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**Informal dynamics of survival
in Latin American prisons**

When prisoners make the prison. Self-rule in Venezuelan prisons¹

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An emerging issue in the penitentiary system in Latin America, one that has not received much attention by scholars, is the self-rule of prisons in which control of the carceral order relies on the informal structures formed by inmates, contesting the internal government administration, and through violent coercion, maintaining internal order. In this paper we describe and discuss this self-rule based on ethnographic research in a Venezuelan prison during a two-year period and several interviews with inmates and ex-convicts. Carceral self-rule is defined by the roll back by prison administrators in the task of maintaining order and regulating life and the replacement of informal, inmate-controlled structures and practices.

The skyrocketing prison population in Latin America has contributed to changes in life inside prisons, shifting both power relations and social organization internally. In many prisons in the region state power, hitherto omnipotent and unchallenged, is questioned and even displaced by groups of prisoners passing *de facto* rule over the rest of the prison population.²

We've named this phenomena *carceral self-rule*: prison practices and structures, usually violent and illegal, through which prisoners, or a group of them, control, regulate and govern collective life in prison, or at least crucial aspects of it, thereby displacing the State from functions traditionally considered its monopoly.

This is distinguishable from the informal organisation of prisoners, as described in the work of American sociologists during the second half of the twentieth century,³ because while social relations, cultural codes and inmates practices in these works are understood as forms of resistance, rejection or adaptation to the intervention of the prison administration, in our case the informal organization has replaced the role of bureaucratic administration. Neither can this condition be understood as *prison gangs*,⁴ a category which often is confused, because while prison gangs control only particular groups of inmates (often attendant to ethnicity or origin) and dispute power with the administration and other gangs, carceral self-rule maintains relatively stable, effective, and often exclusive control of the people within the prison as a whole. Frequently, and it is also the case in Venezuela, prison gangs precede carceral self-rule, which usually results in struggle between rival factions until one prevails over the other. Finally, it is necessary to distinguish carceral self-rule from prison privatization and other forms of prisoner participation in management, maintenance, treatment and disciplinary regimes.⁵ While these prisoners might be pampered and favoured by the administration, they function on behalf of that administration; whereas carceral self-rule is imposed by violent force and is in clear antagonism with the administration whether it be hidden or unrecognized by formal powers.⁶

Drawing from field research over two years in Venezuelan jails and interviews with inmates and ex-

1. This paper is based on field research conducted together with Ivan Pojomvsky, Chelina Sepúlveda y Verónica Zubillaga. I thank Jennifer Martínez for her translation and suggestions.
2. See for Brazil, Biondi, K. (2010) *Junto e misturado, uma etnografia do PCC*, Sao Paulo: Terceiro Nome; Darke, S. (2013) Inmates Governance in Brazilian Prisons, *Howard Journal of Criminal Justice*, 52, 3: 272–284; Nunes, C. (2011) Estado e PCC em meio às tramas do poder arbitrário nas prisões, *Tempo Social*, 23, pp: 213–23. For Bolivia, Cerbini, F. (2012) La casa de jabón. *Etnografía de una cárcel boliviana*, Barcelona: Edicions Bellaterra. See too Pérez Guadalupe, J.L. (2000) *La construcción social de la realidad carcelaria: Los alcances de la organización informal en cinco cárceles latinoamericanas: Perú, Chile, Argentina, Brasil y Bolivia*, Lima: Fondo Editorial de la Pontificia Universidad Católica de Perú.
3. See Clemmer, D. (1958) *The Prison Community*, New York: Rinehart; Goffman, E. (2001) *Internados*, Barcelona: Amorrortu; Morris, T. and Morris, P. (1963) *Pentonville; A Sociological Study of an English Prison*. London: Routledge & K. Paul; Sykes, G. (1974) *The Society Of Captives: A Study Of A Maximum Security Prison*, New Jersey: Princeton University Press.
4. See, *inter alia*, Lessing, B. (2010) The Dangers of Dungeons: Prison Gangs and Incarcerated Militant Groups, *Small Arms Survey 2010: Gangs, Groups and Guns*. Cambridge: Cambridge University Press; Shytierra, G. and Huebner, B. (2015) Gangs in Correctional Institutions, in Scott, D. and Pyrooz, D. (eds.) *The Handbook of Gangs*, Sussex: John Wiley and Sons; Skarbek, D. (2011) Governance and prison Gang, *American Political Science Review*, 105,4, pp: 702–716.
5. For example, Darke, D (2013) Entangled Staff-Inmate Relations, *Prison Service Journal*, 207: 16–22.
6. Of course, the relations between staff and the self-rule of the prisoners is quite complicated and variable, far from the false dichotomy between opposition–cooperation. The situation produces spaces of coexistence and mutual assistance. However, in the arena of effective power, the administration is severely limited by the power of prisoners, and the exercise of power can only be achieved through negotiation with the self-rule of prisoners or by exceptionally violent means. See Antillano, A. (2015) Cuando los presos mandan: Control informal dentro de la cárcel venezolana, *Espacio Abierto*, 24,4: 16–39.

