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Struggles against deemed disposability:
Counter-conduct and carceral governmentality around Federal Prisons in
Argentina

A thesis submitted to the University of Warwick for the degree of Ph.D.

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Declaration

This thesis is entirely my own work and no portion of it has been submitted for another degree or qualification at this or any other university or institute of learning.

Abstract

This thesis seeks to study different gendered practices carried out by incarcerated men and their families (mainly women) that question, contest, attempt to resist and struggle against the way imprisonment is conducted in the federal prison system in Argentina. Based on research conducted in but mainly around different prisons in the City of Buenos Aires (Argentina) and its outskirts, the thesis critically analyses the techniques of governance that these struggles reveal. Situated within the work and thought of Michel Foucault on governmentality and counter-conduct, the thesis explores struggles performed through different forms in diverse sites. The first study analyses the ways in which those incarcerated and their families attempt to resist the power of prison/judicial files in their lives. The second study follows women who visit their husbands, sons and relatives in federal prisons as forms of struggle against their deemed disposability. The third and last study focuses on selected collective strategies initiated by those incarcerated and their families both inside and outside prison buildings to contest the way imprisonment was conducted. The thesis explores the ways in which these struggles are not in exteriority to the technique of power that they aim to contest, but rather are embedded on carceral governmentality. It shows how these techniques of power transcend the prison institution to encompass the everyday life of those who live within but also beyond prison walls. While the thesis critically explores how struggles against the deeming of those incarcerated as disposable are re-inserted in the expansion of carceral forms of power and exclusion, it also aims to overcome binaries that frame practices performed by those incarcerated and their families along a domination/resistance binary.

List of Abbreviations

CELS	Centro de Estudios Legales y Sociales <i>Centre for Legal and Social Studies</i>
FREPASO	Frente País SoliDario <i>Front for a Country in Solidarity</i>
ICPS	International Centre for Prison Studies
LGBT	Lesbian, Gay, Bisexual and Transgender
MPDN	Ministerio Público de la Defensa de la Nación <i>National Public Defenders' Office</i>
NGO	Non-governmental Organization
SNEEP	Sistema Nacional de Estadísticas de Ejecución Penal <i>National System of Statistics on the Enforcement of Sentences</i>
SPF	Servicio Penitenciario Federal <i>Federal Penitentiary Service</i>
PJ	Partido Justicialista <i>Justicialist Party, i.e.: Peron's Political Party</i>
PPN	Procuración Penitenciaria Nacional <i>National Prison Ombudsman</i>
UCR	Unión Cívica Radical <i>Radical Civic Union Political Party</i>

Introduction

Ten million people around the world wake up, live and go to sleep behind bars and inside prisons.¹ Since 2000, the growth in global prison population (20%) has been higher than total population growth rate (18%) and, although there are variations across continents, most continents have witnessed an increase in the total prison population (Walmsley, 2016). According to the latest data available, South America leads the increase in imprisonment since 2000: 145%, compared to 40% in Oceania, 40% in the United States and 80% in Central American countries. Overall, 2.3 million people are imprisoned in the United States; more than 1.65 million in China; and 1.03 million in South America (Walmsley, 2016). For most of those incarcerated, their time in prison will be accompanied by a great deal of suffering and some will die inside before attaining their release.

In Argentina, the increase in federal imprisonment since the return to democracy in 1983 has been notable. Since 1984 the total federal prison population has increased by 334% (SNEEP, 2015a). Around 50% of the incarcerated population in Argentina are pre-trial detainees. Of those condemned, nearly 61% are due to property and drug-related crimes.² Those incarcerated are mainly male (96%), national citizens (94%) and they mostly come from poor-households: 66% have not completed or only completed primary school and 85% declared to be unemployed or have only a part-

¹ Latest information available according to Walmsley R. (2016) World Prison Population List (eleventh edition). *World Prison Brief*. London: Institute for Criminal Policy Research, University of Birkbeck. This report was published in February 2016 and does not include those detained in police stations, so it is estimated that it underrepresents the number of people incarcerated. Walmsley estimates that the final number of prison population is most likely closer to 11 million people.

² Data obtained from SNEEP (2015) based on mentioned crimes. Calculated based only on the first mentioned crime, not including those who did not respond. SNEEP. (2015a) Informe Anual 2015. *Sistema Nacional de Estadísticas de Ejecución de la Pena*. Buenos Aires: Ministerio de Justicia y Derechos Humanos.

time job before their arrest (SNEEP, 2015a). While the number of women imprisoned is smaller than that of men, female imprisonment has also grown at high rates (SNEEP, 2015a).³

Despite these headline-grabbing numbers, the pain and suffering that incarceration creates and sustains has, often, been silenced and excluded from key political debates (Christie, 2007). Often framed under the lenses of criminality, the media have frequently stripped out those incarcerated of their humanity and relationality and their struggles have mostly been represented as dangerous alterations to order. Framed as disposable, the voices of those incarcerated have often been silenced. This neglect can also be detected in the relative lack of attention that political science and international relations literatures have given to the role of prisons and imprisonment in managing, distributing and regulating populations and to the everyday struggles that those subjected to the prison hold against their deemed disposability.

This thesis focuses on critically analysing different gendered practices carried out by incarcerated men and their families that question, contest, attempt to resist and struggle against the way imprisonment is conducted in the federal prison system in Argentina. It poses as its primary research question: What do the struggles of those incarcerated and their families reveal about techniques of governance in contemporary Argentina? Rather than taking a top-down approach to understand the way imprisonment works, my research listens to the ways in which those subjected to imprisonment struggle against the way they are framed and defined by the imprisonment regime. The thesis reflects on the techniques of governance that struggles are standing up against and

³ Data for female prison population in national statistics is only available since 1990. From 1990 to 2015, the volume of female incarceration in federal prisons in Argentina has increased by 144%. Ibid.

explores the way in which this opposition may be in a continual process of reinterpretation and appropriation. It explores the way in which struggles illuminate the specific techniques of governance through which carceral boundaries are produced and exclusions are made operational.

The way in which people living in poverty strive against the role of prisons and imprisonment in their daily life was first unveiled to me a few years before I started my Ph.D. while I was working as an activist on social policy issues in a local women's organization in one of the poorest neighbourhoods in the outskirts of the City of Buenos Aires. My work included the organization of workshops on social accountability and cash conditional transfers and the problems that women that lived in that area were encountering in their access to public health and education services. While I was working on this project, a family that lived in the area approached the organization because their daughter had been arrested a few days before. The policemen had arrived to their house to arrest her for an abortion she had had two years earlier that had ended up badly and with her hospitalization. Together with several women's organizations in the area, we launched a project to work on the situation of female incarceration in the area and accompanied her family to ask for her release. When she was finally released after four months, she also joined the project. Through the stories she told me about her incarceration, and that of other women and men who attended the organization, I started to listen how people living in poor neighbourhoods had to struggle daily with the threat of incarceration. As part of this project, I also accompanied human rights organizations into one prison to monitor their conditions. The struggles endured by the people I met during that time opened-up questions about the role of prisons and imprisonment in the way exclusion was being governed.

As I will outline in more detail in the literature review presented in Chapter 1, studies on struggles against prisons and imprisonment have tended to focus on how those incarcerated negotiate power relations *within* prison walls, an issue that has usually responded to the research design chosen for these studies. While one strand of the literature has explored violent and/or overt struggles performed by those incarcerated (such as riots or hunger strikes) (Useem and Kimball, 1991; Carrabine, 2004) other scholars have focused on everyday struggles inside prison (Sykes, 2007 [1958]; Clemmer, 1940). While some studies have focused on their role in disturbing order or making it possible (Sparks et al., 1996), the literature that has framed struggles as ‘resistance’ within prison walls has tended to take a ‘romantic’ perspective of these struggles, often overestimating their effectiveness (Ugelvik, 2014; Bosworth, 1999; Bandyopadhyay, 2010). Furthermore, studies that have framed those imprisoned as ‘disposable’, have tended to obliterate their capacity to struggle against their deemed condition and have instead frame them as mere victims (Bauman, 2000; Giroux, 2009; for an exception to this see Butler and Athanasiou, 2013). As such, studies have often situated those incarcerated on either side of the ‘resistance/domination’ binary (Fili, 2013).

Studies on struggles against imprisonment have managed to overcome the emphasis on prison management and order/domination in prison studies, shedding light on the way in which power is negotiated in the everyday life within prisons. However, prison studies have tended to take a restricted definition of the power relations embedded in these struggles, often restricting them to prison authorities and confinement (Crewe, 2007; Rubin, 2015). Studies on prisons have also tended to be trapped by theoretical frameworks which have focused on the individual consequence of imprisonment, without further exploring the deeply gendered and relational impacts that prisons have

in the everyday life of those that interact with them (da Cunha, 2002). Those who have focused on families of those imprisoned, have tended to obliterate the subtle and everyday struggles that they perform against the way imprisonment is conducted (Comfort, 2007; Touraut, 2009).

Struggles that are identified throughout this thesis are read not as singular acts that resist (and overcome) the effects of imprisonment, but rather as practices that are consonant with governmentality logics but still manage to expose specific techniques of government. The thesis is mainly guided by the work and thought of Michel Foucault and his concept of governmentality, understood as ‘the ensemble formed by the institutions, procedures, analyses and reflections, the calculations and tactics that allow the exercise’ of a ‘very specific’ and ‘complex form of power’ (Foucault, 2007: 108). While most studies that have read imprisonment through Foucault’s contributions have often been inspired by his earlier work on *Discipline and Punish* (which focuses on the development of disciplinary techniques), this thesis aims to productively engage with his later work on power and governmentality, specifically with the concept of counter-conduct.

As I will further develop in Chapter 1, the concept of counter-conduct allows us to depart from studies that have portrayed incarcerated people and their families as passive victims within imprisonment regimes. Instead, it calls attention to the need to listen, in their everyday actions, to the subtle but clear elements of contestation that they perform against specific forms of power. Still, in contrast with studies that have tended to frame struggles as idealized resistant strategies which are merely oppositional to ‘power holders’, the concept of counter-conduct also allows for an analysis of how these struggles are an integral part of governmentality processes

(Foucault, 2007: 204). In this sense, Foucault notes that a counter-conduct do not presuppose a total rejection, but rather has an ‘immediate and founding correlation’ with the form of power it opposes (2007: 196).

In addition to the work of Foucault, this thesis also focuses on an issue that has tended to remain invisible in research that has focused on male imprisonment: the fact that these institutions are underpinned by gendered social relations. Indeed, feminists who have attempted to study the gendered prison have often focused on the analysis of women’s prisons (Carlen, 1983; Bosworth, 1999). With some exceptions, one aspect that has been usually overlooked is that for each person that is imprisoned there is a significant number of women (wives, mothers, daughters and sisters) who interact with the prison system on a daily basis (Comfort, 2007; Touraut, 2012; Richie, 2002; Ferreccio, 2015a). Arguably, the lack of attention to those who visit marks a broader neglect of the role of social reproduction and the costs it imposes on those who do this work (Hoskyns and Rai, 2007; Rai et al., 2014; Touraut, 2012).

By contesting the individualism in which the ‘modern prison’ is imagined and perceived, this thesis aims to add nuance to the question around carceral boundaries as they are defined and enacted in the everyday life. The geographical scope of this thesis research builds from the notion of trans/carceral spaces (Moran, 2015; Allspach, 2010) which shows that the experience of incarceration is not restricted to prison buildings but rather encompasses ‘forms of confinement that extend carceral effects into new terrains’ (Coddington, 2017: 22; see also da Cunha, 2002). In this sense, the thesis also engages with selected scholarship on the politics of (im)mobilities, spaces and temporalities (Massey, 1995; Uteng and Cresswell, 2008; Urry, 2007; Subramanian, 2008; Peters and Turner, 2017; Auyero, 2012). While every chapter

draws from Foucault's concept of counter-conduct, struggles against incarceration are also analysed through the (im)mobilities, spatialities and temporalities that they inhabit and convey. This approach provides a lens through which to analyse the way in which prison boundaries are built, blurred and expanded to encompass those who live inside and outside prison walls (Turner, 2016).

In the remaining part of this Introduction, I will focus on the methodological approach that guided the research for this thesis and provide with an outline of the thesis' chapters and main argument. In the next section, I will note the challenges that were faced during the fieldwork and how these prompted a reworking of my initial ideas and research plans. I will argue that these challenges ultimately enabled the opening-up of new research sites and methodological approaches to the study of struggles against imprisonment which outline the core contribution of this thesis.

Researching prisons 'from outside': carceral spaces, gendered relations and methodology

The approach to the study of struggles chosen for this thesis was not immediately apparent to me at the beginning of the research. Rather, it emerged as a result of a constant reworking of my assumptions in the light of the specific experiences I had during my fieldwork. Indeed, encountering those who struggle has continuously shaped my understandings and ideas and the choice of case studies for this thesis was conditioned by the access to the field that was available to me during my research.

As I will further describe in Chapter 3, during the first weeks of my fieldwork and while I was awaiting the authorization to enter female prisons as a researcher, I was granted access to review a sample of prison files from the main headquarters of the

Argentinian Federal Penitentiary Service (in its Spanish acronym, SPF). I spent the first six weeks of my fieldwork reviewing these prison files, taking ethnographic notes and conducting a few interviews with the staff managing and organizing the prison file archive. At first, I meant this to be the preparatory work for the ethnographic work that I had planned to do inside prisons. However, despite the initial reassurance that I was given by the Ministry of Justice and prison authorities, my access to prisons was denied.

The difficulties researchers face in accessing prisons has been noted as one of the main difficulties in prison research. Indeed, the multiple negotiations that need to be pursued in order to get access to the field, including the waiting time involved and the spatial and temporal restrictions that this authorization may entail, are all mentioned as usual and expected in different countries around the world (Wacquant, 2002; Piacentini, 2005; Martos et al., 2013). But although the denial of access to prison is a great obstacle for researching prisons, it does not necessarily 'preclude it' either (Rhodes, 2001: 77). Indeed, the restraints and lack of access that a researcher may face may also account as a finding regarding 'the larger dynamics of restraint governing these institutions' (2001: 77). My contact in the Ministry of Justice justified the refusal mentioning that the prison authorities had become worried about the ethnographic approach I had proposed to use. This happened three days after a baby was reported dead in one of the main female prisons of the SPF.⁴ When I asked whether I could at least do interviews, she stated that they could not authorize me to do interviews either because that would require considerable work from the prison staff. She also explained

⁴ Incarcerated women in Argentina are allowed to keep their children in prison with them until they turn four years old.

that the three requests from University researchers that had been filed in the last three months had all been rejected.

After receiving the news of this refusal, I was compelled to develop some creative solutions to be able to overcome this problem. Guided by some initial fieldwork visits that I was able to do to the male federal prison of Devoto accompanying a group of students who gave drumming classes to those incarcerated, I decided to turn my attention to women who visited prisons. The methodological approach that guided me in this choice was inspired in Dorothy Smith's feminist conceptualization of 'institutional ethnography' which entails 'locating a standpoint in an institutional order that provides the guiding perspective from which that order will be explored' (Smith, 2005: 32). This approach proposes to initiate research by tracing the experiences of women in their daily life to then explore the relations in which these experiences are embedded. This specific perspective to the research enabled me to overcome the 'larger dynamics of restraint governing these institutions' (Rhodes, 2001: 77) while at the same time opened-up new questions about the extent and reach of carceral boundaries.

The combination of a Foucaultian understanding of power relations within prisons also proved to be compatible with institutional ethnography. According to Billo and Mountz (2016: 215), 'institutional ethnography offers the possibility to study up to understand the differential effects within and beyond institutional spaces and associated production of subjectivities and material inequalities'. These authors have also noted that institutional ethnography 'enables to locate' the institution, study their networks, social practices and document 'more geographically textured understandings of institutions' (2016: 200). They argue that the potential of

institutional ethnography is to unveil the ‘dispersed, embedded and entangled’ effects of institutional powers that have ‘more permeable boundaries dividing who lies within and beyond the institution’ (2016: 202). The use of an approach aimed at investigating the links between the prison and its surroundings from the ‘ground’ rather than ‘from afar and above’ has also been argued by Loïc Wacquant (2002: 387) as a key entry point to be able to understand that ‘it is not the prison alone that acts, but rather any output of the carceral institution entails continuous inputs from the family, labor market and neighbourhood all the way to the bureaucratic and political nerve centres of the state’ (Wacquant, 2002: 388).

During the weeks that followed to my refusal to enter prisons as a researcher, I tried to open up new sites in order to pursue my research. One important and crucial challenge was, then, to be able to identify and pursue those key standpoints that would be able to analyse the ‘dispersed’ effects of the institution. The first action that I took after I was denied access to prisons, was based on my understanding that one key standpoint to analyse the ‘dispersed’ effects of imprisonment was that of family members. But how to get in contact with family members? The lack of access to do research ‘inside’ prisons compelled me to open up the possibilities to access other research sites. The most obvious one that I identified was to go to the outskirts of the Prison of Devoto. I arrived at 6 a.m., when women were just arriving and stayed there until 1p.m. I made extensive notes in my fieldwork book on the different movements that I identified that day. I spent three hours of this time sitting in the queue observing how the women who arrived to the prison moved around the space outside the prison, buying things in the store to pack them inside their bags, carrying their heavy bags and little children and waiting in the queues. This first day, I had short conversations about the main problems they encountered before the visits. This first visit allowed me to

realize that the standpoint of family members was crucial to understand the struggles that families endured around the prison system. However, I felt rather uncomfortable and hesitant about my positionality as a researcher during this first fieldwork visit and I assessed that I needed to strengthen my knowledge on the role of families and the prison terms and language used in this field in order to be able to take better advantage of my research.

Through Internet-based research and advice from colleagues, I found a small association that had been founded a few years earlier by family members of those incarcerated and provided advice for family members. I called the phone number that I found online and was invited to attend their weekly meetings. These meetings were organized every Tuesday afternoon in a room in a building in the city of Buenos Aires that was lent to them. The association had been formed only a few years before by a group of six women who had their sons, brothers or partners in prison. They had met in the queues and/or the transport to the prisons while they were visiting their relatives and/or in the judicial offices, some knew themselves from their neighbourhood or through friends they had in common. They had identified the need to create a place to meet and share their concerns and had obtained the support of a group of lawyers who provided advice in an ad-honorem basis. They started meeting in coffee shops and after a few months, one of these lawyers had helped them to obtain permission to use a room in a building that was managed by a NGO. Since then, the main activity of the association of family members of those incarcerated was its' weekly meetings, which gathered the main members of the organization and new family members who would attend the meetings in order to receive advice and information about the different situations that they were facing as family members. These new family members usually found out about the association through word of mouth or through their

relatives in prison. The association did not receive any funding and was mainly sustained by the un-paid work of their members and the support of a group of two or three lawyers and other professionals who would attend the meeting and give free legal advice to those who needed this information.

Through my weekly participation in the meetings that were organized by the family members of those imprisoned, I managed to enhance my knowledge of the field, understand conventions on the slang and the legal and prison terms commonly used in this context. I also organized four focus groups with some of these women whose family members had just been released from prison or were expecting their husband to be released soon. My participation in these meetings also enabled me to establish trust and relationships with many of the family members that participated in their weekly activities. A few months after I started attending the meetings, I was given the key to the premises in order to set up focus groups and I was also invited by several of them to have dinner or lunch gatherings with their families. Some of these women invited me to accompany them to visit their husbands and sons in prison, others handed me their phones so I could speak with their imprisoned relatives through the phone. I also accompanied several of them to do errands in the courts and to the Parole Office. Throughout the fieldwork, I also conducted ten in-depth interviews (varying between one and four hours in length) with women I met through this organization. The interviews were tape-recorded and most of them were conducted in their houses or the NGO premises, one was conducted in my own place. While I was doing fieldwork, three of the male relatives of these women were released from prison. I accompanied the women and their released family members to meetings with public officials, to the Parole Office and spent time with them in their homes. Through this association, I was also invited to participate in several events – both inside and outside prisons – on

prison rights activism. In one of these events, that was organized inside the prison of Devoto, I met the members of a trade union that was being founded to enhance the rights of inmates as workers. In this event, I met three of their founders, one of them who was released only a few hours after the party. He became one of my key informants during my fieldwork. After his release, I also accompanied him to several meetings with public officials, social organizations and other events.

My participation in the organization also helped me to improve the questions and approaches to my fieldwork visits to the outskirts of the prison. I returned to these sites in the last two months of my fieldwork. Overall, I did participant-observation in the outskirts of three different male prisons (Devoto, Ezeiza and Marcos Paz) during 15 days across two months, including week-days and week-ends. I conducted interviews with 35 women that visited their partners, sons, grandsons, fathers and brothers in the outskirts of these three prisons. As visitors have to wait for around 2 to 4 hours between their request to enter prisons and their entrance to the prison sites, I conducted most of the interviews during this time. I presented myself as a PhD researcher and communicated the objectives of the research, and after their agreement to do the interview, I conducted the interviews. Most of these interviews were recorded by writing in a note-book during the interview. I also had informal conversations with other women and men that were queuing outside prison, managers and keepers of the shops and stalls around the prisons, among other people in the field. Given the sensitive nature of the research field, special attention has been placed to ensure the anonymity of fieldwork participants during the writing-up of this thesis. Different pseudonyms have been used in the three empirical chapters of the thesis and some biographical information was altered to ensure their anonymity.

My methodological approach implied a constant review of my positionality in the field. As a middle-class woman, who was Argentinean but had a Ph.D. scholarship from a University in the United Kingdom and did not have a family member in prison, my role as an ‘outsider’ was clear to both fieldwork participants and me. My gender (and probably my relative youth) was a resource that facilitated my immersion in the spaces where women met and waited. It also allowed me to establish close relationships with several of them and engage in fruitful conversations.

However, while being a woman was an asset for my research, it did not erase other key differences that were mentioned openly by diverse women at different instances of my fieldwork. Once, for instance, I took the van to go to the prison of Ezeiza. In the outskirts of this prison, I interviewed several of the women who had travelled in the van with me. One of these interviews was particularly fruitful and we chatted for a very long time. In the middle of the interview, the interviewee told me that she had seen me in the van and wondered what I was doing there ‘because I did not look from there’.

When researching the role of social privilege in knowledge production, McCorkel and Myers (2003) note that feminist researchers have attempted to attenuate their privilege through different approaches. One of these approaches entails making an effort to renounced privilege by focussing and emphasizing on the commonalities the researcher has with her/his fieldwork participants. Still, they mention that this approach is futile as it is done at the expense of ‘obscur(ing) crucial insights of the relationships that are established between’ the researcher and the fieldwork participants (2003: 227). In contrast to this approach, McCorkel and Myers also note the importance to ‘examine’ the ‘background assumptions and beliefs grounded in the

researcher's social location' (2003: 203). Rather than trying to hide or erase them, it is important to 'put' the 'taken-for-granted assumptions, beliefs and stereotypes on the table for dissection' (2003: 205).

Following McCorkel and Myers (2003), my approach focussed on trying to 'interrogate and challenge' the 'master narratives' within which I had arrived to the fieldwork. In this sense, it was not through attempts to 'erase' differences with my fieldwork participants that I tried to make sense of the data obtained through the fieldwork but rather by allowing the data to interrogate and challenge these assumptions. As McCorkel and Myers (2003) note:

'The researcher's awareness of her own situatedness is further enhanced when she takes seriously the questions, concerns and challenges that her subjects raise in response to the research process (...) Indeed, our respondents remind us in myriad ways that our problematics were not theirs and that our explanations did not resonate with their experiences (...) This awareness leads us to insights that otherwise we would not have had.' (McCorkel and Myers 2003: 228-9).

Building from this, one aspect that was key in my positionality and acquired different subtleties during the process of my fieldwork and its aftermath was the issue of race. Indeed, being reflexive on my positionality implied, among other issues, to question my own 'master narratives' towards this issue. The definition of 'race' that I use throughout this thesis follows Rita Segato when she notes that the representation of difference is contextually situated and that it is related to what she calls as 'national

formations of otherness'⁵ (Segato 2007). Through this concept, Segato notes that the hegemonic ideas of 'race' within a national context are closely related with the narratives that have been mastered to make sense of otherness within that particular context (2007: 29). She distinguishes this from ideas of race that are produced in a global and generalized way and understood as universal, noting that race is framed differently in different contexts. Indeed, Segato notes how the notions of 'white', 'black', 'creole' or 'indigenous' are read and perceived in very different ways in different contexts. She also adds that the contents, values and signs that are attributed to these notions present enormous variations in different regions and national contexts (2007: 29). In this way, race 'is a concept that resists to be fixated in its contents, that cannot be essentialized and can only be understood in a specific dialectic that can be defined as a historical mechanism to expunge, dispose and eject' (2007: 24-25).

Segato notes that the 'master narrative' in which the idea of race was moulded in Argentina was linked to the creation of a 'fictional ethnicity' characterized by its uniformity. The 'national' subject was moulded into a neutral profile with no specific particularities. Segato mentions the idea of 'ethnic terror' as an explanation to understand the notion of 'whiteness' in Argentina. This notion is used to portray the fictional idea of unity that has been formed around the ideological foundation of the Argentinean postcolonial state (2007: 30). Within this ideological frame, the idea of 'civilization' is defined as 'ethnic neutrality' and the idea of 'barbarism' is linked to its' antagonism (2007: 30).

⁵ In Spanish, 'formaciones nacionales de alteridad'. See Segato, RL. (2007). La Nación y sus Otros: raza, etnicidad y diversidad religiosa en tiempos de Políticas de la Identidad. Buenos Aires: Prometeo Libros.

This narrative of ‘fictional unity’ was so engrained in me when I first started to participate in the family meetings that I did not identify any ‘racial’ difference between my fieldwork participants and me. Though the women I met in these meetings came from different class backgrounds and had different life stories, I took for granted that we all shared the same skin colour (white). Rather naively, I framed our differences only in terms of access to different resources and not in racial terms. However, while I was not able to ‘see’ race, my fieldwork participants did describe instances that could be defined as consequences of clear processes of ‘racialization’. Indeed, race was rarely named as such and my privileged position blurred my capacity to see differences in our skin colour. Still, some women described they felt they were treated ‘como negras’ (‘as blacks’) in the buses that go to prison, in judicial offices or while they were in the cues to enter prisons. They suggested that they were discriminated due to their association with an imprisoned person. While these findings challenged my own ‘master narratives’ and understandings of race, they also opened the possibility to understand how imprisonment policies were contributing to processes of racialization. As I will describe in more depth in Chapter 2 and the Conclusion on this thesis, the role that prisons play in these processes of racialization in Latin America is subtle and complex and should be framed not as cause, but rather as an effect of imprisonment policies.

The methodological approach chosen for this thesis also challenged me in different personal ways. During my fieldwork, I often questioned myself and felt that the project had become much larger than I could handle. Other times, I was overwhelmed by the suffering and injustices that I encountered through my transit through prisons. This led me several times to question the legitimacy of my role as a researcher and prompt me to engage in a more ‘activist’ role which, in turn, made me doubt about the form

of research I was doing. Throughout my fieldwork and beyond, it was not easy for me not to romanticize the struggles that the women and men I met performed in their daily life and I often felt unfit to analyse them in my research.

The contradictory and complex issues that I faced during my fieldwork and in the writing-up are not uncommon for students of ethnography. Indeed, Ball (1990: 157) states that ethnography involves ‘risk, uncertainty and discomfort’, where researchers have to go into ‘unknown territories’ and that ethnography is ‘unteachable’ and cannot be communicated or ‘learned in seminars’ but rather it can only be learnt by doing. In the case of my fieldwork, however, the difficulties were reinforced by at least two main issues. One of these difficulties relates to the inherent complexities of pursuing research around prisons. Kalinsky (2004: 164) argues that prison ethnographers may often have the impression that they are ‘not getting to the inmost meaning of prison life’ and ‘not even managing to find a share meaning for the forms of social relationships’ that are forged. Another issue that I might have underestimated relates to my own suffering during my transit around prisons. As Jewkes (2014: 391) states, ‘the emotional and corporeal (i.e., physical and in some way, spiritual) demands on one’s Self [that prison ethnography entails] are simply too great’.

The second main difficulty I faced can be associated to the context in which my fieldwork took place and to the need to find connections of prisons with wider political processes (both national and international). My fieldwork took place in the middle of Cristina Kirchner’s second presidency. As I will further develop in Chapter 2, the research was performed in a context in which prison administration was permeated by multiple contradictory legacies. These include the authoritarian legacies of the SPF weaved into the ‘social inclusion’ platform that was discursively promoted by the

current Director of the SPF, while policies also debated themselves between the continuities and ruptures of neoliberalism posed by the Kirchnerist governments (Svampa, 2007). Contextualizing my ethnographic findings in this ‘confused, murky, contradictory and emergent reality’ was not an easy task (Ball, 1990: 168).

Nevertheless, the approach to the study of struggles developed throughout the thesis was useful to make sense of these processes and place my findings in conversation with this seemingly contradictory context. After identifying the struggles that families and those incarcerated endured in their daily life, I tried to reflect on the issues that these revealed of the techniques of power that were exercised through the specific governmentality constructed around federal prisons in Argentina. The approach enabled me to place these struggles in the intersection between the inside and the outside of prisons, following the point of view of those who struggled and critically assessing the way in which these could be productive for wider processes of exclusion. Placing these struggles in close relation to what they opposed, enabled more nuanced analyses of the specific forms of power that are enacted through incarceration; forms of power that surpass legal assertions and descriptive accounts of the effects of incarceration but rather unveil how prisons permeate the everyday life of those that move around and within them.

Chapter Outline

The thesis is composed of five chapters. Chapter 1, ‘Prisons, disposability and counter-conduct’, starts by introducing and reviewing two literatures – defined broadly as ‘prison’ and ‘disposability’ studies, respectively – that have intervened in understandings of the way struggles of those incarcerated have been framed. While

the discussion does not pretend to be an exhaustive account of these literatures, it argues that the analysis of struggles within prison studies have tended to take a restricted definition of the power relations embedded in imprisonment and have often been limited by focusing their unit of observation solely on what goes on inside prisons. On the other hand, what I call the disposability literature has tended, with some key exceptions, to obliterate the ontological risks of labelling those incarcerated as disposable and leave little room for the study of struggles against it. The discussion then turns to the work on counter-conduct and governmentality, as the main conceptual tools I use to develop the more nuanced analyses of struggles against incarceration that this thesis seeks to advance.

Chapter 2, 'Federal prisons and imprisonment in Argentina's democracy (1983-2016)', provides an overview of the historical and political context in which the research for this thesis took place. The chapter starts with an outline of the changes in federal imprisonment population since the return of democracy in Argentina in 1983. It shows how prison population has grown by 340% and reviews the explanations that have been provided by different scholars to understand this trend. It then explores in more detail the tensions and contradictions that have permeated the orientation of penal policies throughout different political phases since the return to democracy in the country. The chapter also provides with a description of the main historical legacies that have permeated the rationalities of prison management and administration within the Federal Penitentiary Service. Together, the different sections of this chapter provide with an overview of the main issues that have shaped the context around which my fieldwork was performed.

The next three chapters consider the counter-conducts that are the focus of my ethnographic research. Chapter 3, 'Prison files in the field: counter-conducts and the exposure of ambivalence', focuses on counter-conducts that take place around the bureaucratic and juridical practices that regulate the granting of remissions or early release to those incarcerated. The counter-conducts analysed throughout this chapter draw from fieldwork observations around penitentiary, judiciary and Parole Offices. The chapter starts by analysing the way in which prison/juridical files is used as 'truth' by officials across the prison system and notes that rather than being governed through an organized and clear disciplinary system, files are characterised by their incompleteness and ambivalence. Throughout the chapter, I analyse different counter-conducts performed by those incarcerated and their families that show a refusal to subject their intimate lives and identities to the file. Attention is placed on the study of the 'productive' functions of files' ambivalence and I explore how this ambivalence contributes to the expansion of the perception of surveillance beyond prison walls. The last section of the chapter notes how the ambivalence of prison files also contributes to their submission through the temporal manipulation of their hopes and expectations.

