raise serious concerns of fairness, equality, civil liberty, and governmental accountability. The criminal justice system all too often embraces new technologies haphazardly and with blind enthusiasm. By cataloging both the possible concerns raised by familial search methods, arguing against the practice on a variety of grounds, and then ultimately proposing policy limitations that might mitigate some of those concerns, this chapter aims to avoid making the same mistake in the context of familial searching.

The Molecular Leviathan? Forensic DNA technologies in life-stories of male prisoners in Austria

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ABSTRACT: The integration of forensic DNA technologies into criminal investigation is often portrayed as a ‘revolution’ within the criminal justice system. Based on 26 interviews with prisoners in Austria, we explore how they related to DNA technologies in their life stories, and stories of their crimes. We found no indication in prisoners’ accounts that the ‘forensic DNA revolution’ had shaped the way they see themselves, their life stories, or their delinquency. Instead, ‘DNA talk’ was seamlessly woven into traditional accounts of male honour and masculinity, power, and control. Our informants related to forensic DNA technologies exclusively as a technology to solve crimes, and not as a material-social complex that molecularised notions of self and delinquency. By reducing the person to an objective ‘code’, forensic DNA technologies do, however, add new dimensions to these traditional themes.

I. INTRODUCTION

When DNA evidence arrived in our courtrooms over 20 years ago, it was labelled the single greatest advance in the “search for truth”, and the goal of convicting the guilty and acquitting the innocent, since the advent of cross-examination (New York v. Wesley 1988: 644). Genomics, it seems, has entered the field of criminology and law enforcement as a new ‘language of truth’. DNA evidence is regularly seen as more reliable than other kinds of evidence (Neufeld & Coleman 1990; Levy 1990; for a discussion of why this is the case, see Lynch et al 2008; Aronson 2007; Jasanoff 2006; Cole 2002).
There is a growing body of literature on the effects of the 'DNA revolution' on police work (Williams & Johnson 2008); on how DNA evidence is presented and assessed in court (Lynch et al. 2008; Aronson 2007); on the ethical and regulatory challenges involved in forensic uses of DNA analysis (for a summary, see Prainsack 2010), and on the so-called 'CSI effect': the phenomenon that jurors or judges decline to convict a suspect if no DNA evidence is presented; or that they take DNA evidence more seriously than other forms of evidence (Gilbert 2006; Houck 2006; Briody 2004; cf. Nance and Morris 2005). Not much attention has been paid, however, to the impact of forensic DNA analysis on the group of individuals who are most immediately affected by it: criminal offenders. Our study is based on insights obtained from 26 in-depth interviews with prisoners in Austria in 2006 and 2007 (for more details see below). Despite the obvious limitation of our data to those convicted of crimes and offences — and the possibility that some of these individuals were convicted for crimes that they did not actually commit — all of our interviewees have direct experience with the criminal justice system, and most with crime scene technologies. Theirs is the so-far underrepresented perspective of people to and against whom the use of forensic technologies is typically addressed.

A previous paper emerging from this study discussed the main ways in which our informants 'knew' forensic DNA technologies (Prainsack & Kitzberger 2009). A forthcoming book provides an analysis of 'Prisoners’ Perspectives in the Era of CSI' (Machado & Prainsack 2012) drawing on the data from these same interviews with prisoners in Austria, in comparison with data from interviews with prisoners in Portugal. This chapter has a particular focus: We examine how forensic DNA technologies are related to in interview situations focusing on prisoners’ life stories and the stories of the event that lead to their current imprisonment. We explore whether the widespread use of forensic DNA analysis has influenced the ways in which prisoners relate to themselves, their life stories, or their delinquency.

Such an influence could be expected not only because of the aforementioned view that DNA technologies have 'revolutionised' the criminal justice system — which is expressed not only in the scholarly literature but also in policy documents and in mass media —, but also based on claims that genet...
in the tradition of Charmaz [1990; 2000]. The interviews were open ended and commenced with prisoners being asked to tell the interviewers ‘something about your life, anything that you would like to say’, which in all cases triggered chronologically oriented life stories. The last part of the interview focused on the story of the event that had led to the current imprisonment, either because the interviewee brought it up himself (this happened in six cases), or the interviewer asked about it. In cases where DNA technologies did not feature in the prisoners’ accounts, the interviewer asked what the prisoner knew about forensic DNA technologies (this applied to the other 20 cases). This open approach was chosen in order to learn about the prisoners’ own frames of reference for DNA technologies, rather than the interviewer pre-determining a certain context for the discussion of DNA technologies, or pre-determining certain terminologies.