convicts, in this article we aim to define carceral self-rule in Venezuela's Penitentiary system. We describe carceral self-rule as a cultural code regulating inmate activities, as political structure leading to internal government, and as economic order which supplies material support to prisoners. These three instances, of course, involve and reinforce each other, and together they enable the functioning of the carceral order far from management control.

La rutina: the self-regulation device.

Contrary to what might be expected, the carceral order administered by prisoners is a hyper-codified space. There is virtually nothing that is not subject to unwritten rules and violations carry inexorable, relentless penalties, including death or severe physical punishment, inflicted by prison bosses. Any gesture, the gaze, the way they talk, clothing, relationships with others, practices that outside the walled life would be beyond control or be considered a private matter, are objects of a precise specification, distinguishing between the permitted and forbidden, and subject to strict regulations and thorough scrutiny. This set of rules is what prisoners call *la rutina* (the routine),⁷ which operates like an informal mechanism for self-regulation in response to the stressful life in the prison.

These norms, which could look bizarre and senseless, become intelligible in the context and, moreover, functional to the collective needs of life in prison. They regulate interactions and prevent events that may precipitate violence, protect prisoners and their family members from violence, preserve order and strengthen group cohesion.

The rules can be distinguished between those that refer to relationships with other inmates, relationship with relatives and visitors, links to the institution and its agents, association with the system and the core values of group membership. Relations with the inmates are strongly regulated by rules oriented to preventing conflicts and misunderstandings. Anything that can generate unnecessary tensions or conflicts, any ambiguity,

double-meaning words, a gesture that could be considered offensive or lead to offenses, practices affecting the property and honour of others, are banned and usually punished severely.

Similarly, in terms of relationships with families, being fully clothed and not showing the torso in front of women, not looking at the partners of fellow prisoners, etc., are essential rules to avoid conflicts over a very sensitive issue for prisoners: relatives, partners and the precarious link with their previous, normal life.

Third, prisoners have a set of obligations to the collective order: all prisoners are required to work in order to maintain the informal system, and follow the orders of the prison chiefs.

Other rules are those dealing with relations with the institution and officials. Any collaboration with the authorities is refused. Furthermore, any participation or activity organised by the State administration, even if there would be benefits to the inmates or improvements in the conditions of prison life, are understood as forms of cooperation and, as such, condemned.

Last, the rules that are part of *la rutina* and are related to the values of the group. Show courage, honour or ritual use of violence are core values that are continuously deployed internally.

These are associated with an almost baroque expression of rationality and the negation of all tactical calculation. This forces violent duels, openly exposing prisoners to armed clashes, even at the cost of fatal injuries.

La rutina prescribes guidelines that lead conduct, regulate interactions and modulate restrictions over interpersonal conflicts, protect prisoners from symbolic and material damages, block and neutralise possible attacks of institutional power, and strengthen group values. In this regard it is essential for the reproduction, regulation, preservation and even intelligibility of the prison social order.

El Carro: the inmates' self-government.

These prisons are under the control of *El Carro* (The Car), a group of armed prisoners who emulate

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7. For a more extensive description of 'la rutina', see Antillano, A., Pojomovsky, I., Zubillaga, V., Sepúlveda, Ch., and Hanson, R. (2016) 'The Venezuelan Prison: from neoliberalism to Bolivarian revolution', *Crime, Law and Social Change*, 65: 192–211; Antillano, A. (2015) see n.6; Crespo, F. (2009) 'Cárceles: Subcultura y violencia entre internos', *CENIPEC* (28):123–150; Crespo, F. & M. Bolaños (2009) 'Código del preso: acerca de los efectos de la subcultura del prisionero', *Capítulo Criminológico*, 37,2:53–72.

the State in its functions, structure and in a certain way, forms and procedures. As such, the *Carro* is a clearly distinctive structure, separate from the rest of the prison population. This is defined by its professionalism (this is a group that devotes most time to the tasks of government and control) and the degree of the division of labour, specialisation and even bureaucracy. *El Carro* is run by the *principal*, the chief, who is accompanied by a group of companions and an armed body guard.

