takes in the preparatory work for the above-mentioned prison law and the description of the ideal prison and prisoner, with particular attention on the theme of mobility and seeking traces of the mobilitarian ideal.

4.1. The Prison, an Open Space

'Prison' designates not only an institution but a type of punishment and a building as well. The latter, in virtue of its structure and appearance, can be the epitome of something closed, thus of the immobility of those who are not authorized to walk out the door. One may thus expect carceral space-time to be described in a way that reflects the organizational principles of the limit-form: Structuring space through boundaries and time through clear sequencing [44]. However, if signs of this register are obviously clear, it is far from without competition.

Indeed, on many occasions, the ideal prison is described as an open space. This implies several things: Opening carceral space, releasing inmates quicker, eliminating barriers to communication between the inside and outside, bringing services available on the outside into the prison, or even dismantling the internal partitions that isolate inmates from one another [45].

> 'Preventing or limiting the adverse effects of confinement (…) implies the suppression as far as possible of the prison as a 'total institution,' the maximal normalization of daily life in the prison, an opening as broad as possible to the outside world and the definition of a carceral trajectory placed in the perspective of early release.' [4]

> 'Furthermore, in accordance with the normalization principle, the above-mentioned principle [the right to maintain contacts outside the prison] implies (…) endeavoring actively to maintain and stimulate these contacts. This also implies, as far as possible, the removal of obstacles to contacts with the outside world entailed by deprivation of liberty.' [4]

> 'The principle of equivalence is strongly linked to the continuity principle (…) according to which the inmate is entitled during his prison term to a continuation of health care similar to that prior to his imprisonment.' [4]

> 'The ordinary Community regime allows inmates to spend their detention time in community living and working areas and to participate jointly in organized activities in the prison (Article 49). (…) the stay in the individual living space is not considered as a form of exclusion from the community of prisoners, but as an opportunity to exercise the right to privacy.' [4]

Even more, the Commission foresaw that the prison would no longer be the only place for serving a deprivation of liberty sentence. This calls into question one of the main functional specificities of the prison that distinguishes it from the world outside, namely that it is the place where custodial sentences are served.

> '(Article 4) opens (…) the prospect of a possibility of an alternative manner to serve a sentence or measure of deprivation of liberty, outside the prison.' [4]

> '(…) placement outside the [prison] facility can also be ordered (with the convicted person's agreement) in view of participation in residential therapeutic programs or training outside the penitentiary being directly useful for the person's reintegration in free society. This type of placement, translates in practical terms the basic idea that inspires the overall concept of the draft law of principle, namely, that serving a custodial sentence must not be indissociable with the stay in prison.' [4]

We thus see a new concept of carceral space emerging, one of open space. Of course, the persistence of walls is found in all discourses. Nonetheless, the closing often appears, not as a sought-after effect, but rather as a problem inherent to the prison, something that must be endured, all the while attempting to reduce and mitigate the negative impact.

4.2. The Prison and the Mobilitarian Imperatives

4.2.1. Activity

In this carceral space, intended to be open, the inmate must evolve in line with the imperatives of the mobilitarian ideal and is encouraged in this approach. As such, rather than seeing incarceration as lost time, the Commission considers it to be a period of activity, useful time, a period among others over a lifetime.

The present situation is seen in a negative light 'because the inmate is deprived of the possibility to assume personally responsibilities relating to his own life and that of others (especially any family members).' [4] Reduced to a passive role, 'the inmate can no longer take care of anything, which leads to a feeling of frustration.' [4]

The project's ambition is thus to encourage the inmate's activity, especially in the framework of a new detention regime.

> 'The choice of principle favoring a community regime implies, for the prison administration, the obligation, on its own or through other channels, to provide inmates with a full-time program of community activities.' [4]

This concern about inmate activity is placed in the context of the wish to take advantage of time spent in prison, because the prison-time has to be used to prepare the future.

> 'The objective for drawing up a detention plan is to lay out the framework for the program [for] work in collaboration with the inmate, in a perspective (looking towards) the future.' [4]

Yet, 'a study on the way an inmate spends time in order to prepare an optimal start after prison underlined flagrant shortcomings. In almost all the areas studied (education and training, work and training, sports and culture, assistance and healthcare), the prisons were shown to be mediocre.' [4] This scandal of lost time is one shortcoming observed that justified the lawmakers' intervention. It is in striking contrast with the classical idea of a prison sentence, founded precisely on depriving one of a slice of life, spent in a penitentiary institution, without any particular objective, suffering in retribution for a crime committed.