The fact that all interviewees were Austrian citizens or residents limits the generalisability of our findings to the situation in other countries. Studies into convicted offenders’ understandings of DNA profiling and databasing have, however, also been carried out in Portugal (Machado et al. 2011; Machado & Prainsack 2011), and hopefully researchers in other countries will follow suit in the near future.

II. THE PRISONERS’ NARRATIVES

Narratives of prisoners in research interview situations often displays framing particular format: First of all, inmates frequently present their situation using a vocabulary derived from therapeutic language. Second, they frame their situation in moral terms. Third, they attempt to construct a success story of their lives, pointing to at least a dim light at the end of their biographical tunnel.

In Austria, long-term prisoners are encouraged to participate in group therapy or sometimes even are offered individual consultations with psychological experts to work through the ‘problematic’ of their offending. Adopting a psychological vernacular of the reflexive self is seen as sign of rehabilitative success. This context must be taken into consideration when noting that many of our informants used an almost psychiatric form of self-stigmatization when talking about their offences, claiming they were ‘out of their minds’, had a ‘blackout’ or were seriously intoxicated. Moreover, although the inter-

views¹ were opened with a very general request to ‘tell me something about your life, your background, your family, how you grew up, anything that you are willing to share’, all prisoners immediately drew attention to factors in their lives that in a judicial context could be seen as mitigating circumstances: The mother who deserted her children, the parents who always argued, the mother who was a prostitute, or the traffic accident which had traumatised the young boy; were highlighted in accounts of the prisoners’ childhoods and youths (see also Machado & Prainsack 2012).

The strong reliance of the Austrian penal system on psychotherapy, which in turn effects an understanding of rehabilitation which is intimately linked with the constitution of a new, improved, inner self, arguably contributes to the high prevalence of arguments built on a pre vs. post-view of the individual that we found in our interviews. Many of our informants said they knew that they had been bad boys, but that they had come to understand what their problems were and vowed to change. (However, a small proportion of our informants also emphasised that they did not plan to leave the criminal path; see below).

The moral elements of prisoners’ narratives took on several forms. Very often inmates saw themselves as victims of fate: They had met or dealt with ‘the wrong people’, or they had been disappointed or ‘seduced’ by an evil-minded former partner, family member, or friend. These fateful interactions were portrayed as the key mechanisms leading into criminal behaviour (‘my wife left me, so….’, or ‘my friends urged me and hence…..’).

Very frequently, psychological and moral arguments and narratives came together in biographical accounts of our informants. This often created life narratives moulded after the Labelling model: early deprivation lead to stigmatization and secondary deviance which then, in turn, resulted in a criminal career. We also encountered narratives revolving around the notion of sudden strikes of fate and misfortune: Successful life courses and careers were seen as sabotaged by circumstances that ‘forced’ our informants ‘off the tracks’.

The element of hope, however, played a crucial role when our informants talked about their future prospects. Here, we encountered many success stories which typically took on the form of future-centred ‘I-messages’: ‘I will refrain from bad company’, ‘I will care for my family’, ‘I will find a good job’, and, most importantly, they emphasised that they will have acquired the psychological resources for achieving all that, by the time they would be released. (Again, a small proportion of our interviewees stated that they would never want to leave the criminal path and become a ‘normal’ citizen, which will be discussed in more detail below).

¹ As Simon (2000) pointed out, ‘prison talk’ as intellectual topic in criminological discourse had its heyday in the 1970s. Prominent examples are the studies by Cohen and Taylor (1972) or Brin (1978). The shift from prison sociology following the tradition of scholars like Sykes (1958) towards a more managerial approach of prison studies, focusing on technological aspects of security, has led to a decline in traditional studies on ‘prison talk’. 

² In one interview (Ludwig) we started discussing the crime right away because in this case the interviewer had had no access to the files prior to the interview (due to a last-minute scheduling change caused by the prison administration).
III. DNA TALKS — HOW DID FORENSIC DNA TECHNOLOGIES FEATURE IN PRISONERS NARRATIVES?

Only a minority of our informants were convicted primarily on the basis of DNA evidence. Nevertheless, six of our 26 interviewees brought up issue of forensic DNA technologies without being asked (see Table 1) about them by the interviewer, and most had a story to tell about fellow inmates who were ‘nailed down’ by DNA traces found on the crime scene.

