

Informal prison dynamics in Africa and Latin America

Chris Garces, Tomas Martin and Sacha Darke contend that research in men's prisons demands a widening of theoretical perspectives and methodological repertoires

Investigating prison dynamics across the global south would appear a matter of urgent scholarly and policy concern. For while notable transfers of bureaucratic and security technology – namely, human rights discourse and the control prison – have migrated from the former metropolitan centers to former colonies, in the postcolonial world itself *informal prison dynamics* remain curiously part and parcel of punitive enclosure. These unofficial, self-regulatory dynamics often turn into a source of deep-seated misunderstanding between criminal justice establishments and the local and international communities which house them. Here we seek merely to outline how exploding incarceration rates and human rights discourse, in countries as far flung as Ecuador, Brazil, and Uganda, exhibit a set of 'undisclosed' institutions and problems typically ignored in penological debate as well as in most calls for humanitarian prison reform.

Take Latin America, for example. Nearly all media coverage of carceral conditions spanning the area from Mexico to Argentina invariably occupies itself with the sensationalism of the prison as a kind of lawless zone. The deadly fires and internecine killings of rival gangs within national centres for incarceration tend to attract most of the public's attention. In response to such scandals, federal prison ministries heavily 'securitise' their sites of confinement, rolling back friends', families', and even legal counsellors' internal access as carceral space is brought under hyper-surveillance and executive managerial control. And yet even in this context, prisoners and low-ranking staff continue to exercise

surprising influence. Top-down national reforms of the prison attempt to mitigate institutional risk factors – e.g. the circulation of arms, drugs, cell phones and money – illicit materials that continue to end up, again and again, in the hands of select inmates and cellblock mafia. The rise in security discourse maps onto this intransigent prison dynamic, leading to what might be called the 'informalisation' of prison governance itself.

Latin American legal cultures that nakedly support (neo)colonial elites often turn imprisonment into the deepest precinct of state-level abandonment. The under-subsidisation of the prison or the lack of adequate food and medical resources is merely one symptom of this problem. In Ecuador, where Chris Garces has carried out his fieldwork, female spouses, friends, and family of the imprisoned are themselves to a certain extent 'imprisoned' by these new security strictures – requiring loved ones to supply incarcerated men with basic food or medical supplies not provided by authorities. Moreover, those who provide such material care are made to endure interminable lines under the tropical sun, boxed into cyclone fence passageways, before the invasive body searches awaiting them at perimeter and interior controls. Similarly in Brazil, the focus of Sacha Darke's fieldwork, prison visitors face the indignity of being required to squat naked over floor mirrors. Any food they bring in must be chopped to pieces and mixed into an indistinguishable mush.

At the same time, prison securitisation plays out in the context of tremendous prisoner-staff collaboration and negotiation on the

inside – practices, amounting to 'liberties', unimaginable in paradigmatic 'modern' prisons such as those in Britain or the United States. In contrast to the impersonal, dehumanising entry procedures for those who approach the checkpoints, life behind the walls is characterised by the irregular or capricious imposition of official authority. With perhaps one officer per 100 wards and minimal resources at their disposal, most African and Latin American prisons would not be able to operate without the participation of the incarcerated. Not only might prisoners without visits go wanting and physical injuries or illnesses go untreated, but everyday disputes would be left to escalate. Officers have little choice but to rely on trustworthy inmates as nurses, cooks, janitors, and clerks. In Rio de Janeiro, Kampala, or Guayaquil, certain prisoners are even recruited to work in a highly trusted position as inmate-guardians. The wings by-and-by are left to shadow hierarchies that develop organically under the influence of cellblock mafia who tacitly participate in roll call, cleaning, and food teams; the appropriate etiquette or 'codes' regulating in-cell and common patio behaviour – including conflict resolution – are established informally in the same processes that elect the inmate cell and wing representatives to their formal 'appointments.'

The self-regulating African or Latin American prison has implications for carceral governance and transition as well as inmate (and staff) survival. Through their shared experience of state abandonment, relations between prisoners and their socio-economically precarious custodians are shaped as much by reciprocal exchanges and alliance as by the

administration's rules and regulations. If normative staff-inmate opposition defines prison bureaucracy in the 'well-resourced' prisons of the North, prison governance in the South – operating with much the same technology – is nevertheless characterised by mutual dependencies and situational adjustments. Whereas inmate authority in former context may arise from the 'corruption' of 'individual officers' (i.e. 'managerial defects' to be corrected), in the latter, inmate authority is an integral feature of prison life.

