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Beyond Conceptual Ambiguity: Exemplifying The 'Resistance Pyramid' Through The Reflections Of (ex) Prisoners Agency

Abstract

Contemporary resistance scholarship increasingly positions individuals as agents operating within power relations and as such, this stimulating and diverse body of work illuminates the complexity of power-resistance. The richness of this academic engagement notwithstanding, there continues to be a paucity of work which offers a framework for conducting an analysis of resistance. In this article, we propose a general framework through which power-resistance can be coded, analyzed and theorized. Using data from an ethnomethodological study of 20 former long-term male prisoners in Canada, we demonstrate the usefulness of our 'resistance pyramid' to render visible the objectives, purposes, strategies, tactics and skills which characterize the processes, and not just the practices, of resistance. We argue that it is exactly these, often obscured, processes that allow us to appreciate the density of resistance-power, the multiple ways it operates and the significance of individuals' social, personal or political capital.

Keywords

Resistance, Prison, Parole, Ethnomethodology

Michel Foucault's work (1978, 1982) opened the door to think about power and resistance in new ways that transcend the binary understanding of resistance as the opposite of monolithic 'power' (Rose 1999: 279). Rather than "power with a capital P" (Foucault 1980: 185), a proper noun that can be imposed because it is possessed (by an individual, institution or the state), power is conceptualized as permeating all social interactions - both an effect and condition of other relations and processes. It follows that resistance is necessarily in a reciprocal and constitutive relationship to power (Foucault 1978: 95). Moreover we can use resistance "as a chemical catalyst so as to *bring to light* power relations" (Foucault 1982: 780) [*emphasis ours*] - or put another way, to render the invisible visible.

In real terms this conceptualization of power-resistance immediately opens up a space to untangle some of the contradictions evident in analyses of agency. We can acknowledge that resistance is always conditioned by the possibilities afforded

by social location, cultural and material resources, and the far-reaching ideological instruments of advanced capitalism (Scott 1985: 320). This does not mean that resistance is futile (Willis 1977) or that without an articulated political consciousness "groups are seldom able to develop a counter-ideology to legitimate their own oppositional activities [and thereby ensure] that they remain hidden even to themselves" (Thompson 1966: 174). Quite the opposite, marginal(ized) people are well aware of their oppression but they are also cognizant of the costs of open insubordination (Scott 1985). Scott (1990) sensitizes us to the complexity of everyday politics: we can appreciate that social actors may feign complacency and, rather than challenging the hierarchical relation of ruling, assert agency by employing the "public transcript" (Scott 1990: 152) to their advantage.

If resistance is hidden, subtle and diffused the question becomes, what analytic point of entry allows us, as researchers, to discern the complex (and sometimes contradictory) nature of power relations? How can we recognize the unequal distribution of personal, social and political capital and acknowledge the politics of everyday acts without defining "any sign of life at all as that mythical thing, resistance" (Pringle 1989: 150)? What rigorous analytic approach would illuminate not just *practices* but also *processes*.

In this article we tender a model that allows us to untangle the knotty threads of resistance so that the individual strands are once again recognizable. We begin with a brief consideration of the resistance literature in sociology, drawing out the key arguments and reflecting on how this body of work is simultaneously the source of our enthusiasm and our frustration. Next we present the 'resistance pyramid', which is simultaneously a conceptual framework and methodological tool that allows us to observe the complexity and nuances of resistance and to render visible its hidden components. The remainder of the article consists of an application based on our own research with long term prisoners.

The Literature

In the last fifteen years there has been an explosion of academic attention to the question of resistance. In our own field of criminology we see that, unlike earlier Marxian-influenced work that positioned resistance as oppositional to a monolithic power embodied by the State (c.f. Hepburn 1985; Taylor, Walton and Young 1973; Garson 1972; Gramsci 1992) this contemporary literature builds on the insights of Foucault (1978, 1982) and speaks to power-resistance as productive. The result is a rich and varied body of literature that attends to the resistance of incarcerated men (Cohen & Taylor 1981; Crewe 2007; Gaucher 2002; Fox 1999; Godderis 2006) and women (Bosworth 1999; Bosworth and Carrabine 2001; Carlen 2001); heroin users (Friedman and Alicea 1995); IRA members (Buntman and Huang 2000; Aretxaga 1995; McEvoy, Shirlow and McElrath 2004); 'rave' promoters (Heir 2002); CCTV operators (Norris and McCahill 2006); erotic dancers and other sex workers (Jeffrey and Macdonald 2006; Bruckert 2002); aboriginal communities (O'Malley 1996) and 'subcultural' youth (Haenfler 2004) among others. This criminological interest echoes that of other social scientists who are 'discovering' and bringing to light the agency of populations historically constructed as unengaged victims of oppression.¹ We read this literature with growing enthusiasm; it illuminated the often obscured agency of