<table>
<thead>
<tr>
<th>Pseudonym</th>
<th>Crime that lead to imprisonment</th>
<th>Context in which DNA technologies were brought up</th>
<th>DNA traces played a significant part in investigation/trial</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Bernhard</td>
<td>Burglary (3 years)</td>
<td>Mentioned that he was detected based on DNA (blood that he had left on the crime scene)</td>
<td>Yes</td>
</tr>
<tr>
<td>2 Christoph</td>
<td>Kidnapping, blackmail (10 years)</td>
<td>When asked whether he had worried about leaving traces during the kidnapping, he said that he did not because the police <em>had no DNA of me</em> [his profile was not yet on the national database]</td>
<td>No</td>
</tr>
<tr>
<td>3 Gert</td>
<td>Rape (3.6 years)</td>
<td>Mentioned that he was detected based on DNA found at the crime scene</td>
<td>Yes</td>
</tr>
<tr>
<td>4 Hubert</td>
<td>Sexual abuse of minors (7.5 years)</td>
<td>Mentioned a <em>DNA examination</em>: interrupted the interviewer when she mentioned 'you said that in your case traces had not played a role...'. A DNA examination was carried out [bed sheets were searched for DNA traces] but no DNA traces were found</td>
<td>No</td>
</tr>
<tr>
<td>5 Ingo</td>
<td>Murder, robbery (life)</td>
<td>Mentioned that they cut off the head and the hands of the victim and burned the corpse out of fear that DNA or fingerprints or something like that could be <em>found</em></td>
<td>No</td>
</tr>
<tr>
<td>6 Oliver</td>
<td>Attempted rape, attempted murder (open sentence; release depending on positive psychiatric evaluation)</td>
<td>When describing the evidence against him he mentioned a 'blood-stained textile handkerchief', and that the DNA from the handkerchief belonged neither to him nor to the victim.</td>
<td>Yes</td>
</tr>
<tr>
<td>7 Paul</td>
<td>Severe robbery, armed theft (15 years)</td>
<td>Mentioned a DNA trace found at one of the banks he had robbed</td>
<td>Yes</td>
</tr>
<tr>
<td>8 Uwe</td>
<td>Murder, battery, disturbing the peace of the dead (open sentence)</td>
<td>Mentions that police found a <em>stain</em> on the carpet in the trunk of the car that came from the victim — and that the stain convinced him that he should confess</td>
<td>Yes</td>
</tr>
<tr>
<td>9 Walter</td>
<td>Rape, and several cases of attempted rape (open sentence)</td>
<td>Mentions a dragnet that was carried out to look for the rapist (<em>They took thousand DNA [sic]</em>)</td>
<td>Yes</td>
</tr>
</tbody>
</table>

Table 1: List of interviewees who brought up DNA technologies during the interview and the context in which it was mentioned. The term that the prisoner used to refer to DNA technologies is italicised.

Though most of the prisoners whom we interviewed had only limited knowledge about the scientific and technical subtleties of the forensic use of DNA, they integrated this knowledge and the hypotheses derived from it into their daily philosophies of crime. In many interviews our informants pointed
to the problem of possible mis— or abuse of DNA technologies (see also Machado & Prainsack 2012). One of the scenarios brought up in the interviews, for example, was DNA theft. Taking a cigarette butt left in an ashtray by a third person and placing it on a crime scene might produce false evidence. One of the prisoners, Ernst, committed for fraud, said he was very careful not to leave his cigarette butts in the ashtray, since his fellow inmates might collect them and plant false evidence (see also below). Since DNA samples are routinely collected from all convicted persons in Austria, any DNA from a member of this group could easily be traced to an individual who then will be considered a likely suspect for the crime under investigation.

In this light, it could be expected that prisoners would be likely to support a population-wide DNA police database, comprising profiles of every citizen (or resident). This would eliminate the competitive disadvantage which those whose DNA profiles are already stored in a forensic database have against other people (Prainsack 2010). This is why we were surprised to find that, when discussing the problem of a population-wide DNA database with our informants, we encountered highly differentiated accounts about potential effects and side effects. Some said that taking DNA-samples from every citizen could help to reliably identify serious criminals (typically sexual offenders — especially those abusing children, and those who were considered cold-hearted murderers). Most of our informants, however, emphasised the imminent dangers for civil liberties which with such a universal DNA database might pose.

Discussing the forensic use of DNA profiling also provided an opportunity for our informants to describe their individual position in the folk taxonomy of criminal types. Those who saw themselves as a victim of bad luck and unfortunate circumstances subscribed to the idea that everything capable of improving police work is a good thing. If DNA-analysis could help to ‘pin down’ the true criminals, then it should be developed further and more widely applied. If, on the other hand, a prisoner saw himself as a professional ‘crook’, a person pursuing a trade rather than committing a crime as a consequence of contingent circumstances, he was very critical of the use of DNA-analysis in police work. This new technology was then rather perceived as a serious challenge to be met by the professional law-breaker: This becomes obvious when looking at the discursive construction of masculinity in the coming age of forensic DNA-analysis, which will be discussed in the next section.