Chapter 4, 'Visits to prison as counter-conduct practices', looks at women's travels to prison as forms of counter-conducts that contest a way of governing that frames those incarcerated as non-relational and non-recognizable lives. It frames visits as a refusal to treat those incarcerated as disposable. The chapter explores how these visits cannot be seen in exteriority but rather are greatly entangled with governmentality around federal prisons. Based on the descriptions that women give of these visits, the chapter analyses the framing of prison visits as gendered caring and suspicious (im)mobilities, showing how visits both contest and form part of governmentality logics. The chapter

follows women in their travels to prison from their houses (and the preparation of what they take to the visits), to the transport which takes them to the prison buildings and the waiting time and personal searches they need to undergo before the visits. It explores the spatial and embodied ways in which their struggles both contest the deemed disposability of their incarcerated relatives and are productively used to reinforce wider regimes of assigned disposability contributing to the extension of prison walls.

Chapter 5, 'Spatializing counter-conducts: mobilizing inside and outside prisons', explores two counter-conducts that were initiated collectively by incarcerated men and/or families of those incarcerated as well as released women and men against different aspects of imprisonment governance. The first counter-conduct that is analysed in this chapter focuses on the role of TAPLA⁶, a trade union for prisoners that work inside prison, that contests the way in which prison work is governed. The second counter-conduct that is explored is a march organized outside of Congress where family members, released men and women protested against a law reform that proposed to limit special outings and remissions from prison. The chapter critically assesses the spatialities and (im)mobilities deployed in these struggles to show these are integral to both the constitution of counter-conducts and the tactics and strategies of governmentality that aim to incorporate them into its logics.

The thesis makes three substantive arguments that aim to bring nuance to the study of prison struggles. First, the thesis critically analyses struggles against incarceration from a gendered and relational approach which takes into account that prisons do not

⁶ A pseudonym has been used to name this organization in order to comply with anonymity of respondents.

only affect those who are incarcerated but also its relatives who often live under its shadow (Touraut, 2012). As mentioned before, this approach was both methodological as well as an analytical tool for Chapters 3, 4 and 5. Secondly, the thesis argues that struggles are simultaneously resisting certain techniques of power within incarceration, as well as they are embedded on carceral governmentality logics. Throughout the three case studies analysed in this thesis, attention has been placed in dissecting and questioning the interrelation between struggles and the techniques of power that are being contested. Finally, the thesis notes the significance to engage with Foucault's work on governmentality and counter-conduct for the study of prisons and imprisonment. Departing from studies who have mainly focused on Foucault's work on disciplinary power to the study of imprisonment, this thesis argues that these concepts are relevant to analyse the role of prisons in an era characterized by prison population growth and the use of prisons for the warehousing of those deemed as disposable.

Chapter 1. Prisons, disposability and counter-conduct

Introduction

The chapter outlines the main limitations that two literatures (broadly termed as ‘prison studies’ and ‘disposability studies’) have provided to account for the techniques of governance and struggles embedded around incarceration. It also provides the main conceptual tools that this thesis employs in order to be able to advance analyses of the struggles that those incarcerated and their families perform around the federal prison system in Argentina.

Rather than seeking to present the broad and prolific literature that has been produced on prisons, this chapter reflects on the way these literatures have shaped the way in which struggles against prisons and imprisonment have tended to be framed and defined. The first section argues that the literature on struggles within ‘prison studies’ has usually been limited by their restricted definition of the power relations embedded in imprisonment and their privileged focus on what goes on *inside* prisons. This section also reviews the literature that has been produced around and in conversation with Foucault’s work on *Discipline and Punish* and it presents some of the limitations and critiques that have been posed to his work for the study of power relations around contemporary imprisonment.

The second section focuses on the recent theoretical debates on the concept of disposability and briefly reviews the place that prisons and imprisonment have in the main strands of this literature. It notes how prisons have been described as both sites where bodies are ‘disposed’ and producers of disposability, though the literature has tended to dismiss the role of struggles and resistant practices of those considered

disposable. In contrast with this view, the section introduces the contributions that Judith Butler has provided to the study of a notion of disposability that is not entailed as an ontological frame but rather as a condition that is induced. The section concludes noting how Butler's notion of 'deemed disposability' enables to open-up the analysis of power relations embedded in people's struggle against imprisonment.

The third and fourth section present the main conceptual tools that will be used along the thesis to explore the techniques of governance that are revealed through the struggles of those incarcerated and their families. The section presents Foucault's concepts on counter-conduct and governmentality. It argues that these concepts provide relevant tools to study struggles of those incarcerated and their families, going beyond the restriction of prison walls and analysing what struggles reveal about the techniques of power embedded in incarceration.

'Prison studies' and struggles

A review of 'prison studies'

Before the 1970s, literatures on prisons and imprisonment were mainly clustered in studies of penological or moral philosophies of punishment (Garland, 1991: 115). Penological studies focus on crime rehabilitation and prison management. They are mostly interested in evaluating prisons' effectiveness in reducing crime and recidivism, usually through the use of quantitative methodologies that compare 'treatment programmes' inside prisons (Garland, 1991; Howe, 1994). The focus of penological studies has been mainly instrumental and technical and has been interested in researching 'what works' inside prisons in order to reform individuals' behaviour or reduce recidivism (Garland, 1991: 116). Within these studies, those incarcerated

are taken as objects of study to show the success or failure of prisons rehabilitation programmes (Garland, 1991). Moral philosophies, on the other hand, look at the normative justifications of punishment, mostly based on a liberal conception of the relationship between the State and the individual. As Lacey (1994) has shown, studies of the moral philosophy of punishment have motivated debates between those advocating for retribution (Kant), deterrence (Bentham) and/or rehabilitation and reform of the individual offender (Hegel) or some combination of these three (Hart, Rawls) as valuable justifications for imprisonment. In contrast with penology studies, modern philosophy of punishment has instead developed theoretical analysis on 'what is just?' and has taken an 'idealized and one-dimensional' view of imprisonment (Garland, 1990: 116-118; Duff and Garland, 1994). These studies have focused on the philosophical underpinning of the legitimation of prisons and have not reflected on how those incarcerated experience their incarceration (Howe, 1994).

These two traditions have permeated the way prisons and punishment have been rhetorically framed and communicated in policy circles (Garland, 1991). Their concern has been mainly focused on analysing prisons for their face-value as containers of crime and/or their legitimative function. In this way, they have tended to frame prisons as closed, a-historical and inevitable institutions and have not focused on imprisonment as embedded in power relations.

From the late 1930s (though most prominently since the 1970s), other theoretical frameworks, led mainly by critical criminology and prison sociology frameworks, enabled a move away from the restrictions of penology and moral philosophies of punishment (Howe, 1994). An important contribution of critical criminology and prison sociology has been to overcome the focus on crime control as 'the determinants

of penal practice' (Garland, 1990: 210). Correction institutions started to be analysed through lenses that highlighted the economic, political and social dimensions of prisons and imprisonment. They opened up an exploration of 'penality's other functions' (Garland, 1990: 18)

Since then, scholars from different disciplines have looked at prisons as valuable sites for research. Historians and social scientists, for instance, have looked at the relationship of prisons with the development of capitalism in European countries (Rusche and Kirchheimer, 1939; Melossi, 1980; Melossi, 1981; Ignatieff, 1989 [1978]), the search for 'modernization' in postcolonial states (Salvatore and Aguirre, 1996; Caimari, 2004) and the expansion of neoliberalism (LeBaron and Roberts, 2010; Wilson Gilmore, 2007; Sudbury, 2002). Sociologists have provided with detailed accounts of social organization and subcultures inside different prisons (Clemmer, 1940; Sykes, 2007 [1958]; Antillano, 2015), economists have looked at the relationship between unemployment indicators and rates of incarceration (Lynch, 2010; Chiricos and Bales, 1991; Michalowski and Carlson, 2000) and geographers have looked at spatialities and (im)mobilities within prisons (Moran et al., 2013; Conlon et al., 2013; Moran, 2015). While male prisons have been a common focus of research, feminists working within different disciplines have unveiled the deeply 'gendered nature of punishment regimes' (Howe, 1994: 2; Carlen, 1983; Carlen, 2002; Bosworth and Flavin, 2007; Sudbury, 2005; Haney, 2010a) These studies have addressed an important gap in the 'androcentric' analysis of imprisonment. They have done so by paying attention to women's prisons and unveiled, among other issues, the dual exploitation that women experience in prison due to both their confinement and their gender role (Howe, 1994: 3; Worrall, 2004; Haney, 2013) and the close

relationship between globalization, feminization of the labour force and female imprisonment patterns (Sudbury, 2005).

While within prison studies, the ‘problem of order’ and prison management have often become privileged research themes (Sparks et al., 1996: 33), the extent to which those incarcerated negotiate power within the restrictions of their confinement has been noted by different scholars. Indeed, scholars have shown how prisons are permeated by everyday negotiations over food, visitation, participation in education and labour activities, lock-up time, among other issues (Bosworth and Carrabine, 2001: 502; Ugelvik, 2011; Sykes, 2007 [1958]; Clemmer, 1940; Mathiesen, 2012). While some scholars have focused on the most extraordinary and overt forms of prisoners’ actions, such as those expressed through violence, riots or escapes from prison (Sparks et al., 1996; Carrabine, 2004), others have explored ‘collective acts’ such as hunger strikes (Reiter, 2014). Several scholars have focused on ‘everyday’ struggles that aim to challenge the ‘prison regime’s personnel, rules, values or power’ (Rubin, 2015; Yeung and Somashekhar, 2016; Dirsuweit, 1999) and some have focused on compliance as a form of struggling against certain imprisonment regimes (Hasselberg, 2016).

Often, scholars have labelled these struggles as resistance strategies (Crewe, 2007; Ugelvik, 2011; Ugelvik, 2014; Bosworth, 1999; Bosworth, 1997; Carrabine, 2004; Bosworth and Carrabine, 2001; Bandyopadhyay, 2010). Studies that have framed struggles within prisons as ‘resistance’ have often described the effectiveness of these struggles within certain ‘romanticism’. Thomas Ugelvik (2014: 7) for instance, has argued that inmates’ resistance creates ‘free spaces’ within prison. Mary Bosworth and Eamonn Carrabine (2001) define resistance as a way to ‘retain a sense of choice and autonomy’ within prisons. Mahuya Bandyopadhyay describes prisoners’ struggles

as ‘the emergence of freedom in the form of subversive action’ (Bandyopadhyay, 2010). This has often led to an overestimation of struggles within prison without promoting a further analysis on the way in which they are embedded in wider governance logics.

Overall, studies on struggles within prisons have tended to take a restricted definition of the power relations embedded in these struggles. Indeed, struggles have often been defined merely as a challenge to the authority of the prison – often framed as deriving from a dispute over the legitimacy of the prison (Crewe, 2007). Some scholars have used the term resistance to describe how those incarcerated employ ‘unauthorised means or obtain unauthorised ends, or both, to thus getting around the organization’s assumptions as to what he should do and get and hence what he should be’ or what has been described by Erving Goffman as ‘secondary adjustments’ (Goffman, 1991 [1961]-b: 171; Rubin, 2015). As I will explore further throughout this chapter, the framing of resistance as something that is performed against a clearly identified institution or authority precludes a more nuanced analysis of the way in which struggles are embedded in wider governmentality processes.

This is important to take into account even more because neither prison systems nor governance processes around prisons (including the cultural and political factors which underpin carceral practices) are the same across different regions and countries (Birkbeck, 2011). Indeed, as mentioned before, Wacquant (2009), among other scholars, have already shown how prison systems are greatly embedded in wider processes of exclusion and disposability (Giroux, 2012; Peck, 2003). He notes that these processes are shaped by the specific economic history and position within global international relations that a country has, the role of law and courts in everyday

governance, the ‘social treatment of poverty’ and ‘law-enforcement’ cultures and the specific ‘conceptions of citizenship’ and ‘class hierarchies and ethnoracial stratification’, among other factors (Wacquant, 2003; Peck, 2003). This thesis argues that struggles within and beyond prisons unveil (in particular ways) the specific governmentality that is built around them. Placing struggles within these power relations allows for a more nuanced analysis of its multiple underpinnings.

In contrast to the development of scholarship on prison struggles in the Global North, attention to struggles in Argentinean federal prisons has remained scarce. In ethnographic and sociological accounts of women’s federal prisons and men’s provincial prisons, certain forms of struggles performed by those incarcerated have been noted by some scholars (Nari et al., 2000; CELS et al., 2011; Ojeda, 2013; Galvani, 2012; Miguez, 2007; Rodríguez, 2015). However, this has usually not been the main focus of research. Indeed, while resistance performed by those incarcerated for political reasons during their dictatorship (1976-1983) has been a prolific arena of research (Garaño, 2010b; Garaño, 2010a; Guillard, 2013; D’Antonio, 2008), this has not been translated in scholarship attention to struggles performed by those incarcerated and their families during democracy.⁷ Furthermore, those studies which have attempted to study power negotiations within prisons have often reproduced similar limitations to the ones noted above on studies produced in other regions (Galvani, 2012). Scholarship on Argentinean prisons during democracy has been mainly structured around critical sociologies on the state of prisons and prisons management (Daroqui, 2002; Sozzo, 2009), as well as studies focusing on processes

⁷ An exception may be found in Claudia Cesaroni’s work, where she traces the continuities between punitive prison violence and resistance of so-called ‘common prisoners’ during the 1976-1983 dictatorship. See Cesaroni C. (2013) *Masacre en el Pabellón Séptimo*, Buenos Aires: Tren en Movimiento.

of institutional violence within prisons (Kalinsky, 2005; Daroqui and Motto, 2008) and the use of specific forms of imprisonment (Ghiberto and Sozzo, 2016; Valero and Faraone, 2016; Lombrana, 2013). Within this scholarship, studies have been clustered in two main areas: those who have been constructed around a combination between criminology and human rights complaints on prisons and those who have focused on ethnographic accounts within prisons (Viegas and Galvagni, 2014)

Overall, one important limitation of ethnographic and sociological studies that have focused on prisons within and beyond Argentina has been the methodological restrictions entailed in taking the prison institution as the main unit of observation. Indeed, while prisons have been long apprehended as a closed space, prison studies (working within and beyond the issue of resistance) have increasingly taken note of the influence of the outside on life inside prison walls (Bosworth, 1999; Touraut, 2009). However, these analytical findings have usually not been matched by a search for new methodological approaches that may account for the troubled way in which prison boundaries are built in the everyday life. Indeed, while different studies have questioned the clear cut inside/outside binary division of the prison (Bosworth and Carrabine, 2001; Moran, 2013; Allspach, 2010), these observations have usually not been translated into new methodological approaches to their study of imprisonment.

Constraining empirical observations to what goes on ‘inside the prison’ precludes the possibility of studying the role of families in power relations across carceral spaces as well as the complex and dynamic ways in which what goes on outside and inside prisons relate in the everyday. In her ethnographic study on women’s prisons, the Portuguese anthropologist da Cunha (2002) notes the limitation entailed in taking prison as the only unit of analysis to understand carceral logics. She states:

[The prison] has ceased to be a problem in itself to become a context (a particular one, this is true) for the study of certain segmented issues. This inflection in the direction of the specialization of prison studies seems to have erased a tendency, until recently especially notable in the social sciences, which denotes an almost total coincidence between the «field» and the «object» of study. Still, the prison continues to constitute a privileged unit of analysis, even when the horizon of imprisonment has widened to include external and historical processes that illuminate this object of study. And it remains the unit of analysis partially because prisons are still seen as a framework of social interaction whose outlines are obvious and given as a starting point (...) ⁸ (da Cunha, 2002: 193, my translation from Portuguese)

Da Cunha (2002) notes that focusing solely inside the material borders of the prison is no longer useful to understand carceral logics. She argues that it is important to attend to the way the ‘inside’ and the ‘outside’ interconnect. Her work denotes the need to decentre the attention on the prison-as-an-institution to look at the way in which what goes on ‘inside’ and ‘outside’ relate in what she calls a ‘constant movement of zapping’ (2002:19).

⁸ In the original: [A prisão] deixa de constituir um problema em si mesma para passar a constituir um contexto – particular, é certo- para o estudo de temáticas parcelares. Esta inflexão no sentido da especialização dos estudos prisionais parece com efeito ter vindo a apagar uma tendência, até então especialmente notória nas abordagens relevando das ciencias sociais, para a quase coincidência entre «terreno» e «objecto» de estudo. Todavia, a prisão continua a configurar uma unidade de análise privilegiada, mesmo se, por outro lado, o horizonte desta se alargou para incluir os procesos externos e históricos que iluminam o objecto em questão. E permanece como centro de análise em parte porque a prisão é ainda encarada como um quadro de interacção social cujos contornos seriam óbvios e dados à partida (...). da Cunha MIP. (2002) *Entre o bairro e a prison: trafico e trajetcos*, Lisboa: Fim de Seculo.

The lack of these methodological approaches has also led to the study of families of those imprisoned as a separate field of study.⁹ While, as mentioned before, most studies working on gender issues and prisons have focused on female incarceration, a key aspect that has often not been taken into account by feminists working on imprisonment is that for every person that is incarcerated there is a significant number of women (especially mothers, daughters and partners) that are caught in the prison system even if they reside beyond its walls. Indeed, women within the families are usually the ones who travel to prison in order to visit those that are incarcerated (Ferreccio, 2015a; Touraut, 2009).

In recent years, a few sociological and anthropological studies have focused on the families of those imprisoned in different countries (Comfort, 2007; Touraut, 2012; Ferreccio, 2015b). These studies have aimed to bring to light the way in which prisons affect the lives of the families of those imprisoned. They have looked, among other issues, at the discrimination that families of those imprisoned encounter in their daily lives, the way they relate with the restrictions entailed by their contact with the penitentiary units and the way they make sense of the prison in their everyday life.

Compared to the attention that has been given to the study of struggles within prisons, consideration to struggles performed by female relatives of those incarcerated has been very limited. Women who visit their incarcerated relatives are usually portrayed as passive either emphasizing their role as victims of the imprisonment regime (da

⁹ In the United States and the United Kingdom, studies on family members of those incarcerated can be traced to the 1960s and 1970s mainly focusing on both the role of children and women in prison and their role in rehabilitation. Studies have been interested in studying the role that prisons have in their family lives. From 1970, studies on family relatives were mainly clustered on psychological and social work studies and focused on the negative aspects of incarceration. For a review of the literature, see Comfort M. (2007) *Doing Time Together. Love and Family in the Shadow of the Prison*, Chicago: University of Chicago Press.

Silva and Magalhaes, 2007; Burity and Vainsencher, 2005; Le Quéau, 2000) or describing their contribution to prison order (Ferreccio, 2015b). The lack of attention given to the families of those incarcerated struggles as ‘political’ has arguably also been limited by the way in which struggles have been framed. Focusing on the case of women who visit the San Quentin prison in the United States, Comfort (2007) concludes that the women in her fieldwork show ‘low rates of political engagement’. She builds this affirmation on the lack of participation of partners of those incarcerated on prison activism and collective resistant strategies. Still, throughout her detailed and insightful work, she notes different moments in which those who visit overtly and subvertly contest the framing of their partners as criminals and as violent, argue against the way prison regulations work and question the way they were treated by imprisonment policies. However, the role of these struggles in contesting power relations is not analysed as such, and thus, the study does not explore further the way in which the families of those incarcerated may be engaged in a contestation to the way imprisonment is conducted even if they do so while entangled in a wider carceral governmentality net.

Foucault’s work within ‘prison studies’

Undoubtedly, one of the most influential works on imprisonment has been Foucault’s work *Discipline and Punish*. In this book, Foucault situates prisons as one element in a wider context of what he calls the emergence of a ‘disciplinary society’ (Foucault, 1991 [1977]). He links the birth of the prison with the development and improvement of different disciplinary techniques that had been developed first in the school, the army and the hospital. These techniques were then used by prison reformers as core principles for the prisons’ rehabilitation ideal. Among these disciplinary techniques,

Foucault mentions surveillance and documentation as two key aspects that are crucial for the administration of prison institutions. Furthermore, Foucault notes how within the prison, these disciplinary techniques were improved to maximize their effectiveness. Using the figure of Bentham's Panopticon, Foucault analyses how this technique allowed to perform surveillance without the direct awareness of being watched. The Panopticon allowed for the internalization of norms without the need to promote a permanent control and supervision. The notion of being observed was enough 'to alter behaviour, train and correct individuals' and to produce 'docile bodies' (Foucault, 1991 [1977]: 203).

Foucault's use of the figure of the Panopticon served as a metaphor to illustrate the way in which individuals beyond the prison had increasingly begun to be disciplined. According to him, the notion of the Panopticon had first been envisaged for prison buildings but had quickly been exported to other sites. The consciousness of being permanently watched was instrumental in producing an 'automatic' and 'disindividualized' 'functioning of power' (Foucault, 1991 [1977]: 201). This Foucauldian idea had inspired a wide number of studies ranging from border studies and visa regimes (Salter, 2006), to surveillance in different sites including the streets (Koskela, 2006), the work place (Sewell and Wilkinson, 1992) and school (Hope 2005), to other issues such as the shaping of women's bodies (Duncan, 1994; Azzarito, 2009) and the design of museums and art galleries (Bennett, 1994), among others. It has also developed a wide range of studies and debates around the development of more subtle and mobile surveillance mechanisms, following the Deleuzian contribution on the depiction of control societies (Deleuze, 1992).

With regards to literature produced on prisons, several studies have aimed to assess the validity of Foucault's findings based on the functioning of the inside of 'real' prisons. These studies have often been based on a reading of Foucault that has remained too 'literal' or too restricted (Moran, 2015). Some authors have explored the configuration of power in prison spaces focusing on the role of the observer. After conducting a fourteen-month research in a maximum-security prison in the United States, Alford (2000) argued that in contrast to a system based on surveillance, life inside prisons was based on a different type of power: 'the power not to look and not to care' (2000: 127). Other studies have been concerned with the role of the observed, assessing whether the disciplinary techniques in 'real' prisons have managed to produce the internalization of norms described by Foucault. Most of these studies have stated that inmates maintain certain notion of agency within prison, suggesting that rather than producing docile bodies, the Panopticon promotes the performance of docility (Moran et al., 2013). Van Hoven and Sibley (2008: 1015) have argued that 'social and spatial relationships' across prisons provide with a much more complex picture than the one informed by the Panopticon. Moran, Pallot and Piacentini (2013) focus on incarcerated women in Russia to describe the multiple tactics that they deploy to construct privacy within penal spaces. While one key limitation of Foucault's analysis of prisons has been his neglect of gender considerations, authors like Dirsuweit (2006) and Moran et. al (2012b) have managed to join others in studying female prisons and imprisonment practices directly inspired and/or in dialogue with Foucault's framework (Howe, 1994; Hannah-Moffat, 2004; Allspach, 2010; Haney, 2004; Haney, 2010b; Haney, 2010a; Bosworth, 2000; McCorkel, 2003; McCorkel, 2004).

Indeed, while Foucault placed the Panopticon as a key feature of debates around prison building in the 19th century, the empirical evidence of its lack of plausibility in relation to today's prisons does not preclude Foucault's understanding of the role of prisons in perfecting disciplinary techniques. Indeed, rather than denouncing that Foucault had a 'limited experience of actual prisons' and 'that the empirical reality of prison' showed that 'Foucault was wrong' (Alford, 2000: 125; Van Hoven and Sibley, 2008: 1002), it may be interesting to further reflect on what may the productive dimensions of these different workings of power (observed through empirical research both inside and outside prisons) be telling us about the way bodies are being managed within but also beyond prisons.

Beyond the role of the Panopticon inside prisons, other studies have focused their critiques on the lack of historical validity of Foucault's work on the role of prisons in the wider disciplinary system (Wacquant, 2016; Fraser, 2003; Simon, 2010). In *Discipline and Punish*, Foucault suggests that more subtle forms of power through surveillance would become 'so normalized, so diffused, so integrated into the institutions of everyday life, that imprisonment would dwindle into obsolescence' (Smith, 2013: 162). However, it is interesting to note that just as the book was being published in 1977, the opposite started to happen. First in the United States, but then followed by different countries in Europe, Latin America, and beyond, the massive increase in incarceration rates seemed to contradict Foucault's assertion. This contradiction has been mentioned by Nancy Fraser (2003: 166), for instance, when she argues that while Foucault conceived the governance of the disciplinary society confined in the national-state and promoting self-regulation, the denationalization and transnationalization of the economy has generated a 'new landscape of regulation, more privatized and dispersed than any envisioned by Foucault'. In her view, this has

created a 'segmented governmentality' in which some people are disciplined through self-regulation while others are 'brutally' repressed' (2003: 169). Simon (2010: 327) has also argued that mass incarceration illustrates the disappearance of the individualized character of disciplinary systems and its replacement for the imprisonment of 'whole demographic categories of the population'.

Building from these studies, other authors have looked at prisons and policies towards poor and dispossessed populations in the era of mass incarceration to note that prisons have moved away from Foucault's illustration of discipline within prison. Wacquant (2009), for instance, focuses on the relationship between the reduction of the role of the state on welfare and the strengthening of its role on punitive and criminal justice policies. He also establishes connections between poor urban communities and the prison, showing how 'they have become coupled and they complement each other' in order to promote the segregation of the underclass. Rather than linking this directly to global forces as political economies do, he shows how the criminal justice and penal supervision bureaucracy play a key role in promoting these developments.

Within scholarship on Argentinean prisons, this critique has been usually shared to describe the state of prisons and prison management (Daroqui and Motto, 2008). Prisons have been described as a mechanism for 'institutional kidnapping' (Daroqui, 2002) and a space of torture and mistreatment (Daroqui and Motto, 2008).

Returning to Wacquant's work, it is important to note how he sheds light on the importance of studying prisons in connection with its surroundings, following the paths of those who enter prison and are released. By doing so, he has shown the link that the inside has with the outside of prisons, pointing towards their interconnections.

However, his work has been criticized for not addressing gender adequately and for presenting a vision that ‘is largely passive, a collective body of victims unconcerned with autonomous struggle and political disorder’ (Moran, 2015: 108).

As we will explore further, Wacquant’s work may be placed as closely linked with studies who have looked at the role of prisons as a warehouse of those considered ‘disposable’. In the next section, I will explore further the theoretical work on disposability to later present the main conceptual tools that will guide the analysis of my ethnographic findings.

Disposability

The notion of ‘disposability’ has been prominent in recent theoretical debates on the effects of neoliberalism, capitalism and modernity around the world. Drawing from Karl Marx’s notion of ‘surplus population’, Hannah Arendt’s concept of ‘superfluous population’, Giorgio Agamben’s notion of ‘bare life’, Michel Foucault’s conception of biopower in ‘making life and letting die’ and/or Achille Mbembe’s work on necropolitics, among others, different studies have looked at the way in which economic and social dispossession, different types of discrimination and exclusions have produced certain populations as ‘disposable’.

Some authors have associated the term disposability to the labour market, to describe people who are trapped in labour relations that exploit them or those who are considered and left without access to basic subsistence. The concept has thus been used, then, to denote both the availability of cheap workers as well as their expendability (Chang, 2000: 219; Bales, 2004; Golash-Boza, 2015; Yates, 2011).

Others, have stressed that the process of disposability is not only economic, but also mainly political. Inspired by Arendt's concept of 'superfluous population', the notion of disposability has been associated to the 'structural nature of global poverty' and 'the coercive imposition of extreme suffering' (Hayden, 2007: 299; Balibar, 2001). Building from Agamben's notion of 'bare life', Foucault's conception of biopower in 'making life and letting die' and/or Mbembe's work on necropolitics¹⁰, among others, different scholars have noted that disposability does not entail only the destruction of livelihoods and 'welfare', but also of 'social bonds' (Balibar, 2001: 25). Scholars have studied the way in which dispossession and deprivation have left certain people living in zones of 'total social exclusion' (Evans and Giroux, 2015: 51; Giroux, 2009; Giroux, 2008; Butler and Athanasiou, 2013; Balibar, 2001; Khanna, 2009).

Among other concepts, disposability has been associated with waste (Bauman, 2004) expulsions (Sassen, 2014), invisibility (Histories of Violence, 2014a) and social abandonment (Biehl, 2013; Povinelli, 2011). In his book *Wasted Lives*, Zygmunt Bauman (2004) compares the disposal of rubbish in urban cities to the way in which modernization also produces human waste (or, as he more precisely names, 'wasted lives'). For Bauman, the production of wasted lives is an 'inevitable outcome of modernization and an inseparable accompaniment of modernity' (2004: 5). Bauman describes how certain populations are constituted as 'excessive' and 'redundant' and

¹⁰ Disposability may be related to the sovereign power¹⁰ (the decision to 'take life or let live'), to the biopolitics power ('to make live and let die') and to Mbembe's concept of necropower. While Foucault's notion of biopolitics inverts the sovereign power 'to kill and let live' to the biopower 'to make live and let die' Mbembe analyses the role of biopower in colonial contexts to note the emergence of a new form of power which he names necropolitics. He argues that colonization 'not only relies on disciplinary and biopolitical power', but also in 'necropower'. This necropower renders the status of 'living dead' to people who live in 'death worlds'. A key contribution of Mbembe's work relies on his attempt to link the way these forms of power are related with colonialism. See Foucault M. (2008) *The birth of biopolitics: lectures at the Collège de France, 1978-1979*: Springer. See also Mbembe A. (2003) Necropolitics. *Public Culture* 15: 11-40.

he looks at the ways in which separation and invisibility become two ways to manage and distribute them. In a lecture in 2014, Bauman notes: ‘Disposable lives or wasted people are those for whom there is no room or place in that good society and social order (...)’ (Histories of Violence, 2014c).

Within the literature on disposability, prisons and imprisonment have been described as a site of disposal as well as a producer of disposability. Bauman (2000: 211) argues that prisons are ‘a way to dispose of, to incapacitate or remove out of sight a considerable chunk of the population who are not needed as producers and for whom there is no work ‘to be taken back to’’. Building from the idea of ‘surplus populations’ as disposable, Alessandro De Giorgi (2007: 18) notes the importance to study the way in which ‘an immigrant, invisible, insecure and *disposable* labour force’ is being caught in prisons and other punitive penal practices. De Giorgi inscribes her work on prison political economies which have suggested that prisons work as a tool to take ‘surplus populations’ out of circulation. Building from Georg Rusche and Otto Kirchheimer (1939) (who claimed that prisons in modern societies, rather than containing crime, served to manage the unemployed and ‘surplus populations’), De Giorgi argues for the need to complicate the relationship between unemployment, surplus populations and imprisonment in capitalist and neoliberal economies (Chiricos and Bales, 1991, Chiricos and Delone, 1992, Box and Hale, 1985, Jankovic, 1977, Greenberg, 1980, De Giorgi, 2007: 244, Lynch, 2010, Michalowski and Carlson, 2000).

Complementing those studies who frame prisons as a warehouse of already disposable populations, Pilar Calveiro notes how the prison system is also a producer of disposable bodies. Calveiro focuses on the role of disciplinary systems in prisons in

Mexico to note how poor and criminal bodies that are ‘expropriated’ by the carceral ‘dispositif’, are ravished and then made functional to the logics of profitability of the internal market of the prison (based, mainly, on illegal and legal networks that are perfectly interconnected) (Calveiro, 2010: 65). Henry Giroux (2008: 605) has also noted that the ‘carceral state’ is one of the most ruthless expressions of disposability. He argues that the prison has become a ‘solution’ for governmental management of disposable populations (Giroux, 2009: 39) and a symbol of ‘an emerging politics’ of ‘logics of disposability’ (2009: 79).

While the analysis of the production and distribution of disposability has provided key contributions, one issue that stands out within the literature on disposability is the little room that studies tend to leave for struggles and counter-conduct practices. In *Outlines of a Topography of Cruelty*, Etienne Balibar (2001) notes that economic exploitation alone produces class struggles and resistance, but rather than being the result of an economic rationality, the production of ‘garbage humans’ is ‘politically rational’ (2001: 25). He notes that disposable people are exterminated or eliminated in a ‘passive if possible’ way, thus limiting the possibilities of resistance (2001 :26). Saskia Sassen (2014) also notes the differences between the possibility of resistance by those ‘oppressed’ in earlier times and current disposable populations. Sassen connects the notion of disposable life with ‘a set of dynamics that are marking a difference in the current period, that is the multiplication of expulsions’ (Histories of Violence, 2014b). She stresses the ‘invisibility’ in which these expulsions are taking place and notes that while ‘historically, the oppressed have often risen against their masters’, today disposable lives have been ‘expelled and survive at a great distance from the oppressors’ (Sassen, 2014: 10). She links the lack of resistance to the fact that

oppression entails an ‘increasingly complex system that combines persons, networks, and machines with no obvious center’ (2014: 10).