¹ See for example the work on such diverse populations as waitresses (Tibbals 2007), nursing home staff (Jervas 2002), and steel workers (MacKenzie et al. 2002).

marginal social actors. From this literature we came to appreciate the significance of the "hidden transcript" (Scott 1990) and saw that resistant acts "... can be classified along the axis of individual/collective, passive/violent and everyday/exceptional" (Bruckert 2004: 844-845). It also drew attention to murky and contentious questions: Is intentionality a prerequisite for resistance?; Can one resist without an action?; Can compliance be read as resistance and if so, under what circumstances? In short, it broadened and deepened our understanding and forced us to contemplate resistance in new and exciting ways.

Introduction of the Model

Inspired by the literature and in the process of research with formerly imprisoned men, we started to reflect on the many forms of our participants' resistance. That these individuals resisted in multiple ways was immediately evident to us; in many studies; we could list the acts, offer up rich descriptions and provide ample evidence of agency, creativity and of the insights of the participants. Our initial delight was soon replaced with frustration as we were delighted but became frustrated when we, sought, as good social scientists, sought to *systematically* apply the concept in order to 'make sense' of the data. We realized that we were without the tools to shed light on the entire *ensemble* of practices which constitute resistance. We wanted to move beyond the action to tease out the goals, the processes and the skills. In other words, it was at this point that we confronted the malleability of the concept, the fuzzy edges and the lack of an analytic framework, and so we turned back to the literature. Cohen and Taylor's (1981) work, *Psychological Survival*, provided a model but one that was too limited to capture the diversity of resistance that was emerging from our data. In other scholarship we found multiple examples and fascinating discussions but no systematic, articulated methodology. We also tried to draw on other frameworks (feminist, geographic, etc.) but this led us into a piecemeal approach that seemed like trying to fit use a single bed sheet to cover a King size bed; no matter how we pulled at the edges, it never quite fit and something was left uncovered.

Unable to locate a systematic model, we began by operationalizing the terms frequently found in the literature. We often encountered the words, 'tactics' and 'strategies' but these were rarely defined or were simply used synonymously. Some scholars relied on De Certeau (1984: 37) who argued that strategies are tools of the powerful (institutionalized and supported by dominant discourses) whereas tactics are deliberate actions "determined by the absence of power". For us, this *absence* of power was impossible to reconcile with the Foucauldian model of power/resistance as mutually constitutive. We then turned to the Oxford English Dictionary which defined a strategy as "a plan for successful action based on the rationality and interdependence of the move of the opposing participants". This is distinct from a tactic which is the "mechanical movements of bodies" (OED 2008). This, admittedly militaristic model, provided a point of entry. As we worked with the data, we saw that particular strategies were linked with distinct tactics; however, we also came to appreciate the need for more nuance. It was clear that employing strategies and tactics required specific skill sets that worked in tandem with the broader objectives – things: "aimed at or sought; a target, goal, or end" (OED 2008).

The resistance process, as conceived under this model, has six tiers which we represent in Diagram 1. This image is conceived of as a pyramid rather than a triangle because a single (in)action may have several purposes and/or strategies;

therefore, a three dimensional image symbolically represents the multiple angles of approach that are integral to our orientation. The hierarchical image is not intended to speak to the nature of power or power relations; rather it is a model which obliges us to pull apart the pieces and reassemble them in order to see the process of resistance. Each component is a pre-condition of the one which falls 'below' it on the pyramid allowing an analytic point of entry at each tier.