4 Our interview data is restricted to male prisoners, and we are hesitant to extend any insights gained from this dataset to the life worlds and feelings of female prisoners, which are reportedly very different (see, for example, documentation provided by a lobby group for women in prison: http://www.womeninprison.org.uk). This is also why we use male pronouns only when talking about our informants, and why, more generally, we talk about the experiences and opinions of men in prisons.

The Power of Technology: The role of DNA in rehearsals of masculinity

Some of the prisoners interviewed in this study saw themselves as professional criminals or otherwise individuals living a life outside the boundaries of the law. For them, DNA was something they considered to be beyond their control. The way they related to DNA technologies assumed them to be infallible, highly technological means to identify individuals, based on esoteric scientific expertise that was seen as way beyond their grasp. Only one or two of our informants elaborated on counter strategies, though even they agreed that DNA profiling had made their job extremely difficult. The most intimidating aspect of DNA technologies for our interviewees was the combination of invisibility of traces, the absence of control over leaving them, and the assumed infallibility of the technology. While they knew how to manipulate all sorts of other physical evidence, very little was known about how forensic DNA analysis worked. Moreover, physical fitness, experience, intelligence and smart planning — considered to be key competences for successfully performing their trade — seemed to be useless when it came to the micro-level of DNA.

Although DNA evidence was seen as a virtually insurmountable challenge for those who regarded themselves as professional criminals, everybody supported the use of this technology when it came to sexual offenders. As also other studies have shown (e.g. Bandypadhyay 2006), sexual offenders are often despised by their fellow inmates because they are seen as ruthless perpetrators attacking vulnerable and helpless victims, which violates the principles of the traditional hegemonic male ethic: The attack against a victim seen as helpless is seen as ‘unmanly’ because the (supposedly) strong should never turn against the (presumably) weak. It is seen as the duty of the male to protect women and children. Therefore, those who kill children, women, or older people (Bandypadhyay 2006), and in our study, sexual offenders in particular, were looked down upon (except for those who succeeded to present their offence as a form of revenge against disloyal spouses betraying their male partners) and often found themselves at the bottom of the hierarchy. Applying DNA technology to identify suspects in this domain was considered legitimate by all of our informants, even the rapists and child abusers themselves. In this sense, the application of forensic DNA technologies restores the male ethos rather than conflicting with it.

However, forensic DNA technologies also challenged stereotypical images of masculinity. In the narratives produced by our informants we found a strong notion of respect for a technology which our informants felt they did not understand very well. This respect was not only linked to a devaluation of the competence and expertise of self-proclaimed professional criminals, but also to the belief that an incomprehensible, complex technology operating on a small quantity of biological matter produces infallible evidence that can be
used to identify an individual person. Before DNA entered the stage of forensic science, even blood samples could only produce partial evidence, since traditional blood types cannot be traced to individual subjects (therefore, blood typing was primarily used to exclude suspects, not to 'prove' their implication in a crime). DNA was seen as different in several respects. It was perceived as a unique and universal mark or trace of an individual defined as a biological organism. Our informants frequently emphasised that while one can control or forge anything else, one cannot eradicate or forge one's genetic fingerprint. The individual as a self-conscious actor is thereby eradicated and replaced by the physical body. The link between the person and the crime has been replaced by the link between the body and the technology. As opposed to, for example, techniques of interrogation producing a guilty plea. DNA evidence requires no active participation of the suspect. The mere fact of his bodily existence forms the basis of evidence. Whether this body is strong or in good shape is meaningless. All aspects of outer appearance lose their significance and hence the individual's control over his body is irrelevant. Physical strength, endurance, smartness and self-control, attributes of the dominant male personality highly valued in hegemonic male discourse, do not play any role in the realm of DNA. This further curtails the options for identity management and presentation of the self. The self is reduced to an abstract pattern of marks plotted on paper and bears no significance with regard to the social body or person. No account of innocence, no defence can be brought forward against these marks since they are the product of a process involving mute biological matter and incomprehensible technological manipulation.

This creates a new regime of (forensic) truth based on the assumption of an infallible biological identity. Confronted with this regime, our informants felt that they had no possibility to refute the claims brought forward against them. They were locked in a state of objectivity which allowed for no personal narratives or individual 'excuses'.

This creates an interesting contrast with the epistemological regime of therapeutic discourse. The latter is still being rehearsed in the 'penal welfare' system in Austrian prisons (see also Machado & Prainsack 2012). As mentioned before, in psychological counselling sessions, inmates are taught to act in responsible ways, to control their aggressions, and to cultivate their emotions in order to lead a life without crime after their release. They are encouraged to learn how to present themselves properly when it comes to the interviews with the members of the parole board, to increase their chances for release. Forensic DNA technologies, seen and portrayed as operating beyond their psychological and social competences, stand in stark contrast with the legal and psychological knowledge which is presented to them as potentially obtainable.