The process of 'securitisation' hence may serve as a buzzword for technologising and institutionalising the indignities wrought by inmate hierarchies. But this transition is also coextensive with another grand transfer of legal technology from the ex-imperial centre to the postcolony – human rights. While x-ray machines and cyclone fences are being put up, prisons in Africa and Latin America are being simultaneously 'humanised'. Whether in Uganda, Ecuador, or Brazil, juridico-political and economic elites have pushed for new private or public prison management, creating a bureaucratic impetus in which 'human rights' is seen as a providential form of governance. This globally oriented discourse gains currency in the act of 'naming and shaming' in the absence of criminal justice or the lack of basic civil protections (a process by which potential legal culpability is either assigned or denied, but invariably dealt with, in state situations lying 'beyond the law'). Yet prison administrations are not only on the defensive here. In fact, prison managers now require their staff to enroll in human rights training, and human rights desks involve themselves in processes of penal reform, generating new budget-lines and revenue streams for prison governance. Indeed, human rights discourse is the backdrop for a dramatic *expansion* of penal state bureaucracy. The carceral institutions' claims to legitimacy and requests for non-traditional support – particularly in relation to development aid – are evoked not only in terms of security but also in this new legal domain. As

Tomas Martin's fieldwork in Uganda shows, prison managers ably picked up this discourse of rights-based experimentation, making their places of work more financially stable to manage while retaining, in an updated and legally 'humanised' form, the unjust carceral practices (for example, certain types of 'institutionalised caning') that motivated their implementation to begin with. .

On the face of it, human rights law would seem to challenge prisoner self-governance, contraband economies, and the unlawful extraction of captive labour. Certainly, physical violence and crude exploitation are circumscribed as prison staff look after their own professional survival within bureaucracies that formally abide by the dictates of state and human rights agencies. The latter's occasional prison visits lead to the temporary orchestration of legal formality on the inside, but may also be understood as theatrical effects that influence day-to-day prison conditions in ambiguous and ephemeral ways. More consequentially, however, the application of human rights seems to reshape the cellblock leaders' internal dynamics. In Uganda, the prisoner leaders' style of informal governance – known inside as the *katikiro* system – has been re-incorporated into prison bureaucracy under the buzzword of 'dynamic security'. Dynamic security is a prison management concept, giving prominence to staff-prisoner relations and communication rather than the 'static security' of locks, walls, and scanners. This concept was originally coined in the UK, but is now a globally exported technology of prison reform. For their part, inmates and guards reach out for this new discursive framing and welcome the opportunity to identify as teachers, counselors, or prisoner-representatives rather than vilified as brutal postcolonial convict-guards. In the process, Ugandan prisons use 'dynamic security' to lend the appearance of 'progress' to already-established practices of outsourcing disciplinary power to privileged prisoners.

Looking back over our own fieldwork, there may have been a

time when ethnographers gained immediate access to the cellblocks. But those days are now complicated from 'within' by various prison security apparatus that view the ethnographer as a potential bureaucratic liability or a critical Trojan horse; meanwhile, from 'without' our home universities and research sponsors increasingly consider sustained, first-person fieldwork inside the postcolonial prison an ethically murky enterprise requiring collaboration with shadow hierarchies and untrustworthy administrators. Yet we cannot help but suggest that promoting better living conditions for inmates should make ethnography both necessary and increasingly relevant in contexts of shifting informal hierarchies and penal state injustice(s). Spiking worldwide incarceration rates are dealt with, or 'managed,' in remarkably different ways; studying prison conditions in the postcolonial world would seem critically important for assessing criminal justice policy and its myriad of untold consequences.

As ethnographers, we seek to engage in long-term, first-person, qualitative research on questions of carceral governance, transition, and survival. This kind of research takes place in particular prison settings – always attempting to comprehend their legal-institutional 'successes,' or moments of interpersonal 'breakdown,' *analysed as much as possible from the inside*. The North-to-South transfer of human rights and security technology, we suggest, has done little more than to rearrange the standard-normative tensions of informal prison dynamics. It is our hope that more ethnographic research will be stimulated in the wake of this problematisation. We may well be looking at the future, under the rapidly normalising conditions of prison austerity currently beleaguering the North, when moving across the penal enclosures and problems of the postcolonial world. ■

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