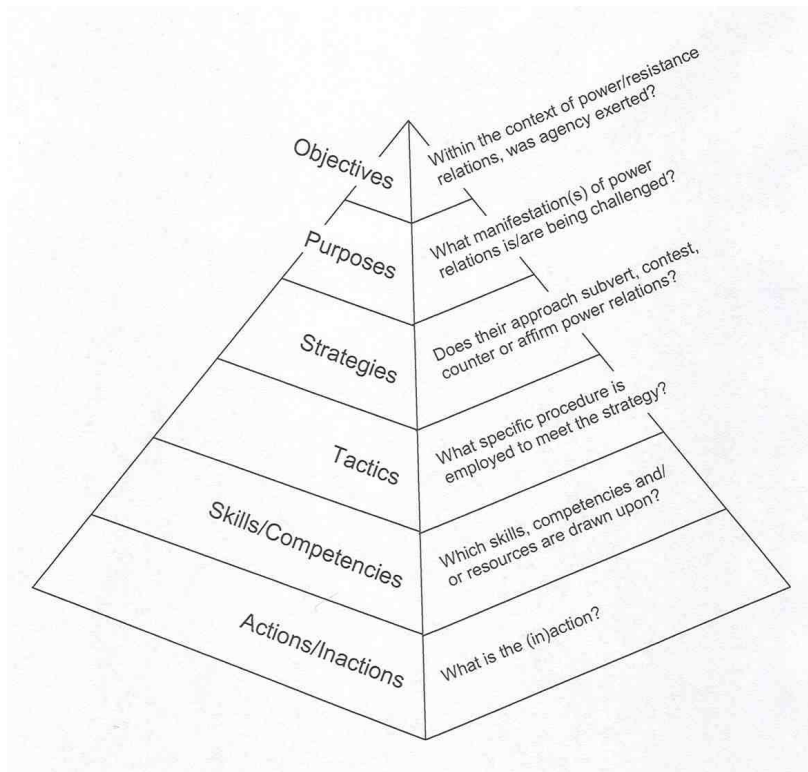


Diagram 1. Resistance Pyramid

In order to systematically address each of the elements represented as a tier in the pyramid, we formulated six questions that could be posed to the data. Drawing on Bosworth's (1999) insight that, despite confinement "... prisoners are always in some manner engaged in the negotiation of power inside" (10), our first question² became 'within the context of power/resistance relations, was agency exerted?'; this allowed us to examine (in)action as resistance without becoming locked into the sometimes tautological arguments regarding intentionality. The second question ('If so, what manifestation(s) of power relations is/are being challenged?') sought to illuminate the particular purposes of the challenge(s) and puts us in line with Faith's (1994) argument that it is the strategies of power that are contested, not power itself. Based on our data and that of others, we identified four principle strategies and our third question ('Does their approach subvert, contest, or counter power relations?') was developed to explore these. We then asked, 'what specific procedure is employed to meet the strategy?' and this became the fourth question. In order to further texture our understanding of resistance we asked, "which skills, competencies and/or resources are drawn upon? Our final question, "what is the (in)action?" sought to ground the analysis materially and ultimately often proved to be our analytic point of entry.

² The numbering of the questions given here is for simplicity rather than as applied sequencing. In many cases, the answer to the last question was answered first or we started with the third question.

These questions seemed like they could be applied to the studies we had read but without access to the raw data we were unable to test the framework. In order to move beyond abstract, hypothetical postulations, we turned to our own current research to exemplify the type of analysis which we thought was possible using the resistance pyramid. In the coming sections, we briefly describe the research project, apply the model to this data and consider how this approach might be of use to other scholars.

The Research

The broader research project from which this data was drawn was interested in the release, reentry and resettlement experiences of successful former long-term prisoners in Canada. Using the Correctional Services of Canada definitions of long term imprisonment and success all participants had been sentenced to 10 or more years of incarceration and had been released from prison at least 5 years prior to the interview and had incurred no new convictions during that time. In total, 20 semi-structured interviews lasting between one hour and two and a half hours were conducted.

The majority (16) of the men in this sample were serving Life sentences which, in Canada, means that an individual is given a minimum period of incarceration but no maximum. The amount of time served ranged between 10 years and more than 30 years with a median time of 17 years. The minimum time since release was 5 years but two of the men had been out of prison for over 20 years at the time of their interview. Given the amount of time served, it is not surprising that the men who participated in this research were predominantly middle aged: twelve of the men were between 40 and 55, seven of the men were over 56 and only one was under 40 years of age.

Each of the interviews was transcribed verbatim and marked for both "in vivo" codes (terms used by informants) and "constructed codes" (more abstract and drawn out by the researcher) (Jackson 2001: 202). This process allowed for a detailed read of each of the transcripts – a process referred to as reading the 'vertical axis' (Pettigrew 1990; Pires 1997) wherein the focus is on the depth of each story. In the end, we had 109 different passages which spoke to the men exerting agency within the context of power/resistance relations and we applied the framework to make sense of these diverse and often detailed examples.