Another issue that these studies do not tackle, however, is the way in which the labelling of people and whole populations as ‘disposable’ (or as ‘surplus’ or ‘waste’) entails an ontological claim that needs to be acknowledged. In her work on *Disposable Women and Other Myths of Global Capitalism*, Melissa Wright gives some insights into the problems that the use of this term may rise. Wright aims to contest what she calls ‘the myth of the disposable third women’ through an in-depth ethnography work in factories in both Mexico and China. She notes that the discourse that frames these women workers as disposable may indeed be used as a mean for disciplining them (Wright, 2006: 16) and a tool for their ‘normalization’ (2006: 5). According to Wright, this ‘myth’ frames their rendered disposability as ‘unavoidable’ and thus justifies the use of the violence exercised upon them (2006: 5). Wright notes that disposability is not a feature or immutable characteristic of a body, but rather a discourse that actively forms its contours (2006: 89).

Wright’s arguments are inspired by Judith Butler’s warning to take into account the relationship between ‘sociological claims’ and the way these may ‘easily become’ a ‘norm of description’ through which certain populations become defined by that description (Butler, 2014: 109). She notes that it might be the case that ‘the very problem that the description is meant to address becomes reproduced and ratified by the very description’ (Butler, 2014: 109). Butler denotes the difference between assuming ‘an existential category that is presumed to be equally shared’ to one that is ‘induced’ (Butler and Athanasiou, 2013: 20).

Indeed, Butler welcomes a redefinition of the concept as ‘assigned’ (Butler and Athanasiou, 2013: 20) or, what she also calls, ‘deemed’ disposability (2013: 147). Butler links this notion both with the concept of ‘precarity’ and ‘grievability’ (2013). By ‘precarity’, Butler means ‘a condition of induced inequality and destitution’ (2013: 20). Butler links this notion to that which compels us to be autonomous and reinforce our individuality and lack of dependency with others, even in conditions like the neoliberal contexts where networks and resources to make self-reliance at all accessible are being destroyed (Butler, 2015: 16). By grievability, she defines a life that will be grieved if it was lost and notes that ‘without grievability, there is no life, or, rather, there is something living that is other than life’ (Butler, 2009: 15). Butler’s notion of grievability is closely related to the social norms of recognition that are configured around what is considered ‘human’. Butler analyses the role of regulatory schemes in ‘building and destroying populations’ (Butler, 2009: xix). She argues that the way in which a person is framed contributes with the recognition of his/her life as life.

One important contribution of Butler to the study of disposability as it relates to the core concerns of this thesis is the way in which she describes the assignation of disposability as being grounded in governmentality. Drawing from Foucault’s notion of biopolitics, she notes how disposability is ‘induced and reproduced by governmental and economic institutions’ (Butler, 2015: 15). Discussing with reference to Agamben’s notion of a state of exception through the suspension of the rule of law, she notes that within governmentality the law is understood as a ‘tactic’ and not as a ‘legitimizing ground’ (Butler, 2004: 94). Thus, she notes that prisons ‘presents the managerial tactics of governmentality in an extreme mode’ (2004: 97).

Another important contribution of Judith Butler is the way she opens-up the space to possible ways for resistance and struggles within precarity. While Butler is mainly thinking of collective strategies of resistance distinct to the ones I will analyse throughout this thesis, her affirmation of the need to pay attention to ‘the many-voiced and unvoiced ways of refusing to become disposable’ is nevertheless relevant to the study of counter-conducts in this context (Butler and Athanasiou, 2013: 197).

This thesis is situated at the intersection of some of the main gaps that have been identified in the first two sections of this chapter. First, it seeks to address the restricted way in which power relations have been defined and the constraints that a unit of observation within prison walls have for the study of struggles against the way in which incarceration is conducted. At the same time, it follows Butler’s analysis of the restrictions that theoretical debates on disposability have placed on struggles developed by those who have deemed disposable. In order to do so, as I will further present in the next section, the thesis elaborates on the concepts of counter-conduct and carceral governmentality to analyse different struggles performed by both those incarcerated and their families. In the following section, I will present the main features of the concept of counter-conduct, which will serve to frame the empirical analysis in the following chapters. In the final section, I will look at the concept of governmentality as a key concept to understand the way in which the disposability of those incarcerated is constructed across Federal prisons in Argentina.

Counter-conduct

Foucault presents and develops the concept of counter-conduct in the lectures he delivered at the College de France between 1977 and 1978. These lectures were later

compiled in the book *Security, Territory, Population* (which was published in English for the first time in 2007). Throughout this lectures, Foucault is interested in exploring the ‘notion of government’, in other words, the practices and resources in place for the government of people (Foucault, 2007: 363). The term counter-conduct is thus presented here to describe the ‘actions’ in which human beings attempt to ‘redistribute, reverse, nullify, and partially or totally discredit’ the way they are being governed (2007: 204). Foucault notes that the term refers solely to certain rejection or resistance to government (which he defines ‘the conduct of conduct’). He distinguishes counter-conducts from economic or political revolts against power exercised by a form of sovereignty or economic exploitation (2007: 196). While counter-conducts may be linked with broader struggles, their main specificity is that they question and challenge the way people are conducted.

Foucault develops this term (after dismissing others, such as dissidence, revolt, disobedience and insubordination) to define the struggles that those governed perform against the way they are governed. The term counter-conduct is first introduced by Foucault to define several actions that were developed against certain practices of the Christian pastoral power¹¹ though he later expands the concept to include actions that struggle against the new form of governmentality that starts to develop in the second half of the 18th century. The counter-conducts taken against each power are different,

¹¹ The concept of pastoral power is introduced by Foucault as a type of power developed mainly in Europe in the context of Christianity and as a clear predecessor of modern ways of governance (in his own words, governmentality). Throughout his lectures, Foucault introduces and distinguishes these two powers by the specific techniques and procedures they develop around the issue of salvation, obedience and truth. Each one of these three issues (salvation, obedience and truth) have a different understanding in each type of power. Within the pastoral power, for instance, Foucault describes that salvation is defined as an economy of merits and faults; while truth is found in a permanent examination of the souls and obedience is constructed as a relationship of subordination. Within governmentality, what needs to be saved are not the souls but rather ‘the state’; the production of truth is framed around the technical needs of the administrative part of the state; and finally, rather than searching for obedience, the system is based on the normalization of ‘seditions and troubles’ Foucault M. (2007) *Security, territory, population: Lectures at the Collège de France, 1977-78*, New York: Palgrave Macmillan.

as they are intimately related with the techniques of power that they oppose.¹² Each counter-conduct entails a refusal to submit to power, albeit from different angles and perspectives.¹³ Counter-conducts defy the way in which a specific form of power defines what it takes as ‘truth’, ‘obedience’ or ‘salvation’.

But what does Foucault mean by ‘conduct’? In *Security, Territory, Population*, he notes that the word ‘conduct’ derives from the translation in French of the ‘economy of souls’ which was one of the main ‘techniques and procedures’ that were developed by this pastoral power (Foucault, 2007: 192). Foucault notes that the word conduct has two meanings. He states:

(...) conduct refers to two things. Conduct is the activity of conducting, of conduction, if you like, but it is equally the way in which one conducts oneself, lets oneself be conducted, is conducted and finally in which one behaves as an effect of a form of conduct as the action of conducting or of conduction.
(Foucault, 2007: 193)

In ‘The Subject and Power’, Foucault (1982) develops this further and he notes that he is not interested in power itself, but rather on how ‘the human subject is placed in power relations which are very complex’. Counter-conducts, in this definition, are

¹² To exemplify his concept, Foucault names five different themes of counter-conducts in the pastoral power and two main themes in the new governmentality type of power. Within the pastoral power, he names asceticism, the formation of communities, mysticism, the reading of scriptures, and eschatological beliefs as the main themes. Ibid.

¹³ Ascetism and the formation of communities, for instance, are two opposite ways of refusing to pastoral power; but they both expose one way in which the pastoral power was exercised. Ascetism raised against the need to obey and submit to an external ‘other’ (the Church) and is aimed at overcoming challenges imposed by the individual to himself. Like ascetism, the formation of communities during the pastoral era also entailed a refusal of the obligation to submit to the Church. However, rather than appealing to the individual, the formation of communities acted against the hierarchical nature of pastors, as well as they denounced their corruption. Ibid.

those struggles against ‘mystifying representations imposed on people’ (1982: 212).

He notes:

Finally, all these present struggles revolve around the question: Who are we?

They are a refusal of these abstractions, of economic and ideological state violence which ignore who we are individually, and also a refusal of a scientific or administrative inquisition which determines who one is. (Foucault 1982: 212)

In this way, the concept of counter-conduct denotes certain ‘reflection’ of the ways in which one is conducted and the ways in which ‘the self can be conducted otherwise’ (Demetriou, 2016). It also implies a reflection on the ways in which one conducts one self.¹⁴

Another key feature of counter-conducts is that they can take a wide range of varied forms. Foucault includes in the definition of ‘counter-conduct’ acts that may be conducted in full, limited or null awareness of its political and confrontational aspect. To further stress this feature, Foucault notes that the components of counter-conducts can be found in those produced as madmen, sick people or delinquents. In his definition, he implies that counter conducts may be both organized strategies with clear political aims or spontaneous ones. They can also be individual or collective strategies. Finally, they may encompass different degrees of opposition with the main

¹⁴ In the Introduction of the first English edition of *Security, Territory and Population*, Davidson stresses on this specific dimension of counter-conduct linking it with Foucault’s later work on the *Hermeneutics of the Subject* and the techniques of the self. He bases his analysis in the detailed explanation that Foucault does of ascetism as a form of counter-conduct and its role as an ‘exercise of self on self’. While in this thesis attention would be placed to this issue, the main focus will be placed on the relationship between the counter-conducts identified and carceral governmentality. Davidson AI. (2007) Introduction. In: Foucault M and Davidson AI (eds) *Security, territory, population: Lectures at the Collège de France, 1977-78*. New York: Palgrave Macmillan.

institution exercising the power; ‘swinging from obedience to refusal or revolt’ (Foucault, 2007: 204).

While Foucault makes it clear that counter-conducts may encompass a wide range of actions, he underlines that the concept has ‘its specificity’ (2007: 196). A third key feature of counter-conducts is that they are not in ‘exteriority’ to the power they aim to contest but are rather entangled with it in a complex way (2007: 215). Counter-conducts do not presuppose a total rejection of governmentality, but rather focus on a certain edge or border of the type of power to be defied. Instead of being posed as binaries, counter-conducts and the ‘conduct of conduct’ have ‘an immediate and founding correlation’ (2007: 196). Foucault describes this relation as one based on ‘strategies and tactics’ (2007: 216). The relationship implies that governmentality and counter-conducts are permanently affecting each other. Counter-conducts are formed as a critique of certain aspect of that power, they are ‘border-elements’ of this power that have ‘been continually reutilized, re-implanted, taken up again in one or other direction’ (2007: 215). This second feature of the concept of counter-conduct seems to suggest that it would be very limiting to study counter-conducts without a reflection on the specific type of power that it is resisted. Indeed, Foucault notes that ‘resistance is a chemical catalyst so as to brings to light power relations, locate their position, find out their point of application and the methods used’ (Foucault, 1982: 211). While Foucault notes that counter-conducts and governmentality may be simultaneously correlated, he also notes that governmentality may also display strategies or tactics to incorporate these counter-conducts, ‘to try to re-utilize them and re-insert them in its own system’? (Foucault, 2007: 215). In this sense, counter-conducts may also be analysed as two gears of the same wheel that are in permanent and mutual correlation.

While *Security, Territory and Population* was first published in English in 2007 (the original French version was published in 2004), scholarly attention to the concept has only been taken upon very recently. A simple review of peer-reviewed articles in *Proquest Social Sciences Premium Collection* shows that from 1st January 2007 to 30th January 2017, the total number of articles that have the term ‘counter-conduct’ in its title amounts to only eighteen. Twelve of these eighteen articles are clustered in one only special issue: the 2016 issue of *Global Society* on ‘Counter-Conduct in Global Politics: Theorising the Subjects and Practices of Contesting Conduct’. Compared to the 7,023 journal articles obtained with the same advanced search criteria for the word ‘resistance’, the eighteen articles on counter-conduct denote the relative lack of attention that the concept has received in the past decade.

The studies produced so far show a great variety of forms of counter-conduct, ranging from wider movements such as the World Summit protests and the Occupy Movement to smaller and subtler everyday practices (Demetriou, 2016; Siisiäinen, 2016). They have also provided a wide array of empirical cases from different parts of world, ranging from South Africa (Death, 2011; Massey, 2014), to India (Odysseos et al., 2016), Syria (Malmvig, 2016), Canada (Rosol, 2014) and Britain (Rossdale and Stierl, 2016; Sokhi-Bulley, 2016), among other countries.

Most studies note the importance of placing counter-conduct in close relationship with the power that they are supposed to resist. Indeed, Louiza Odysseos et al. (2016: 155) ‘highlights the need for constant attention to the ambivalent and mutually constitutive relationship between conduct and counter-conduct’. Kerem Nişancioğlu and Maia Pal (2016: 280) note that the concept may enable to ‘trace how resistance might, ironically, be subsumed or appropriated in ways that reproduce the very thing it

opposes'. Death (2010: 235) notes that the concept of counter-conduct allows to overcome binaries that have 'resulted in a tendency to see social movements as either co-opted or revolutionary'.

Despite this, certain scholars have limited the definition of counter-conduct to only what they call as 'less visible' or not yet complete forms of resistance practices (Odysseos et al., 2016; Demetriou, 2016; Rosedale and Stierl, 2016). Some have noted that counter-conducts are 'less visible practices of resistance or those not manifested in expressly political registers' (Odysseos et al., 2016; Demetriou, 2016; Rosol, 2014). While these authors do not state what they define as 'political', they leave their definition in quite ambiguous terms. Still, their restriction of the term counter-conduct seems to contradict Foucault's definition. While the way in which resistance may encompass everyday struggles that may be effective (or not) against authority (Scott, 1990), the specificity of counter-conduct lays less in its form (which may encompass both individual and subtle as well collective and louder struggles) and more on its contribution as an analytical tool to study the relationship between struggles and governmentality. Other scholars have implied that counter-conducts may suggest a kind of limited or 'not yet complete' resistance strategy. Chris Rosedale and Maurice Stierl (2016) aim to expand the concept of counter-conduct to describe not only those acts initiated by the Occupy Movement against the specific form of conduct within neoliberal governmentality, but also what they call 'the counter-conduct of the counter-conduct'. By the latter, they mean the internal questionings that the Occupy Movement faced. In their article, they seem to suggest that counter-conducts work as a kind of mamushka-doll in which every counter-conduct may host a counter-conduct within. The potential problem with this argument rests in the definition of power and the specification of the technique of power that each counter-conduct aims to oppose.

The authors equate a form of management within a relatively small movement to a technique of power within neoliberal governmentality, albeit without analysing their differences first. Furthermore, they note the importance to attend that ‘practices of resistance’ ‘do not themselves coalesce into forms of domination’ (2016: 158). This definition is problematic because it relies on the belief that there is a possibility for resistance strategies to be in ‘exteriority’ to the power that they aim to counter-act. On the contrary, I would argue that the richness of the concept of counter-conduct lies in the fact that it obliges us to search, dive for, scrutinize and explore in depth the way in which government and counter-conduct intersect in complex ways. It is in the analysis of these intersections that I suggest we may understand more fully the technique of power that is being contested.

Perhaps, then, the main problem with the limited literature produced around the concept of ‘counter-conduct’ so far has been its lack of attention to the specific relationship that each counter-conduct has with the technique of power that it is struggling against. Indeed, in ‘The Subject and Power’, Foucault notes that:

The main objective of these struggles is to attack not so much ‘such or such’ institution of power, or group, or elite or class, but rather a technique, a form of power. This form of power applies itself to immediate everyday life which categorizes the individual, marks him with his own individuality, attaches him to his own identity, imposes a law of truth on him which he must recognize and which others have to recognize in him (Foucault, 1982: 212).

Carceral governmentality

Throughout this thesis, I will use the concept of carceral governmentality to refer not only to the government of the prison, but also to the ‘ensemble formed by the institutions, procedures, analyses and reflections, the calculations and tactics that allow the exercise of this very specific albeit complex form of power’ (Foucault, 2007: 108) around carceral spaces.

The notion of carceral governmentality builds on Foucault’s notion of governmentality in the sense that it decentres the analyses of power relations from institutions in order to search for what Foucault calls ‘a technology of power’ (2007: 117). In *Security, Territory, Population*, Foucault explains the type of power embedded in governmentality using the example of the prison as an institution. The explanation he provides is presented as a ‘shift’ from earlier analyses of power. The first shift states that studying the governmentality surrounding the prison institution does not entail only looking at the government of the prison nor the prison laws and regulations, but mainly to the multiple techniques around it. This may include, for example, the systems which render certain populations disposable, the way crime is communicated and constructed in different circles, the spatialization of carceral spaces, as well as how the issue of imprisonment is conveyed across different spaces (Foucault, 2007).

The second shift that Foucault denotes with the use of the concept of ‘governmentality’ is what he names as the ‘strategies and tactics’ of power which can be both found in the functions that the given institution is supposed to perform but also in that what does not work as planned (2007: 118). To illustrate this, Foucault

uses the example of the prison to state that the history of the prison is not ‘governed by the successes and failures of its functionality, but it is in fact inserted within strategies and tactics that find support even in the functional defects themselves’ (2007: 118). Methodologically, this entails looking at what does not work (in accordance to the law or the objective of the institution); not as a failure, but rather as an invitation to search for its productive rationale.

Though the relationship between the concept of governmentality and that of sovereignty has been often seen as consecutive in time (with governmentality ‘replacing’ sovereignty), Foucault stresses that the concept of governmentality should not be seen not as a replacement of sovereign power, but rather as acting simultaneously with it (Foucault, 2008). Still, he argues that governmentality ‘has constantly led towards the pre-eminence over all other types of power- sovereignty, discipline and so on’. Butler contributes to the understanding of governmentality when she analyses the power entailed in the functioning of the prisons in Guantánamo (Butler, 2004: 52-54). Butler notes that ‘the emergence of governmentality does not always coincide with the devitalization of sovereignty’ (2004: 53). Instead, she notes how sovereignty is re-animated through governmentality and deployed as a ‘tactic’. It becomes ‘that instrument of power by which law is either used tactically or suspended, populations are monitored, detained, regulated, inspected, interrogated, rendered uniform in their actions, fully ritualized and exposed to control and regulation in their daily lives’ (2004: 97).

Throughout this thesis, I use the notion of ‘carceral governmentality’ to denote specific ways in which the ‘ensemble’ formed within broader governmentality processes applies to relationships of power embedded around carceral spaces and

imprisonment. This 'ensemble' includes prison government and the actions of prison guards, but also, for example, the media which renders those incarcerated as a 'foreign other', the transport system that travels to prison and discriminates against families who visit prison buildings, the spatial and architectonic displays of prison buildings, the political discourses around crime and criminality, the different laws and practices structuring the experience of incarceration and release from prison, among other issues. In particular, I would like to draw attention to the role of this ensemble in the forms of subjection that are built around those incarcerated.

The concept of carceral governmentality refers to a specific configuration of governmentality that is built around specific regimes of knowledge that might not be all coherent nor entail, in isolation, the same orientation but that are nevertheless entangled (superimposed, crossing, imposing their own limits, cancelling or reinforcing each other (Foucault, 1982: 224)) in a social ensemble that define who those incarcerated are (1982: 221). Within carceral governmentality, for instance, appeals for rehabilitation programmes may coexist with appeals for the extension of human rights in prisons and appeals for greater punitiveness and practices of warehousing. However, together, they configure a specific way of conducting those incarcerated with clear and material effects on their bodies and their daily lives.

In this respect, a key issue to understand carceral governmentality is related to the notion of 'assigned' disposability mentioned in the previous section of this chapter. As discussed earlier, this notion does not entail an ontological claim on the subject but rather unveils the way in which deemed disposability is actually a result of a specific configuration of governmentality. Throughout this thesis, I will use the notion of

carceral governmentality to define the 'ensemble' which contributes to the deeming of those incarcerated as disposable.

Conclusion

Throughout this chapter, I have reviewed studies on prisons and disposability that have shaped the way in which struggles against incarceration have been analysed. I broadly noted that 'prison studies' have mainly focused on what goes on inside prisons and framed struggles performed by those incarcerated as mainly posed against prison authorities, management and routines. I also noted that those studies labelling struggles against incarceration as resistance, have often described these with certain romanticism. I argued that the literature has tended to disregard the way in which (male) prisons are permeated by gendered relations of care and have often taken a restricted definition of the power relations embedded around incarceration.

Within 'prison studies', I also reviewed Foucault's work on *Discipline and Punish* and the main critiques posed around its use to study 'real' and contemporary prisons. I noted how Foucault situated prisons as one element in a wider disciplinary society and how he used the Panopticon as a metaphor to explain how the techniques envisaged for the prison were rapidly exported to other sites. I also noted two main critiques posed to his work on *Discipline and Punish* to understand current prisons. The first strand of critiques has often taken a 'literal' reading of Foucault's findings to question their validity vis a vis empirical evidence of management styles and everyday life inside prisons. The second strand of critiques have assessed the historical validity of his findings vis a vis the increasing number of incarcerated populations across the

world. This strand of the literature has tended to pose that rather than discipline, prisons are becoming a warehouse for those considered disposed.

I then looked at those studies that have focused on the concept of disposability and noted the diverse theoretical contributions to this literature as well as its importance within debates about the effects of modernity, capitalism and neoliberalism. I noted how prisons have been described in this literature as both a site and a producer of disposability, but argued that ‘disposability studies’ have tended to play down the way in which those considered disposable may actively struggle against this condition. I argued that an exception can be found on Judith Butler’s concept of ‘deemed disposability’ and noted the potential contribution of this concept to open-up the analysis of power relations embedded in people’s struggles against incarceration.

In the last two sections, the chapter set out the main conceptual tools that are used throughout this thesis to address some of the shortcomings of the above reviewed literature. The chapter introduced the main features of the Foucaultian’s concept of governmentality and counter-conduct. It argued that the notions of counter-conduct and governmentality enable to: a) analyse struggles not in exteriority but entangled with the techniques of power they aim to contest, b) transcend the limits of the prison institution to explore the techniques of power embedded on the representation and construction of the subjectivity of those incarcerated within and beyond prison walls and, c) reflect on the way struggles do not only presuppose an opposition to the way those struggling are being governed but also a proposition to govern oneself in a different way.

In the next chapter, I will present the main features of the context in which my fieldwork took place. Drawing from different primary and secondary sources, I look at the increase of prison populations since the return of democracy in Argentina, the main political and legal reforms and their contribution to the increase in punitiveness, as well as the historical legacies entailed on the management and administration of Federal prisons in the country. Chapter 2 aims to provide the main context and playing field that, together with the conceptual tools presented in this chapter, will serve to the analysis of the empirical findings presented in Chapters 3, 4 and 5.

Chapter 2. Federal prisons and imprisonment in Argentina's democracy (1983-2016)

Introduction

Chapter 1 presented the main conceptual tools that are used in this thesis to analyse the struggles of those incarcerated and their families that were identified during my fieldwork. As mentioned earlier, the concept of counter-conduct enables to reveal, through the critical analyses of these struggles, specific aspects of the techniques of governance that are in operation in this context. Following Foucault's assertion that struggles are 'a chemical catalyst' which 'brings to light power relations' (Foucault, 1982: 211), the previous chapter set out the tools that are used in this thesis (more specifically in Chapters 3, 4 and 5) to study the different struggles performed individually and collectively by those incarcerated and their families.

This chapter presents the main features of the context around which these struggles take place. It presents an overview of the historical context of federal prisons and imprisonment in Argentina, including the changes in federal prison populations since the return of democracy in 1983, the penal policy orientations in different political phases since then, including its tensions and contradictions; and the recent changes in the spatial arrangements of prison buildings around the City of Buenos Aires. It also gives a brief account of the main historical legacies of the organization of prison management and administration within the federal system and, finally, draws from Rita Segato's understanding of race within Latin American prisons to show how prisons work as a reproducer of racialized logics.

The overview that is presented throughout this chapter aims to provide with some contextual instruments that, together with the conceptual tools presented in the previous chapter, allow to make sense of and critically analyse the struggles that are identified during the rest of the thesis. Indeed, the different individual and collective struggles that are identified throughout the thesis need to be understood in the context of the unprecedented growing prison populations that were experienced in Argentina since 1983 and the multiple underpinnings and legacies of prison management and punitiveness in the country. They also should be analysed in the context of a regional and international broader increase in prison populations.

The first section of this chapter looks at the development of the statistics on prison populations since the return of democracy, and considers some of the main international and regional explanations for this increase given by different scholars. The following section provides an historical overview of penal orientation at the national level (including political, electoral and legal features) during different governments and phases since 1983. It also includes a description of the geographical changes in the distribution of prison buildings within and around the City of Buenos Aires during these years. The third section describes three main broad legacies of prison management within the federal system which are in close relation with different national political phases (including an emphasis on the positivist and rehabilitation paradigm, an authoritarian outlook and a project with emphasis on social inclusion through prisons). Finally, the fourth section presents an overview of the role of race within prisons in relation to the construction of race within colonial patterns in current Argentina.

Incarceration rates and regional trends

Argentina returned to democracy on December 1983, after the bloodiest dictatorship in its history (1976-1983). From 1983 onwards, a complex transition to democracy was initiated. Though this process was not without conflicts and problems, the country did not relapse in a new authoritarian regime. Raúl Alfonsín (1983-1989), the candidate of the Unión Cívica Radical (UCR)¹⁵ was the first elected President after the military coup. Raul Alfonsín's Presidency was succeeded by Carlos Menem (1989-1994 and 1995-1999), Fernando De la Rúa (1999-2001), Eduardo Duhalde's interim presidency (2002) and both Nestór Kirchner (2003-2007) and Cristina Fernández de Kirchner (2007-2011 and 2011-2015). In December 2015, Mauricio Macri assumed the Presidency of Argentina.

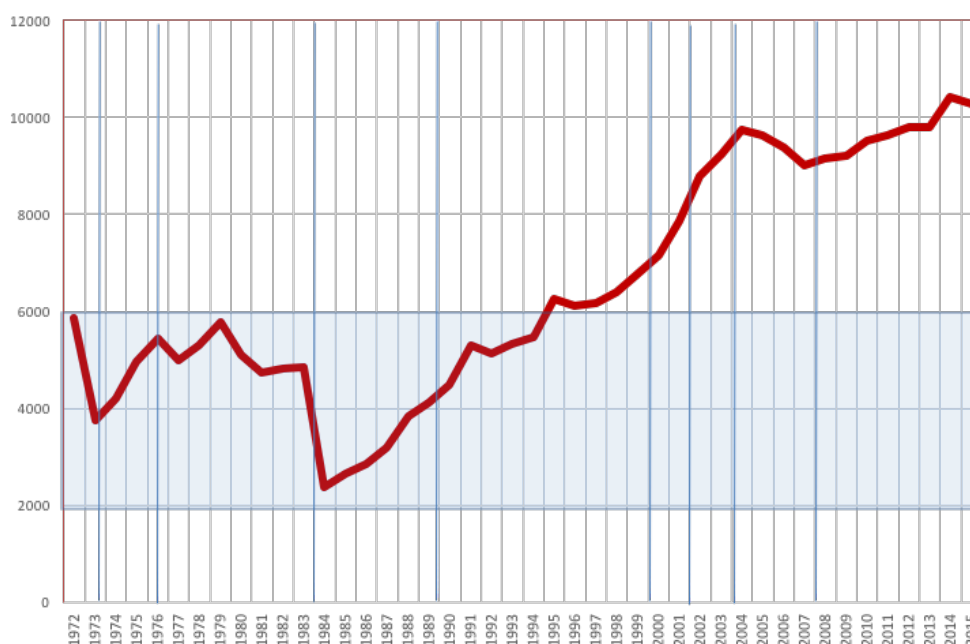
Soon after the return to democracy in Argentina, the prison population at the federal level started to increase, and since then it has reached unprecedented levels. As Máximo Sozzo (2014a: 10) notes, the prison population may be taken as a proxy for the level of punitiveness exercised by a judicial system, defined as the amount of pain or suffering that this system produces. Available statistics¹⁶ on federal imprisonment

¹⁵ The Unión Cívica Radical (UCR), one of the two main traditional and majoritarian historic political parties of Argentina during the 20th century. The UCR is a member of Socialist International though its ideological platform may be described as heterogenous, ranging from classical liberalism to social democracy. It was founded in 1891 by radical liberals, and it is the oldest political party still active in Argentinean politics.

¹⁶ SNEEP's data is the official available prison population statistics. However, the reliability and quality of these prison statistics should be taken with some caution as it does not include a monitoring device and it relies solely on prison administrations information. It should also be noted that the evidence provided by statistics on prison population is usually limited to account for the extent of people who experience imprisonment in a given year. Statistics on prison population are based on a **snapshot** of the number of people that are hosted in federal prison buildings on a given day, most likely the 31st of December of each year. While this may account as a proxy for the extent of incarceration, this data is based on a static snapshot and does not account for the flows of people that enter, exit and are released from prison on a given year. This is even more pressing if we take into account that more than half of those incarcerated are normally locked on preventive detention, a situation that can last months or even years. Indeed, the percentage of total federal prison population incarcerated for preventive detention

in Argentina show that from 1984 until 2014, the trend of the federal prison population went upwards by 340%. There was a reduction in the number of prison population during the first year of democracy, especially due to a special regulation enacted by Alfonsín's administration that facilitated the release from prisons of political prisoners. However, after this initial reduction, the prison population at the federal level increased steeply. The following graph shows the available statistical information of federal prison population in Argentina from 1972 to 2015:

Figure 1. Imprisoned population, Federal Penitentiary Service, Argentina (1972-2015)



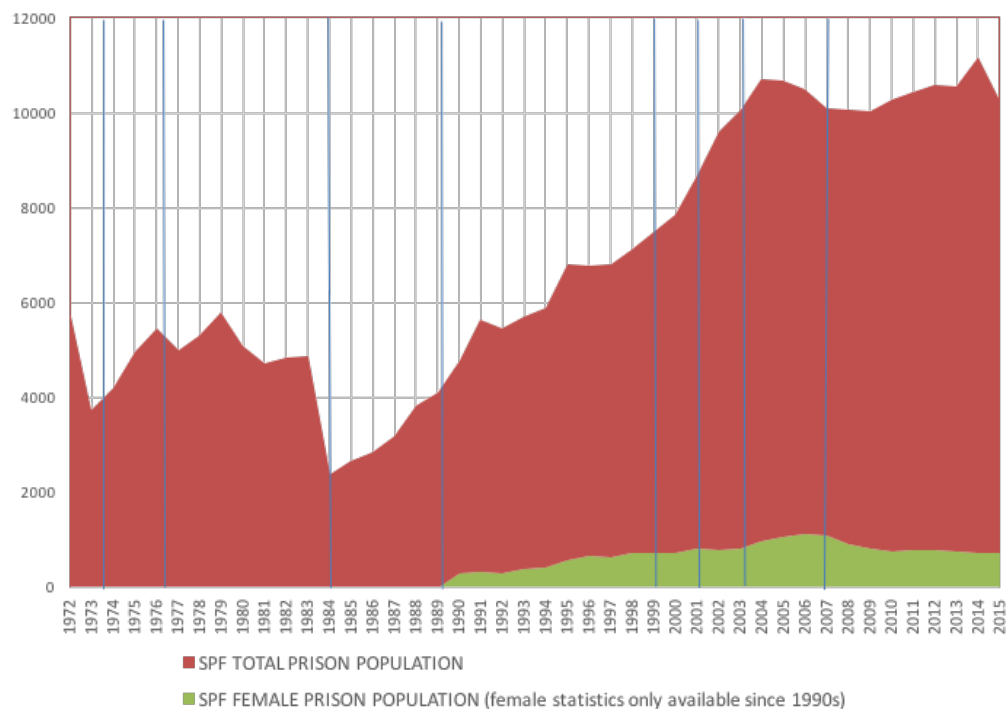
Source: Based on data from SNEEP (2015b)

The curve of the prison population in the federal prison system in Argentina shows that until 1995/6, prison population remained under its historic level of 6000 people.

since 1983 is, on average, as high as 54% of total federal prison population (next to 46% of condemned inmates) from 1983 to 2015. SNEEP 2015b, op. cit.