Apart from complicating the establishment and maintenance of agency in prison, however, the way discussions of DNA were woven into prisoners' narratives served to reinforce values that have been reported to play important roles in the lives of captives (e.g. Sykes 1958), rather than generating new dominant topics. Moreover, we found no indications for a 'molecularisation' of the way that masculinity or other themes are understood and constructed; instances of such a molecularisation would be if prisoners had referred to masculinity, violence, or deviance in terms of 'running in one's genes', or something that people can be genetically predisposed to.

**Individual agency and societal order**

In his article on 'narrative and agency of men in prison' in Canada, McKendy (2006: 474) highlights the 'master status' of being a criminal as the dominant subject position which typically overrides other possible subject positions that prisoners could take (see also Schlosser 2008; Cawley & Sparks 2006; Bosworth et al 2005). This implies that men in prison, when engaging in conversations with outsiders, speak primarily from and about their position as convicted criminals, rather than as sons, fathers, lovers, etc. The position of a criminal in prison, in turn, is the archetype of the individual deserving of punishment, which is symbolized, above all, by his restricted agency. The physical confinement is the material aspect of a wide-ranging notion of confinement of the prisoners' actions, thoughts, and often even of their desires.

The experience of confinement is always present when prisoners communicate with the outside world. In our study, informants had largely been separated in two groups: First, those who located agency within themselves (the 'responsibles'; they did neither deny the commission of their crime nor try to explain it by difficult life circumstances); and second, those who — as mentioned earlier — located agency outside of themselves (the 'blamers'; they saw their crime as a direct result of the doing of other people and, more generally.  

5 Dorian, for example, blamed nobody but himself for the fact that he got sentenced for murder rather than for manslaughter, which he thought would have been accurate (Dorian had shot his victim from the back while she was running away from him). This is what Dorian said: 'My mistake was that I fired three times. Look, with one shot the problem would have been solved. I'm not proud of this.' Another typical representative of the group of 'responsibles' is Quentin (serving eight years for arson). When asked how he had been caught, he answered: 'We were caught because of our own mistake. We surrendered to police work. They interrogated us and we all had good alibis. But the problem was that we did not know of each other's alibi. For example, I said that [my colleague] had been at my place, and he said that I had been at his place. At the end we did ourselves in.' We see the willingness to accept full responsibility, and assume control of, everything that had happened as intimately linked to notions of masculinity (in this case, the image of the strong man who is in control, if something goes wrong, he assumes responsibility. See also section 'the power of technology: Rehearsals of masculinity'. — For a discussion on how institutionalised rhetorics of 'prisonisation' work towards making prisoners accept responsibility for their incarceration see Schlosser 2008: 1514.
of 'circumstances'). What both had in common, however, was that they expressed the desire to increase their individual agency in the future.

It has been argued that the situation of a research interview in prison lends itself to exactly that purpose, to increase the prisoners' individual agency, however temporarily. As McKendy (2006: 296) states, because their objective is to obtain data about the prisoners' lives and not assessing their dangerousness or their suitability for release, research interviews provide prisoners with a rare opportunity 'to recollect, report and reflect in ways that might promote a movement towards greater agency and responsibility'. Research interviews can increase individual agency for the mere reason that they allow room for the prisoner's own narratives.

Another way in which research interviews can be used to increase the individual agency of prisoners is related to the latter's (non-)status as moral subjects. Because the narrator always takes a step back from his or her experience and tells a story with 'a sense of coherence that experience lacks' (Presser 2009: 180), everyone who tells a story takes a certain reflective distance from the experience itself. Thus, it is possible that 'simply by narrating, the moral deviant separates himself/herself from past wrongdoing' (Ibid.). In sum, by means of these mechanisms, the very act of telling about one's life can be seen as a way to challenge the archetypal situation of a prisoner as somebody a) who lives under the presumption of being immoral (or amoral), and b) whose agency is confined.