Obviously, the 19th century prison-workshops aimed to keep inmates active, discipline them through work, and even turn a profit [45]. Likewise, the rehabilitation currents in the 20th century also promoted the idea of turning prison time into the opportunity to reform a convict, in the aim to resolve the problems that led to committing a crime [42]. In our times, it is no longer question of being limited to disciplinary activities nor making them mere tools to reform the individual. The type of activity sought by the Commission and lawmakers concerns all facets of life. Furthermore, the objective is not discipline or reforming, but one of activating the individual.

4.2.2. Activation

The classical image of the prison is founded on the institution being in charge of all the aspects of the inmates' lives. The prison was a so-called a 'total institution' [46]. Even if major reservations have been expressed on this subject [27] the members of the Dupont Commission seemed to have had no doubts about this description. Indeed, on several occasions, it affirmed (especially in the first quote above under point 4.2) that the prison is a total institution and that the draft legislation aimed to put an end to this situation because it was harmful to inmates.

> 'Prison as a total institution naturally influences the psycho-physiological well-being of the inmates, which is not without causing numerable psycho-social problems (. . .).' [4]

It was first of all a question of reacting to the fact that 'regulation and supervision by the penitentiary places the inmate in a situation of heavy dependence on others' [4] and doing so by

moving 'from a view of assistance to implementation of an action principle.' [4] The idea is thus to propose rather than impose.

'All effort must be expended during the time in prison time in order to (. . .) make available to the inmate an offer—with no imperative nature—of activities and services as varied as possible, corresponding as closely as possible to his necessities and needs, particularly in view of his future reintegration into free society.' [4] (p. 74)

'(The) draft (legislation) contains (. . .) the principle of respect which, from a legal point of view, should permeate penitentiary practices in all its aspects: "The deprivation of liberty sentence or measure is implemented in psycho-social, physical and material circumstances that respect human dignity, making it possible to maintain or increase the inmate's self-respect and soliciting his sense of personal and social responsibility."' [4]

This sense of responsibility is also embodied in the inmate's capacity to take initiatives, whether to use the time in prison as an occasion to redirect a personal trajectory or to set up reparation actions towards the victims.

'In accordance with the principle of normalization (. . .) inmates placed in detention centers must be granted the possibility for a large measure of self-determination.' [4]

A main feature in this self-determination is a tool that is a key element in the prison law: The detention plan. It aims to define, for the period of detention, projects corresponding to the inmate's wishes and needs. Undoubtedly, one sign of the rupture this detention plan represented can be seen in the fact that, over 15 years after adoption, the Prison Act provisions concerning this plan have yet to enter into force.

'This (detention) plan identifies the obstacles to reintegration and elaborates strategies to overcome them. In agreement with the inmate, it also includes a program of activities of which he can take advantage in the prospect of his release.' [4]

The objective is thus to render the inmate responsible for taking initiative to give a certain form to the sentence being served. It would obviously be naïve to think that this requirement would not be subject to an evaluation process.

'Being willing to deploy special efforts in view of reparation to victims of crime and openness to the problems of the latter could constitute one specific motive to grant the regime of semi-detention, semi-liberty, or placement outside the [prison] establishment.' [4]

Furthermore, the logic of the detention plan is extended with a reclassification plan. The inmate is thus expected to have a new type of relationship with their own sentence and the way it is served.

'Granting of parole depends notably on the inmate's will and reintegration efforts, which must be laid out in a reclassification program that he must present.' [4]

The inmate is thus required not only to be active and not consider the time behind bars as lost, but also to be the driver of their own movement. The individualization of objectives pursued during incarceration, at least in the discourses, is such that the inmate can also be obliged to give meaning themself to their sentence, in the absence of any determination by the State.

'(. . .) the convicted person is responsible for the meaning to be given to the detention because, after all, this is "his" sentence. The detainee gets a say regarding the content of the sentence.' [47]

4.2.3. Participation

Deconstructing the total institution that the prison is said to be not only implies giving inmates the possibility to become activated, it also means that incarceration must cease to be a purely unilateral process, founded in institutional decisions taken without any possibility for participation. If, at the individual level, the activation imperative implies opening possibilities for initiatives, the participation imperative concerns the collective facet. It turns the prison and its processes into occasions for collaboration, co-constructions. The Dupont Commission, for its part, was explicit about this articulation between activation and participation.

'If people are to become responsible, they must be respected and associated in decisions in which they are concerned.' [4]

Participation is thus central in the new carceral project and is held up as one of the principles guiding the Commission.