Applying the Model to [Ex]prisoners

As already noted, the men's narratives immediately revealed them to be agents who actively resisted within the repressive relations of power that characterized the prison and post-carceral periods.³ By applying our six resistance questions to the data, we were however able to transcend description, move beyond the surface level and engage with the thickness of the men's experiences in power-relations.

Evidently, we could answer our first question ('within the context of power/resistance relations, was agency exerted?') in the affirmative and this allowed

³ While all the men provided multiple examples of resistance, some also questioned the efficacy and need for resistance.

us to then consider which manifestations of power relations were being challenged; ultimately, we identified nine distinct purposes that are represented in Diagram 2.

Diagram 2. Purposes of Resistance for Former Long-term Prisoners

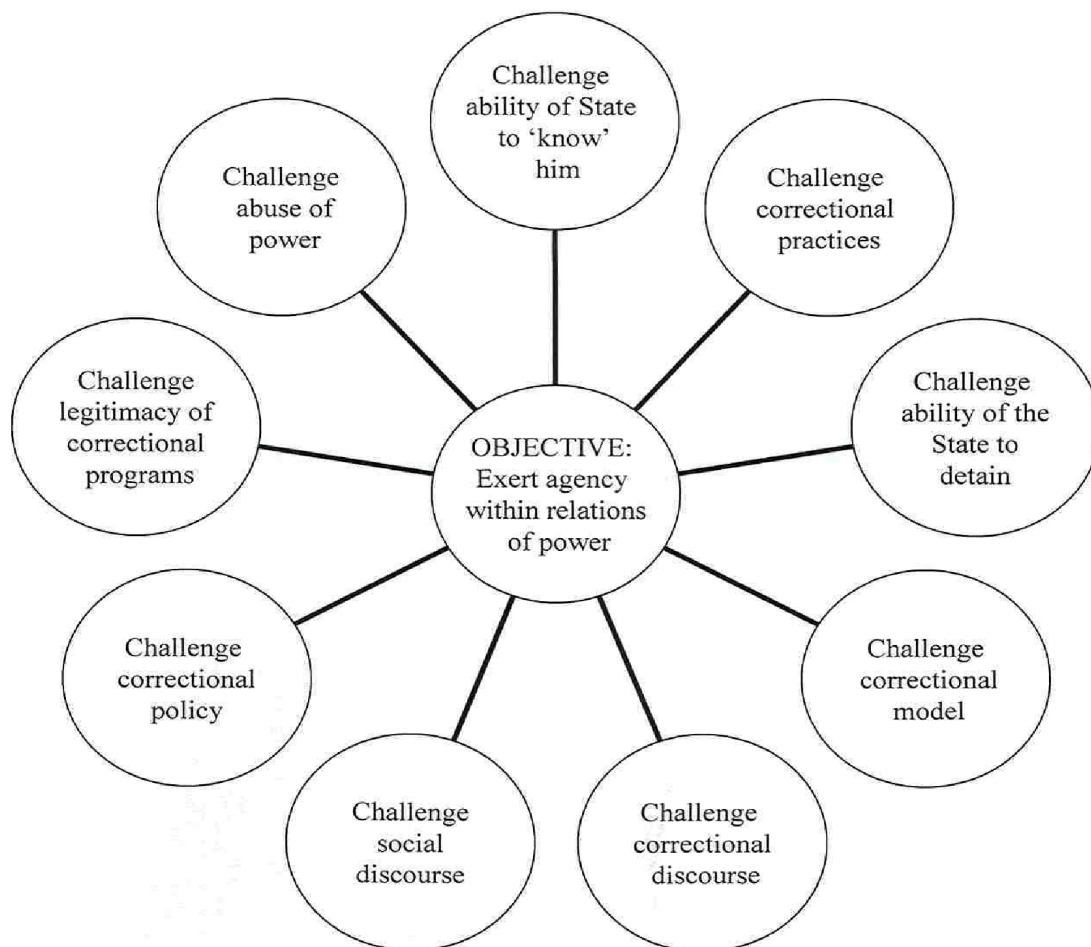


Diagram 2. Purposes of Resistance for Former Long-term Prisoners.