However, after 1995 the prison population surpassed this record. The available data shows that federal female prison population also increased greatly during this time. From 1992 to 2015 the volume of female incarceration increased by 144%, reaching its highest peak in 2006 (278% higher than in 1990). While the federal female prison population accounted for 6% of the total federal prison population in 1990, in 2006 it had reached 12% of the total federal prison population. Despite the extent of this increase, female incarceration still accounts for a small volume of incarceration compared to men's imprisonment. The following graph shows the volume of federal female incarceration as a portion of the total federal prison population in Argentina:

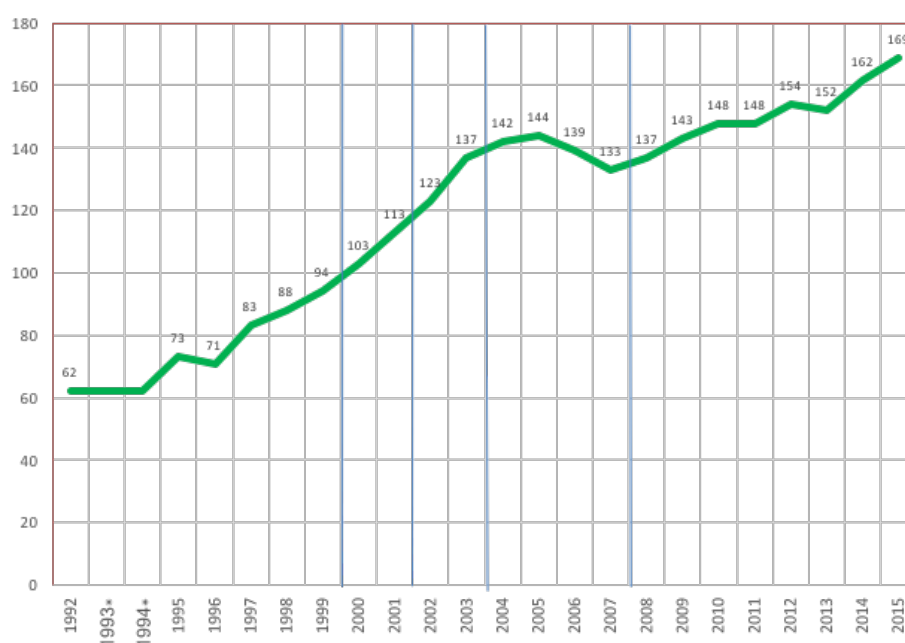
Figure 2. Female and total imprisoned population, Federal Penitentiary Service, Argentina (1972-2015)



Source: Based on data from SNEEP (2015b) and CELS et al. (2011). Note: statistics do not include federal female incarceration in house-arrest.

The changes in the federal prison population in Argentina occurred in the context of increasing incarceration rates at a national level. The following graph shows the available statistics on the increase in incarceration rate (number of inmates per 100,000 population) in Argentina from 1992 to 2015:

Figure 3. Incarceration rates per year, Argentina (1992-2015)



Source: Based on official statistics quoted in Sozzo (2011) and Sozzo (2014a). Note: No available statistics for 1993 and 1994.¹⁷

The increase in incarceration rates in Argentina may be viewed as a local expression of a broader regional and international trend. In 1992, only three countries in the South American region had incarceration rates that surpassed 100 inmates for every 100,000 inhabitants. However, by 2013-2015 all South American countries but Bolivia had rates that surpassed 150 inmates per 100,000 population. This trend also followed a

¹⁷ Statistics before 1992 do not present an analysis by sex, precluding the possibility to study this issue further. Since 2015, statistics include the trans prison population besides female and male prison population. For 2015, the trans population accounts for 0.2% of total prison population. SNEEP 2015b, op. cit.

broader tendency at the international level. The following table shows the changes in national incarceration rates in South American¹⁸ countries and selected Global North countries from 1990/1992 to 2013/2014/2015:

Table 1. Incarceration rates, South American countries and selected Global North countries (1992-2013/2014/2015)

	1992	2013/2014/2015
Argentina	62	152
Bolivia	78	134
Brazil	74	300
Chile	154	240
Colombia	78	244
Ecuador	74	165
Paraguay	57	158
Peru	69	236
Uruguay	100	282
Venezuela	133	172
United States	457 (1990)	693
England and Wales	85 (1990)	163
France	78 (1990)	99
Spain	85 (1990)	133

Source: Based on (Sozzo, 2014a) and ICPS (2017).

Wacquant explains the rise in incarceration rates across the region as a ‘core feature of the global expansion of neoliberalism and the neoliberal government of urban marginality’ that has permeated regions as different as the United States, Western Europe and Latin America (Müller, 2012: 1; Wacquant, 2008). He has linked this regional trend with a global and international ‘punitive turn’, pushed by the promotion, conversion and import by state elites of a strategy based on the US-style neoliberal penal discourses and policies around the world (Wacquant, 2008; Wacquant, 2010). These developments are explained as a result of the penalization of urban poverty and

¹⁸ The table does not include the small countries of Guyana, French Guayana and Suriname, that have less than one million inhabitants.

‘the intersection of three related developments: the urban impact of neoliberalism’, ‘the emergence of penal populism and the application of ‘tough on crime’ policies’ and ‘the trans-nationalization of the war on drugs’ (Müller, 2012: 4).

Other scholars have aimed at linking the increase in penalty in the region with democratic electoral politics (Beckett and Godoy, 2008; Chevigny, 2003; Iturralde, 2010; Sozzo, 2014b; Hathazy, 2016; Hathazy and Müller, 2016). Some have linked the rise of incarceration rates in Latin American countries to similar patterns to that of the United States (Chevigny, 2003; Beckett and Godoy, 2008). These authors have related the rise in prison population to the appeal of local politicians to crime in electoral campaigns that are increasingly highly contested. Chevigny (2003), for instance, suggests that the reduction of social policies have limited the possibilities of welfare and clientelism, generating a different kind of populism: the populism of fear or what other authors have named ‘penal populism’. The populism of fear responds to the needs to counteract the increasing insecurities that people experience within neoliberal policies as well as to give a *carte-blanche* to democratic regimes to use authoritarian practices against those dispossessed (Chevigny, 2003).

Other scholars have stressed the need to focus on ‘region-specific’ factors ‘in order to account for the path-dependant pattern of contemporary Latin American punitiveness’ (Hathazy and Müller, 2016: 116). Paul Hathazy and Markus-Michael Müller argue that ‘the most important explanatory factors for imprisonment expansion are (...) processes of political and institutional *change*’ (2016: 116, emphasis in the original). They note that what drives incarceration rates in Latin America is the ‘process of democratization’ itself as well as ‘the reconstitution of party systems’ (2016: 116). Furthermore, they state that rising prison populations are also linked to ‘processes of

penal state building [that are] oriented towards the “legalization” or “judicialization” of penal repression, namely through police and new criminal procedure reforms’ (2016: 116). These authors explain that these processes have produced an inversion of the principle of ‘rule of law’ in the region to one that is run by ‘mechanisms of a rule through law’ (2016: 116). By this, they designate an active process to ‘criminalize certain practices more often associated with people at society’s margins’ in order to ‘enhance the legitimacy of political actors’ (2016: 116). These practices include ‘arbitrary police targeting’, the overuse of ‘pre-trial detention and/or fast track punishment’ and ‘targeted imprisonment’ against the poor. This contributes to build an imaginary of a society divided into an ‘antagonistic field populated by right-deserving citizens and punishment-deserving criminals’ (2016: 117).

Other authors have turned to similar conclusions; not by focusing on the adoption of a novel ‘rule through law’ policy, but rather on the cultural and historical persistence in Latin American political and legal history. Rita Segato (2007) emphasises the continuation of colonial logics or what she calls ‘internal colonialism’. As I will further explore later in this chapter, Segato notes how prisons are one key linkage in the reproduction of a colonial pattern where the police and the juridical order play a key role in reproducing racialization. Manuel Iturralde (2010: 319) notes that Latin American countries have a ‘democracy without citizenship’ which is permeated by authoritarian legacies based on the ‘use of state force through legal (and extra legal) mechanisms’. He argues that in these contexts the judiciary becomes ‘a tool of injustice and oppression’ for the ‘poor and marginalized’ classes and that ‘democracy is limited and rendered banal’ for those on the lower-end of the social scale (2010: 320).

Despite their differences, explanations for the increase in incarceration rates agree on the main orientation and effects of incarceration policies. Whether the increase in incarceration rates responds to the exportation of global and international neoliberal economic and penal policies, the need to capture electors in a competitive democratic arena, the implementation of a ‘rule through law’ policy, the persistence of authoritarian and non-democratic uses of the law or colonial logics; all of these explanations agree on the role of carceral governmentality in contributing to the production of certain subjects as prone to incarceration in the Latin American context.

To understand the increase in incarceration in federal prisons in Argentina in more detail, however, there is the need to provide an overview of the changes in imprisonment and punitiveness at the national level (Sozzo, 2011; Sozzo, 2014b; Hathazy, 2016). This entails not only accounting for the general trends, but also making sense of the internal tensions and contradictions that have permeated penal and prison policies during this time. In the following section, I will provide with a review of the different phases which have permeated the orientation of penal policies from the return to democracy to 2015.

Penal policies, tensions and contradictions

In the Argentinean context, and especially in the context of the federal prison system, the orientation of penal policies has not been linear nor without contradictions (Sozzo, 2011; Hathazy, 2016). While a comprehensive analysis of the different phases that have permeated penal policies and prison management projects in Argentina’s democratic history is beyond the scope of this thesis, it is possible to identify a few main trends.

Returning to democracy (1983-1989)

Alfonsín's administration was characterized by the consolidation of democracy and the rule of law, including the trial of the former higher military authorities and the adoption of several international human right treaties. During Alfonsín's term, there were no initiatives towards the extension or severity of the penal system and there were a few initiatives oriented to the reduction of punitiveness.¹⁹ Furthermore, in the political-electoral realm, the problem of crime did not represent an important issue in neither national nor subnational elections during this period.

The extent of the policies promoted during this period was nevertheless limited by an economic crisis that was manifested during this time, mainly through 'a cyclical rise of inflation, depreciation of salaries and growth in poverty' (Sozzo 2011: 18). In 1989, the country faced a profound hyperinflation which precipitated the end of Alfonsín's presidential term and the early arrival to presidency of the newly elected candidate Menem.

Despite the emphasis to limit punitiveness at the policy level, the extent of incarceration during this era was quite high. As mentioned earlier, though there was an initial reduction of 51% in prison population at the federal level after the release of political prisoners in 1983, this was followed by an average annual rate increase of 11% in prison population. Still, at the end of Alfonsín's term, prison population remained 15% lower than at the end of the military dictatorship.

¹⁹ Law 23,070 modified the rules of the Penal Code about recidivism and suspended sentences. This law also abolished several provisions that had been added by the military government (including the death penalty).

Neoliberal agenda and 'penal ambivalence' (1989-1995)

The first presidency of Menem (1989-1995), the electoral candidate of the Partido Justicialista (PJ)²⁰, was characterised by *penal ambivalence* (Sozzo, 2011). Menem's administration adopted a neoliberal agenda (with certain hybrid elements from the political tradition of Peronism²¹), an unprecedented alignment to the United States' government foreign policy and a tendency towards a greater penal extension (Sozzo, 2011). During his mandate, inflation dropped sharply and though there were some initial indicators of economic growth, the levels of job insecurity deepened and real wages across the country lowered.

The orientation of penal policies during Menem's first presidency may be described as 'ambivalent' due to its contradictory orientations (Sozzo, 2011). Only a few months after Menem assumed the presidency in 1989, the Congress approved a new Anti-Drug Law that both punished the possession of illegal drugs as well as established 'a considerable increase in the severity of penalties for other criminal types related to illegal drugs' (Sozzo, 2011). This measure was taken under strong external pressures from the US government. The growing persecution that resulted from this legislation meant a significant increase in the number of people incarcerated for drug-offences within the SPF, especially women and foreigners, most of whom are minor players in trafficking activities.

²⁰ The Partido Justicialista is, next to the UCR, one of the main traditional and historic political parties in Argentina. The PJ is the formal name of the political party that was founded by Perón. Peronism is a major political tradition in Argentina, though its complex characteristics makes it very difficult to define. It articulates itself as a "national and popular" political tradition and it is inspired by the policies and pragmatism of the different governments of Perón, though the orientation of policies implemented by its governments have been diverse.

²¹ Ibid.

In contrast with these punitive laws, other initiatives were also launched to enhance prison administration, management and monitoring under a paradigm that was meant to align closer to the international human rights conventions that had been approved during the 1980s. In 1993, for instance, a Prisons' Ombudsman was created with the aim to monitor federal prisons' conditions and protect prisoners' minimum legal standards.

In the political-electoral realm, the issue of crime started to play a significant role in public and media debates though it still played a 'marginal' role in the electoral campaigns. Sozzo (2011) describes this process as 'elitist' as legislative changes were mainly based on the recommendations of a small network of experts though with a different orientation to the case of Alfonsín, developing diverse and contradictory penal initiatives. During this phase, federal imprisonment experienced an annual rate of growth of 7%, reaching a significant 52% increase in six years.

Neoliberalism, the expansion of punitiveness and prison building (1990-2003)

The third phase, is characterized by neoliberalism and the expansion of punitiveness (Sozzo 2014). This phase covers the second presidency of Menem (1995-1999), the presidency of De La Rúa (1999-2001) and the interim presidency of Duhalde (2002-2003). From 1995 to 1999, Menem's second presidency was characterised by the growth of unemployment and several corruption scandals. In the general elections of 1999, the candidate of the opposition, De la Rúa (1999-2001) was elected as part of a coalition²² that presented itself as centre-left and as an opposition to Menem's policies.

²² De la Rúa was elected president for the *Alianza por la Educación, el Trabajo y la Justicia*, an alliance formed by the UCR and the FREPASO. The latter was a new political party created after a split in the Partido Justicialista due to the neoliberal turn that the party had taken under Menem's ruling. Those

However, in practice the government showed a continuation of neoliberal economic policies, which ended with the deepening of the economic crisis, deriving, in 2001, in the most severe economic, social and political crisis of Argentinean's democratic history. During this phase, unemployment (a phenomenon that had traditionally been very limited in the Argentinean context) reached record levels: in 1995, it reached 18.5% and it remained high for the following decade.²³ This deepened social polarization, fragmentation and promoted the rise of poverty and social inequality to exceptional levels, a process that ended in the 2001 economic and socio-political crisis. The crisis produced a dramatic fall in real wages and subsumed over half of the population to income poverty. De la Rúa resigned in the middle of this crisis and his resignation precipitated the selection of Duhalde, who was part of the PJ²⁴, as an interim president. Duhalde exercised the presidency from January 2002 until mid-2003, when he called for new elections.

In terms of legal reforms, there were several penal policy initiatives oriented towards the strengthening of punitiveness presented by members of different and opposing political parties and coalitions. These included measures that legitimated the use of preventive detention and promoted the rise of punitiveness for certain crimes. New legislation also included restrictions to conditional freedom and other provisions.

In the political-electoral realm, the issue of crime started to play a predominant role in the electoral campaigns of 1997 and 1999. The appeal to 'zero-tolerance' and a

that founded the FREPASO identified with the centre-left and were dissatisfied with Menem's leadership of the Partido Justicialista.

²³ The production of national indicators of unemployment were interrupted in 2005.

²⁴ Duhalde had been the vice-President of Menem in 1989-1991 and the Governor of the province of Buenos Aires between 1991 and 1999. Duhalde had also been the main competitor of De La Rúa on the 1999 presidential election.

‘heavy-handed’ approach was used by political candidates from different political parties. This process migrated the source of the orientation of reforms from law scholars to public opinion experts that performed opinion polls. In this context, the broadcasting of crime also gained a new role and the police sections in TV shows and newspapers gained a protagonist role. While ‘penal populism’ have often been described as a process that results from demands ‘from bellow’, Sozzo argues that from 1995 to 1999 in Argentina this was mainly fuelled and promoted by the media and politicians rather than by massive citizen mobilizations (Sozzo, 2011). During this phase, federal imprisonment experienced an annual rate of growth of 6%, reaching a significant 55% increase in eight years (2011).

Beyond the inclusion of fear and the use of crime as a main concern in political-electoral campaigns, towards the end of Menem’s first presidency and the beginning of the second presidency, there were also specific policies that may be seen as a spatial expression of the need to separate those living in the city to those considered as not deserving ‘criminals’. Indeed, a new plan for the reorganization of federal prisons’ spatial distribution was launched in 1995 by the National Ministry of Justice. The *Plan Director de la Penitenciaría Nacional*²⁵ proposed, among other issues, a reorganization of the geographical distribution of the federal penitentiary centres. The plan²⁶ called for the displacement of prison units that were still held in the City of

²⁵ In my translation, *Directorate Plan of the National Penitentiary*

²⁶ The decision to move prison units outside of the City of Buenos Aires represented a continuation of a trend that had had its precedents in different military governments since the 60s. From 1963 to 1968, one prison unit was built in Ezeiza, a rural area of the outskirts of the City of Buenos Aires. This unit was intended as a recipient of the detainees who had previously been imprisoned in the National Penitentiary, that had been inaugurated in 1870 in the neighbourhood of Palermo in City of Buenos Aires. In 1979, the Correctional Prison for Women in San Telmo was also transferred to Ezeiza. Until 1979, and for 80 years, the federal women's prison had operated in a colonial building located in the heart of San Telmo neighbourhood.

Buenos Aires (the Prison of Devoto and the prison of Caseros) and stated the need to build larger complexes in the periphery of the outskirts of the City of Buenos Aires.

In 1995, the City of Buenos Aires still held two of the largest federal prisons in the country: the prison of Devoto, in Villa Devoto and the prison of Caseros, in Parque Patricios. The prisons claimed to hold between 1500 to 2000 inmates and were located in the centre of the urban middle-class neighbourhoods surrounded by buildings and houses. They were relatively close from the city-centre: the Devoto Prison was 19 kilometres far from the centre and Caseros prison, 3 kilometres. The prison of Devoto had been inaugurated in 1927 and the prison of Caseros had been conceived in 1958 and was inaugurated in 1979, in the southern part of the City of Buenos Aires. The following map shows the geographical location of the Devoto Prison and the Caseros Prison in 1995:

Figure 4. Map of main federal prison buildings in the City of Buenos Aires in 1995.²⁷



²⁷ The map shows the main prison buildings, which had a capacity to host more than 700 people each. In 1995, there were already a few prison buildings in Ezeiza, including one female prison in Ezeiza (in operation since 1979 and currently, Complex 4, holding circa 569 women and a minimum-security prison for men in Ezeiza (currently Unit 19). I only include in this map the largest prisons, in order to ease the understanding of my main argument.

Source: Author's revision of Google Map.

The plan mentioned the objective to replace both prisons through the construction of a prison complex in Ezeiza, two in Marcos Paz and at least seven new complexes in different parts of the country and the Province of Buenos Aires. After several problems, including various complaints for corruption, two prison buildings were inaugurated. The first one, the Complex I in Ezeiza, was finished during Menem's last months in power in 1999 and was inaugurated. In 2000, under de La Rúa's presidency, Complex II in Marcos Paz was also finished and inaugurated. Complex I in Ezeiza was meant to replace the Caseros Prison, and Complex II of Marcos Paz was intended to replace the prison of Devoto.

The aim to transfer the totality of federal inmates outside the City of Buenos Aires was, however, not entirely successful. The sustained increase in prison population rates that had been happening since 1995 turned this into an impossible task. Indeed, the prison spaces that had been produced by the two new prison complexes only hosted half of the inmates that were locked in prisons in the City of Buenos Aires. The Caseros prison was emptied, and its entire prison population was transferred to both the Ezeiza Complex I and the Marcos Paz Complex II. The Devoto prison, on the other hand, was not closed and was renamed to Prison Complex of Devoto. The prison was still active in 2015²⁸, and hosted a great number of the detainees held in preventive detention in the Federal Penitentiary Service.²⁹ While I was conducting my fieldwork,

²⁸There have been plans for many years to replace the prison of Devoto through the building of a new complex in the locality of Mercedes, 103 kilometres away from the City of Buenos Aires. The sites have been bought but plans for starting construction have been delayed and are not yet in place Cesaroni C. (2013) *Masacre en el Pabellón Séptimo*, Buenos Aires: Tren en Movimiento.

²⁹ After 1999, two additional prison infrastructure plans (the Prison Construction Plan 2000, during the government of De La Rúa and the Bread of Infrastructure Penitentiary of 2004, enacted by decree in the first year of government of Nestor Kirchner) arise. Both retake several of the guidelines of the Master Plan 1995.

Devoto, Ezeiza and Marcos Paz were the largest prison complexes in the federal system, hosting around 1500 to 2000 inmates each.

Unlike Caseros and the Devoto Prison, the Ezeiza Prison Complex 1 and Marcos Paz Prison Complex II were located in rural areas far away from the city-centre. Ezeiza Complex I, for instance, is 38.4 kilometres from the centre of the City and Marcos Paz Complex II, 85.5 kilometres. The following map shows the distribution of the main prison institutions in the City of Buenos Aires and its suburbs, located in the jurisdiction of the Province of Buenos Aires in 2015:

Figure 5. Map of main federal prison buildings in the City of Buenos Aires and its suburbs in 2015.³⁰



Source: Author's revision of Google Map

The transfer of prisons outside the City of Buenos Aires unveils one specific spatial strategy towards imprisoned bodies during the neoliberal government of Menem and

³⁰ The map shows those prisons with a capacity to host more than 650 inmates. In Marcos Paz, account should also be given to the prison complex for young adults emplaced next to Complex II (hosting, all together, 602 inmates). In Ezeiza, account should also be given to the two female prisons emplaced next to Complex I (Complex 4, which hosts circa 586 women and U31, with capacity for 234 people including young children with their imprisoned mothers) and Unit 19 a medium-security prison for men who mostly hosts those who have completed 2/3 of their sentence.

its continuation with De La Rúa: the need to transfer them away from the City. Combessie (2002: 552) argues that the ‘casting-out of prisons far from urbanized and prestigious environment is not comparable to that of industrial factories, airports’ or other types of facilities because this are not based on physical nuisance, such as ‘noise, smell or some other sensory disruption or chemical pollution’, but rather a spatial strategy aimed at a ‘logic of scission of the social body which perform[s] a radical cleavage between ‘good’ and ‘evil’ people’. Within this strategy, the city is visualized and constructed as the place for those considered citizens. Prisons, with their large buildings and their ‘immobilized’ bodies, constitute a danger to this vision. The plan was based on the conception that prisons should not be emplaced in the city but transferred to rural and far away locations. As I will further explore in Chapter 3, the transfer of imprisoned bodies away from the city has also specific consequences for the families of those imprisoned.

Still, it should be noted that the construction of these new prisons during this time was presented as an advance towards the establishment of a modern and more adequate infrastructure that would end with overpopulation and provide with adequate spaces for rehabilitation. In this sense, the humanitarian discourse served as a source of legitimation for the expansion of prison buildings to remote areas (Foucault, 1991 [1977]).

Beyond the transfer of prison buildings away from the City, during these years the administrative rearrangement of prisons at the federal level also developed several internal regulations which had great incidence on the distribution of imprisoned bodies far away from the capital city of Buenos Aires. Indeed, the geographical changes of the prison buildings’ location, together with the increase in the prison population and

new norms that were issues on the internal organization of the federal prison system, left the cartography of imprisoned bodies within the system organized as follows: detainees are normally held in federal prisons during their preventive detention (normally in the first months or years of their detention, during the process of their trial and until they receive their final criminal sentence). Most of those hosted in prisons in the City of Buenos Aires (i.e.: Devoto) or its suburbs in the Province of Buenos Aires (i.e.: Ezeiza and Marcos Paz) are then locked there during the first years before their trial.

After their conviction, male prisoners are transferred to remote prisons throughout the country until they complete at least two thirds of their sentence. In most cases, inmates are transferred to the federal prisons of Chaco (Prisión Regional del Norte) or Chubut (Instituto de Seguridad y Resocialización). Both of these prison institutions were opened in 1951 with the objective to host exclusively inmates who had been already condemned. Inmates may also be transferred to La Pampa or other federal penal establishments located either in the southern or northern provinces of the country.³¹ The following map shows the location of federal prison establishments across the country (including the Chaco and Chubut prisons):

³¹ For incarcerated women, the system is different given the relatively lower number of prison buildings compared to those for men. Women who are incarcerated during pre-detention in the Ezeiza prisons may continue to be hosted in either of the two female prisons in Ezeiza, in the female prison of La Pampa or, in rare occasions, in the prison of Salta in the North of the country.

Figure 6. Map of federal prison buildings in Argentina, 2015.



Source: Author's revision of PPN (2014).

As we have seen above, from 1983 to 2003, incarceration presented the highest level of increase in the history of Argentinean federal prisons and an important spatial rearrangement of its prison buildings located in and around the City of Buenos Aires. The punitive wave in Argentina was not only related with economic crisis, the adoption of international punitive laws such as the 'war on drugs' but also to political-electoral logics that were sometimes citizen-driven and others driven by 'expert' voices. Furthermore, the spatial arrangement of prison buildings around the City of Buenos Aires shows a specific logic aimed at separating those considered as a 'threat' from the urban landscape.

Indeed, despite the difference in emphasis on the main drivers behind incarceration increase, it is possible to show the configuration of a specific governmentality which framed ‘new insecurities’ and the ‘return of dangerous classes’ as two key features for managing political and economic change after the return of democracy (Pegoraro, 2000; Ayos, 2013).

Kirchner’s weak political coalition and the continuation of punitiveness (2003 to 2005)

Nestor Kirchner was elected president in a contested election, where different factions of both the PJ and the Unión Cívica Radical political party competed between themselves. He gained the second place on the first round of the elections, achieving 22% of the votes – slightly lower than the 24% gained by ex-President Menem (also from PJ) – who was running for President again. Though according to the reformed Constitution, these results had to be contested in a second round (ballotage), Menem decided not to participate in this round and Kirchner was proclaimed President. Though both Kirchner and Menem were part of the PJ, Kirchner presented a split from the way the PJ had been acting under Menem. Kirchner’s approach may be linked strongly with a tradition related to the ‘first peronism’ or what is named as ‘peronism of the left’.

However, his arrival to power was marked by the political weakness entailed in the limited percentage of votes he had obtained in the presidential election. From 2003 to 2005, Kirchner’s government was characterized by a relatively weak political coalition and the continuation of many of Duhalde’s presidential policies. As we will discuss later, the orientation of Kirchner’s policies would make a turn away from

neoliberalism after the interim election in 2005 when his relatively weak initial position was strengthened. However, in these first two years his coalition backed-up several laws that were oriented towards an increase in punitiveness.

From 2004 to 2005, the Congress issued legislation that strengthened the repressive elements of the criminal laws, increased the requirements related to the allowance for early release from prison and established new and more restrictive conditions for inmates that wished to apply for conditional freedom. Reforms during these years also entailed the prohibition to apply for conditional freedom or special outings for inmates that had been condemned for certain crimes (Sozzo, 2009; 2014b).

The enactment of these new policies shows a continuation and deepening of the process that had been consolidated during the neoliberal years described earlier in this chapter. The punitive reforms enacted during these years were issued (nearly without any political opposition) mainly as a response to the emergence of several massive social mobilizations that were led by Mr. Blumberg, an upper-middle class man who was the father of a young blond man who had been murdered after being kidnapped. Blumberg's story became the symbol of these 'new insecurities' that were perceived as threatening 'the Nation'. In 2004, the issue of crime turned into the main national problem (beyond unemployment and corruption, who had been the main concerns of public opinion polls during earlier years). Though the kidnap of Blumberg's son was later found to have been orchestrated by a band that had close connections with a corrupt police force, the image of this 'new delinquency' was built by political and media circles around the figure of the '*pibe chorro*' (criminal youth) linked to young men that lived in shanty towns around the City of Buenos Aires (Kessler, 2010: 6). This was based on a security discourse based on the distinction between a notion of

‘we’ (the citizens) and a notion of ‘the other’ (those deemed criminals and delinquents).

The rhetoric that framed the construction of this ‘new insecurity’ problem can be illustrated by the wording included in a special plan to build new prisons that was approved by decree by Kirchner in 2004. The plan was meant to be a continuation of the 1995 plan that was described earlier in this chapter. It proposed to build new federal prisons both in the outskirts of Buenos Aires as well as in the northern provinces of the country that lay close to the border with Bolivia. The justifications included in the enactment of the decree notes the following:

We have had to change habits and customs. We have had to resign to small pleasures, simple and elemental as walking the streets, travel without risk in our cars, meet friends or mobilize after the sun. Parents live worried until their children cross the threshold of their homes and all businesses are forced to hire private security or additional police services (...) Insecurity has caused the loss of the Argentinean inhabitants’ quality of life and the feeling of many daily limitations due to the aforementioned feeling of insecurity.³² (National Decree 1183, 2003: my translation from Spanish)

The extract is quite remarkable for several reasons. First, it was passed in a national legislation that, although it was issued by the executive branch, it unveils a certain consensus at the political level about its main premises. Secondly, it was passed only

³² In the original: Hemos tenido que cambiar hábitos y costumbres. Hemos tenido que resignar **pequeños** placeres, simples y elementales como pasear por las calles, viajar sin riesgo en nuestros automóviles, encontrarnos con amigos o movilizarnos luego de la caída del sol. Los padres viven preocupados hasta que sus hijos cruzan el umbral de su casa y todos los comercios se ven obligados a contratar seguridad privada o servicios adicionales policiales (...) La inseguridad ha hecho que el habitante argentino haya perdido calidad de vida y que sienta cotidianamente muchas limitaciones por el ya aludido sentimiento de inseguridad. National Decree 1183. (2003) Plan de Infraestructura Penitenciaria 2004, Poder Ejecutivo Nacional. Buenos Aires: Infoleg.

a few years after one of the main economic and social crisis that had left more than 50% of the population below the poverty line and unemployed. Third, it was included as a justification for the need to build new prisons.

The text is clearly built around a notion of *we* ('the Argentinean inhabitant') which is closely aligned with the middle and upper classes (those that can talk about 'our cars' and who own houses with 'thresholds' and 'businesses' that can hire 'private security'). Those that are 'we' are also parents (good parents that worry for their children), friends (that like to meet regularly), and humans (who like to enjoy 'small' pleasures). The silenced 'other' in this extract is an immanent threat to all these pleasures and responsibilities. It is that invisible yet greatly dangerous, non-relational and foreign creature which is neither a father, nor a friend, nor a habitant of Argentinean soil. While the extract details what the constructed 'we' has lost, it leaves that 'other' as an immanent threat. Thus, it clearly frames imprisonment as a tool against an 'other' that can be anywhere and everywhere.

Deacceleration of the punitive turn (2005-2015)

In 2005, Kirchner's political coalition won the interim elections by a wide margin, strengthening his power both in the political spectrum as well as within his own party. These marked the beginning of a new political programme and alliance that had already been presented in the previous years after Kirchner assumed his presidency, but that had been less palpable on contested arenas for public opinion, such as the penal one. Kirchner's administrations were built on a rhetoric that constructed itself as in opposition with neoliberalism and proclaimed an identity that was presented as *post-neoliberal*. Still, the extent to which the Kirchners' presidencies constitutes a *real*

rupture with neoliberalism is contested (Svampa, 2007). However, the Kirchnerist governments did display a series of symbolic and substantive performances which placed them as critical to the neoliberalism consensus, such as the withdrawal of the International Monetary Fund, the nationalization of formerly privatized companies as well as the promotion of legislation aimed at extending the access of social rights of several groups (for example, domestic workers and LGBT community) and the appeal to 'social inclusion' as a governmental policy. Furthermore, in contrast to the 1990s, social spending rose at a higher rate and several social policies were extended (Repetto and Dal Masetto, 2011).