'Principle of participation. To a large extent it is possible to avoid the harmful effects of detention if the question of the form given to execution of the deprivation of liberty sentence is not addressed primarily from the penitentiary institution and its interests, but also from the world of the detainees themselves, the values and interests they deem worthwhile, as well as from the representation they have of their necessities and needs. (...) It is therefore appropriate, in the framework of decision-making processes on their subject, to consider the detainee as a valid interlocutor and full-fledged partner when it comes to dialogue.' [4]

Participation is thus embodied on the one hand, in the detention plan—the result of a joint work between the inmate and various carceral actors, and as well as being the opportunity for activation—and, on the other, in setting up a process for collective participation.

'On this subject, the draft of this law on principles contains two basic principles:

"Each prison shall attempt to install a climate of dialogue and create a body for reflection in order to enable inmates to express themselves of matters of community interest in which they can participate (...)."

And on the question of the category of the convicted prisoners:

"The detainee must have the possibility to collaborate constructively in drawing up a personal detention plan (...)."' [4]

Furthermore, the specific attention also given to restorative justice reveals the centrality of participation, since both the offender and the victim are invited to participate in resolving the conflict.

'The expression 'restorative justice' has now become the generic term for a new approach to the problem of criminality, whereby (...) the criminal justice administration is responsible for transforming the relationship between the perpetrator and society (...) in a (triangular) relationship in which the victim is involved as a full-fledged third party in settlement of the case, in this way enabling a dialogue directed towards resolving problems between perpetrators and victims.' [4]

Participation induces a deep-seated change in the relation to inmates, to the extent that, even when it is planned to request assistance in drawing up a diagnostic in view of defining a carceral trajectory, this is also seen in its participatory form.

'In view of drawing up the individual detention plan, the draft [legislation] foresees a preliminary enquiry about the person and the life situation of the detainee (...).

The extent and legitimacy of this enquiry does not go beyond what is required to gain the knowledge needed to draw up the individual detention plan. The degree to which the detainee is willing to collaborate is a determining criteria, so as to ensure that the person concerned is not reduced to a mere object of research.

Consequently, it is highly important for the information to be collected in function of the realities that the detainee himself considers as essential in his world.' [4]

As we said, the detention plan itself is seen as a participatory process.

'(. . .) preparing this plan naturally implies collaboration from the detainee. A collaboration based on constraint is bound to fail. Accordingly, the individual detention plan is voluntary cooperation agreement of sorts whereby both the convicted inmate and the penitentiary authority (. . .) undertake to expend certain efforts. In the absence of agreement, a draft detention plan is nevertheless drawn up and will be studied with the inmate at certain times.' [4]

The principle appears so essential in the eyes of the Commission that it sees it as a tool for managing inmate complaints, in place of formal procedures.

'(The canteen service) must ensure, as far as possible, that the food products offered meet the wishes and needs of the inmates. In this area, the principle of participation (. . .) could be applied usefully, especially in enabling inmates to protest in the hypothesis that for some products, the canteen prices are higher than those listed in free society.' [4]

Participation is also considered as essential to the decision-making process on inmate release, as envisaged by the 'external legal status of the inmate.'

'When drawing up various aspects of the external legal status of the inmate, the Commission, in its proposals, developed the principals for instilling responsibility and participation, so that the inmate: (1) In almost all cases has the possibility to launch a decisional procedure; (2) is in many cases invited or obliged to expand [the information in] the application; (3) in almost all cases benefits from the opportunity to express his own point of view and arguments during a personal and direct contact with the decision-making bodies.' [4]

4.2.4. Adaptation

It should be clear now that the inmate—who is expected to be active, take initiatives, and participate in projects—cannot be rigid. Quite the contrary, they must be flexible and adapt. Even more, they must redirect their trajectory and use the time in prison as an opportunity to become someone different.

The theme of adaptation plays out in a context where, according to the Commission, 'judges and people sentenced to deprivation of liberty sentences never know (. . .) the real significance of being condemned to serve an effective sentence. This applies not just to the probable duration of the sentence to actually serve in prison, but also to the very content of the sentence in so far as it is served.' [4]

It thus seems logical to have opted for a system where it is while serving the sentence—if actually served—that its content is defined.

'Once it is decided that the deprivation of liberty sentence must be served, it is up to the penitentiary administration to give a form and content to a detention regime.' [4]

As opposed to the classical view where the nature of the punishment is already determined by the lawmaker and its length by the judge, we now see a system where each punishment is adapted to the circumstances; the sentence merely establishes a maximum duration.