The first of these two aspects — that prisoners used discussions with the interviewer to demonstrate that they were not immoral, and moreover, that they were ready for and worthy of rehabilitation, was apparent in many of our conversations with prisoners. The statement that our informants did not know much about forensic DNA technologies served as 'proof' that they had no intention to ever engage in criminal acts again (an exception were individuals who announced that they would never want to stop being criminals; see below section 'Rehabilitating bodies'). The second characteristic of prisoners talking to outsiders in an interview setting — the enhancement and extension of their agency —, however, manifested itself in surprising ways. As mentioned above, DNA did not at all serve as a reference point to demonstrate the prisoners' professional knowledge or expertise; on the contrary, DNA was portrayed as something that was beyond their control. Forensic DNA technologies, seen as situated 'outside' of their scope of action and knowledge, symbolized 'the other': not only 'the other side' in the crime game (that is, the side of law enforcement authorities), but also the other side of life. This 'other side of life' is largely congruent with middle class visions of a 'normal' life, such as living in a small town with a wife and kids and a regular job. It is exactly this normal life that many of our informants felt deprived of (by 'the state', by unhappy or violent parents, a prostitute mother, an 'evil' girlfriend or wife, etc.), and that they therefore idealised (see also Machado & Prainsack 2012). In our discussions with prisoners, DNA technologies were woven into imageries of 'normal' lives in the sense that our informants saw the existence of a national forensic DNA database as 'a good thing', as necessary to maintain order in society. As Oliver said, for example: 'I'd say, to protect society, it's a good thing' (Oliver served an open sentence for attempted rape and attempted murder). One person, Dorian, even stated that that 'if society didn't catch the criminals then everything would sink into chaos' (cf Prainsack & Kitzberger 2009: 68). Also Uwe — who served an open sentence for murder — saw police as the keepers of order in society. Moreover, police were seen as agents who would literally save his life, in a case of emergency:

If the police want to put a chip in me, fine, as long as the technology does not get into the wrong hands... It could be that I don't know where I am and I call the police and I say: locate me, I am in an avalanche. That's not bad, and with dogs and cats, it's being done already. They get a chip implanted and if they run away, GPS can locate them. (cf Prainsack & Kitzberger 68-69)

Sigi, serving 18 months for battery, referred to himself as 'an old school criminal', and bemoaned the fact that the employment of forensic DNA technologies in criminal investigation made the life of a criminal much harder. Sigi held strong feelings about the standards according to which life as a criminal should be lead; the 'crook's code of honour', for example, plays an important role for him (see also Prainsack & Kitzberger 2009: 63). He despised criminals who did not honour the informal codes of criminal conduct, and who thereby messed up the life of the criminal. The same desire for order that Sigi articulated with regard to the professional lives of criminals he applied also to the other side, to the realm of 'normal' society. His being a criminal did not imply any attempts to challenge the authoritative claim of law and order per se: He agreed with Dorian that law and order were necessary features for a society to function. According to Sigi, if somebody decided to break the law, then he should take full responsibility for the consequences. Forensic technologies were legitimate tools for law enforcement agencies to employ in their work. Today, '[forensic] technology is very advanced. I think it's great. If somebody does something then he should bear the consequences.'

Sigi's clear separation between the realm of the criminals on one hand, and the realm of 'normal' citizens on the other, repeated itself in other conversations we had with prisoners. Thomas, for example, serving two years for arson, voiced strong opposition to the idea of introducing a population-wide universal forensic DNA database, because he thought it was unfair: 'That's idiotic. Why should people who've never done anything be in the same database as criminals. That's bullshit.' Also Oliver thought a database comprising DNA profiles of all citizens was a bad idea. Only criminals like him deserved this fate: 'They [sic] are not in the database for no reason, after all!'
To summarize, DNA technologies were seen by our informants as legitimate tools employed by law enforcement authorities, which in turn was recognized by virtually all of our informants as playing an important and useful role for a functioning society. All but one of our informants agreed that an orderly, functioning society was a desirable goal in principle. Those who said that they would want to remain on the criminal path recognized that the rest of society needed law and order; and those who were committed to being part of ‘normal’ society supported everything that would help to maintain its order.

Rehabilitating bodies

We felt very strongly that the very way our respondents talked about forensic DNA technologies reflected a need to demonstrate their potential and readiness for rehabilitation and, more broadly, re-socialisation. This, of course, applied only to those who said that they would want to lead a life within the boundaries of law after their release. Some of our interviewees stated clearly that they would never want to go back to a ‘normal’ life. Paul, for example, serving 15 years for robbery and armed theft, described his addiction to crime as ‘giving in’ to an intoxication: ‘You live very fast... from one place to another. One becomes... One gives in to an intoxication.’ (Paul also referred to bullet-proof glass windows as ‘objects of lust’ for a bank robber.) Xavier (serving 18 months for battery) refused to answer some of our questions because he said he was not willing to give away the secrets of his profession: ‘Look, I’m a criminal... We stick together.’