The relatively weak initial position that Kirchner had when he took power was strengthened after the interim election in 2005, which placed Kirchner's party as the winner (surpassing the second political candidate by a wide margin). The increased strength of Kirchner's government continued to rise as the economy presented clear signs of recovery. Though Nestor Kirchner could have aspired to re-election, he supported Cristina Fernández de Kirchner, his wife, as the new candidate. Cristina Fernandez had a prolific political career as a National Senator. In 2007, after her husband finished his first presidential term, she ran for presidency and won the elections. After the death of Nestor Kirchner in 2010, she was re-elected again in the 2011 presidential elections. She ended her second presidential term on December 2015.

After the 2005 elections, the orientation of Nestor Kirchner's government (2005-2007) changed to a new discourse that placed emphasis on 'social inclusion' and the 'prevention of crime' and linked insecurities to the growth of poverty and unemployment. In the economic realm, from 2005-2007 the country showed an

impressive recovery, with a reduction of poverty and unemployment. The available indicators show that unemployment was reduced from 21.5% in 2002 to 6.4% in 2007, and poverty from 45.7% in 2002 to 10.1% in 2007.³³ After the international crisis of 2008, this recovery was faced with several domestic economic problems that had initiated earlier, including the increase in inflation rates. Still, the economic situation remained positive compared with the economic crisis of 2001 or the hyperinflation of 1989.

In the legislative realm, between 2005 and 2007 there were several proposals aimed at moderating the punitiveness orientation, including a reform of the Criminal Procedural Code aimed at reducing the use of preventive detention. From 2007 to 2015, there were no major initiatives to strengthen punitiveness with one exception: a reform to the Penal Procedural Code which included the regulation of preventive prison, the direct expulsion of undocumented foreigners that had committed a crime and the strengthening of the punitive content of several legislations on gendered-related crimes.

In the political-electoral realm, the issue of crime played a very marginal role in the election campaign of 2005 and 2007. On the few occasions in which crime was mentioned in the electoral campaigns, this was framed in a moderate position similar to the one that had been used by Nestór Kirchner during his presidential mandate. Crime was also not a key issue in the Kirchnerist platform in the national election campaign of 2011, though it played an increasing role in the platforms of opposition

³³ The credibility of these measures has been contested due to several changes in the organization and methodologies used by national statistics initiated under the government of Kirchner. However, it is generally acknowledged that during these years Argentina showed clear indicators of economic recovery.

parties and was also taken upon by subnational governments of the Kirchnerist alliance.

If we compare the rate of increase of the federal prison population during the 11 years of Kirchner's presidencies (2003-2015) with this same rate during the first 18 years after the return of democracy (1984-2003)³⁴, we can find a considerable deceleration. Indeed, while from 1984 to 2003, the total rate of increase accounts for 290%, from 2003 to 2015 the total rate of increase was 11%. In other words, in 2003 federal prisons were hosting nearly 7000 more people in prison than in 1984; while in 2015 federal prisons hosted 1028 more people than in 2003. Still, while incarceration rates did not increase as rapidly as in the earlier period, the number of people incarcerated was not reduced either: it continued growing.

The return of punitiveness: 2016

Mauricio Macri assumed the presidency in December 2016. His electoral platform was built around a fierce campaign against the policies that have been implemented during the Kirchnerist presidencies.

In the electoral campaign of 2015, all three main candidates (Macri, Scioli and Massa) placed crime as a key issue of their platforms. The discursive strategy against criminality that was delineated by Macri during his first year of government presented certain continuation with the logics that had been implemented during his post as mayor of the City of Buenos Aires (2007-2015). This strategy is built on 'the search of interior security through the appeal to a phantasmagorical idea of an abject being that

³⁴ I take 1984 as the first data-set to dismiss the distortions in the statistics of related with the release of political prisoners in 1983.

is external to citizenship territoriality’ (Calzado et al., 2013: 261). During the first year of government, the main legislative proposal in the prison field entailed a project to eradicate the provisions of the prison law (Law 24,660) on probation, special outings, early release and remissions.

As we have seen in this section, while the attention to the discursive and spatial practices of imprisonment give some insights into the orientation of carceral governmentality in this context, they do not fully explain the way in which prison regimes work. Indeed, Hathazy and Müller (2016) argue for the importance of studying penal state expansion both in relation to the broader context of the transitions to democracy as well as attending to changes in national penal fields. This entails not only considering the political and legal discourses that emphasize more or less punitiveness, but also the historical legacies and orientations of prison management programs and institutions. In order to do so, in the next section, I look at the history of the Federal Penitentiary Service in Argentina, which is the bureaucratic institution in charge of prison management and administration in the federal system.

Prison legacies and the Federal Penitentiary Service

In contrast with other prison systems in the region that are usually described as mere *prisiones-deposito* (prison warehouses), federal prisons in Argentina embody ‘mixed economies of punishment’ that contain elements of ‘liberal-correctional programs’ along with ‘authoritarian tendencies towards purely incapacitating prisons’ (Hathazy, 2016: 168; Sozzo, 2009). Sozzo warns us, however, not to place these elements as oppositional (Sozzo, 2009). Indeed, the use of the rehabilitation discourse within prisons (in tandem with the increasing number of incarcerated populations) may work

as a source, but also as legitimization for the further expansion of imprisonment policies. In this respect, Sozzo (2009) argues that the rehabilitation strategy has been a failure since its beginning and that re-valorising it as a horizon might work towards a veiled project of systematic humiliation and subjection towards those incarcerated. In order to understand this further, this section first briefly presents the authoritarian legacies in the foundation and development of the SPF, to then present some of the changes that were enacted during the presidencies of Alfonsín and Menem.

The historical legacies of the Federal Penitentiary Service

In Argentina, as in most settler-colonial and former colonial countries, the history of prisons is closely connected with the history of the modern-state and neo-colonialism (Caimari, 2004; Segato, 2007). In the years after ‘independence’ from Spanish rule, prisons were presented as a symbol of modernization and an expression of political power in the region. Prisons were also important as a symbol of the power of the Nation that was being set up by the new settler-colonial rulers: prisons played a key role in demarcating the borders of both the national territory and the terms of belonging to the Nation (Caimari, 2000).

From 1930 onwards, prisons played an important part in the different authoritarian regimes that took over democratic rule in the country until 1983. Indeed, from 1930 to 1983, the political history of Argentina was permeated by constant intervals between military coups and restricted democratic governments. The beginning of this fractured political history coincided with the founding of the SPF³⁵ which was created in 1930 (Hathazy, 2016: 169). From 1930 to the late 1960s, the federal prison system

³⁵ The original name of the system was Dirección Nacional de Instituciones Penales, in my translation ‘National Directorate of Penal Institutions’.

was organized as a ‘centralized’ and ‘unified administration’ that was ruled along a logic which favoured a ‘correctionalist model’ towards rehabilitation (2016: 169).

At first, prisons were mainly governed by medical and legal professionals. However, from 1940 onwards, security-oriented prison guards began to acquire a greater share of power within the system. Their role was safeguarded mainly by their increasing participation in establishing ‘priorities and routines’ in a system that was imprisoning more and more political prisoners (Hathazy, 2016: 169).

During the first years of Perón’s first presidency (1946-1952), several reforms were implemented within the SPF, including regulations to improve the organization of human resources within the system and promoting training courses for prison staff. The reforms included a strong emphasis on a rehabilitation programme that contested the scientific paradigm of rehabilitation and rather linked it with an improvement of the access to medical, family and sports activities within prisons. These reforms were accompanied by a communication strategy that publicized what went on inside prisons and emphasized on the acknowledgment of those incarcerated as right holders who had been failed by society and needed to be included back into it (Caimari, 2004: 254). The reforms were, however short-lived as a military coup in 1955 ended Peron’s second mandate and further strengthened the militarized aspects of the prison system while diminishing its social inclusion components.

By the 1970s, the National Security Doctrine had replaced the rehabilitation emphasis within the prisons. The National Security Doctrine was grounded on the need to exterminate the ‘internal enemy’ and was constructed through a grammar of war

(Cesano, 2009). Militarized officers gained greater power within the system and prisons were increasingly controlled by the military (Hathazy, 2016: 168).

The renewal of rehabilitation faith during democratic times

After the return to democracy, emphasis on rehabilitation returned to the penal field. Rehabilitation was framed as a practice that was in accordance with democratic values (Hathazy, 2016: 172). Though in the judicial revision of the atrocities committed during the 1976-1983 dictatorship, the role of the SPF was not reviewed and there were no legal reforms to the militarized nature of the organic charter of the SPF, there were still some changes within the system. Indeed, Hathazy notes that the officers in charge of security within the SPF did loose ‘control and prestige’ in comparison to those officers which favoured rehabilitation programs (2016: 171). There were also advances in terms of human rights litigation focused on torture and abuses in prisons. However, the extent and breadth of the changes performed on prison management were greatly limited during this time.

During Menem’s second presidency, the punitive political-electoral climate was accompanied by the enactment of new legislation in 1996 that regulated the execution of penal sanctions and the obligations of the SPF. This law subscribed to the correctional and rehabilitation project of modern prisons, and in its introduction clearly stated the need to introduce ‘*guidelines that encourage the possibility of change for adequate social rehabilitation of those convicted (...) ensuring the harmonious integration of a humanistic conception safeguarding society*’ (National Law 24660, 1996). The Law was framed in terms of the modern tradition of penitentiary reform, focusing on individual responsibility, educational training and

work therapy as solutions to criminality. A key development of the Law 24,660 was supposed to be the inclusion of the principle of judicial revision, a measure that was meant to limit the discretionary power of the SPF officials regarding decisions on inmates. The Law creates the figure of the Penal Execution Judge, which is a specialized judge that does not play a part in the criminal trial but is rather concerned with monitoring and supervising the situation of the inmate during his incarceration (after he/she has been condemned). The principle of judicial revision requires that all the decisions concerning the situation of an inmate (for example, the place he/she will be hosted in, any disciplinary sanctions involving advances and setbacks in the progressive regime, and final decisions regarding the granting of special outings, temporary release, probation, among other decisions) need to be taken by or allowed by a judge (Arocena, 2008).

However, different studies on the role of the SPF during democracy show the persistence of authoritarian and militarized practices that prevailed even in the framework of rehabilitation rhetoric (Ojeda, 2017; Mouzo, 2012; Sozzo, 2011). Sozzo (2009) offers a number of relevant insights into the rationalities of this renewed faith on rehabilitation and the rule of law, as expressed in the 24,660 legislation. He looks at this faith in the context of the swelling of prison populations and the increased demands for punitiveness across the political spectrum to note that these discourses are rendered productive for the justification of the expansion of the carceral system. In this sense, the implementation of Law 24,660 correctional programme has been described as a 'violent fiction' (CELS et al., 2011; Sozzo, 2009). According to Sozzo (2009) the federal system shows a combination between a legal and rhetoric emphasis on rehabilitation with elements that lay closer to a 'prison-warehouse' or 'prison-

cage', in which the aim is not the transformation of the individual but rather the maintenance of a 'static prison'.

Failed attempts: the search for 'social inclusion' through prison

During the last Kirchner presidencies, especially during the first years of Cristina Kirchner's second government when my fieldwork took place, the transformations that have permeated other agencies of the state to some extent reached federal prisons. The first step was initiated in 2007 with the selection of a civilian (non-military) person as Head of the Penitentiary Service, Alejandro Marambio. Marambio was a lawyer who had a record of working in the Ministry of Justice and long-standing expertise of prison issues. The decision to place a civilian person in charge of the SPF was aligned with human rights paradigms on prison management. In April 2012, Marambio was replaced by Victor Hortel, a lawyer who did not have substantial experience of prison issues, but who defined himself as a human rights activist. Hortel was only a few months in his post, but during his mandate he performed symbolic acts that were meant to emphasize the dignity of work within prisons, and family and sports as pillars for the 'social inclusion' of inmates. He also organized several outings with those incarcerated to participate in cultural activities.

The first months of my fieldwork coincided with the last months of Hortel's role as Director of the SPF, who was obliged to resign on August 2013. His administration saw several media scandals that reached the front pages of main newspapers. He also received criticism from the media and opposition parties for promoting social activism inside prisons. His short mandate was widely resisted by an important group within the SPF. He was eventually obliged to resign after a few highly-publicized prison

escape attempts, which were later reported to have occurred with the support of SPF officials in order to precipitate his resignation.

Despite the stated intentions of Hortel's administration, the reports on human rights violations within SPF prisons produced by the prison Ombudsman during Kirchner's years show that these had persisted and even increased. Indeed, the Ombudsman 2013 annual report shows that from 2009 to 2013, violent deaths within prison increased systematically. Previous reports have noted that institutional violence within the SPF has grown from 2007 to 2011 showing a 253% increase in the number of violent acts registered during this time (PPN, 2011). The resignation of Victor Hortel resulted in the return of Alejandro Marambio to his post as Director of the SPF. However, he only stayed five months and was replaced by a military official of the SPF, Emiliano Blanco, who was still in this post during the final writing up of this thesis.

The colour of Argentinean prisons

This chapter has, until now, analysed changes in incarceration rates since 1983, the configuration of penal policies, as well as their tensions and contradictions and the main legacies and recent history of the SPF based on secondary sources, including statistical analysis, reports and bibliographic references. Throughout this analysis, however, one issue has remained (surprisingly) silenced: race.

In her work on the colour of prison in Latin America, Rita Segato (2007: 248) notes the difficulty to talk about race in this continent. Segato names race as 'the blind spot in the Latin-American discourse on otherness' (2015: 213). She then notes how the category of non-whiteness is not included in police or prison statistics nor named but

that race still places a role in the history of colonialism that extend to the present and has concrete effects. She notes:

How is it possible to speak of the colour of those incarcerated? How is it possible to speak about race when it does not form part neither of the category nor the biological differences, nor necessarily the belonging to certain ethnic groups? The race that is present and visible in prisons is not that of the Indian who has just left the village, nor that of the black African who guards in his memory the trauma of slavery. The race that is in prison is that of the non-white, that of those in which we read a position, a specific heritage, the passage of a history, a burden of ethnicity that is very fragmented, with a corresponding cultural class and social strata. // The difficulty of this reading is enormous. It finds a lot of resistance in a continent that blurred, with the mestizo ideal, the possibility of memory and complaint of those 'marked'.³⁶ (Segato, 2015: 257, my translation from Spanish)

Segato notes how the juridical discourse and police practices in Latin America imply 'a continuity of the racist modernization that orientates and organizes, in our countries, the knowledge and the exercise of power' (2015: 260). She links the colour of prisons to the intersection between the development of internal borders and the westernization of penal and juridical bureaucracies. Key in her analysis is the argument that race in Latin American prisons should not be seen as a cause behind incarceration but rather as an effect. In this, she argues that prisons do not work to 'maintain the racial order

³⁶ In the original: ¿Cómo hablar del color de los encarcelados? ¿Cómo es posible hablar de raza cuando no forman parte de la categoría ni las diferencias biológicas ni necesariamente la pertenencia a determinados grupos étnicos? La raza presente y visible en las cárceles no es la del indio recién salido de su aldea, ni la del negro africano que guarda en su memoria el trauma de la esclavitud. La raza que está en las cárceles es la del no-blanco, la de aquellos en las que leemos una posición, una herencia particular, el paso de una historia, una carga de etnicidad muy fragmentada, con un correlato cultural de clase y de estrato social.// La dificultad de esta lectura es enorme. Encuentra mucha resistencia en un continente que ofuscó, con el ideal del mestizo, la posibilidad de la memoria y de la queja de los "marcados". Segato RL. (2015) La crítica de la colonialidad en ocho ensayos: y una antropología por demanda, Buenos Aires: Prometeo Libros.

and guarantee segregation’ but rather play a role in constructing and reproducing a notion of ‘undesirability’ and ‘physical and moral disgust’ (Segato, 2015: 254).³⁷ She notes:

Race is an effect and not cause, effect of a colonial history that continues its course and re-reproduces with new strategies, a product of centuries of modernity and of joint work of academics, intellectuals, artists, philosophers, jurists, legislators and law enforcement officials, who have classified difference as raciality of the conquered people. The prisons of today are a chain in the reproduction of this coloniality pattern.³⁸ (Segato, 2015: 254, my translation from Spanish).

The findings that are presented in this thesis can be understood as framed in this specific understanding of race presented by Segato (2015). Indeed, while race was omnipresent throughout my ethnographic work, it was rarely named as such. Still, the processes of othering that were reproduced and expressed through the juridical and bureaucratic management of files, the treatment of those incarcerated as disposable within prisons and the body searches performed over women who visited them, as well as the framing of struggles performed by women that will be further explored throughout the following chapters, may also be understood as ways in which racialization is reproduced, duplicated, deepened and expressed (2015: 256).

³⁷ Quotations translated from Spanish. In the original: ‘para el mantenimiento del orden racial y para garantizar la segregación’ and containing double inverted commas: “indeseabilidad” and ‘repugnancia física y moral’.

³⁸ In the original: *Raza es efecto y no causa, efecto de la historia colonial que prosigue su curso y se reproduce con nuevas estrategias, un producto de siglos de modernidad y del trabajo mancomunado de académicos, intelectuales, artistas, filósofos, juristas, legisladores y a entes de ley, que han clasificado la diferencia como racialidad de los pueblos conquistados. Las cárceles de hoy son un eslabón de esa reproducción de ese patrón de colonialidad.* (In italics in the original version). Op. cit.

Conclusion

In this chapter, I presented an overview of the main context around which the struggles identified throughout this thesis take place. The chapter shows the unprecedented increase in federal prison populations since the return of democracy in Argentina as: a) a local expression of international trends (related with the expansion of neoliberalism, the criminalization of urban poverty and the increase on punitiveness on different policies including the war of drugs (Müller, 2012) as well the expansion of a populism of fear (Chevigny, 2003)); and b) regional-specific factors (such as the judicialization of penal repression (Hathazy and Müller 2016) and the persistence of authoritarian and racialized colonial patterns which use the judiciary as one of its main tools against the poor (Segato, 2007)). This last explanation is described in more detail on the last section of the chapter, which reflects on the unspoken role of race in prisons in Latin America.

The chapter also presented a general national trend towards an increased level of punitiveness in legal and political-electoral discourses that, though it had its drawbacks, tensions and contradictions, it did not manage to reverse the number of incarcerated people since the return of democracy. The construction of insecurity and fear as a national and political problem was presented throughout this chapter not only as a discourse based on the ‘othering’ of those living in poverty but also as a trend with specific spatial expressions with the transfer of prisons outside of the Cities and into suburban areas. Finally, the chapter also presented the multiple legacies governing the management of prisons in Argentina, as related with the historical role that federal prisons have played throughout the postcolonial history of the country. It showed how prison management is constructed around an authoritarian and militarized system that

is built in tension with a liberal-rehabilitation project/promise that is never fulfilled. It also briefly described another legacy (mainly present during the first Peronist government and briefly during Kirchnerism) which poses prisons within a wider program for social inclusion for those dispossessed.

The context presented throughout this chapter gave some insights on the way in which the appeal to crime works to deem certain populations as disposable within clear racialized and economic logics. It also gave some parameters that are useful to situate the struggles that are identified in the following three chapters. Indeed, the struggles against prison/juridical files that are analysed in Chapter 3 need to be framed in the context of a juridical and incarceration system which are permeated by authoritarian legacies where the judiciary becomes an instrument of injustice and racialization, in short, of deemed disposability. The spatial arrangements that were described throughout this chapter and the labelling of those incarcerated as non-deserving citizens are also key to understand the struggles that women who visit their family members endure to fight against the labelling of their relative as disposable as it is critically analysed in Chapter 4. The appeal to rehabilitation as a democratic and promised project of incarceration sheds some light to understand the struggles of the trade union of those incarcerated in Chapter 5. Finally, the attempts to construct those that live in prison as ‘others’ also give some insights to analyse the appearance of families of those incarcerated and released men and women in front of Congress as a specific spatialized struggle, which is also analysed in Chapter 5.

In the following chapter, I present the first of the three cases that are analysed throughout this thesis. Chapter 3 focuses on the way in which those incarcerated and

their families struggle against the role that prison/juridical files have in regulating their (im)mobility within but also beyond prisons.

Chapter 3. Prison files in the field: counter-conducts and the exposure of ambivalence

Introduction

This chapter focuses on the bureaucratic and juridical practices that take place around decisions on remissions and early release³⁹ of those incarcerated in federal prisons in Argentina. It is based on initial research I undertook in the offices of the Federal Penitentiary Service during the first months of my fieldwork as well as on the ethnographic research that was conducted in multiple sites while accompanying the everyday life of the families of those incarcerated (and their male relatives that were waiting for juridical authorization for early release or had obtained early release from prison).

The chapter aims to shed light on different forms of counter-conduct that take place around the use of prison/juridical files⁴⁰ as ‘truth’ by the prison/juridical system. It shows how prison/juridical files not only work as key bureaucratic documents *inside* prisons, but also participate in power relations *beyond* prison walls. Moving along

³⁹ As mentioned in Chapter 2, the last reform of the penitentiary law introduced two figures that enabled to reduce the time spent in prison of convictions: remission and early release. *Remission* is defined as the reduction of the time of conviction that an inmate has to spend inside a prison institution. If a person has been imprisoned and part of his/her sentence is remitted, this means that they do not have to remain in prison for the full period of their sentence. *Temporary release* is defined as the release from prison for a specified period of time for a specific purpose or reason. In Spanish, the word that defines temporary release is “salidas transitorias” and the word that defines remission is ‘libertad anticipada o condicional’.

⁴⁰ Throughout this chapter, I will use prison/juridical files or prison files interchangeably, to define the files that are produced in prison on condemned inmates and, according to regulations, are used to measure and grade inmates ‘progression’ throughout the prison system. According to the penitentiary law, the final decisions on remission or early release are to be taken by the judiciary, more specifically by Execution Judges, after reading the recommendations and reports produced by prison files. The Execution Judge is only responsible for making these decisions and has no relation with the Ordinary Judge in charge of the conviction trial.

different sites located outside prison boundaries, the chapter analyses how participants in my fieldwork relate, negotiate, attempt to resist, strategize and comply with prison/juridical files. Through the analysis of different ethnographic scenes, the chapter analyses some ways in which people acted out against the power exercised through prison/juridical files while at the same time complied with its governmentality logics.

While bureaucracies and governmentality have usually been analysed and portrayed as rationally minded (Weber, 1969; Foucault, 1991 [1977]) and ‘devoid of emotional dimensions’, this chapter focuses on ethnographic findings that challenge these assumptions (D'Aoust, 2014: 28; see also Stoler, 2004). The first section is based on fieldwork conducted in the headquarters of the National Directorate of the Federal Penitentiary Service and an archive research of a sample of prison files. It analyses the administration of these files as one that is characterized by incompleteness, chaos and ambivalence. Throughout this section, I examine how the files were organized and built around certain regularities, but they were mainly incomplete or carelessly completed.

Throughout the chapter, I ask what are the possible productive functions that the incompleteness and ambivalence of the files has for carceral governmentality. To do so, I investigate different forms of counter-conducts performed by families and those incarcerated that expose certain dimensions of the ‘economy of truth’ performed by prison/juridical files. The struggles and modes of resistance that are identified throughout the different ethnographic scenes presented in this chapter are not clear-cut or out-loud forms of resistance, but they rather show actions that those in my fieldwork took to limit, hide from or avoid being subjected to prison/juridical files that

(they thought) could potentially harm their or their family members' access to early release or remission from prison. In this analysis, I follow Foucault when he notes that counter-conducts are 'acts (...) in the very general field of power relations' and that 'the dimension or component of counter-conduct [that] may well be found [in fact] in delinquents, mad people or patients' (Foucault 2007: 202). I argue that analysing these actions as counter-conducts shed light on certain aspects of carceral governmentality.

In the second section, I show how the ambivalence of prison/juridical files contributes to the expansion of their surveillance role beyond prison walls. I describe the fear that families have regarding the effects their behaviour may have on their relatives' prison/juridical file and the ways they find to counter-act this.

The third section looks at the case of Darío, a man that had been recently released from prison and her wife Paula. This section analyses Darío's response to the apparent loss of his file by the Local Parole Officer and his later attempts to remember what was written in his file to avoid making any mistakes in his answers to the Parole Officer. I conclude noting that Darío's actions and strategies expose specific dimensions of the power embedded in the government of his mobility through prison/juridical files. They show how the ambivalence in the way files were managed still assured him that in the absence of his file or in the presence of contradiction, his voice would not be believed.

In the final section of this Chapter, I present an ethnographic scene that describes the case of Sara, the wife of Juan, a man that was requiring his early release from prison. I focus on the role of hope to study how people in my fieldwork continue to invest

time and expectations in the prison/juridical process to attain their relatives' early release from prisons, despite acknowledging its ambivalence and discretionality.

Administering through ambivalence: prison files in context

During the first months of my fieldwork, from late November 2012 to early February 2013, while I was waiting for permission to enter the prison units of the Federal Penitentiary Service as a PhD researcher, I requested and obtained access to a random sample of eighty prison files at the Library of the headquarters of the National Directorate of the SPF. The prison file is the folder that gathers all the documentation produced on inmates during their period of detention. It includes all the records of prison and judicial practices performed on their cases during this time.

As mentioned in Chapter 2, the prison/juridical file is an instrument included in the prison law (Law 24,660), which is based on several assumptions about the expected (im)mobility that those incarcerated may be granted within the prison system during the different phases of their conviction. This law is built around a specific conception of mobility which is based on the way an inmate *moves* through the rehabilitation programme. The prison/juridical file is supposed, by law, to track the road that those incarcerated transit through what is denominated as the 'progressive system'. This system is divided in four main phases, each of them linked to different modalities of imprisonment: observation phase, treatment phase, trial phase and conditional freedom phase. Each phase requires the inmate to fulfil certain objectives (such as their participation in educational and labour activities). According to the law, the attainment of objectives towards this expected 'rehabilitation' is linked with the possibility to access greater physical mobility within the system. The norm foresees

that if the inmate follows the program ‘adequately’, in the last phases of the system, he/she may be granted the right to special outings. In equal manner, during the last phase of the ‘progressive system’ they may require judicial authorization for their early release and, if granted, they may finish their sentence outside prison.

In the Federal Penitentiary System in Argentina, a prison file is created by hand⁴¹ every time a person enters for the first time to a prison unit as an inmate. Throughout the period of detention of a person, the prison file is kept in the prison unit where the person is hosted while they are detained there and travels with the person while they are transferred within the prison system and/or to the court buildings. In this sense, it is possible to argue that a person who is imprisoned ‘moves’ with his/her file ‘on his/her back’ (Lombraña and Ojeda, 2013). Every time a person is transferred to another prison unit or has to attend a court hearing, he/she takes his prison file with him/her. When he/she returns to the prison unit, he/she is required to give his/her file back to the Judicial Department of the prison Unit they are hosted in. The prison file is kept there until the person leaves the prison building again. Once the person is released from prison, his/her prison file is stored in an archive. If the person falls back again into imprisonment, his/her prison file needs to be retrieved from the archives and all the new documentation on his/her new detention is added into his original file. According to internal regulations, a copy of the prison file is also kept and regularly updated on the National Headquarters of the SPF located in the City of Buenos Aires, where I conducted the initial months of my fieldwork. Upon the inmates’ release of

41 Although throughout the last decade, there were several policies that attempted to digitalize the system of prison files, when I performed my fieldwork, these initiatives had not yet managed to change the manual system in which files were completed, processed and archived.

prison, a notice with information from his prison file is also sent to their Local Parole Office.

The prison file is opened first with the documents that the person has when he/she arrives to the unit for the first time. Most commonly, this includes a photocopy of his/her identity card, the transfer certificate from the police station they were previously hosted in, and basic information about their court cause and the crime they had been charged with. Over time, the file accumulates a wide variety of records on prison and judicial practices operated on them. The papers in the prison file folder are supposed to be arranged chronologically. The initial page includes basic information on the person, including a page with their fingerprints card, a copy of the court's sentence (with the number of cause, the reasons behind the sentence and the number of years in prison the person has been sentenced to) and a small photograph. After this initial page, the file is meant to include several forms including one with their personal data (Form No. 95), legal situation (Form No. 94), their disciplinary form (Form No. 3), their medical records (Form No. 7), and other social reports produced within the unit by prison officers and certified psychologists, social workers and doctors working as part of the prison staff. These reports generally include a social, a family, an education and an employment report. The prison file is also supposed to gather reports on every sanction an inmate receives during his/her detention, including the reasons, its enforcement or suspension.

The information captured in the prison files also shows the exchanges that take place between the SPF and the Execution Judges regarding inmates' granting of remissions or early releases from prison. After inmates are convicted, the criminological staff within the prison produces reports on the inmates' rehabilitation objectives and their

achievement. These reports include a ‘criminological classification’ (that is meant to be decided upon the findings obtained from the social, family, education and employment reports produced previously). According to regulations, this classification has to assess the level of likeliness in which an inmate is said to be able to rehabilitate (which can be marked as low, medium or high). After this report, the criminological staff includes a ‘Program for Individualized Training’ which sets the objectives that each inmate is compelled to accomplish during their detention, including their participation in educational, social and work activities. Every three months a team composed by members of the prison staff meets to decide on two grades that are given to each inmate according to certain criteria based on their ‘behaviour’ and ‘conduct’ (National Law 24660, 1996). Again, according to the regulations, the behaviour is defined as ‘the observance of the regulations on order, discipline and cohabitation inside the unit’⁴² and the concept is defined as ‘the measure of their personal evolution that is deductible from their greater or lesser potential for adequate social reintegration’⁴³ (National Law 24660, 1996: Art. 100-101, my translation from Spanish). The decision on grades is a key moment in the prison everyday life, as only inmates that attain high grades can request their Execution Judge⁴⁴ for a temporary release or a remission of their sentence. Formal reports with final grades (and reports on any grievance or complaints on these marks) are also included in the file. Each

⁴² In the original: El interno será calificado de acuerdo a su conducta. Se entenderá por conducta la observancia de las normas reglamentarias que rigen el orden, la disciplina y la convivencia dentro del establecimiento. National Law 24660. (1996) Ley de Ejecución de la Pena Privativa de la Libertad, Honorable Congreso de la Nación. Buenos Aires: Infoleg.

⁴³ In the original: El interno será calificado, asimismo, de acuerdo al concepto que merezca. Se entenderá por concepto la ponderación de su evolución personal de la que sea deducible su mayor o menor posibilidad de adecuada reinserción social. Ibid.

⁴⁴ As mentioned in Chapter 2, the legal framework in Argentina establishes a distinction between those judges that will have the function of judging the committed crime and giving a sentence from those who have the function of executing the sentence. The latter, is called Execution Court and is responsible for authorizing or denying temporary releases or remissions as well as monitoring the conditions of detention. Ibid.

inmate receives one grade (from 1 to 10) on their behaviour and one grade (from 1 to 10) on their 'concept' every three months. The prison file is also meant to provide information to identify the institutional circuits that an inmate goes through since their first incarceration. The prison files include copies of the different formal communications established with the Execution Courts, the resolutions, transfer requests and other legal notes that are sent to and received from the Courts.

My first objective when I gained access to prison files was to explore the basis on which decisions about the (im)mobility of inmates were taken by the prison bureaucracy. I was hoping to be able to trace these along the prison files sample that I was given access to. I aimed to study the way in which these files produced knowledge on those imprisoned and was interested in analysing the content of the files, the technologies of classification, what was included and excluded in the files, and what sources of information were privileged. I also attempted to scrutinize the types of reports that were produced on inmates, with the aim of questioning the assumptions that each report had on the production of the gendered criminal body.