'The lawmaker's intervention in organizing the execution of sentences should not contradict the mobility indispensable to the penitentiary administration activity, and consequently be limited to indicating general directives for executing penal sanctions and the limits in which such execution of sanctions can infringe on the natural and constitutional rights of the convicted citizen.' [4]

'(...) creating distinct execution possibilities for a one and the same judicial decision inevitably implies that the judicial decisions, for all practical purposes, become undetermined, as regards both the duration of the custodial punishment pronounced and its repercussions on the convicted person's freedom, on the understanding that, barring exceptions established or to be established by law, only their upper limit is set.' [4]

Likewise, adaptation of the sentence is not the result of a unilateral process but relies mainly on the detainee's intervention.

'On this subject, the objectives set out above (...) necessarily imply an individualization of the deprivation of liberty sentence, which cannot be attained in an institution that is 'total and of a uniforming nature,' where the detainee's individuality is not taken into account. These objectives call for an individual detention plan to be developed progressively and then readapted throughout the detention, and [it is something] that the draft legislation has made the basic instrument for penitentiary treatment.' [4]

The sentence is thus adapted through a detention plan, which itself is adaptable in cases where the situation evolves. The sentence is thus seen in terms of a trajectory, with all that implies in changing one's cap and adapting to the obstacles encountered.

As the detention plan is a form of sentence adaptation, drafting it also requires the detainee to be capable of adapting the project to the circumstances, available services, characteristics of their case, but also to the expectations of society, the victims, and the penitentiary administration.

'On the part of the detainee, the detention plan aims to individualize a sentence execution that is safe and the least harmful possible, directed towards reparation and reintegration and, in this perspective, to trace a personalized carceral itinerary, taking into account, (1) the possibilities offered by the differentiation of the penitentiary facilities and by the Communities, especially in terms of community service; (2) particular modalities of the sentence served; (3) and this, in the perspective of modalities relating to early release.' [4]

The process is all the more important because it is not just a matter of drawing up a plan. It also puts the inmate to the test, in the aim to evaluate suitability to the models, which is obviously extremely important because parole is especially contingent on presenting a social reintegration plan.

'If possible, the result of this process must be that, in function of the way he serves his sentence, the inmate is offered a chance, both towards himself and towards the victims and free society, to break from the past. He therefore must be able definitively to put behind the negative image he may have of himself in virtue of his misdeeds, and look towards the future positively, [one where] he and others consider that he is capable of adopting law-abiding behavior.' [4]

We can thus see that the adaptation imperative is at the heart of the new carceral project.

5. Re-Shaping Detention

We have just examined the preparatory works of a prison law and, more specifically, the preparatory work conducted by a commission of experts. This work was considerably enhanced by scientific works, but also by reflections undertaken by organizations such as the Council of Europe or the United Nations.

As such, they reflect a state of proposals of principles that are suitable for establishing a re-legitimated prison. We sought the traces of the mobilitarian ideal, this normative register characterized by the value placed on mobility for its own sake. Even if this ideal is obviously not the only one expressed in the preparatory works—and new publications are planned where we focus on the way this value co-exists with other, opposing, values—it is massively present. Moreover, we cited only a limited number of examples, centered on representations of the carceral space and inmates. Had it not been beyond the scope of this article, we could have added several extracts relating to penitentiary staff and administration or even to the very nature of the deprivation of liberty punishment.

The image that emerges from these official discourses—and we stress this term—on the prison, is that of the prisoner as a highly mobile person. This is the ideal prisoner. This is the person who, at the same time, spontaneously, can meet the requirements for conformity to the mobility ideal, but who is also the one produced by tomorrow's prison, which has been able to foster the development of mobility aptitudes. This ideal inmate is thus able to turn the prison stay into a productive period, the occasion to develop an activity as diversified and constant as possible. Obviously, there is no question of sticking to standardized, mechanical actions. Quite the contrary, the inmate demonstrates a capacity for activation, taking initiatives, drawing up projects that not only conform with expectations of the carceral system, but are also personal and motivated by their own hopes and ambitions. These projects are participatory and based as far as possible on mobilizing available resources, combined in order to attain the desired objective. This participation stamps both the inmate's mobilization and their involvement in the social fabric of the prison. Lastly, the ideal prisoner is neither rigid nor submitted to standardized procedures that would turn their detention into an experience identical to all other detentions. Just the opposite, they are at the heart of intertwining processes of adaptation, inciting to take charge of their own adaptation to society's requirements, making use of potentials for adapting the sentence.