Among the other group — those who said that they wanted to lead the life of law obedient citizens —, conveying to us that they did not know much about DNA traces, and that they did not even want to know anything about them, was a frequent reaction to our question about DNA traces. The typical pattern of this sort of conversation was that our informants would claim not to know anything about DNA when we first started talking about it, such as in the case of Ludwig (serving 15 years for murder):

**Interviewer:** What do you know about the DNA database?
**Ludwig:** Only that it exists. Namely, that when somebody gets registered, that he’s stored [in the forensic DNA database]. [A] cheek swab was taken when I was arrested, thus I suppose I’m stored. That’s the danger, that when DNA is found, that one can to find the perpetrator, because he’s stored. The whole [process] is accelerated.
**Interviewer:** Do you mind that?
**Ludwig:** I don’t plan to ever do anything again.

Once the conversation had progressed, however, many would disclose more detailed knowledge about DNA traces, embedded in stories. This quote from our conversation with Dorian is a good example for how many conversations on this topic developed:

**Interviewer:** What do you know about DNA traces, or the DNA database?
**Dorian:** I have never had any contact with the law.
**Interviewer:** I understand. This is not related to your case, just in general.
**Dorian:** What do you mean?
**Interviewer:** In cases of burglaries, for example, there are traces: Fingerprints, DNA traces...
**Dorian:** They [the police] pick up anything. They catch the burglars right away. I’ve never had to do anything with this.
**Interviewer:** Do you know anything about DNA traces?
**Dorian:** I do not deal with this. Yes, it’s good that they catch the criminals much faster. I never went to steal things. I’ve never had anything to do with this.

Dorian, who claimed that he had ‘never had any contact with the law’, was serving 15 years for murder. Our conversation with Bernhard, serving three years for burglary and robbery, was also particularly interesting in this regard: Bernhard started out by saying that he did not know ‘anything at all’ about DNA traces but ended up displaying more scientific knowledge about DNA than most other people whom we interviewed:

**Interviewer:** (When you did that break-in), from where had you gotten your knowledge about avoiding DNA traces?
**Bernhard:** I can tell you honestly that I don’t know anything at all about DNA. The only thing I can say about it is that one can find out immediately whether it was a man or a woman, without knowing anything about the person.
**Interviewer:** Right...
**Bernhard:** Or from an animal. Those three things one can always keep apart, right? This is blood from an animal. This is blood from a human being, male, or female. That I know. I don’t know anything beyond that. Well, and that every person has his [sic] own DNA, which has to do with chromosomes, or something like that. I learned about it in high school but I don’t recall it very well. That’s the only thing I know about DNA.

(cf Prainsack & Kitzberger 2009: 65)

Later on in the conversation, both Dorian and Bernhard, as well as several others, gave us reasons why — unlike the rest of the prisoners —

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1 Bernhard had told us that he had spilled blood at the crime scene and poured milk over it to ‘destroy the DNA’.
they did not really belong in prison, and why they were different from the other prisoners. Also this mechanism of distinguishing themselves from the others we perceived as a way of our interviewees conveying to us that they had changed, that they were ready to become part of ‘normal’ society again. DNA was seamlessly woven into such accounts of distinctiveness; stories about how obvious it was that the narrator was different from all his peers in prison. Ernst, who served a relatively short sentence for fraud, used our conversation about DNA traces to draw the boundary between ‘them’, the ‘true’ criminals who were inclined to do horrible things with DNA and plant false evidence, and ‘us’, who had reasons to be fearful of their plots:

Interviewer: What do you know about DNA traces?
Ernst: What do I know? Only that it is a genetic fingerprint, and that I am a little fearful [of this technology]. This I know as well. Especially here, in prison.

(cf Prainsack & Kitzberger 2009: 61)

Ernst went on to explain that one of his peers could steal a hair from him and plant it on a crime scene. Ernst also offered an explanation for why his peers would do such heinous things:

Among the prisoners, if somebody got 15 years or something like that, he doesn’t see anything else [but life in prison], and he doesn’t do anything else all day long but think about how he can smear the names of the others. You have no idea what they said about me. I came in and I immediately got a great job” in here, and next year in May, I’ll have served two thirds of my sentence, and the District Attorney promised to me that I can go home then.

Ernst presented a coherent narrative of never having belonged to the others in the first place. For him, being released from prison meant his return to where he has always belonged.

This phenomenon was not restricted to those convicted of non-violent crimes. Norbert, who was serving a life sentence for three counts of attempted murder, and who had even carried out shooting exercises to make sure that he would effectively eliminate his targets, insisted: ‘I am just not a true criminal’. In this capacity he was very worried about somebody planting DNA evidence against him, ‘just because somebody might want to annihilate me.’