Most frequently, the men problematized correctional rules and regulations and the day-to-day actions of state representatives. Having endured many years of confinement and/or surveillance wherein their routine existence was monitored, timed and regulated (Bosworth 1999; Foucault 1978; Goffman 1961) and subject to seemingly random acts by the state, it is not surprising that the (ex)prisoners pushed against the boundaries on a somewhat regular basis in effort to gain a measure of control.

Once the broad purposes were rendered visible to us, we were positioned to ask whether their approach subverted, contested, or countered power relations. We could also now consider the unique tactics adopted and the skills required to do so effectively. It is to these last four questions, represented in diagram 3, that we now turn.

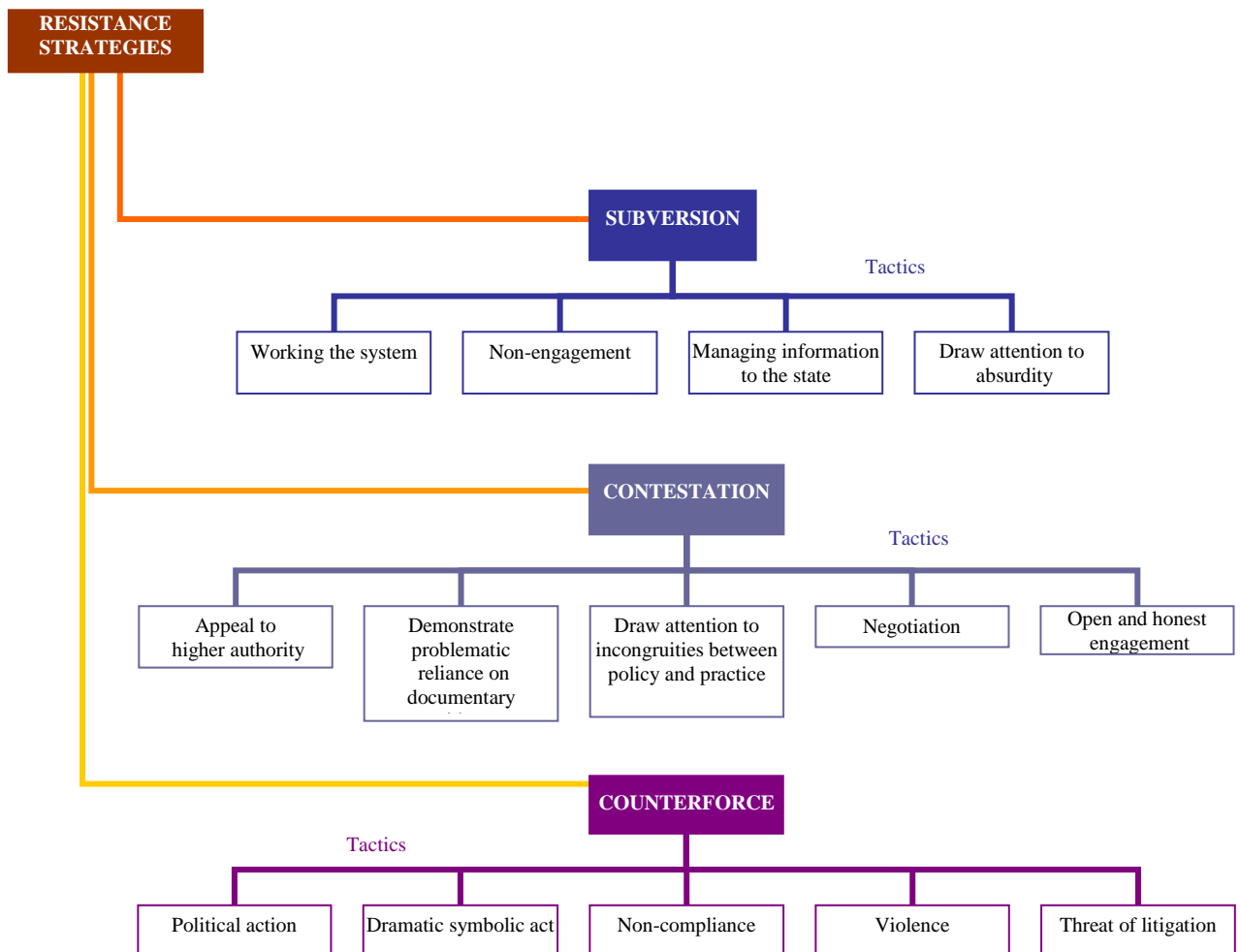


Diagram 3. Strategies and Tactics of Resistance

Tactics of Contestation

The most efficacious strategy was contestation which we defined as an overt challenge based on negotiation, ability to reason and discursive strategies. Contestational tactics were relied upon when the men felt that ‘common sense’ or logic was being neglected. Frequently, the men would bring their rational arguments to a person who held a position of influence, who could understand their points and intervene on their behalf: we refer to this tactic as ‘appealing to a higher authority’. Tangentially, the men who were knowledgeable about institutional directives would draw attention to the incongruities between the policies and the practices. Fred, spoke of challenging the correctional practice of checking with a parolee’s employer:

... it’s hard enough out for me as it is, to get a job out there ... my argument is, ‘well, you can’t be going around and calling my employers saying oh, this is so and so, and ... I’m calling to check on Fred just to make sure that everything’s going good with him’. And I said ‘no, no. That doesn’t happen ...how am I supposed to have a normal life if you’re going to be ... intruding in it’ ... she didn’t really like it at first but I think she seen my point ... after I talked her a little more about it.

Other times, the men would negotiate with agents of the state to find compromise positions that acceptable to both parties. In a variation on this tactic ('open and honest engagement') the men would 'lay their cards on the table' and outline what they were and were not willing to do; this was not a negotiation but instead a clear statement of their position.

Drawing attention to the state's problematic reliance on documentary evidence was the final tactic of contestation we identified. As Foucault (1978) notes, a prisoner's file creates a 'truth' upon which further decisions are based: "in fact, power produces; it produces reality; it produces domains of objects and rituals of truth. The individual and the knowledge that may be gained of him belong to this production" (Foucault 1978: 194). Not surprisingly, prisoners (who have little control over the contents of their dossier) contest the significance afforded to it by state agents. In one particularly poignant example, F.G. spoke of asking to see the parole board well before he was eligible in order to counter-balance the information in his file and the effect of this was, in his words, "... you cease to be a piece of paper and you become a person."