This is the portrait of the inmate as seen by a model, by a particularly demanding ideal. It is no longer a question of limiting oneself to demonstrating (or feigning) discipline, being obedient, patient, not standing out or melting in among all other inmates. The prison no longer wants to be a school for passivity and conformity, but one of mobility. Without a doubt, if it was hard, for all those years, to be subject to this pitiless discipline, we can wager that it is just as hard to lift oneself to the level of this model inmate.

Our ambition here is not to give an opinion as to whether such an ideal is justified. Does this new prison hold promise of succeeding where other earlier carceral models all failed? We have no way of knowing. What strikes us, on the other hand, is the extent to which inmates and the prison are imagined with the same conceptual tools and the same normative systems as those of many other domains, from social welfare to business management, from the family, to health and personal development. When we see how these ideals for openness, temporal continuity, and mobility are used to envisage an institution conceived to immobilize, enclose, and standardize the way that thousands of individuals are dealt with, that they claim to apply them to the places the most hostile to mobility merely reinforces the idea that this is establishing a fundamental tension between the proclaimed values of the mobilitarian prison and actual carceral practices.

On this subject, we may indeed question the sustainable nature of a carceral model founded on the notion of the mobile inmate. Knowing the strength of security imperatives (fight against trafficking and prison escape, internal confinement of dangerous inmates, attempts to fight 'contagions,' for example in the area of violent radicalism, etc.), knowing the lifetime of buildings erected largely without an inkling of the principles laid out here, either because the constructions date from earlier times or were inspired by other principles; being aware of the importance of carceral cultures, especially among prison professions; seeing the importance of the social demand for prisons, we can rightfully wonder to what extent this ideal of a mobile prisoner is not just a pipedream. As such, the unfulfilled implementation of provisions relating to the detention plan—despite being at the heart of the legal instrument—may signal the impossible co-existence between the ideal and the reality of the carceral institution.

The question that comes to the fore is what role could the mobilitarian ideal play in prison if it does not foster a deep-seated reform of carceral practices. One can imagine two possibilities. The first is that this discourse is quickly forgotten. Its usefulness would have been merely ephemeral, the time to enable writing of a prison law and wrapping it in an appearance of legitimacy. This hypothesis hardly seems likely seeing how mobilitarian discourses have spread through the justice system, and has done so in less than two decades [48,49]. The second possibility would be for this discourse to be maintained, in parallel with practices largely outside it. This would create a situation where prison's proclaimed values would barely correspond to its practices. This situation would place the institution under tension, which may seem untenable at the long term. Nevertheless, as Olivier Milhaud has pointed out, prison is customary, at the same time an accumulation of ill-compatible assigned functions (expiation, neutralization, moralization, social reintegration, etc.) and a dissonance between legitimations through its official functions and its actual function: That of a security punishment aiming to keep undesirable elements out of society [27].

The sustainability of the situation that we describe, therefore, does not seem to be in doubt; so many obvious contradictions between official principles and practices or between legitimations and functions were common and sustainable in the past. One can thus hypothesize that the mobility register is one facet of the implementation of new legitimations aiming to make it possible to maintain a carceral institution whose functioning has for the most part remained unchanged.

Obviously in no way does this mean that these discourses will have no effect on practices. Indeed, we will probably see evolutions in criteria for parole, practical organization of prison life or guidance methods for inmates. This has largely happened already, notably based on mobilitarian imperatives. The security function, for example, can certainly follow suit by implementing certain monitoring technologies (in the first rank, obviously, electronic surveillance [32]) and developing new work methods, introducing a certain porosity in the prison and circulatory logic within the carceral system.

One risk of these developments, nonetheless, would be for a significant part of the 'carceral' to elude the view of prison researchers and critics [50]. We have inherited from the prison's classical age a definition of the phenomenon that largely identifies the institution (the prison system), the sentence (in prison), and the building (the prison). This framing, perfectly logical in the limit-form context—where building walls circumscribed the carceral phenomenon practically, legally, and symbolically, in our times risks becoming completely outdated [51]. The relativization of the prison's closure, the gradual disappearance of its monopoly as the place to serve deprivation of liberty sentences and the concept of punishment as consisting in a combination of immobilizations and mobilizations, all these elements indicate that carceral policies have spread beyond the strict boundary of the prison walls. Therefore, we must endeavor to think of the prison as a phenomenon that manages mobilities and immobilities, where the penitentiaries are major but not consubstantial poles of the carceral [52].