El Carro governs prison life and each of the prisoners. It decides on the management of resources, defines justice, imposes penalties, negotiates with the state, declares war against rival groups or State administrators, distributes goods, and sponsors parties. It manages the other prisoners like an army, like soldiers that feed the war against rival groups or the National Guard; a mass of workers, performing necessary work to reproduce life within the prison walls.

El Carro ensures compliance to the routine by watching the prisoners and judging and punishing infractions, while it at the same time guaranteeing the reproduction of daily life by collecting and redistributing taxes and rents.

Under this government, the *población* (all the prisoners who are not part of *El Carro*, but are subject to it) must comply with certain mandatory tasks: making *garita*, paying taxes, and abiding by the orders of *El Carro* without question.

The *Carro* has a monopoly of firearms inside the penitentiary. Only their members can possess and carry them. The monopoly of firearms is a condition for reigning over the rest of the population, which in turn ensures the monopoly of violence. Though the authority of the chiefs rests not only on weapons, without such power it would be precarious and questioned.

The Carro accomplishes the same functions of any state: it maintains internal order and also punishes those who break the rules, determines justice and solves conflicts, defends the territory and the population from external aggressions, and makes war (by revenge or conquest against other *carros*, or to press for certain demands or responses to attacks from the National Guard). But their activity is not confined to tasks related to the use of violence. It also

organises daily life, establishing work shifts and rationing scarce goods (food, use of kitchens, visits); it provides and distributes cells, beds and spaces, provides food for those unable obtain it, invests in improved conditions of life in the jail, manages different services within the prison (from food businesses, ballrooms, library, kitchen), regulates visits, has parties, regulates business and the price of products within the facility, handles relationships with administrators, penal systems, and armed guards.

The *Carro's* authority rests not only on its ability to coerce, but it must also have some legitimacy to maintain its control over the rest of the prison population. Its mandate is respected by prisoners not only because of fear, but because it is considered to be a good government. It guarantees peace, life and

dignity of prisoners, provides goods and services, those vital for survival and those with high symbolic value: parties, women, and drugs. This polarity between coercion and legitimacy stresses the very existence of a *Carro*. The chiefs must be hard but understanding, authoritative but kind. An overly weak or overly severe principal can be deposed. The balance between violence and generosity is critical to their survival. In fact, the principal must appear wise and understanding, be the first to meet the *rutina*, but always demonstrate courage and strength.

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La causa: self-sustaining prison economy.

Certain economic conditions make it possible to sustain this model, as much the functioning of the *rutina* as the existence of the *carro*, while ensuring collective means of subsistence. This can be understood as a biopolitical economy, which is based on the income exaction from a captive population. At the same time as the biopolitical controls the population, its management and subjugation permits enormous gains for those who exercise it. The main mechanism of levies is paying the *causa* (the cause) a sort of personal tax. The *causa* is the amount each prisoner must pay for the right to live in the prison. It is collected on the weekend, ensuring visitors leave money with their relatives. A default carries penalties, including expulsion from the dominion of the *Carro*.

In addition, the *Carro* has forced workers and soldiers at their disposal. Some devalued groups are exploited for physical jobs, cleaning and maintenance

of common areas, hauling goods or construction, usually to the benefit of the *Carro*, while the rest of the population can be warned to compulsively fulfil any task instructed by the heads or perform security work, surveillance or combat in situations of conflict. Lastly, another source of income is the payment for prohibited items that are difficult to get in the prison, such as drugs, phones and household appliances.

The prison economy plays a crucial role in financing, support and reproducing the social order, self-regulation and self-government. This is so in at least three ways: by providing support to the population, providing goods and services that the state does not provide, contributing to group cohesion and self-regulation, and affording the existence and operation of the apparatus of power and coercion.

The rise of the new carceral order

Self-rule rests, therefore, in cultural codes, political practices and economic conditions. But these factors do not explain how this social order emerges. For us, three conditions seem fundamental for the consolidation of power by the prisoners: the widespread use of prison as a mechanism for exclusion, the availability of firearms and the erosion of the state's ability to control the population sent to prison.

The prison population increased in Venezuela from the 80s, going from 10,000 to more than 20,000 prisoners. The number peaked in the mid-90 with more than 30,000 detainees. The last years of the century, the prison population fell below 12,000, but then it went back up, breaking — for the first time in history — the barrier of 50,000 inmates.⁸ The escalating use of imprisonment coincides with the dismantling of social policies in the 80s, the liberalization of the economy, the decline in government spending and the lowering of employment and its constituent consequences in terms of unemployment, poverty and exclusion.