In sum, also here, conversations about DNA did not contain references to any unique and/or entirely novel identities or strategies on the side of our informants. Instead, the topic of DNA technologies served to ‘back up’ whatever identities or life plans the prisoners sustained. In the case of those who

said they were committed to leading a law-abiding life, programmatic declarations of a lack of knowledge about, and interest in, forensic DNA technologies were meant to demonstrate that the narrator was already on the ‘right side’. He was already on the side of ‘normal’ citizens who did not have any need or use for particular knowledge about how to avoid DNA traces, or how DNA analysis worked in detail. Therefore, he was not only ready for rehabilitation but his re-socialization had already begun.

IV. CONCLUSION

The question which this chapter sought to address has two main dimensions: First, what role did forensic DNA technologies play in the ways in which issues related to delinquency and imprisonment were addressed by our informants? Second, was there any indication that the technology which is often portrayed as a ‘revolution’ in the criminal justice system worldwide, has given new shapes to how ‘traditional’ topics of prison talk are framed or addressed?

The short answer to these questions is no. Answers to our questions about what informants know about forensic DNA technologies were seamlessly woven into accounts of ‘traditional’ topics of prison talk, such as experiences of injustice, confinement, limited agency, lack of control, as well as claims to masculinity. We have no reason to believe that these topics are anything but common in conversations with prisoners. Moreover, we also found that while it has certainly always been an objective of those who wait to be released from prison to demonstrate their ‘readiness’ for rehabilitation, the topic of DNA profiling was simply adopted for this purpose: Demonstrations of how little our informants knew about forensic DNA technologies served as means for normalisation: Like ‘normal’, non-delinquent and non-convicted citizens who have no need to know anything about DNA traces, our informants claimed that they did not (need to) know anything either.

In some respects, however, we found that ‘DNA talk’ added new dimensions to the traditional topics of prison discourse. First, by providing law enforcement authorities with technological means which our informants saw as infallible and also as beyond their control and comprehensibility, DNA profiling represents an ‘unfair’ advantage for the authorities. This, in turn, challenges notions of masculinity in the sense that those who gained pride and self-worth by successfully ‘outsmarting’ the police saw themselves as losing the battle.

Masculinity was also threatened in other ways. Because the forensic DNA profile was seen as a unique and reliable identifier of an individual, it has become a place holder for the person. The person and his body were replaced by a genetic code which assumes objectivity. Both the ways in which it is produced, and how it is interpreted, are beyond the disposition and the control of the offender. Moreover, traditional characteristics such as physical strength

Ernst worked as janitor, which enables him to cross the border from the prison ward to the administrative ward of the building. Only inmates who are deemed very trustworthy and unlikely to attempt to escape are given this job.
and 'toughness', which structure hierarchies among criminals, are entirely irrelevant when it comes to the interpretation of a genetic code.

From this we draw two main conclusions. The first one pertains to the role of DNA technologies for the self-governance (understood as the ways in which they talk about themselves, how they explain — and often excuse — their delinquency, and what factors they deem relevant for leading a successful life in the future) of prisoners. What became obvious in our interviews was that our informants perceived of DNA technologies only as technical means of producing evidence. Other issues, such as the use of DNA information in the context of behavioural genetics to identify certain traits or behavioural propensities, were never mentioned. Our informants had a very narrow focus on forensics and DNA specimen as elements of a technical regime of investigation on the crime scene. Thus, with regard to the self-governance of the prisoners in the study, forensic DNA profiling seems not to have changed a lot at all; self-governance still takes place primarily according to social and psychological frames and reference points.

The second conclusion pertains to the symbolism inherent in forensic DNA technologies in the context of a wider societal order. It is against a background of epistemologies of the subject that the seemingly contradicting attitudes towards forensic DNA technologies held by our informants make sense. The prisoners in our study often displayed a critical and a positive attitude towards DNA-based forensic technology at the same time. Within the frame of the rehabilitative ideal, a seemingly reductionist technology like DNA analysis was seen as challenging their self-image as people striving for social acceptance and success in life after prison. But then, on the other hand, the fantasy of an infallible and overly powerful technology satisfied the desire for an unambiguous social order; controlled by impartial state authorities fighting to eliminate all evil from society (the very same evil that many of our informants blame for having pushed them into delinquency). Here, DNA technologies seem to stand for a society comprised of bar-coded organisms rendered readable by state-administered technologies. The strong state is portrayed as acting as an omnipotent father, keeping a panoptical eye over his flock. This combination reflects crucial aspects the late modern condition which comprises of responsibilisation and standardisation, of individuals striving for perfection while at the same time adapting to a general unified standard of conduct and order. Forensic DNA technologies act as a metaphor for this condition by individualising the subject on the basis of a general code applicable to all members of society.

REFERENCES