The efficacy of the contestational strategy was contingent on possessing various forms of capital. The men who used these accompanying tactics drew upon their ability to articulate a rational argument, their knowledge of correctional policy (and the less formal 'convict code'), their awareness of dominant discourses, their reputation and their leadership skills.

Tactics of Counterforce

As Carrabine (2005) suggests, when strategies of contestation fail, a more spectacular, direct and overt approach may be employed and borrowing from Faith (1994), we labelled these as counterforce. As we can see in Diagram 3, there were five tactics employed by the men who adopted counterforce. The first of these was 'political action' which we defined as intervention designed to realize wholesale change in either policy or practices and which often relied on a sense of collectively to accomplish a particular end (McEvoy, Shirlow and McElrath 2004; Buntman and Huang 2000). In our sample, this tactic was infrequently employed; this finding may speak to the fact that most of our respondents did not come to prison with an already developed political consciousness.

Others used 'dramatic symbolic acts' to draw attention to various issues such as abuse of power by the state's agents; participation in Prisoners' Justice Day, hunger strikes and escapes were examples given to illustrate this type of approach. Sometimes the symbolic act operated solely at the discursive level with individuals taking a public stand in order to register objections but ultimately, complying rather than facing disciplinary action. Other times, faced with complex power relations, an individual may oscillate between contestation and counterforce⁴ is Bobby:

It took a 32 day hunger strike to, you know, finally get their attention ... It took two years ... to finally get a parole board hearing where they started to acknowledge some of these letters and some of these actual factual documentations that I'd been submitting -- before that they refused to hear. Absolutely refused.

⁴ This example well illustrates the multiple angles of approach inherent in the pyramid.

Unlike some studies that examine resistance as emerging out of occurrences like prison riots (Carrabine 2005), in our study, violence (and related acts of aggression) as a tactic of counterforce was mentioned only once⁵. However, the men did speak of using 'litigation', or more accurately, the threat of it, as a counterforce tactic. In one example, Ziggy, who had little cultural or convict capital to draw upon, spoke of bringing his lawyer to his parole hearing:

They [parole board] had no reason not to let me go but I brought a lawyer ... the lawyer just went in and turned on the tape machine. His own. They said, 'you can't do that'. [lawyer says] 'Well, yes I can. You can shut your machine off as many times as you'd want but this machine will stay on.'