The sample of prison files and records that I had access to and reviewed showed certain regularities. The analysis of the content of prison files' texts showed how records privileged experts' knowledge. When opening the file, the first information a reader received about the imprisoned person was a detailed description of the criminal actions that these had been trialled for and the investigation that lead to his/her conviction. These records were mainly produced by lawyers and legal experts. The second part of the file included experts' reports on the person's social background and medical situation. These reports were mainly standardized, they usually followed similar formats and were signed by certified social workers, psychologists or doctors. The

third part of the file included the criminology reports. These were organized around the prospect of rehabilitation of an inmate. Some of the prison files' reports stated that the lack of employment and a secondary educational degree and having imprisoned members in their immediate family (parents or siblings) were risk factors that reduced the possibilities of rehabilitation of an inmate. In some prison files, the criminology classification reports seemed to weight very negatively the fact that an inmate would have other family members imprisoned and often poverty was also considered a risk for 'adequate' rehabilitation. In the cases an inmate did not have any parents or siblings, this could also be considered as a risk.

However, as I read more and more files, and had interviews and conversations with the people that worked with these files in the SPF offices, I increasingly began to realize that prison files were performing other complementary roles within the prison institution that seemed less related with a thorough and detailed tracking of the set 'rehabilitation' objectives of those incarcerated.

Indeed, the organization of files did not follow a rational and detailed documentation as emphasized by Foucault's description of the 'power or writing' aimed at 'captur(ing) and fix(ing)' those imprisoned (Foucault (1977: 189-190). On the contrary, most of the prison files that I reviewed were mostly incomplete or carelessly completed. A single prison file could include reports with different dates of birth for one only person. In one prison file, an incarcerated person was stated to have been born in 1973 on the first page and in 1980 on the third page. Several files presented inconsistencies in the names or composition of families of inmates throughout their different records. Six reports stated that inmates had a number of sisters and brothers in the family report, and in another subsequent report it was stated that their family

composition was completely different. Three other files had different names of parents and siblings across different reports. Twenty reports on decisions taken on an inmate stated that this decision was based on information that contradicted some of the information that was included in previous reports. Though the system of the prison file presumed that the individualized treatment plan of each inmate was based on the findings obtained on their social reports, most of these plans were incomplete and had no connection with the findings obtained from the social reports.

The lack of completion and inconsistencies of the prison files were known by employees of the SPF who, when I asked them about this situation, answered that they had to deal with so many files, that it was impossible for them to verify whether information on the files was correct and coherent (or not). When they did identify an inconsistency, they stated that it was impossible or very difficult to identify which information was wrong and which was correct. The Library room where I was reviewing the files was next to the office of the Director of the SPF Department responsible for monitoring the decisions that were made on inmates. Every day, the Director would sit down with other employees of the Department to review the files of specific inmates and decide whether decisions made on their situation had been correct or not. Several times a day, the Director would comment about their work, stating phrases like these ones: *“I do not know how we will make a decision about this person. This file is not complete; we are making decisions based on lies”* or *“We are making decision on fictions. This file is a total mess!”* (Fieldwork notes, February 2013).

Despite claiming these issues, the Department made daily decisions on several key aspects of the life of inmates based on the content that was written in the prison files:

whether a person could get out of jail; whether he/she had met the formal requirements for gaining their freedom; whether it was right to give an inmate permission for a temporary release or whether he/she had to remain in their prison cells; and whether someone would be transferred to another prison unit. These decisions, among others, were made on a daily basis and justified by the information included in the prison file. The decisions made on the basis of the prison files involved deciding whether they could ask for remission or early release or whether they would be prevented to do so.

A few days after I finished reviewing the sample of prison files I had access to, I received the news that I would not be granted permission to conduct my PhD research inside SPF prisons. As mentioned in Chapter 2, this event obliged me to change the focus of my research and my interest in prison files was left aside for a while. However, I remained perplexed by certain issues arising from this initial experience that accompanied me during the rest of my fieldwork, namely: What is the role of the careless completion of prison files in the regulation of the mobility of those imprisoned? What could be the productive purpose of this issue in the relations of power around the search of mobility of those incarcerated?

Prison/juridical files beyond prison walls

The importance of prison files gained new relevance when I started to do fieldwork among families of those imprisoned. As mentioned in Chapter 2, a few weeks after my permission to do research inside prisons was denied, I found out and started to attend weekly meetings that were organized by relatives of those imprisoned in the federal system. Most of the people who attended the meetings were women, mostly mothers, wives and sisters of imprisoned men. While I was doing fieldwork, some of

these women learnt that their husbands could be granted early release from prison. I accompanied several of them to the Court Houses and waited with them through the process before the juridical decisions on their relatives' release was enacted. A few months after I started to do fieldwork with them, the partners of three of the women, with whom I had become closer to during the fieldwork, were released from prison, either through remission or temporary release.

In the family meetings I attended, the knowledge I had obtained on prison files in the administrative offices of the SPF gained new insights. In these meetings, prison/juridical files were described as not only affecting those who had been or were imprisoned, but also the relatives of prisoners in their everyday lives. In the various meetings and talks I had with the mothers and wives of prisoners, the implicit and explicit mentions to the prison files were recurrent. The fear that their relative would be punished with a reduction in their conduct or concept score was considered in the actions performed during entry and exit procedures on their family visits. In my first fieldwork notes, I recorded that prison/juridical files, despite their incompleteness and problems, still seemed to play a role in regulating the behaviour of families, trespassing the boundaries of the prison.

A recurring phrase that families used to describe the way they experienced the regulation of prison files on their behaviour was 'what happens outside impacts inside'.⁴⁵ This phrase described their belief that if they had any dispute or disagreement with another family member or with a prison guard in family visits could lead to reprisals against their imprisoned relatives. This fear was enough to endure humiliation or accept insults without responding to them. Several people whom I

⁴⁵ In the original: *Lo que pasa afuera, repercute adentro.*

interviewed told me stories of relatives who had had arguments with other relatives while they were queueing or who had responded poorly to prison agents in family visits, and that these had caused problems to their sons or husbands inside the prison. These problems had ended with their relatives locked in a punishment cell or receiving lower scores in their files. These stories were sometimes told as personal experiences, other times as something that had been experienced by other family members they knew or just as rumours. In both cases, the stories fulfilled a fundamental role in maximizing their avoidance of any possible conflict in visits.

These stories also motivated different actions that could be described as counter-conducts against this perceived regulation. Families learnt from their incarcerated relatives' different ways to avoid having problems that could, according to them, harm their relatives' scores in their prison files. In their descriptions of their travels to prison, most women stated that they had to be very careful not to talk to anyone in the bus or the queue of the prison. The strategy of not giving out information to people they did not know was a common strategy used inside prison. During my fieldwork, I had conversations with different incarcerated people who told me that they had learnt to be careful with what they told social workers and therapists inside prison. They argued that any information they could say could enter their prison file and be used against them. By refusing to provide information, those incarcerated and their families aimed to contest what they perceived as a surveillance that could always be used against them (Scott, 1990; Marx, 2003; Goffman, 1991 [1961]-a; McCahill and Finn, 2014).

A paradigmatic case of the work of this strategy in the 'outside' is that of Maria, the mother of Gustavo, a man that had been incarcerated for four years. Maria was fifty years old and used to come to the meetings distraught by the problems her son was

experiencing inside the prison. When I met her, she had been recently told that her son could get his temporary release from prison. She mentioned that since she had found out about this, her insomnia had worsened and that she was not sure why she felt depressed. She was worried and feared his son would not be able to adjust to life outside the prison after his imprisonment. Maria had mentioned that she went to weekly sessions of therapy. When I asked her if therapy was helping her, she stated that she had never mentioned to her therapist that her son was going to be released from prison. I must have looked at her surprised, because she quickly added, *“Gustavo is about to be released, you never know what can happen. If they [the judiciary] ever call my therapist to declare, and he states that my insomnia is related to his release from prison, they can use it against his release. What if they do not release him?”* (Fieldwork notes, April 2013)

During the weeks I did fieldwork with families, my first assumption was that prison files, beyond their incompleteness (as described in the first section of this chapter) still performed an important surveillance role. This surveillance role did not seem to be based on detailed tracking of the actions performed by those incarcerated within prison walls, but rather become effective through the fear that anything they did or said could be included in their relatives' files and be used against him/her. Indeed, it was not the confirmation of being observed and tracked in detail, but rather the perception and fear of being permanently observed. Though it was extremely unlikely that Maria's therapist would be called to declare in the decision on her son's release, she feared strongly that this could be possible.

Analysing fear through Foucaultian lenses, Debrix and Barder (2009: 398) frame it as a technology of governance used to 'normalize populations'. They argue 'that fear

(and the power relations that flow from its production) is actually not something that the modern state and its agents ever want to do away or be free from'. According to Debrix and Barder, 'fear is what must be produced and reproduced by governmental agents to establish the control, supervision and enhancement of the social body (...)' (2009: 400). In this context, then, prison/juridical files did not need to be detailed and rational trackers of the actions of those incarcerated, but rather contribute to the enactment of fear. In this sense, their ambivalence and unpredictability (and the belief that anything in it could be used against them) contributed to reinforcing their power beyond prison walls.

The fear families feel also appears as motivating the development of counter-conducts against the perceived surveillance of prison/juridical files. As mentioned in Chapter 1, Foucault (2007: 202) notes that rather than presuming a heroic act, counter-conducts may take a wide range of different forms. These forms may be mundane and be framed as everyday acts (Demetriou, 2016). In the case of Maria, for instance, it is possible to identify a specific form of struggle in her decision to conceal information from her therapist as a strategy to limit the potential visibility that the prison file could have over her life. Maria's decision to conceal information exposes the way the regulatory power of imprisonment expanded to her daily life. In this way, the act of concealment of information may be described as a tactic intended to modify relations of power (by assuring – through the only way she could find – that her life and thoughts would not be shared with juridical authorities). Still, as mentioned before, this strategy cannot be seen outside carceral governmentality.

Struggling against suspicion: experiencing files after early release

In this section, I will focus on the cases of Darío, a man who was incarcerated when I met his wife, Paula, in one of the family meetings. Darío was released from prison a few months later. I accompanied them in different moments during my fieldwork, both in their home as well as in the visits they had to do the Parole Office. His case shows how fear also plays a role in the way those who had been incarcerated related to the power relations embedded in prison/judicial files. As in the case of María, the way in which Darío relates to his file may be explained as a form of counter-conduct because it shows a refusal to participate in complying with the power relations embodied by prison/judicial files. In contrast to some empirical applications of Foucault's concept of counter-conduct (Rossdale and Stierl, 2016), I argue that this refusal may not be seen in exteriority to the power relations exercised through the files, but rather as an exposition of certain dimension or elements of the way carceral governmentality worked.

I met Paula first in one of the family meetings I attended and, through her, I met her partner, Darío. Paula had stayed with Darío throughout his fifteen-year long imprisonment. She travelled to prison to visit him almost every weekend and talked to him by the phone almost every day. They had met when they were both teenagers. Shortly after getting together, Paula got pregnant. When their first son was one-year-old, Darío was arrested for robbing a bank. He was convicted to eight-years of imprisonment. Six years later, he was granted 'temporary release'⁴⁶ from prison,

⁴⁶ Temporary release is defined as the release from prison for a specified period of time for a specific purpose or reason. In Spanish, the word that defines this is "salidas transitorias". According to national legislation, those imprisoned may request their temporary release (or "salidas transitorias") under certain conditions. In order to be granted temporary release, they need to receive written authorization from their Execution of Penal Sanctions Judge. The Judge can grant his authorization for temporary

which meant that he could spend 48 hours in Paula's house every month. In one of these releases, he was arrested and then convicted for robbing another bank. By then, Darío and Paula had already a second son, who was born while Darío was in prison. Seven years later, he was granted remission and was released from prison.

Five days after he was released, Darío went with Paula to the Local Parole Office in his neighbourhood to sign the papers of his remission.⁴⁷ In Argentina, the Parole Office is the state office in charge of monitoring those inmates that have been granted early release from prison. Darío's remission had been authorized by the Execution of Penal Sanctions Judge under the condition that he had to attend the Local Parole Office to sign his remission papers once a month.

Darío was 34 years-old that day and it was the first time he had been out of prison for one whole week since he was 19 years old. The following is an extract of Paula's description of the visit when we met that same day two hours after they had gone to the Parole Office:

We arrived and had to wait for half an hour. There were no chairs to sit, so we remained standing for a while. We had to wait for almost half an hour before one

release to an imprisoned person, when this person has: (i) completed half or more of his sentence in prison, (ii) shown excellent conduct as reported by his prison file, and (iii) has received a report from the SPF criminology team stating a good concept regarding his/her evolution in prison and that the temporary release will have positive effects on his personal, family and social future. Temporary releases from prison may be granted for up to (i) 12 hours, (ii) 24 hours or (iii) under special circumstances, up to 72 hours. The purposes under which a person may request a temporary release can be (i) to consolidate or enhance family or community ties, (ii) to attend courses at the primary, secondary, professional or University level, (iii) to participate in pre-release specific programs before remission or the end of their sentence. Inmates convicted with sexual crimes have tighter controls and more regulations to fulfil in order to receive temporary releases. Ibid., articles 16 to 22.

⁴⁷ Remission is defined as the reduction of the time that an inmate has to spend in prison. If a person has been imprisoned and part of his/her sentence is remitted, this means that they do not have to remain in prison for the full period of their sentence. For example, if someone has been sentenced to 12 years' imprisonment, and 3 years of their sentence is remitted, that means that they will be released after 9 years. The legislation defines the conditions under which a person may be granted remission of his/her prison sentence. Ibid.

of the employees of the Parole Office called us in and he asked Darío why he was there. Darío told him that the Court had sent him there, because he had been remitted and he had to sign (...) He was asked for his name and the number of his identity card, and he answered. And they also asked him where he had been imprisoned, and Darío answered he had been in the prison Unit of Ezeiza and he also gave them the number of his unit and his cell. Then, the man went to look for his file. You can't imagine how Darío was... super nervous... (...) He was nervous because they did not find his file. The man went away and began searching through the drawers but he did not return and later we heard that he was asking his colleagues, who were in the other office, if they had received the file of Darío Sierra, but they said "No". Darío turned pale... pale as a sheet of paper, and he looked out the window. When the man left again to the other office, he told me softly: "I will throw myself out, I swear I will throw myself out, they will come and take me with the police, they're going to take me back. If my file is not here, I will be taken back (...)" (Fieldwork notes, April 2013)

The way in which Darío reacts to the possibility that his prison file would not be found by the Parole Office employees may be described as a form of counter-conduct to the ambivalence and arbitrariness that is played out through prison/juridical files. According to Darío, if his file was not in the Local Parole Office, his body could not be legally there. It did not matter that the Judge had given authorization for his remission, that the prison guards had allowed him to leave the prison premises and that he had followed the legal requirements and had travelled to the Local Parole Office to sign his remission papers. From his perspective, if his file was not there (i.e.: if there was not a paper on him in the Local Parole Office), then, he would not be allowed to be there.

As Darío's reaction to the alleged loss of his file suggests, his experience within prison settings seemed to have provided crucial lessons on how the existence of his body was only intelligible in this context through the presence of his prison file. His attempt to flee the Parole Office from the window, shows a refusal to be identified with the piece of paper that corresponded to his prison file. His reaction entails a refusal to be framed as existing only through the material reality of his file. It is a rejection to be treated as a file.

The way in which Darío links the prison file with his body calls attention to the relationship between bodies and bureaucratic papers. Torpey (2000: 14-17) notes that surveillance promoted by prisons files relies on the 'annihilat(ion) of identities -the selves- of the inmates' (2000: 15). This annihilation is meant to limit their possibilities to defend themselves from their condition. He compares the relationship that exists between the body and documentations and notes that in the modern states (unlike prisons) documentation has been used to both 'penetrate' societies (promoting greater surveillance) and 'embrace' certain populations (promoting distinctions between certain citizens and others) (2000: 15). In modern states, the search to 'embrace' has led to the development of more precise and less invasive techniques of identification, that have tended to return to the body as an 'evidence of identity' through sophisticated techniques of DNA and retina scans, among others (2000: 15). On the contrary, his analysis suggests that in prisons, files would be taken as an evidence of their 'spoiled identity' (2000: 15).

In his nineteen years in prison, Darío had experienced how the prison file worked as an identifier of his imprisoned body. As mentioned earlier, within the SPF in Argentina, the encompassing of the imprisoned body and the prison file constitutes an

integral part of inmates' socialization since they arrive for the first time to a prison building. Prison files also play a key role in inmates' mobility across the prison and juridical system. Inmates are trained to move with their files in their travels across prison institutions and judicial buildings throughout their incarceration. Every time they arrive to a new place, such as another prison building or the Court Houses, they must show first their prison file. Within prison, Darío was used to be first identified by prison officials, social workers and doctors by his prison file.

Darío's reaction sheds light on the effects that bureaucratic documents can have on people who have been imprisoned for a long time and calls attention to the role of the material existence of the prison files as a key feature of the experience of bureaucratic documents (Hull, 2012). In their analysis of governmental documentation at the state margins, Das and Poole (2004: 17) note one ethnographic aspect related with documentation which shows how the daily encounter with bureaucratic paperwork is part of a 'pedagogic aspect of the state'. These authors argue that in the everyday life of those who depend on documents for their mobility, the state becomes intelligible through these processes of documentation. They note that documents 'become embodied in forms of life through which ideas *of* subjects and citizens come to circulate among those who use these documents'. Das and Poole mention that the idea of citizenship and the acknowledgment of the gap between 'membership and belonging' is learnt by those who live in the margins through the paperwork encounters they have with the state (2004: 17).

While Das and Poole base their analysis on identity documents (and not prison files) and focus on (im)mobilities different from those experienced around prison settings, their arguments allow to explore further the implications of Darío's reaction to the

apparent loss of his prison file. Darío anticipates that the loss of his file would mean that he will be taken back to prison. This fear is based on a specific understanding of the working of prison officials that had been learnt on previous encounters with the prison bureaucracy. During my fieldwork, references to the problems that the loss of a report or the 'lack of a paper' in a prison/juridical file had caused to their everyday lives of inmates and family members was a recurrent comment. The lack of a paper in the file could mean delays in the granting of a remission, the denial of medical attention inside prison, endless waiting in juridical offices, being transferred to a prison that was located remotely, among other problems. The way these prison/juridical files were conceived from the perspective of the end-users of these files, then, was embedded in specific understandings of what counted as 'truth' for state officials: no matter what one had done (or not), no matter what one said, if the loss of a paper in the file could not back up this, it would not be believed.

The identification with the physical object of the file is not the only way in which Darío related with prison files. Two weeks after Darío and Paula had gone to the Local Parole Office for the first time, he was informed by phone that his file had been found. He was requested to return to the office to sign his remission papers. This time, I accompanied him and Paula to the office. On the way to the Local Parole Office, which was around 40 minutes away from their house by car, Darío seemed very anxious and thoughtful. Paula asked him whether he was ok and he told us that he was trying to remember what his file said. He explained that he did not want to make a mistake and say something wrong. He stated:

If they ask me if I ever took drugs, and I say I did twice, and the file says I took drugs only once, then I'm in trouble. Or if I say that I had cocaine, and the file

states that I had only marihuana, same problem. I have to remember exactly what I said and how I said it, because if I don't, I'm in trouble. And if there is something I say that it does not match with the file, they will suspect and then they ask and ask and ask, and it does not end no more (Fieldwork notes, April 2013).

The will to adapt to the content of the document should not be thought as contradictory to the identification of one's own body with the material object of the document, but rather as a complementary effect of the subjective identification with the file. While in the first case Darío's reaction shows a refusal to be identified with the file, in this second ethnographic scene he describes the strategy that he feels he needs to perform to be able to convince the state official that he is complying to the way the file describes him. In short, he needs to *become* (through performance) the prison file.

The strategy calls attention to the role of writing for the reification of personal identity within bureaucracies. Rather than being a result of a thorough supervision, Herzfeld (1993: 139) argues that bureaucracies are more aimed at asking "how are you written?" than at asking someone's name. Finding strategies to perform compliance with what is written in the file entails the working of specific power relations. Indeed, Darío's attempt to remember what the file said exemplify the role of files in the annihilation of the self (Torpey, 2000). According to Darío, the 'truth' that would be searched through the meeting with the Parole Office was not what Darío had done (or not done) in his life, but rather what was printed in the file.

Both the need to run away from the Parole Office that Darío felt when he found out about the possible loss of his file as well as his eagerness to remember what the file stated could be described as counter-conducts against the ambivalence of prison/juridical files. Indeed, the ambivalence in the file works as a way of enacting

the annihilation of his body as well as of his personality and his story. However, as it was also shown in the previous section, rather than being passive subjects moulded by surveillance mechanisms, both inmates and relatives of those imprisoned attempted to try to limit (in the way they could possibly find in this very restricted context) the power of prison/juridical files over their lives (Scott, 1990). Darío's attempt to run away from the Parole Office when his file seemed lost may be interpreted as a struggle against the way in which prison bureaucracies made him intelligible only through his prison file. The strategy to remember the information that was retrieved from the file shows a specific tactic that Darío used to limit what he believed could be a source of suspicion from the Parole Office public official. In both cases, Darío shows a refusal to be conducted as a mere file and an attempt to protect himself from that. Either through performing the file or through escape, his reactions are a refusal to the 'abstraction' of prison bureaucracy 'who ignored' what he was 'individually' (Foucault 2007: 212).

Hope and time in the prison/juridical field: the role of files

While in the previous sections I looked at different forms of counter-conduct that exposed the way prison/juridical files were being used in this prison context, in this section I will look at hope and its relationship with people's continuous engagement with prison/juridical files despite acknowledging these are ambivalent, incomplete and arbitrary. I will do so through the analysis of a specific case study, that of Sara and Juan.

As in the case of Maria and Paula, I met Sara at one of the family meetings. Her husband, Juan, was imprisoned in Marcos Paz. He had spent most of his sentence in

the federal prison of Chaco, in the north of the country, and in several prisons in the southern part of the country, but had been transferred back to the prison of Marcos Paz six months before I met her. During his first imprisonment years, Juan had experienced many problems: he had been often beaten by prison guards and had been transferred to many prisons as a way of punishment. His situation had improved in the past two years and when I met Sara, he had already completed two thirds of his sentence and he had achieved the needed scores in his criminological report so he had been able to fulfil the formal requirements to obtain remission from prison. However, he still needed his Execution Judge's authorization. The following shows the abbreviated notes I took from the first time I accompanied Sara to the Court House for Juan's first hearing:

Sara arrived at the Court at 8 am and waited at the ground floor of the Court house for Juan, who had been picked up by the prison van at 3 a.m. from the Marcos Paz prison. "Since this morning, I have been imagining how it will be to go back home with Juan this afternoon", she told me as we greeted.

We waited for four hours in the ground floor of the Court house until Juan arrived at 12 am. The Marcos Paz prison is only an hour and a half away from the Court House, but the van usually performs so many stops along the way to pick up and leave off inmates that they take many hours to arrive to destination. As soon as the van arrived, Sara went out to the street and talked to Juan through the bars of the window for a few minutes. She asked permission to the guards to hand him a drink and something to eat as Juan had not eaten or drunk anything since he had left the prison at 3 a.m. Meanwhile, one of the prison guards left the van and went to ask for permission from the Judge to take Juan out of the van and into the Court House. Juan's defense lawyer, who had arrived a few hours before and was

waiting with us, also went to meet the Judge in his office in the second floor of the Court House.

An hour later, two prison guards took Juan out of the van. As he was taken inside the Court House, his handcuffed hands were trying, with great effort, to hold his prison file and other papers. Sara tried to hug him but prison guards pushed him inside the elevator. Before entering the elevator, Sara asked him whether he wanted her to hold the papers, but Juan kept them and stated: “I brought them for the Judge”. The elevator doors closed and he got escorted towards the office of Judge in the second floor of the Court House.

The meeting lasted one hour. When it ended, the defense lawyer went out of the Office with a serious expression on her face. Already on the sidewalk outside the Court House, she confirmed that Juan had not been granted his remission. She told us that at first the meeting seemed to be going well, but ten minutes before the meeting ended the Judge had said that he realized that Juan was a good guy and that he had improved a lot, but that there was a specific report in his file which prevented him to issue the remission. The Judge then read out loud one of Juan’s psychological reports. The report stated that he had psychopathic traits. Juan had other reports who did not state that, but he had chosen this one. He added that if Juan managed to get a new positive report, this would make it easier for him to decide positively on his remission.

A few minutes later, Juan was escorted out of the Judge’s office by the prison guards who took him handcuffed into the van again. The van remained parked for forty minutes more, while Sara spoke to him through the bars of its window. Finally, the van pulled away.

Sara was almost crying. After the van left the Court House, we went to a coffee shop that was close by. Sara started crying. She said: "I won't do this no more. From now on, we will just sit and wait the number of years that Juan has to be in prison. But we won't do this circus, not anymore. I'm tired of waiting and having hopes, Juan was brought up here for anything today, I'm tired." After we had some coffee and some croissants, she left to go back to her house.

The next day at noon, I called her to her cell phone to find out how she was doing. Her voice sounded more cheerful than the day before. She told me that she had spoken with Juan's defense lawyer that morning. "There is a chance.", she told me. "If the defense lawyer presents a complaint against the Judge, Juan's case may be given to another court. Because what the Judge did is wrong, I do not know when Juan will go free yet, but that might work". (Fieldwork notes, June 2013)

In Spanish, the word 'hope' (*esperanza*) is formed with the word 'wait' (*esperar*); from the Latin word *sperare* or *spes*. The connection between these words sheds light on the temporality of the act of hoping. The opposite of hope in Spanish is formed by the same word (*desesperanza*) which in English is translated into despair. The scene above shows a specific role of prison/judicial files that unveil a special relationship between the workings of 'hope', 'waiting' and 'despair' and relations of power.

It is certainly evident that the scene shows some clear effects of prison files that could be analysed as a consequence of the 'power of writing' and the role of expert knowledge in constructing incarcerated subjects. Indeed, the way that the Judge quotes the psychological report as the main reason for denying Juan's access to his mobility shows a clear example of this. The use of the report as a legitimating factor for his

decision and is presented as an undisputed element. The definition that the psi-power makes of Juan takes a determinant factor to deny his remission.

Still, concentrating only on this aspect would be undermining other issues that are present in this scene that shed light on how prison/juridical files also play a role in exercising power over those who remain outside. In this section I am more interested in focusing on an aspect which transcends the power of writing or surveillance as described before in this chapter. I would like to focus on the workings of prison/juridical files in the manipulation of hopes and expectations in the decision process towards their remission or early release.

Throughout the ethnographic scene of Juan and Sara, waiting is a key aspect of the struggles to obtain remission from prison. This brings us back again to the first finding presented in this chapter: the incompleteness of prison files and the uncertainties and arbitrariness that this carries to decisions made on inmates. Hence, one question that comes back again is how can we interpret the incompleteness of prison files? What productive purpose might this bring to the relations of domination produced in this context?

In this specific context, the ambivalences produced by the prison files limits the possibility to calculate the probabilities of release. Indeed, while Sara was hopeful that Juan would obtain his remission the day of the hearing, it was not the first time that she had been assured he could leave the prison and that she had been disappointed. This was not an uncommon issue. Several times during my fieldwork, I saw the relatives of incarcerated men celebrate with joy that their relative would be released, to later realize that this would not be the case. In this context, decisions made by prison

officials and the Execution Judges on early releases and remissions were usually not possible to predict, never guaranteed.

Every time they heard from their defense lawyers that their relatives could get their release, their hope seemed to be renewed. Sara's despair after Juan returned to the prison that was quickly transformed into her renewed hope on the defense lawyers' new strategy. It restored her faith in that if she followed the system, if she filed a new paper on Juan's behalf that could finally work. In short, Sara's emotional engagement in the prison/juridical process towards the granting of Juan's remission plays a role in her submission.

As seen in Chapter 2, this is especially relevant in a context in which torture and mistreatment of prisoners is a regular issue inside prisons. The attention to prison files and the juridical process work as blinders and anaesthesia to curtail other forms of mobilization against the violence exercised inside prisons. In this sense, as we have seen throughout this chapter, the right enacted by the prison law that establishes that a person may be granted remission or early release after two thirds of his/her sentence was matched by a process characterized by endless waiting, the manipulation of expectations and the unpredictability of decisions.

Conclusion

In this chapter, I looked at the different ways in which those incarcerated and their families engaged in counter-conducts against the way prison/juridical files frame them. The counter-conducts analysed throughout the chapter show that rather than being governed through the disciplinary scheme framed by the Prison Law (24,660), those incarcerated are being governed through fear, ambivalence and uncertainty.

These counter-conducts expose that the ‘truth’ about an incarcerated person is recorded in these prison/juridical files not through the detailed track of their actions, but rather through the annihilation of their self (Torpey, 2000). In this sense, the file is used as an instrument to ‘induce and reproduce’ them as disposable (Butler, 2015: 15).

As mentioned at the outset of the chapter, according to the Prison Law, the file is supposed to track the *movement* of those condemned through the *rehabilitation* programme, granting more physical mobility to them as they progressed through this system. However, my ethnographic findings unveiled a different scenario: one governed by ambivalence and incompleteness rather than thorough and detailed tracking of the actions of those incarcerated. I then went to explore what could the possible productive functions of the files’ incompleteness and ambivalence.

The counter-conducts performed by those incarcerated and their families against the power of prison/juridical files in their everyday life exposed certain aspects of carceral governmentality. The strategy of family relatives not to talk with other visitors in their travels or while waiting outside prison, Maria’s decision to conceal information from her therapist and Dário’s reactions and strategies in the Parole Office may be interpreted as different forms of counter-conduct in that they refuse to subject their intimate lives and their identities to the file. They show a refusal to be conducted as and by prison files and they are an attempt to preserve their self from the ruling of prison files. As we have seen above, those incarcerated and their families knew that no matter what they had done (or not) in their lives, what was printed in their files could always go against them. Rather than asking who they are, within the prison system (which includes prison government, but also Parole Offices and the juridical),

an incarcerated person is only intelligible through his file. In this way, the counter-conducts explored throughout this chapter, may be interpreted as refusals to being treated as disposable populations.

In the last section, I explore the way in which the ambivalence in prison files works, paradoxically, also to produce the submission of those incarcerated and their families in the juridical process. I focus on the role that hope has in the use of prison/juridical files through the analysis of the case of Juan and Sara. While hope has often been framed a fuel for activism and encouraging movement (Ahmed, 2013; Kleist and Jansen, 2016; Hage, 2009), here it was described as a way of assuring their engagement in carceral governmentality logics. The case shows that the hope in the workings of the juridical process ensured that (despite the ambivalence and the uncertainty and anxieties that prison/juridical files provoked in their daily lives) they would engage actively with them. It contributed to their temporal engagement in a game that could be working as a blockage for other forms of mobilization against the violence exercised inside prisons.

The chapter also shows the role of prison/juridical files in expanding their surveillance role beyond prison walls. Along the different ethnographic scenes presented in this chapter, I show how both those incarcerated in remission or early release as well as the families of those incarceration are subjected to prison files through different ways. Rather than being subscribed only to disciplinary regimes within prisons, prison/juridical files play a role in extending the perception of being surveilled beyond prison walls. The ambivalence and unpredictability of files play a key role in this issue as it expands its regulatory power, through fear, to reach families and those released who no longer live inside prison.

While the chapter analysed some aspects of the spatiality implied by prison/juridical files focusing on the ways in which families of those imprisoned were both actively struggling against and followed carceral governmentality logics, in the next chapter I will explore these issues in greater analytical depth by focusing on families' gendered visits to prison.

Chapter 4. Visits to prisons as counter-conduct practices

In this chapter, I study women's travels to prison as forms of counter-conduct that stand against the way their incarcerated relatives are being governed within prisons. Building on Chapter 3, where I showed how counter-conducts exposed the way in which the ambivalence of prison files contributed with the assigned disposability of those incarcerated through the annihilation of their identities, in this chapter I focus on visits that women do to Federal Prisons in the City of Buenos and its outskirts to see their male relatives as struggles against their treatment as disposable beings.

Identifying and making a distinction between features that unveil elements of struggle and those that reify, extend and strengthen processes of governmentality is not an easy task. The will to dissect these features remains an intellectual exercise that cannot do full justice to the complexity in which counter-conducts work in practice. Nevertheless, I will argue that this exercise is an important one as it allows to overcome binaries that may delegitimize struggles for not breaking completely with the status quo while romanticizing resistance strategies without showing their role in wider governmentality processes.