Lastly, to succeed in the task of redefining the carceral, undoubtedly we need to reconsider the ties between liberty and mobility [53]. Indeed, for so long, mobility came second. In the limit-form universe of meaning, anchorage preceded crossing-mobility and was also its goal. The ordinary state was characterized by immobility, while mobility was conditional and limited by the borders that structured space. In such a context, it was completely normal to see mobility as flowing from liberty. Being more mobile effectively meant enjoying the capacity to cross more borders. Nonetheless, a world that sees mobility as irrepressible, even as obligatory, raises the question of whether it is still relevant to associate mobility with liberty. Now more than ever the time has come to consider mobilities (plural) as complex intertwinings [37] of movements and immobilities, in various spaces, and to realize fully that mobility can be just as constraining as immobility. Once we deem that increased mobility in one space can involve restriction in another, or that even an overall increase in mobility certainly does not signify a similar evolution in liberty, it will likely be easier to consider the carceral beyond prison walls and as a domain that has little to do with immobilization. Maybe, it would be easier to ask whether an inmate will truly be freer if they manage to become as highly mobile as they are encouraged to be.

Conflicts of Interest: The authors declare no conflict of interest.

References

1. Vincent-Geslin, S.; Ravalet, E.; Kaufmann, V. Des Liens Aux Lieux: L'appropriation Des Lieux Dans Les Grandes Mobilités de Travail. *Espaces Soc.* **2016**, *1*, 179–194. [CrossRef]
2. Endres, M. Passengers without Havens? In *The Mobilities Paradigm: Discourses and Ideologies*; Endres, M., Manderscheid, K., Mincke, C., Eds.; Routledge, Taylor & Francis Group: London, UK, 2016; pp. 114–143.
3. Mary, P. La nouvelle loi pénitentiaire: Retour sur un processus de réforme (1996–2006). *Courr. Hebd. CRISP* **2006**, *11*, 5. [CrossRef]
4. Decroly, V.; Van Parys, T. Rapport Final de La Commission 'Loi de Principes Concernant l'administration Pénitentiaire et Le Statut Juridique Des Détenus'. Rapport Fait Au Nom de La Commission de La Justice Par Vincent Decroly et Tony Van Parys; Documents parlementaires, Chambre (DOC 50 1076/001). 2001. Available online: https://www.dekamer.be/FLWB/PDF/50/1076/50K1076001.pdf (accessed on 9 May 2020).
5. Mincke, C.; Montulet, B. La Société sans Répit. In *La Mobilité Comme Injonction*; Éditions de la Sorbonne: Paris, France, 2019.
6. Mincke, C. From Mobility to Its Ideology: When Mobility Becomes an Imperative. In *The Mobilities Paradigm: Discourses and Ideologies*; Endres, M., Manderscheid, K., Mincke, C., Eds.; Routledge, Taylor & Francis Group: London, UK, 2016; pp. 11–33.
7. Urry, J. *Mobilities*; Polity Press: Cambridge, UK; Malden, MA, USA, 2007.
8. Rosa, H. Aliénation et accélération. In *Vers une Théorie Critique de la Modernité Tardive*; La Découverte: Paris, France, 2012.
9. Boltanski, L.; Chiapello, E. *Le Nouvel Esprit Du Capitalisme*; NRF Essais; Gallimard: Paris, France, 1999.
10. Bauman, Z. *Liquid Modernity*; Polity Press Blackwell: Cambridge, UK; Malden, MA, USA, 2000.
11. Ehrenberg, A. *L'individu Incertain*; Calmann-Lévy: Paris, France, 1995.
12. Ehrenberg, A. *La Fatigue d'être Soi: Dépression et Société*; O. Jacob: Paris, France, 1998.
13. Ehrenberg, A. *La Société du Malaise*; Odile, J., Ed.; Essais: Paris, France, 2012.
14. Montulet, B. *Les Enjeux Spatio-Temporels Du Social: Mobilités*; Villes et entreprises; Harmattan: Paris, France, 1998.
15. Montulet, B. Les Cadres Sociaux Du Temps et de l'espace. In *Enjeux de la Sociologie Urbaine*; Bassand, M., Joye, D., Kaufmann, V., Eds.; Presses Polytechniques et Universiatires romandes: Lausanne, France, 2001; pp. 65–85.
16. Montulet, B. Au-delà de la mobilité: Des formes de mobilités. *Cah. Int. Sociol.* **2005**, *118*, 137–159. [CrossRef]
17. Montulet, B. De La Socialisation Collective à La Socialisation Réticulaire. In *Jeunesse et Société. La Socialisation des Jeunes dans un Monde en Mutation*; Bajoit, G., Ed.; De Boeck: Bruxelles, France, 2000; pp. 63–73.
18. Ramadier, T.; Depeau, S. *Se Déplacer Pour Se Situer: Places En Jeu, Enjeux de Classes*; Presses universitaires de Rennes: Rennes, France, 2011.
19. Borja, S.; Courty, G.; Ramadier, T. Trois mobilités en une seule? Available online: http://www.espacestemps.net/articles/trois-mobilites-en-une-seule/ (accessed on 6 May 2020).
20. Kaufmann, V. *Rethinking the City: Urban Dynamics and Motility*; Routledge: Abingdon, UK; EPFL Press: New York, NY, USA; Lausanne, Switzerland, 2011.
21. *Motilité et Mobilité: Mode d'emploi: Journée d'étude, 28 Mai 2014*; Éditions Alphil-Presses universitaires suisses; Kaufmann, V.; Ravalet, E.; Dupuit, E. (Eds.) Espaces, Mobilités et Sociétés: Neuchâtel, Switzerland, 2015.
22. Debarbieux, B. Rootedness—Anchoring—Mooring: Reviving Metaphors. *L'espace Géogr.* **2014**, *43*, 68–80. [CrossRef]
23. Frello, B. 'Inappropriate' Europeans. On Fear, Space, and Roma Mobility. In *The Mobilities Paradigm: Discourses and Ideologies*; Endres, M., Manderscheid, K., Mincke, C., Eds.; Routledge, Taylor & Francis Group: London, UK, 2016; pp. 144–160.
24. Frello, B. Towards a Discursive Analytics of Movement: On the Making and Unmaking of Movement as an Object of Knowledge. *Mobilities* **2008**, *3*, 25–50. [CrossRef]