In reflecting back upon the strategy of counterforce our findings were incongruent with those of Scott (1990) who argued that social actors are most likely to feign complicity when power differentials are extreme. In our study, we found that in the carceral period, when control and domination were most oppressive, counterforce was frequently employed; force was met by force. However, as the men embark on the longer resettlement process, we see an interesting transformation - rather than being used for their own benefit, counterforce resistance is employed in the interests of the collectivity. The men speak of using the various tactics to break down stereotypes or to improve the life of those still incarcerated. In a sense, the solidarity that we did not see while the men were imprisoned emerged when they had re-established themselves in the community and achieved a level of success.

Tactics of Subversion

Covert challenges to power relations that undermined daily functioning of the correctional apparatus were categorized as 'subversive' strategies. The tactics, as shown in Diagram 3, took three main forms: 'working the system' (wherein the men would consciously manipulate the correctional process in their own interest), 'managing biographical data' to which the state had access and what we refer to as 'non-engagement' (which is a conscious but passive refusal to be a subject of the penal apparatus). This subtle and often hidden strategy was usually characterized by fatalistic undertones; the men saw themselves as a players in a 'rigged game' wherein the only way to exert some control (even if it was to their detriment) was to attempt to 'restack the deck' or remove themselves from the table. Invoking the metaphoric language of a contest, F.G. provided a story through which the tactic of 'working the system' is visible:

they said, you've got to do the Phoenix Course ... and I said, I think I know what they're going to do. So, I went in, took the first test. I cook with butter ... I eat ice cream, I eat potatoes and I eat all this. I don't eat vegetables, and I got something like. ... a 25 or something. And after six weeks of the course, I was eating whole wheat bread ... I went from like 20% up to 95% ... I played your game, I know how to play the rules.

⁵ This finding may speak to a methodological consideration. A prisoner whose file indicates that they are aggressive will be defined as 'high risk' by correctional authorities and therefore denied parole. Since we specifically interviewed only men who had been released and successfully reintegrated, such individuals not captured in our sample.

The conscious non-engagement of individuals was an interesting strategy that was adopted exclusively while the men were in prison and which drew heavily upon the 'convict code' and their ability to 'do time'. In contrast to the counterforce tactic of non-compliance, non-engagement was not about actively resisting *elements* of the system, but rather, about passive refusal of it in *total*. Men spoke of gaining control by not subscribing to the goals of the state; they refused to accept the need to move through the penal system and eventually be released. Gowan provides an example:

I just took life as it was ...I didn't push the envelopes. I didn't write; I didn't get involved in parole boards; I didn't try to meet with PO's. I didn't bother with anything. I didn't put in a transfer ... I just laid there. Until finally my wife and the POs were all working behind me.

As the last sentence of Gowan's quote alludes to, this tactic of non-engagement can have the effect of disrupting power relations so significantly that the penal system assumes the responsibilities that it formerly placed on the individual.

Discussion

Foucault's (1978, 1982) reflections on power inspired a generation of scholars to think about resistance as dynamic, omnipresent and inevitable. Earlier, we asserted that his work was the point of departure for rich and exciting scholarship that rendered visible the often obscured agency of social actors at the same time as it engaged with questions of power relations. That said, we (along with others) would argue that his musings are conceptually fascinating but empirically limited and methodologically ambiguous (see also Meadmore et al. 2000; Tamboukou 1999). Resistance scholars have certainly addressed the former limitation; however, the absence of careful attention to methodological issues⁶ continues to characterize much of the literature. It is this matter that we sought to address in this paper by modelling the process of 'pulling apart' resistance and demonstrating how the asking specific questions of the data is essential. Not only does it bring to light the *ensemble* of resistance, it positions us to move beyond practices to the systematic analysis of process. It is exactly these, often obscured, processes that allow us to see the complexity of resistance-power, the multiple ways it operates and the significance of individuals' social, personal or political capital. Finally, but significantly, the 'resistance pyramid' is a template to realize analytic integrity and bring some much needed methodological transparency and rigour to resistance studies.

⁶ This methodological absence may have been intentional. Foucault (1994: 288) is on record as stating that he took "care not to dictate how things should be". Arguably then some scholars might be reticent to detail a method for fear of being dismissed as non-Foucauldian or proscriptive. In light of our commitment to methodological rigour this is not an argument that resonates with us.

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