To be able to analyse visits as forms of counter-conduct I have decided to follow different steps, each encompassing one of four different sections. This exercise does not pretend to be an exhaustive one, nor include each and every way in which visits both challenge and reify wider governmentality strategies. Rather, it is guided by the descriptions and findings that women who visit told me about their experiences of prison visitation. It is also guided by my own experiences while accompanying and sharing the preparation of these travels and family visits with different women.

In order to explore these counter-conducts, the chapter is organized around two apparently divergent gendered representations of mobility that I identify as guiding most of the descriptions that women do about these experiences (which I name *caring* and *suspicious* (im)mobilities). These two different representations of women's (im)mobility have been described as key in the regulation of gendered and embodied (im)mobilities in different contexts - from the modern city to colonial contexts, from migrant routes to urban housewives (Uteng and Cresswell, 2008; Cresswell, 1999; Silvey, 2000; Subramanian, 2008; Sánchez de Madariaga, 2009; Jirón, 2010). Throughout the chapter, I analyse the ways these representations also relate to the spatialized and embodied experience of women's travels to prison and, most importantly, how they illustrate the way in which counter-conducts and carceral governmentality are entangled.

The sections are organized as follows. In the first section, I follow women's descriptions of the reasons behind their travels to prison. I frame these visits as *care* (im)mobilities to identify the way these may be framed as struggles against the way prisons are governed. In the second section, rather than alleging that these caring (im)mobilities are fully autonomous and exterior to governmentality logics, I focus on the spatial and embodied ways in which they are simultaneously part of wider governmentality logics. I argue that these logics are integral to the enactment of caring mobilities as counter-conducts and that they contribute to the expansion of prison boundaries into domestic spaces and the everyday life of women who visit. In the third section, I look at an alternative way in which the travels of these women are framed. I explore the spatial and embodied ways in which those who visit are met with suspicion and describe these as *suspicious* (im)mobilities. I show that though *caring* and *suspicious* (im)mobilities are two representations of women's visits that seem to be in

tension with each other, they are both integral to governmentality logics. By both motivating and curtailing gendered (im)mobilities of women's bodies and goods into the prison, carceral governmentality extends beyond prison walls and into the roads and transport services that go to prison, the experience of waiting outside prison walls and the screening of the bodies of women who visit. The fourth section builds from the analysis developed in the previous sections and asks what is still being veiled, invisibilized and kept hidden through the focus on women's visits to prison. Focusing on an ethnographic scene of one family party in the Ezeiza prison, I argue that women's visits to prison may also be framed as *biopolitical (im)mobilities* that contribute with a further distinction between those incarcerated that *may live* (those with families) from those that are *let to die* (those who are not being visited). In the conclusion, I discuss how the findings obtained and analysed throughout the chapter show a segmented and extended regime of deemed disposability that goes beyond prison walls.

Caring mobilities

It is Sunday afternoon, of a summer day. Three days before Christmas. Next to the prison wall, around sixty women with children and huge bags wait under the heating sun. In front of the prison, there are a few shops and a street-stall renting women's clothes. Around nine women wait with their bags inside one of the shops. A young woman, of about eighteen years old, reads from her cell phone while she dictates the list of things she wants to buy: male deodorant, a cooked chicken, bread, two sprites, 100 grams of cheese, detergent. An old lady enters the shop carrying two huge bags. A younger woman comes in behind her with another bag. The lady sits down in a chair inside the shop and sighs. "Tara, buy him a chocolate, a big one, the one he likes", she asks the younger woman

handing some money to her. (...) Four hours later, most of the women in the queue are already inside prison. I hear a woman screaming. ‘I just want to know if he is ok, I need to see him, you need to tell me if he is ok!’, she shouts. A few minutes later, wreathed in tears, she tells me that she has not heard from her brother in three days. This morning, she got a call from one of his cell mates that he was going to be transferred to another prison. She immediately ran to the bus to get to the prison. But she does not have the right documents, they got stolen a week ago, so they are not allowing her in. An hour later, she gets another call. It’s her brother, he is ok, it was a false alarm. (Fieldwork notes, December 2012)

This scene describes a brief glimpse of a morning at the outskirts of Devoto prison. The travels that women do to prison are filled with emotions, of affection (buying ‘what he likes’), of anxiety and anger (when they are not let in) and of care (buying and travelling filled with huge bags with goods for them). For those living inside, having someone outside, as in the case of the woman who cried for her brother, is a synonym of being claimed, of existing outside prison walls.

Over 91% of men who are being held in federal prisons receive visits in the City and the outskirts of Buenos Aires every year (SNEEP, 2015a). Most of the families that visit, perform frequent visits. A study on those incarcerated hosted in both federal and provincial prisons in Buenos Aires found that nearly a quarter (24%) of those interviewed receive visits two or three times a week, 34% receive visits every 15 days and 11% every three months (Bergman, 2014). People who do not receive visits, state that this situation relates to the fact their families live far away or lack economic reasons to travel (2014).⁴⁸ Nearly all detainees in federal prisons (89%) have their last

⁴⁸ According to this report, the statistics were obtained based on a sample of 437 convicted men and 80 convicted women from the SPF and 408 convicted men and 108 convicted women from the prisons of

residence before imprisonment in urban settlements and 78% come from the City of Buenos Aires or its suburbs in the Province of Buenos Aires; and their families also tend to live in the urban areas of these localities (SNEEP 2015).

As mentioned in Chapter 2, I accompanied several women to their visits to prison and conducted interviews with them about these visits. My findings show that the number of incarcerated men inside prisons has its equivalent in a gendered cartography of women's mobilities. From Monday to Sunday, women travel to the federal penitentiary units in Argentina to visit their male relatives. They usually travel several hours to be able to arrive at the prisons loaded with several bags filled up with products. Before each visit, women perform different activities to prepare what they will take to the prison: they buy groceries, cook, prepare themselves and the goods they will take to the prison. The day of the visit, the journey usually begins very early. Most women need to take two or more connections to arrive to the perimeter outside the three different prisons in the City of Buenos Aires (Devoto) and its outskirts (Marcos Paz and Ezeiza) where I conducted my fieldwork.

When they arrive, they need to walk to the counter, which is usually a small window in one of the walls of the prison buildings, to provide their identity card and a 'visit card'. The 'visit card' needs to be processed in the prison unit prior to the visit to the Unit. Visit cards are not transferrable from prison to prison, and women need to require a new visit card every time their relatives are moved between prisons. These are documents issued by each penitentiary unit to the relatives of those incarcerated and they act as passports and identity documents to enter prison. The documents are

the Province of Buenos Aires. The final report does not discriminate the statistics by sex. For further information, see Bergman M. (2014) *Delito, marginalidad y desempeño institucional en la Argentina: resultado de la encuesta de presos condenados*. Saenz Peña: Universidad de Tres de Febrero.

checked by prison guards and if the guards approve them, family relatives are given a number. The numbers are given, in general, in order of arrival. After receiving these numbers, the family must wait for several hours before being allowed to prison.

The entrance to the prison for ordinary visits occurs, in general, at noon. When their number is called, they need to go through the scrutiny of both the goods they carry and their own bodies in the visitor-processing area. Only after this personal search, they can go to the visiting room to meet their family member. The visits usually last around three to four hours. After the visit, they go through a second personal search before exiting the prison. When they are released, at 6 or 7pm, most of them take the transport back to their homes.

Most of the women that I interviewed stated that their visits were motivated by the need to see the imprisoned person during their time in prison. Their visits were described as necessary to ensure the survival of their family member inside prison. Susana, the wife of an imprisoned man who travelled two hours each way twice a week to the prison of Ezeiza, explained this to me in the following way:

Those who do not have visits are a pariah in jail, they cannot survive inside.

He would die of cold and won't have anyone to share with [...] ⁴⁹ (Interview 24)

Susana mentions the importance of the goods she brings for the survival of her husband inside the prison. The need to provide him with something that he may '*share*' relates to the internal codes inside the prison. The goods family bring do not

⁴⁹ In the original: Es que el que no tiene visita es un paria en la cárcel y no sobrevive adentro. Se moriría de frío y además no tendría con quién compartir. (Interview 24)

only serve to feed and to cloth the one they visit, but the visit itself and the resources that families bring also constitute a key asset to protect them from violence within the prison. In a study on the role of family members on prison order, Ferreccio (2014) demonstrates that the material contributions families provide are key to the internal governance of prisons. Those incarcerated that are not visited by their families and cannot provide with resources to other prisoners are more liable to be victims of violence inside prison than those who are visited and receive goods from outside. Family resources are also a key asset to be able to be included in a group inside prison premises and, thus, find protection inside.

The fear of violence and that their relatives could be harmed was present often in the reasons behind women's visits. Although women that I interviewed mentioned that they were not always aware of the way in which the goods they brought were distributed inside the prison, they did understand that their visits were key for the survival of their family members. As Susana describes, being a '*pariah*' and not having the needed resources to be integrated into a group within prison left those incarcerated without visits more prone to violence and death inside the prison. Delia, a woman who had been travelling to the Devoto prison twice a month for the last six months, described the reasons for her visits in the following way:

I come to see his body, to check whether he is well fed, that he has not been beaten, to find out if he needs anything, if he needs me to bring him something [...] If I phone him it is not the same, he does not tell me everything by phone. I must come to see him to know he's okay.⁵⁰ (Interview 31)

⁵⁰ In the original: Yo vengo a verle el cuerpo, para ver que está bien alimentado, que no esté golpeado, averiguar si necesita algo, si precisa que le traiga algo (...) Por teléfono no es lo mismo, por ahí no me dice todo, entonces tengo que venir a verlo para saber que está bien. (Interview 31).

Delia describes the reasons behind her travels as having both a caring and a monitoring objective. Her travels to the prison were motivated by the need to bring him goods as well as to check whether he was well fed and not beaten. As in the other cases presented before, her travels may be defined as *caring mobilities*. While this concept has been coined mainly within studies of (im)mobility and gender to denote the invisibility and burden of gendered obligations in the conditioning of women's mobilities (Sánchez de Madariaga, 2009), in this first section I attempt to stress how in this particular context care mobilities may simultaneously be playing a role in struggles against carceral governmentality.

Besides their concern with the protection of the bodies of those imprisoned, the role of care in these visits also entailed a struggle against broader modes of subjectification of their incarcerated family members. When I asked those interviewed why they travelled and brought goods to those imprisoned in their visits, some of them looked at me instantly puzzled (or maybe perhaps annoyed by the question) and would answer straightway '*because I love him*' or '*because he is my husband/boyfriend/son*'. These answers, deemed self-explanatory, point out at the importance of visits to expose the reduction of those incarcerated to abject and disposable beings. To stress that those incarcerated living inside prison walls are people that are loved, husbands, sons and boyfriends contest broader constructions that links those imprisoned with ideas of violence, dangerousness and criminality. Their answers denote that those incarcerated are not forgotten, they are not animals, nor evil people that deserve to 'rot in jail'. Rather, they describe those imprisoned as subjects to be cared for and relational beings.

The way women described their relatives' incarceration further illuminate how visits 'put in question' the way imprisonment is conducted (Foucault, 2007: 201) While some of them stressed on the innocence of their relative (and thus the injustice of their punishment), others argued that they knew that their relatives have been involved in crimes but still, as Cecilia, the wife of a man that had been imprisoned for six years for robbery explained 'that was not a reason to treat him as a dog' (Interview 20). In the meetings, women talked about 'the lack of opportunities' that the prison gave them to 'get better' or 'to change their way of life'. Agustina, the mother of Santiago, a young man who had been beaten inside the prison, explained this in the following way:

I do not agree with that way of life [with robbery]. I did not teach him that (...)

One thing is that he needs to pay for what he did, but another thing is to be killed inside. Not that, that cannot be...⁵¹ (Fieldwork notes, May 2013)

These remarks shed light on the way in which visits become a form of counter-conduct by interrogating the way those incarcerated were being treated within the prison regime. As such, the visits may not be analysed as a total rejection of the incarceration regime nor the wider governmentality processes that placed their family members within prison walls, but rather to the way prisons worked. They are indeed a rejection of the disposability of those incarcerated as a form of punishment.

The way in which these visits constituted struggles against the way prisons were governed is further illustrated by the case of María, who came to the family meetings

⁵¹ In the original: Yo no estoy de acuerdo con esa forma de vida [con robar]. No le enseñé eso (...)
Una cosa es que tenga que pagar por lo que hizo, pero otra cosa es que me lo maten adentro. No, eso no puede ser...

searching for help for her son who had been recently incarcerated. Her case and the recommendations she got from other family members in the meeting, as I observed several times in these meetings, show how those who had been accompanying their family members for a long time understood their travels to prison as an active way to care and monitor prison conditions. The scene was tracked in my fieldwork notes in the following way:

Maria's son is hospitalized in the prison of Ezeiza. He was arrested after a police persecution which ended wounding him with a bullet. She is scared because he told her that his wound is quite big and that the bullet is still inside. He also told her that the doctor has not checked his wound for the past three days and that he is not receiving any medicine. After she tells her story, Carla, who has been accompanying her husband for 12 years around different prisons across the country, tells her: 'You have to go and visit him. Three times a week if possible, that is the only way, to be there, always to be there. That is the only way you can verify he gets his medicine and that the doctor sees him, or that he is taken to a hospital outside. (Fieldwork notes, May 2013)

Carla's recommendation shows her understanding, after many years of going to prison, of the role of her travels to prison as caring for her relative's body. As in the case of Delia described earlier, Carla describes the act of visiting as a struggle against the disregards and disposability enacted by the imprisonment regime over the health and well-being of her incarcerated relative. She frames it as 'the only way' to be able to fight against the way those incarcerated were treated within prisons. Her comment sheds light on the way in which visits was performed as a form of struggle and resistance to carceral governmentality. Making his son visible, through her visits, was a struggle against the invisibility of their deemed disposability.

Framing care mobilities as a form of counter-conduct highlights the way the fulfilment of gendered prescribed roles may simultaneously become a form of struggle. Indeed, although the sex of those who visit is not recorded in prison's statistics, the findings of my fieldwork show that visits to prisons are mostly performed by women. While men in prison tend to receive more visits than women, in both cases the women within the families are usually the ones who take responsibility to travel to prison in order to provide with the food, cleaning products and hygiene, clothing and other items their relatives use during the detention. In her study on women's resistance in UK prisons, Bosworth (1999: 156) shows how women used 'elements from the dominant notion of 'femininity'' 'to challenge aspects of the penal regime'. She notes how in restricted contexts (and I would add, contexts crossed by fear) women 'draw strength' from the same scripts that are used to oppress them. In this sense, caring (im)mobilities (i.e.: the ascription to traditional gendered roles) may also be described in this context as (perhaps paradoxically) being a source of struggle and resistance to the prison.

As a feminist ethnographer, I was interested on listening to women's stories and how they framed the reasons behind these visits. Placing their actions as an expected result of their gendered role is one way of describing these visits (Touraut, 2012). However, this description obscures the active and important role of these visits in fighting against a specific form of carceral governmentality. It also places women as mere victims and not as active agents against the deemed disposability of their relatives. In their stories, I could listen how visits were framed as struggles against the way prisons were treating their relatives as well as how visits were framed as their gendered obligations. The concept of counter-conduct was useful to be able to analyse both in tandem, not as separate but as mutually connected. When women decide to visit and care for those incarcerated they enact a refusal to be conducted in a way that would deem those

incarcerated as disposable. They instead call attention to the importance of social relationships and interdependency and produce certain ‘forms of social recognition’ of their relatives as ‘livable bodies’ (Butler, 2015: 198).

Even taking this into account, it may be valid to wonder what would entail for Maria, a woman who had five other children, to visit prison three times a week? What does it mean for the everyday life of these women to perform their care relations around and within the prison? In short, how does the carceral governmentality intersect with the gendered visits that women do to prison? In the following section, I aim to further explore these issues looking at the spatialized and embodied effects that these care mobilities have in the everyday life of women who visit.

Expanding carceral walls through caring (im)mobilities

In this section, I reflect on the ways in which the prison permeates the *caring (im)mobilities* that women perform to prison in their everyday life. The ethnographic scenes that are presented here illustrate (though sometimes in a subtle and partial way) a few insights on the ways in which the prison infiltrates their houses, unpaid work and everyday life of these women well beyond prisons walls.

Of Tupperware and phone-calls

One day when I was in my house interviewing Bettina, the mother of a former detainee and the wife of man who was still imprisoned, we went to the kitchen to prepare some tea. Over the kitchen table, there was a pile of Tupperware boxes of different sizes that I had bought the day before. These were clearly new as they were still covered with plastic film. When Bettina saw them, she looked at me disgusted and said: “*Did you*

buy Tupper-ware boxes? How horrible! As soon as my husband leaves the prison, I will throw them all away, I hate them.”

As I learnt later, Tupperware is an important object for women who visit their incarcerated relatives. Tupperware is used to carry the home-made food they prepare to prison. It also performs other crucial functions inside prison, such as protecting the clothes and food that women send to their relatives from the dirt, cockroaches and humidity that is usually present in prison environments. For Bettina, the Tupperware illustrated the interweaving between the domestic and the prison space. Tupperware was the object that allowed her to take homemade food and protect what she brought inside the prison. In a home, there were an object that reflected the prison and the fact that they had a family relative that was imprisoned. As she knew I did not have a relative in prison, that I would have consciously bought Tupperware seemed something without any sense.

Throughout my fieldwork, I encountered, in different instances, how the prison entered the domestic environment of these women. This could happen physically through objects they kept in their houses and were dedicated to their prison visits (such as Tupperware or a cupboard where they kept certain goods). It could also be virtually, through the daily telephone calls they received from their imprisoned relatives. It could be both, such as the case of Teresa, a woman who travelled from another province every month to visit her husband and that had had to buy and install a local phone box inside her house to be able to talk with him more regularly.

While I was interviewing or just accompanying women inside their homes, they would often receive calls from the prison institution. Their male relative would call them

from prison, sometimes just to chat, sometimes to ask them to bring them something in their next visits. Often, these calls would interrupt the women while they were doing some other activity, such as responding to a client for those who worked from home or had a shop inside their home; or cooking, helping their children with the homework, chatting with friends or doing other house chores. After these calls, some of them complained about the difficulties they faced having to attend these multiple demands at once. When things were ‘complicated’ in the prison (such as when there had been a ‘suicide’ or murder inside the prison, or when there was tension or fear of sudden transfers across prisons, or when their relatives were awaiting decisions from the Courts or the SPF on their release), these calls were often described as requiring endurance and strong emotional support. Several of the women I talked to described these instances as burdens that entailed a lot of patience. Guillermina, who had been accompanying her boyfriend since he was arrested nine months before, explained it in the following way:

It is tough. Especially when he is waiting to hear something from his lawyer. Then he calls me like ten times a day. And I could be in the bus going to my job, or in the middle of something (...) The other day, he called me up at 4am. I could hear someone banging the bars behind him. I did not understand anything. He was very nervous, at first, he did not say, but then he told me a man had been killed in a fight in another cell. I could not sleep anymore after that. I was shivering for a while and I got this [she shows me some red spots in her chest].

This was like a month ago and they still have not gone away.⁵² (Interview 40).

⁵² In the original: Y... es duro. Especialmente cuando esta esperando para hablar con su abogado. Entonces me llama como diez veces por dia. Y puedo estar en el colectivo yendo al trabajo, o en la mitad de algo (...) El otro día me llama a las cuatro de la mañana. Se escuchaba como que retumbaba la reja. Yo no entendía nada. Y él estaba re nervioso, pero al principio no me decía nada. Después me dice que un hombre se había muerto en otra celda en una pelea. Y yo ya no pude dormir después de

In these instances, the prison entered' these women's homes virtually, through the telephone calls that those incarcerated received. Guillermina's story shows how the imprisonment of her boyfriend transcends the prison walls to reach her 'ten times a day' and everywhere she is. In her story, she describes herself as being experiencing his incarceration not only at all times but also in a deeply embodied way. The spots on her chest (something that she connects with the stress she experienced when she found out that someone has been killed inside prison) and her insomnia show how her everyday life was daily affected by what went on inside the prison. Though she is physically outside prison walls, her body is permeated by life in prisons.

These findings coincide with the limited work that has been produced on the experiences of the families of those imprisoned that describe the process of 'secondary prisonization' that those who visit experience along with their incarcerated relatives, through their periodic contact with the prison system (Comfort, 2007; Touraut, 2012; Ferreccio, 2015a). In a study of women who visit their partners in the San Quentin State Prison in California (USA), Comfort (2007: 15) defines 'second prisonization' as the process in which the same variables that impact the lives of inmates also have an impact on those family members that live outside the prison and interact with the prison system in a periodical basis. Comfort's study shows how the prison contributes to build the subjectivity of both female family members as 'doing time' together with their incarcerated loved ones. The examples mentioned in this section (such as those of the Tupperware and telephone calls) show the (subtle and embodied) ways in which women's lives mesh with prisons. Prisons are experienced not only when they

eso. Me quedé temblando por un rato y me agarro ésto. Eso fue cómo hace un mes y todavía no sé me van. (Interview 40).

physically visit prison buildings but also in their everyday life, their own homes and at any time.

However, rather than posing these processes of ‘prisionization’ as passive processes, the study of visits as counter-conducts enable to see these process of ‘prisionization’ as an outcome of a struggles between different forms of conduct. When they refuse to treat their loved ones as disposable beings, they struggle against the exclusion and lack of recognisability of those incarcerated. However, as I will further analyse throughout the chapter, this same action deems themselves as related to the prison system and, thus, as prone to processes of discrimination and exclusion.

‘Prisionized households’

Most of the women I met during my fieldwork mentioned the incarceration of their relative demanded the investment of considerable amounts of money and time in preparing the goods they took to prison. Women who visit their relatives in prison usually need to juggle to buy the goods that they take to the prison, those they need to cover their household needs and those of their children. Many of the households had also lost the income of the person who had been imprisoned, so they had to face these increasing costs in tandem with the reduction of their household income. The preparations of the goods that they take to prison are usually time-consuming and they cover most of their unpaid work time.

This situation calls attention to the need to review and expand the notion of household in these contexts. By ‘prisionized households’, I refer to those that have an incarcerated member and, though this member resides outside the house and inside the prison, he is still considered to be part of the household and plays a role in the spatial and

temporal rhythms of the household as well as in its (im)mobile patterns. Women with whom I talked to in my fieldwork argued that travelling to the prison and bringing goods to those who were inside was the way they had found to enhance or continue with their family life. Indeed, in the words of the women I met in my fieldwork, 'holding the family together' depended on the extent to which the family who remained outside normalized the preparation and the journey to the prison as a key aspect of their lives. In these 'prisonized households', both mobility towards the prison and the circulation of goods and services (of their own bodies, affects as well as that of food and other goods) into the prison become the main objective to counter the harmful effects of this separation.

The effects of imprisonment in these households can be compared with the pressures placed by an economic crisis. Karina had her nineteen year-old son detained a few months before I met her. She told me that having her son inside the prison was equivalent to sustaining a double household. Not only was her household earning less money than before (as her son's income was not available any more) but the costs of maintaining her son's wellbeing in prison had doubled the costs she had to bear. To be able to meet ends, she had to double her working hours, spend her leisure time buying and preparing cheaper food-stuffs to sustain both her remaining children and her elder son in prison, and develop several strategies to overcome these economic burdens (Interview 9)⁵³.

⁵³ Karina's situation show that incarceration may be described as operating as a drain on women's leisure time and money. To understand this phenomenon, it is instructive to extend the analysis of feminist (political) economists and apply it to the context of prisonized households. Traditional understandings of feminist political economists have looked at the provision of the state, the market and the family (and within the family, mainly women) on the burdens of care-work and social reproduction. In these studies, women's responsibility for care-work may turn to be less burdensome either by appealing to the market (through privatization) or to the state (through the provision of public resources) Razavi S. (2007) The Return to Social Policy and the Persistent Neglect of Unpaid Care. *Development and Change* 38: 377-400. In prison contexts, rather than a provider of social reproductive

Las 'arrastra-bolsas' (The 'drag bags')

One main features of women who visit their relatives in prison is the weight they usually bring with them to their visits, often travelling long distances with it. Carrying weight in these contexts is equivalent to caring for their sons, husbands, brothers and family members in prison. Women come to the units carrying the weight of their bags, their children and babies, the children's bags and several bags full of merchandise. One issue that has not been addressed enough in studies of (im)mobility relates to the role that weight plays in gender mobility, and the difficulties that women face when traveling while carrying bags, prams, children of different ages, etc. While some studies on gender inequalities of mobility name the weight as a constraint for the mobility of women (Peters, 2013), the role of weight and of 'dragging bags' in the subjective experience of travelling has not been sufficiently addressed (Jirón, 2010).

For some women, dragging bags was described as a form of repentance or to express their guilt for not having realized on time that their children or husband had been involved in a criminal activity. In short, for not having been able to care for them as they assessed they should have had. In an interview, Diana, a mother of a 19-year old man, stated:

At first I was going to Marcos Paz loaded with bags, and I thought: 'Here I am carrying my sins, because I thought I was to blame that my son was there, that I was a bad mother.'⁵⁴ (Interview 43)

resources (vis a vis with the private sector or the family), the state may also become a producer of greater demand for care work for poor women and, as such, contribute to the depletion through social reproduction Hoskyns C and Rai S. (2007) Recasting the Global Political Economy: Counting Women's Unpaid Work. *New Political Economy* 12: 297-317..

⁵⁴ In the original: Al principio yo iba a Marcos Paz cargada de bolsas, y yo pensaba acá estoy cargando mis culpas, porque yo pensaba que yo era el culpable de que mi hijo estuviera ahí, que era una mala madre. (Interview 43)

Either way, ‘dragging bags’ contributes to the subjectivity of these women by associating them (in the eyes of others as well as in their own) as somewhat related or responsible with the crimes and imprisonment of their relatives. Whether they had known (or not) that their relative was involved in a crime activity, whether they had had any responsibility at all (or not) in the reason behind their relatives’ incarceration, the fact of carrying bags (an activity that was directly linked with their care-work) built them as related to those imprisoned and, thus, as suspicious subjects.

Throughout this section, I analysed how while women who visit those incarcerated enact a refusal to conduct themselves according to a system that renders those incarcerated as disposable, this refusal also entails their subjection into processes of exclusion that are both embodied and spatialized. In the following section, I will further explore this issue by focusing on the way this suspicion weaves with the discourses and spatial infrastructures of disposability described in Chapter 2.

Suspicious mobilities

This section looks at the journeys women make to prison, as well as their experiences of waiting and their transit through the visitor processing area before being able to enter the visit hall in the three prisons (Devoto, Ezeiza and Marcos Paz) where I conducted fieldwork. I show that while visits enact a refusal to treat those incarcerated as disposable, by countering this conduct visitors are also deemed suspicious and disposable.

As mentioned before, the circulation (of both women bodies and the goods they bring) into prison is deeply conveyed and coded in contested gendered narratives and representations. These representations contribute to both motivate and curtail the

(im)mobilities of these visits. On the one hand, as I briefly exposed in the previous section, the circulation of goods and bodies of those who visit inside the prison is portrayed as a way of caring for the incarcerated member of the family. On the other, as I will further explore in this section, this narrative is contrasted with another key narrative that is sustained mainly (but not only) by the prison officials who oversee the entrance to the prison. This representation builds the circulation of the goods and bodies of the women who visit their relatives as a suspicious mobility, one that needs to be supervised and closely controlled.

As described in Chapter 2, the way in which prison buildings are geographically distributed has an important role in producing exclusionary features for those incarcerated. However, an issue that is usually not considered in the literature is that it also plays a role in the everyday life of those who visit (Combessie, 2002). This section aims to address this gap by analysing how the transfer of prisons to relegated and far-away locations weaves in with the everyday experience of women visits and, in this way, contribute to the expansion of processes of discrimination towards them.

Travelling

In the everyday experience of the women I met during my fieldwork, having prison buildings far from the urban centre and with less levels of connectivity with public transport facilities was translated into a higher cost per trip and, in general, in longer trips. Indeed, both the connectivity and frequency of public transport is reduced as the prisons are transferred further away from the city.

The accessibility to the federal prison establishments played a key role in the gendered experience of the (im)mobilities of these women. For accessibility, I mean the easiness

with which people are able to overcome the distance between two places (Gutierrez, 2012). The capacity to access one place depends both on the structure of opportunities for mobility and the resources and assets that households have to use them (Hernández, 2012).

The geographical displacement of prisons from urban areas to more remote places in the rural suburbs of the Province of Buenos Aires has limited their accessibility. Based on a survey that I did among women that were waiting outside prison buildings, it is possible to estimate that they spend an average of six hours a day travelling (three hours to get to the prison and three hours to travel back to their homes). Although trips tend to be shorter to go to the prison of Devoto and longer to go to Ezeiza and Marcos Paz, these estimates are not absolute since they depend on where the different households are located. It seems more relevant to consider the differences that exist in the number of possible options that a person has to travel to each one of these three destinations. Figure 7 shows a satellite map of the three prisons:

Figure 7. Satellite map views of Devoto prison (A), Ezeiza prison (B) and Marcos Paz prison (C).

(A)



(B)



(C)



Source: Google maps.

The maps show the location of each one of the prisons and its surroundings. The Devoto prison is located in the centre of the high-middle class neighbourhood of Villa

Devoto. Placed between Bermudez and Nogoyá streets and three blocks away from the busy Av. Beiro; there are at least fifteen bus lines that have stops within a few blocks from the prison building. In addition, the prison is sixteen blocks from the Villa Devoto train station. Villa Devoto Station is only a 30-minute train-ride away from Plaza Italia, a city hub with connections to different destinations.

While a person who travels to the Devoto prison has several ways to get there, options for those who travel to Marcos Paz and Ezeiza are significantly reduced. To reach the Ezeiza prison, there is only a single bus-line, number 501. There is also a train station in the city of Ezeiza (which is one-hour away from the City of Buenos Aires), but the connection from the train station to the prison is not regular. If families arrive by train, they normally need to take a private cab or walk more than 30 minutes and cross through a busy highway. To reach the Marcos Paz prison, the nearest train station is Merlo. From Merlo, the only way to access the prison is taking the Bus number 136-Branch Prison Unit No. 2.

The low frequency and quality of transport services to prisons in Marcos Paz and Ezeiza led to the development of new transport services, which began informally at first and then gained greater state regulation: the ‘combis’ or vans. From central points in the City of Buenos Aires and Greater Buenos Aires, medium-sized vans depart on a daily basis and to a periodic frequency from the early morning and drive families to the entrance of the Ezeiza or Marcos Paz. The price of the van, however, exceeds the costs of a regular passenger train or bus tickets by six to ten times.

The way in which the public transport connection to the prison is designed contributes to the construction of the subjectivity of the families of those imprisoned. A clear

example of this effect can be found in the route of the journey that vans from the neighbourhood of Liniers (a busy transport hub located in the limit of the City of Buenos Aires and the Province of Buenos Aires) to the prison of Ezeiza. The neighbourhood of Liniers is closer to the prison of Ezeiza than to the town of Ezeiza. Taking this fact into account, it is logical to conclude that the route of the van should stop first in the prison and let the families descend there, and then travel to the Ezeiza town. However, internal regulations of the van company require that the drivers leave those going to the town first and, only then, drives to the prison. The vans have no fixed schedule, and only leave Liniers when the vehicle is full. After the driver turns on the engine and takes the highway towards the destination, he asks if someone travels to the town of Ezeiza. If nobody answers, the van goes straight to prison. If someone responds that they need to travel to the town of Ezeiza, the van changes its route and goes through the town first. The change of route implies that the family will have to travel at least forty minutes more before reaching the prison. Since the entry numbers to the prison are distributed in order of arrival, this means that they will need to wait more time outside till they are allowed in. The duration of the visit may be reduced significantly.

In those vehicles that travel exclusively to prison, people are no longer passengers or pedestrians, but they are constructed as ‘families of those imprisoned’ before they arrive to the counter of the prison building. The limits of the prison expand into the transport routes that go to prison units, crossing through the vehicles and the experience of mobility.