25. Cresswell, T. *On the Move: Mobility in the Modern Western World*; Routledge: New York, NY, USA, 2006.

26. Le Breton, E. Société Mobile: Vers Une Politique Des Mobilités? Une Exploration Autour de Cinq Enjeux. 2018. Available online: https://www.espacestemps.net/articles/societe-mobile-vers-politique-mobilites-exploration-autour-de-cinq-enjeux/ (accessed on 6 May 2020).

27. Milhaud, O. Séparer et punir. Les prisons françaises: Mise à distance et punition par l'espace. Ph.D. Thesis, Université Michel de Montaigne—Bordeaux III, Bordeaux, France, 2009.

28. Turner, J. *The Prison Boundary: Between Society and Carceral Space*; Palgrave studies in prisons and penology; Palgrave Macmillan: Leicester, UK, 2016.

29. Altin, R.; Minca, C. The Ambivalent Camp. Mobility and Excess in a Quasi-Carceral Italian Asylum Seekers Hospitality Centre. In *Carceral Mobilities. Interrogating Movement in Incarceration*; Studies in human geography; Turner, J., Peters, K.A., Eds.; Routledge: London, UK; Taylor & Francis Group: New York, NY, USA, 2017; pp. 30–43.

30. Scheer, D. Conceptions Architecturales et Pratiques Spatiales En Prison. De l'investissement à l'effritement, de La Reproduction à La Réappropriation. Ph.D. Thesis, Université libre de Bruxelles, Brussels, Belgium, 2016.

31. Besson, E. «Modèles», «spécimens», «types»: Une Idéalité Désincarnée de l'architecture de La Prison? In Proceedings of the Séminaire du Groupe Européen de Recherches sur les Normativités (GERN, CNRS), Free University of Brussels, Brussels, Belgium, 25 May 2018.

32. Devresse, M.-S. Technologies et Reconfiguration Des Espaces Dans La Prison Du 21ème Siècle. In Proceedings of the Séminaire du Groupe Européen de Recherches sur les Normativités (GERN, CNRS), Free University of Brussels, Brussels, Belgium, 25 May 2018.

33. Moran, D.; Gill, N.; Conlon, D. *Carceral Spaces. Mobility and Agency in Imprisonment and Migrant Detention*; Ashgate Pub. Company: London, England, 2013.

34. *Carceral Mobilities: Interrogating Movement in Incarceration*; Turner, J.; Peters, K.A. (Eds.) Routledge: London, UK, 2017.

35. Gill, N. Mobility versus Liberty? The Punitive Uses of Movement within and Outside Carceral Environments. In *Carceral Spaces: Mobility and Agency in Imprisonment and Migrant Detention*; Moran, D., Gill, N., Conlon, D., Eds.; Ashgate Publishing Limited: Farnham, UK; Surrey, BC, Canada, 2013; pp. 19–35.