Much scholarship emphasises the relationship between neoliberal policies and expansion of the punitive state power.⁹ Prison does not work anymore

as a device to standardise and discipline the subordinate classes, which was associated with the ideology of rehabilitation, but now operates instead by strengthening and maintaining the exclusion of those social groups who were expelled from the world of work and consumption in the new economic order that neoliberalism installed. Mass incarceration, the decline of the rehabilitative ideal and a fall in treatment and monitoring techniques are indicators of this mutation.

Though this is consistent with two decades of neoliberal hegemony in Venezuela during the eighties and nineties, it does not explain why the prison population continues to grow in recent years, in the Bolivarian era, with a post-neoliberal government that implemented immense redistributive policies and social inclusion. Indeed, during this time poverty,

unemployment and inequality decreased significantly, but the number of people sent to prison continued to grow. Our hypothesis is that the social policies implemented, though improving living conditions of the majority, lose universality and fail to reverse the structural factors that cause exclusion, so that a significant group of the masses remains out of reach and conditions of exclusion persist. In this context, punishment complements redistributive policies by focusing on the

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surplus population.¹⁰

The emergence and strengthening of self-rule prison structures go together with these fluctuations and peak with the growth of the prison population. These trends emerged in the mid-90s and consolidated over the last decade. The population increase fractured cohesion and internal social relations, making inoperative previous forms of regulation. The overcrowding of the prison that we visited, designed for no more than 300 inmates when more than 5,000 people are living there, and with less than 20 prison guards (who cannot enter inside), explains the rise of armed groups who are able to control the social order.

On the other hand, it created economic (extraction of revenues) and political opportunities (population mobilization) on which rest the *Carros*

8. Ministerio de Justicia (1980–1996) *Estadísticas Delictivas*. Caracas. Provea (1999–2013) 'Derecho de los privados de libertad'. In *Situación de los Derechos Humanos en Venezuela*. Provea, Caracas.

9. See Cavadino, M. and Dignan, J. (2006) 'Penal Policy and Political Economy', *Criminology & Criminal Justice*, 6, 4: 435–456; Müller, M. (2012) 'The Rise of Penal State in Latin American', *Contemporary Justice Review*, 15, 1: 57–76; Wacquant, L. (2010). *Castigar a los Pobres*. Barcelona: Gedisa.

10. Antillano, A. (2014) 'Crimen y Castigo en la Revolución Bolivariana'. *Cuestiones de Sociología* Nº 10.

power. In short, a larger population created more income, more workers and more soldiers.

The second factor is the declining ability of state control over the carceral population. The fiscal crisis of the 90s affected spending in prisons and state coercive capacities, resulting in declining resources for institutions of punishment. Low budgets, reduction in the number of detention locations, falling investment in prison infrastructure, reduced prison guards and professional staff, resulted in failures in the supply of essential resources for the subsistence and control of inmates.

In addition, the state intervention in carceral space became more and more illegitimate. Numerous abuses, massacres, massive violations of human rights are evident from the late-80s. One justification often found among inmates in preferring the despotic government of the *Carro* over formal administration is their rejection of abuse and what they perceive as debasement in prisons under state control. The *Carro* protects prisoners from abuse of State authority, in exchange for a different kind of abuse. Weakness, illegitimacy and loss of state control are part of the same continuum, or different expressions of a profound transformation of punishment and the role of the state.

A third factor is the entry of firearms into jails. From the mid-90s, handguns are available to those who control the prisons. The loss of state control and the levying of huge revenues from the prison population, make it possible to buy arms and bribe guards to allow the entry of weaponry and the related need to fill the role of government in regulating internal life. This contributes to a particular group becoming the monopoly owner of firearms to ensure its supremacy over the rest of the population, allowing both its coercive control and successfully confronting the armed power of the state.

In sum, carceral self-rule can be understood as a consequence of the changes in the nature of prisons and their relation to society. On one hand, prisons operate as a device to reinforce and deepen social exclusion, especially for the surplus population, not just as a mechanism of discipline and normalization. On the other hand, the State shows itself to be incompetent or indifferent in controlling this excluded population. As a result, the prison appears to superimpose social exclusion with institutional exclusion, functioning as an outside, as a space *outside* of society and its forms of institutional control and regulation.



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