36. Gill, N.; Conlon, D.; Moran, D.; Burridge, A. Carceral Circuitry: New Directions in Carceral Geography. *Prog. Human Geogr.* **2016**. [CrossRef]

37. Mincke, C.; Kaufmann, V. Mobilités Changeantes, Mobilités Intriquées. 2017. Available online: http://www.espacestemps.net/articles/mobilites-changeantes-mobilites-intriquees/ (accessed on 6 May 2020).

38. de Dardel, J. *Exporter la Prison Américaine: Le Système Carcéral Colombien à l'ère du Tournant Punitif*; Editions Alphil/Presses universitaires de Suisse; Politique et Société: Neuchâtel, Switzerland, 2016.

39. Mincke, C. Immobilisation, Relocation and Mobility Monitoring: On the Evolution of the Carceral. Working paper. 2016. Available online: http://hdl.handle.net/2078.3/172925 (accessed on 6 May 2020).

40. Lussault, M. *L'homme Spatial: La Construction Sociale de l'espace Humain*; La couleur des idées; Seuil: Paris, France, 2007.

41. Mincke, C. Qu'est-Ce Que La Mobilité? Tentative de Déconstruction d'une Évidence. In *Mobilité, Histoire et Émergence d'un Concept en Sociolinguistique*; Espaces discursifs; Ploog, K., Calinon, A.-S., Thamin, N., Eds.; L'Harmattan: Paris, France, 2020.

42. Mincke, C.; Lemonne, A. Prison and (Im)Mobility. What about Foucault? *Mobilities* **2014**, *9*, 528–549. [CrossRef]

43. Lacourt, I. 'Quel est votre projet?' L'insertion socioprofessionnelle des usagers dans les CPAS bruxellois. 2007. Available online: https://journals.openedition.org/brussels/389 (accessed on 6 May 2020).

44. Mincke, C. Prison: Legitimacy through Mobility? In *Carceral Mobilities: Interrogating Movement in Incarceration*; Routledge: London, UK, 2017; pp. 236–249.

45. Demonchy, C. L'architecture Des Prisons Modèles Françaises. In *Gouverner, Enfermer. La Prison, un Modèle Indépassable?* Artières, P., Lascoumes, P., Eds.; Presses de Science Po: Paris, France, 2004; pp. 269–293.

46. Goffman, E. *Asiles. Etudes Sur La Conditions Sociale Des Malades Mentaux*, 1st ed.; Les Éditions de Minuit: Paris, France, 1968.

47. Erdman, F.; Bourgeois, G.; Coveliers, H.; Dardenne, M.; Herzet, J.; Hove, G.; Lalieux, K.; Talhaoui, F.; Van Parys, T. Proposition de Résolution Relative Au Rapport Final de La Commission 'Loi de Principes Concernant l'administration Pénitentiaire et Le Statut Juridique Des Détenus. ' *Doc. Parl. Chamb.* **2003**, *50-2317*, 001.

48. Mincke, C. Mobilité et Justice Pénale. L'idéologie Mobilitaire Comme Soubassement Du Managérialisme. *Droit Soc.* **2013**, *84*, 359–389. [CrossRef]

49. Mincke, C. La Médiation Pénale, Contre-Culture Ou Nouveau Lieu-Commun? Médiation et Idéologie Mobilitaire. In *Médiation Pénale. La Diversité en Débat. Bemiddeling in Strafzaken. En Wispelturig Debat*; Beckers, C., Burssens, D., Jonckheere, A., Vauthier, A., Eds.; Maklu: Antwerpen, Belgium; Apeldoorn, The Netherlands, 2014; pp. 85–110.

50. Mincke, C. It Takes a Border to Escape. In Proceedings of the The First Carceral Geography Conference, Birmingham, UK, 13 December 2016.

51. Mincke, C. Une prison sans limites. Porosité ou extension? Personal communication and working paper. 2017. Available online: http://hdl.handle.net/2078.3/229704 (accessed on 6 May 2020).

52. Mincke, C. From confinement to monitoring. Personal communication and working paper. 2017. Available online: http://hdl.handle.net/2078/183978 (accessed on 6 May 2020).

53. Mincke, C. Freed by Mobility, Freed from Mobility? Personal communication and working paper. 2016. Available online: http://hdl.handle.net/2078.3/177379 (accessed on 6 May 2020).