Waiting

The geographical location of prison buildings also conditions the experience of ‘waiting’ outside prisons before being allowed entrance. For women who travel to visit their husbands, brothers, sons or other relatives or friends in federal prisons, waiting is a central aspect of their lives. Every day of the week, from eight in the morning until two in the afternoon, women of all ages wait outside the prisons of Devoto, Ezeiza and Marcos Paz till they are allowed in. Every minute they wait, is one minute less for their visit. To wait has been defined as an integral aspect of-being-in-transit (Bissell, 2007: 282). The act of waiting is closely embedded in power relations and shapes the subjectivity of people in a meaningful way (Bourdieu and Kauf, 1999; Bissell, 2007; Auyero, 2012; Schwartz, 1974). In his book *Patients in the State*, Auyero shows how waiting is not experienced in the same way and does not affect all people equally. On the contrary, it is usually stratified and responds to an uneven distribution of power (Auyero, 2012: 27). Schwartz describes it this way: “*Rather than being a product of power (...) the control of time is one of its essential properties.*” (Schwartz 1974 in Auyero, 2012: 34).

As in the case of the access to penal institutions, the conditions under which waiting is experienced also differ between the prisons of my research. The most perverse effects of waiting usually occur when this is empty of meaning or there is no chance of filling this time with some activity. In Devoto, the counter where women need to present their identity cards is located on the Bermudez Street, in the middle of the City (see Photo 1). After receiving their entry number, some women line up on the wall next to the prison waiting for their moment to enter. Opposite to the prison, on the same street, there are two grocery stores, one telephone booth store, a barbeque

restaurant that also serves coffee. Between the two stores, there is a stand on the sidewalk that sells candy and rents clothes to those who need to change to be allowed to enter the prison. The stand and one of the stores has chairs and sofas where some women may sit while waiting. There are also several benches on the sidewalk. Between one of the stores and the telephone booth shop, there is a big yellow house with opened doors. The house is an evangelical NGO that organises activities for women visitors. The NGO has a big saloon filled with several tables and chairs, a kitchen and four public bathrooms. Every Thursday and Saturday, cooking courses are organized during the time women are expected to wait. In Devoto, the fact that the prison is within the city means that the waiting is done outside the perimeter of the prison and in the city.

The situation is very different in the prisons of Ezeiza and Marcos Paz. In both prisons, waiting can only be performed within the perimeter of the prison, as the counter is more than one hundred meters away from the entrance of the buildings. In Ezeiza, family members can only wait inside the prison premises, outside the building. A few years ago, in Ezeiza the prison authorities built a small roof and a plastic cloth was placed on both sides of the roof for protection from wind and rain. While they wait, women take care and arrange the packages and bags they bring to prison, they change diapers, breastfeed and some also queue to use the toilet, put make-up and change their clothes before entering the prison. They also feel the cold (in winter) and the hot weather (in summer) during several hours, usually cramped in the few benches they have under the roof. The bathroom is placed next to the prison building in a small room with a toilet and a mirror. On one side, there are two food stalls selling coffee and other products. In Marcos Paz, the situation is similar. There is a small coffee in

the middle of the complex, but it is quite small and far from the entrance of the prison, women usually wait outside near the entrance door.

The way in which waiting takes place has strong implications for the development of my research. While waiting in Devoto resulted in an environment conducive to conducting interviews with women, in Marcos Paz and Ezeiza it was much more difficult. During the weeks that I went to Devoto, I had formal and informal conversations with women both in queues and while they were having coffee or sitting down while they were waiting. In Ezeiza and Marcos Paz, on the other hand, acquiring a space of trust for women to elaborate further during the interviews turned out much more difficult. In Ezeiza, a correctional officer used to circle around the only seats in which women could sit under a roof. The feeling of being permanently monitored proved to be quite difficult to allow for meaningful conversations with women I was meeting for the first time, an issue that seemed much more simple and straight-forward in the case of the waiting spaces outside the prison of Devoto.

Processing area tolls

After waiting outside the prison buildings, women must go through the visitor processing area. In this area, the products and goods they bring are checked and inspected as well as their clothes and bodies. In 2012, in several Federal Prison units, manual checks were replaced for X-ray and metal detection machines. While manual checks are only permitted in cases where the person cannot, for medical reasons, go through the machines (pregnant women, people with pacemakers, people who suffer from any oncological disease, among others), these checks are often used in different cases.

These screenings do not only involve the screening of their bodies and what they bring, but also different forms of violence and mistreatment towards the visitors. Achieving the circulation of food, clothing, cleaning supplies, televisions, radios, medicine, drugs or other things that families want to enter depends on which these are not intercepted by the visitor-processing staff. Delia and Alicia described the screening of their products in the following way:

They laugh at what we bring to them, they look at what we bring and they laugh.

‘You brought him this?’, they ask and they mock us.⁵⁵ (Interview 32)

I had made a cake for his birthday and they broke it all in front of me.⁵⁶ (Interview 3)

Both Delia and Alicia’s descriptions of their experience through the visitor processing walls show the way in which prison guards tried to humiliate them by mocking and/or destroying the care work and affection they bring with them in their visits. Besides humiliation, alleging security reasons, prison officials justify the need to promote the uncertainty of visitors, who are never quite sure whether they will be let in or be allowed to enter what they bring for their family relatives. The lists of permitted and prohibited products changed periodically and differ from prison to prison. At the time of my fieldwork, for example, industrial tomato sauce was not allowed in the Ezeiza prison but this sauce could be entered in Devoto. Cooked chicken, juice and cookies were usually not allowed in Devoto, but could be taken to Marcos Paz easily. One first obstacle that needs to be overcome, then, is to assure that the products brought to

⁵⁵ In the original: Se ríen de lo que traemos, lo miran y se ríen. ¿Esto le trajiste?, te dicen, y se burlan. (Interview 32)

⁵⁶ In the original: Le había hecho una torta para su cumpleaños y la rompieron toda enfrente mío. (Interview 3)

prison are not listed as forbidden products in that prison. It seems simple, but reaching the list is not as easy as it might seem. In Devoto, the list is stuck on the wall inside the prison hall and it is forbidden for women to enter with their pens to write the list down in a piece of paper. The only strategy that they can perform is to quickly read the list and remember it all by heart to avoid any mistakes the next time. In Ezeiza, the list is on a billboard outside the building entrance in small print.

This uncertainty facilitates the development of several markets that in the daily visits work as a toll for women who wish to achieve the circulation of certain products inside the prison. All the penitentiary units in the federal system in Argentina have a prison store that sells products to people who are detained inside. While those incarcerated cannot use, or carry money, the family can make a deposit in the shop and, through these deposit, allow the entry and delivery of the products they need (i.e.: food, toiletries, cleaning products, etc.). However, the store offers products at a price that is 50 to 100% more expensive than the price of the same product in a regular supermarket.

The different levels of access to information of the lists, and the specific products that are intercepted and thrown away in the visitor-processing area, are different in each one of three prisons where I performed my fieldwork. This situation seems to be associated, at least partially, with the differential access to markets that Devoto has compared to Marcos Paz and Ezeiza. In the Devoto prison, strategies to limit information from the lists of prohibited foods are maximized, as competition (from outside markets) is stronger. To ensure that products circulate and arrive to their family member, then, the only 'safe' strategy is to pay the toll, i.e. do a money deposit and buy the products that are difficult to enter directly from the penitentiary store. To do

so, however, the family must have enough purchasing power to buy goods at these higher prices. These payment stands as a special toll for the family: if they want to make sure that things move inside the prison, they need to pay the difference. Julia described this situation in the following way:

There are things that cannot be brought from the supermarket outside, because they open them, move them and break them. Cookies and juice, for instance, cannot be brought from outside because they break it and they mix it all, so your relative gets a plastic bag with the whole mess. You are forced to buy them inside.⁵⁷ (Interview 29)

Family members that cannot afford to pay such inflationary prices and decide to bring the goods from outside must take to the prison everything they want to bring in. As they describe earlier, they come carrying weight with one or more large bags full of products. On the table of the visitor-processing⁵⁸ area, prison guards open the packages and bags and their content is thrown on the transparent bags. They look at them, check them and pass them through (or prohibit them, break them and throw them away).

Clothes and body screening

In addition to limiting the entry of products, another key aspect of these inspections is concerned with the screening of the bodies of those who visit their relatives. Several of the women whom I interviewed stated that they had an ‘uniform’ to be able to enter prison: certain clothes they had selected to be able to trespass the visitor processing

⁵⁷ In the original: Hay cosas que no se pueden traer desde el supermercado, porque adentro te las abren, las mueven, las rompen. Las galletitas y el jugo te lo rompen y te lo mezclan todo, le llega todo hecho un asco, te obligan a comprarlo adentro. (Interview 29)

⁵⁸ ‘Processing’ refers to the process that people undergo when entering the prison in order to be allowed access to the premises. It involves a series of identity and security checks, as well, as bodily and personal searches. In the federal system, it takes place both through X-ray machines and manual searches.

area without being intercepted or challenged by the prison officials. The possibility of being intercepted and denied entry to the prison for their personal appearance also has its associated market: on the outside perimeter of all prison units there is a small stall that rents clothes per hour: shirts, pants, sweatshirts and scarves are rented to those that are rejected in the personal search. The following extract from an interview describes at length the way in which the bodies of women who visit are subjected to prison regulations through the threat of not being able to perform their visit:

And I always went with the same clothes, and you had to walk inside, where the personal search table is, and there I always started to tremble, my hands were sweating, and I did not take anything, you see? (...) And, well, I always went with the same shirt, the same pants and there was a blonde police that day and I thought, 'Do not let her be on my turn, do not let her be on my turn'. And she just came and I get her [on my turn], I get her [on my turn] because they are like that. So, [she says] 'pass, pass, pass, the following, pass to the dressing rooms'. And I pass like that, and she says: 'No, with that shirt your bra is filtered [it is see through]' And I say, 'No, no, I always come with the same shirt, how can it be, I come with the same clothes so you won't say anything to me.' Because there was an issue with [bringing] uncoloured clothes, you could not enter that [with clothes of certain colours] and they put a thousand of obstacles. And she said: 'But with me it is see-through. So, go and change it'. So, I left, I had to go outside all over again, and rent a new one. And then I come outside with another one, and I got the same one [correctional officer]. And she said: 'No, I do not like this'. And the visit time was ending soon [...] and she tells me that if I did not change I could not pass. I had to shut the fuck up, I had to go back out, and I got a shirt, I looked like a clown, horrible, all full of colours, and I had taken a big jacket, a corderoj jacket, a black one, like this, a suede leather one, and it was so hot [...] I had to

cover myself, and horrible. I arrived crying [to the courtyard]. ‘They are bitches, I won’t come no more, they are bitches’, and Kevin [my partner] asked me, ‘What happened to you?’ But, like this, three times she made me go out, like this, just like this.⁵⁹ (Interview 25)

Paula’s story illustrates the way in which in the visitor processing area, women bodies become a target of power relations. Through these discretionary screenings, the prison extends its surveillance to the bodies of women who visit, spatially segregating and ‘punishing’ bodies that are coded as sexualized. These screenings perform a regulation of the mobility of women bodies along sexual and gendered norms. The allowance, curtailing or delaying of mobility within the visitor processing area is constructed around specific meanings of gender. Proper women are defined as asexual beings and respectable women are equalized to those that can hide their bodies.

While one of the main outspoken policy reasons to introduce X-ray machines in prison was to limit the discretion (and abuse) of prison guards in the screening of women’s bodies, the stories that women share of these experiences show that this conduct is

⁵⁹ In the original: Y yo iba siempre con la misma ropa, y entrabas así, dónde está el mesón, y ahí me ponía a temblar, me sudaban las manos, y no llevaba nada, ¿viste? Y, vos sabes, iba con la misma remera, el mismo pantalón. (...) Y, bueno, siempre iba con la misma ropa, y había una rubia de policía ese día y yo pensaba: ‘que no me toque, que no me toque’. Y justo me viene y me toca, me toca justo a mí porque son así. Entonces, ‘pase, pase, pase, la siguiente, pase a los probadores’. Y paso así, y me dice: ‘No, con esta remera se te transparenta el corpiño.’ Y yo le digo, ‘No, no, yo siempre vengo con la misma remera, cómo puede ser, vengo con la misma ropa para que no me digan nada.’ Porque era el tema del no-color, no podías llevar eso y te ponían miles de trabas. Y me dice: ‘Pero conmigo se transparenta. Así que salí y cámbiatela’. Entonces, salí, me tuve que ir, afuera del todo, a alquilar una. Y entonces, vengo con otra, me vuelve a toca la misma [oficial penitenciaria]. Y me dice: ‘No, ésta no me gusta’. Y ya estaba por terminar la visita (...) y me dice que si no me la cambiaba no pasaba. Yo tuve que cerrar el orto, me tuve que ir de vuelta afuera, y me dieron una remera, como un payaso, horrible, toda llena de colores, y yo tenía un camperón, un camperón de corderoy, negro, así, un gamulán, y hacía un calor, y no sé porque justo ese día lo lleve, y tuve que entrar, toda acalorada, horrible, y me tuve que tapar y horrible. Llegue toda llorando [al patio], son unas hijas de puta, no vengo nunca más, son unas hijas de puta, y Kevin [la pareja] me preguntó ‘¿qué te paso?’, pero así tres veces me hizo salir, y así, tal cual, ¿eh? (Interview 25)

maintained (though updated to the new technologies). In her interview, Carla explained how this works:

Once I was menstruating, and they made me pass four times through the machine. They said I was hiding something, but it was just that my body was hot, because I always get my temperature up when I am menstruating. So, I went to the toilet and kept on drinking water, and I was drinking water and water to see whether my temperature would go down and I could pass the machine. I told them I was menstruating, but they would not listen. (Interview 35)

Besides having to trespass the gaze of prison guards (and their measure over the ‘appropriate’ clothes to enter prison), the new machines measure the temperature of women who go through the processing area. In both cases, suspicion regulates the (im)mobility of these women through the screening. While in the case of Paula she is pushed to change her clothes to become ‘asexualized’, in Carla’s case her body fluxes are proscribed. Bodies with gendered fluxes are coded in the biometrics of these screening devices as guilty bodies contributing with the extension of prison boundaries over women’s bodies (Epstein, 2007; Pickering and Weber, 2006; Amoore, 2006).

As such, the screening of women bodies contributes to the spatialization of prison boundaries. Subramanian (2008) states how any analysis of gendered mobilities must consider that bodies and spaces are constructed through meanings of gender. The interview extracts included above describe the way through which these screenings (and the threat of not being able to pass the personal search) becomes a way of regulating women’s bodies biological rhythms and disciplining the aspect of women that visit.

As we have seen across the previous sections of this chapter, then, the struggles that women who visit their relatives in prison do to protect them and fight against carceral governmentality, are simultaneously and in ‘an immediate and founding correlation’ (Foucault, 2007: 196) caught in a wider governmentality web. The refusal to be conducted the way they are conducted constructs them as ‘family members of a disposable being’ and, as such, as a potentially guilty and ‘disposable’ person. Overall, those who visit are built as suspicious beings and in need to be disciplined according to prison discretionary regulations.

Biopolitical (im)mobilities

Beyond the representations of caring and suspicious gendered (im)mobilities, visits of families also play another key role in carceral governmentality that is related to the division between those who receive visits and those who do not. The ethnographic scene that is presented in this section corresponds to one of the family visits that I attended accompanying Salvia to visit her husband, Damian, in prison. The following notes were written a few hours after the visit⁶⁰:

There was a party today in the Ezeiza prison. Family visits are normally organised in a closed room, but today the party was in the central courtyard: a diamond-shaped patio covered with green grass which faces the cellblocks (...) Mothers, grandmothers, sisters, fathers and brothers, and kids of all ages played on the grass. In the rest of the yard, those who have visits had been arranging their white plastic tables in a row all morning to welcome their families. White cloths were

⁶⁰ Part of these notes were edited and slightly modified to be published as part of a larger non-fiction short literary piece and can be read on P. V. (2014) *The Gardener of Bernal. Rough Spirits*. London: Different Skies. Last accessed 30th of January 2017 at <http://different skies.net/issues/articles/3/The-Gardener-of-Bernal.php>

attached to the wire fences as improvised parasols. The tables were decorated with tablecloths and completed with an assortment of mate drinking straws, plastic flasks of different colours and transparent soda bottles. As families arrived, they added their Tupperware filled up with food (...)

I was invited by Salvia to meet her husband Damian inside prison. After eating, several people start dancing, animated by a live band playing cumbia music at full volume. Damian finished a big slice of the pionono that Salvia, his wife, prepared and walks over to the garden. He sat next to her to chat and get away from the sound of the music. ‘There are a hundred and fifty people here with their families, and a hundred more inside ‘tabletted’⁶¹, laying in bed and asking for this to end.’, he told me. Those without visitors are not allowed to go to the garden on the day of the visit and prison doctors give them tablets so they sleep the whole day and stay quiet (...)” (Fieldwork notes, April 2013).

These fieldwork notes describe a scene from the second family visit that I attended during my fieldwork. The first part of the notes depicts an atmosphere of joy and amusement. If the words ‘cell’ and ‘wire-fences’ would be wiped out of the notes, the description could be portraying any other family gathering. These family visits within prisons (which were not unusual in the specific time-frame while I was doing fieldwork) seem to be putting in parenthesis the disposability of those incarcerated to reinstate their role as men within families, capable of sharing and spending time with them.

⁶¹ The word ‘empastillado’ (which I translated as ‘tabletted’) is used to refer to a person who is under the influence of (legal or illegal) drug-tablets. The word is commonly used to refer to the state of consumers of illegal drugs such as ecstasy, tranquilisers or or metamphetamines.

According to Damian's comment, although hidden and veiled, the joy and amusement that I saw during these visits was simultaneously orchestrated with the medicalization and neutralization of those who did not have visits. His comments denote that by allowing visits to happen, the system also promoted a bio-political division among those incarcerated. While those incarcerated with families would be allowed (at least partially and contingently) to 'escape' from their subjectification as disposable beings, those without visits would be subjected to harsher confinements.

Visits, in this way, are used within the prison system as a technology of power which is aimed at fulfilling the biological needs of those who are incarcerated (feeding them and providing them with the needed affect to survive their incarceration) while, indirectly, the visits are also used to expose others to further disposability. The goods and food the families bring regularly into the prison with their visits contribute to maintaining those who receive them alive, but also contribute to the fragmentation of the prison population rendering others more exposed to death.

This reading of visits that families perform to prison can shed light on the role that prisons play beyond the focus on discipline but also as a key institution within the biopolitical power. Rather than being mere sites of disposability, within prisons, the power to *make live* and *let die*, is also reproduced generating divisions among those that are incarcerated. In this way, the labour of families that visit is appropriated as a function that contributes to sustaining the lives of those incarcerated that receive them, while deeming those without visits as further disposable.

Conclusion

Throughout this chapter, I framed visits to prisons as counter-conducts against the deemed disposability of those incarcerated. The visits that these women perform to prison are crossed by biopolitical relations of care and establish needed networks of support for those that live behind bars. They contest a way of governing which equals those who have committed a crime with a non-human status and instead aim to produce certain form of recognisability for the lives of those who are incarcerated.

While the visits show a refusal to treat those imprisoned as disposable, they are nevertheless productive for carceral governmentality in different ways. One clear benefit that is extracted from these visits (as has been discussed in this chapter) is the economic profits that these visits entail for the overall prison budget (through women's unpaid work in preparing and cooking the food those incarcerated eat in prison plus their investments in the costs of the products taken to prison). Another monetary benefit that was described in the third section was the profit that prison guards secure through the overcharges they obtain by making women buy products at higher prices in the prison stores.

Beyond these monetary benefits, visits also play a key role in extending and deepening the extent of carceral governmentality through different stages: first, by extending carceral boundaries towards those who remain outside, prisons boundaries expand spatially in both subtle and embodied ways over women's everyday life; secondly, by contributing to the production and reinforcement of further regimes of disposability and extermination devoid of opposition while at the same time reinforcing the prisonization of families.

By allowing *caring (im)mobilities* to trespass prison walls, the system does not only profit from them, but activates the production of further regimes of disposability towards those who are not visited, those who do not count; those that, unlike the brother of the woman who shouted in front of the prison of Devoto in the first vignette of this chapter, are not being claimed.

The study of women's visits has showed how visits work as a struggle against disposability and simultaneously as an integral element of a broader carceral governmentality towards those incarcerated and their families. Carceral governmentality is deployed through the regulation of the circulation of women within and beyond prisons in different ways. By allowing *caring (im)mobilities* to reach and trespass prison walls, the stigmatization and suspicion constructed around those incarcerated extends to the daily life of those women who visit. While these visits expose, put into question and fight against disposability, they are also productively used to render those incarcerated without visits as more disposable.

While in this chapter I analysed the way in which the boundaries between the inside and outside of the prison are closely connected, I will now move on to explore further the different spatialities that implied in two different forms of counter-conduct against carceral governmentality.

Chapter 5. Spatializing counter-conducts: mobilizing inside and outside prisons

Introduction

This chapter looks at different counter-conducts initiated collectively by incarcerated men and/or families of those incarcerated and released women and men that aim to expose certain aspects of carceral governmentality around federal prisons in Argentina. It focuses on two main initiatives. The first and second section analyse the strategy developed by a group of incarcerated men who founded a trade union to represent inmates that worked in prison. The third and fourth section focuses on a non-violent protest march that took place in front of the National Congress. The march was organized jointly by different organizations formed by families and released women and men and, as I will further show, was accompanied by those incarcerated from their cells.

This chapter critically assesses the spatialities and (im)mobilities deployed in the collective struggles performed by those incarcerated and their families. The chapter argues that spatialities and (im)mobilities are integral to the constitution of counter-conducts and carceral governmentality (Massey, 1999). In particular, the chapter reflects on the tactics and strategies of power that take place to incorporate these counter-conducts and ‘re-insert them’ into carceral governmentality (Foucault 2007: 215).

As in the previous two chapters, this chapter explores the way in which these counter-conducts and carceral governmentality are simultaneously co-related. In Chapter 3 and 4, I showed, among other issues, that carceral governmentality worked spatially through the expansion of carceral boundaries towards those who remain outside.

Chapter 3 and Chapter 4 also engaged with (im)mobility in distinct ways. While Chapter 3 analysed the role that the ambivalence of prison/judicial files played in the way (im)mobility of those incarcerated was being governed within the prison system, in Chapter 4 I explored how counter-conducts and carceral governmentality were entangled through different representations of gendered (im)mobility. In this chapter, I go one step further to explore the specific spatialities implied in different counter-conducts and the way these counter-conducts conveyed and valued mobility as a resource for struggling against imprisonment.

Throughout the chapter, attention is placed to the way in which counter-conducts not only perform a contestation to the way those incarcerated are being conducted but also imply a specific reflection on the way those who counter-conduct should ‘conduct’ themselves (Foucault 2007: 193). Both initiatives analysed throughout this chapter show a refusal to be treated as disposable but also a proposal to conduct themselves in a different way, asserting that they are not disposable.

The chapter is organized as follows. In the first section, I focus on a trade union (which I name TAPLA) that was founded inside prison by a group of incarcerated men to represent the rights of those incarcerated that work inside prison. I look at the way in which those that founded the trade union framed their (im)mobility within prisons and the reworking of the language of rehabilitation used by their strategy. The second section critically assesses TAPLA’s strategy as a counter-conduct through the analysis of the specific gendered normativities and spatialities implied in it. This section looks at the role of prison work from the point of view of family members of those incarcerated and suggests that TAPLA’s strategy may be embedded in a wider carceral governmentality process which constructs those incarcerated as disposable and

unemployable outside (as well as inside) prisons. The third and fourth section focus on a march that was organized outside the National Congress to protest against a law reform project that aimed to curtail prisons' special outings, early release and remission. The fourth section describes the march and the appearance of families of those incarcerated, men and women released and those incarcerated in front of the Congress as a counter-conduct against their deemed disposability enacted through their appearance in public space. The fifth section, notes a few insights on the possible 'tactics and strategies' of carceral governmentality that could be unfolding to 'try to re-utilize' and 're-insert' this counter-conduct into its own process (Foucault 2007: 215).

A trade union for workers in prison

I met Cesar and Pablo, two men that were living inside the prison of Devoto, in an event organized by them and a larger group of inmates from this prison. The event was meant to be a commemoration of a massacre that had been produced in the Devoto prison in 1979 (during the dictatorship) where nearly 80 so-called 'common' imprisoned men had been murdered after they were locked in a cell during a fire outbreak. The event included the presentation of the results of a specific research project that had been conducted by those incarcerated who were students in the University Center of this prison. I was participating in the event accompanying other social and human rights organizations that were working on prisoners' rights and prisons' abolition. The event took place in a room adjacent to the cell where the massacre had taken place and consisted of different presentations by those incarcerated on their research. Stories about the massacre and the deaths of those

imprisoned during the dictatorship were followed by stories of their current human rights violations in federal prisons.

The event was possible in the context of the Devoto University Centre. This centre was an initiative that had been founded in 1986 (three years after the return to democracy) through a special agreement between the University of Buenos Aires and the Federal Penitentiary Service. Through this agreement, a space was created within the prison where inmates could access University education. The centre offers seven careers (Law, Sociology, Philosophy, Literature, Psychology, Accountant and Business Administration) and has a staff of 50 professors who provide classes within the prison premises. Since its inception, more than 2000 men and women had received University education within prisons. The CUD, described by many of its students as ‘a space of freedom within prison’ was also a hub for the development of different initiatives among inmates (Daroqui, 2000; Laferrière, 2006).

In the event, Cesar and Pablo⁶² talked about their current projects within prison. Pablo introduced himself as the main representative of a trade union that had been recently founded with the objective of representing the rights of those imprisoned who worked inside prison. The trade union (from now on, ‘TAPLA’) was defined as the only representative entity for workers imprisoned in national and provincial prisons in charge of defending all human, legal, social and labour rights of those deprived from their freedom and of their families. After the event, I talked for a while with Pablo and Cesar who described the trade union in the following way:

⁶² Pseudonyms were used to ensure anonymity.

Our Trade Union is not a trade union of prisoners. It is a unique union of workers deprived of their freedom of movement. As a Union, we are demanding to be able to move inside the prison to verify the conditions of work in which our fellow inmates are made to work. (Fieldwork notes, March 2013)

Pablo framed mobility as a main strategy of the trade union's role. On one hand, it defined those imprisoned not as prisoners but rather as 'workers deprived of their freedom of movement'. This term, which is imported from the denomination given to inmates by human rights organizations in Argentina, places emphasis on the sole restriction that the conviction should exercise over the rights of those imprisoned: their access to the right to move freely. It stresses that an incarcerated person has the right to attain all other human rights (including access to education, labour, health, family relationships and general well-being) though he/she is temporarily deprived from movement. On the other hand, in his description of TAPLA's strategy Pablo also contests the restriction of movement that those incarcerated have within prisons. One of the main demands that Pablo stated in our conversation was the need for trade unions officials (who were all incarcerated men) to 'move' within the prison in order to supervise the work conditions in which those incarcerated were made to work. By doing so, he claimed for certain access to movement 'within prison' for those elected as trade union's representatives.

A few months after the founding of TAPLA⁶³, several strikes were organized by the trade union inside the prison. In these strikes, those that were members of the trade

⁶³ The idea of founding a trade union for those incarcerated who worked inside prison was originally developed in 2012 by a few University students who were incarcerated in Devoto and Marcos Paz prisons and studied in the Devoto University Centre. The development of the trade union within prison was partially enhanced under the general progressive atmosphere pertaining the administration of Hortel (see Chapter 2). After a few negotiations, the trade union managed to obtain the support of one of the branches of one of main workers' trade unions in Argentina (the Central of Argentinean Workers)

union refused to work in the workshops inside the prison. The strike was organized to demand the legal recognition of the trade union by the SPF and to demand for salary improvements, the establishment of an unemployment insurance for those released from prison, the granting of employment to all those inmates that worked inside the prison and the improvement of the safety and hygiene conditions of work in prison. The initiative was proposed as an anti-violence action and received attention from mainstream media channels. Rodrigo, another member of the trade union, described the moment in the following way:

That day there were 1,600 men hitting the gate, telling the guards to stay calm, that we were playing the drums and that we were not going to work. We were sharing our understanding that we were fighting for the right to have a dignified circulation inside the prison.⁶⁴ (Diaz, 2014)

The strikes inside the prison, one of the main actions promoted by the trade union, proposed an interesting reworking of the right to move inside the prison. Indeed, the strategy developed by the trade union first argued that the only legal restriction they had as inmates was their lack of mobility, to then mention that they were fighting for ‘the right to have a dignified circulation inside the prison’. The choice of the strike as a performance to show discontent with the way work was conducted within prison government had also powerful connotations for their construction as ‘free-workers’ despite being in prison. The strike was meant to resemble the performance of strikes

and signed an affiliation letter to adhere to its structure. The institutional support of the CTA was materialized through the acceptance of 300 affiliations of workers living in prison to this larger trade union. For further information, see Isequilla M. (2013) El derecho al trabajo y a la libertad sindical de las personas privadas de la libertad ambulatoria. *Revista Derecho Penal* 2: 277.

⁶⁴ In the original, Ese día había 1.600 tipos golpeando la reja diciéndole a los celadores que se quedaran tranquilos, que estaban haciendo batucada y que no iban a salir a trabajar, entendiendo que estaban peleando por el derecho a tener un transitar digno dentro de la cárcel.

outside prison buildings (with the use of drums and the decision not to work). The strike is a refusal to be conducted as ‘disposable’ workers and instead asks for better working conditions for those workers inside prison.

Rather than opposing the penal and legal language of rehabilitation, the platform of the trade union’s mission shows an appropriation of the language used, at least rhetorically, by prison regulations. The law on prison regulations in Argentina states, in Article 106, that work constitutes a right and also a duty for the inmate. It also states that work is the basis of the prison treatment and that has a positive impact on his/her training. In this way, the strategy of TAPLA could be assessed as a form of appropriation of penal discourse. Scholars working on prison resistance have noted that the appropriation of penal disciplinary scripts may work as a tool for resistance in contexts in which restrictions placed upon inmates are important. Bosworth (1999), for instance, studies how cultural stereotypes that are used by prison officials as a way to discipline them are actually appropriated by imprisoned women as tools of resistance while Codd (2013) shows how prisoners’ families also appropriate prison scripts in order to be allowed to spend more time with their relatives (2013: 15).

The appropriation of penal discourse may also be analysed as a response to need to search for a new frame for those incarcerated. Indeed, the strategy posed by TAPLA may be described as an attempt to contribute to the framing of incarcerated people not as criminals but as workers. Butler (2009: 1) states that ‘the frames through which we apprehend (...) the lives of others’ are ‘politically saturated’ and are ‘themselves operations of power’. Framing themselves as workers aimed to create new trajectories of affect and identification.

In this chapter I explore the strategy developed by TAPLA as a counter-conduct to analyse it not as a distinguishable and separate force to that of carceral governmentality, but rather as one entangled and related with it in a very complex way. Indeed, work is and has been a central mode of carceral power and of penal discipline. It is in itself a strategy of governance and a way to align inmates' behaviour with the aims and interests of government (Haney, 2010). The alignment with the prison law and the disciplinary role of work is expressed in TAPLA Facebook page explicitly:

Comrades, we will only be able to include ourselves in society and shorten our sentences if we develop work habits in our lives deprived of freedom. Since the law states that we ought to develop our individual abilities, working to help our families and help ourselves, we will be able to gain our freedom and we will have an opportunity for a better future. (Fieldwork notes, June 2013)

The strategy places work at the core of the strategy. However, rather than framing prison work as something that is imposed and part of the oppressive system of the prison, it frames it as a chosen path towards (the so-called) rehabilitation. The appropriation that TAPLA makes of the language of rehabilitation does not contest the disciplinary mechanisms implied by the prison law, but rather demands that these would be implemented accordingly. This disciplinary model proposes a specific way of conducting themselves through a work ethic based on the attainment of work habits and helping their families.

That brings us to a key question: is this responding to an internalization of carceral governmentality (in other words, the way they need to conduct themselves according to carceral governmentality) or, if not, what aspect of carceral governmentality might the TAPLA strategy be aiming to counter-conduct? To explore this issue further, I

suggest that it is important to analyse the way in which TAPLA framed work inside but also outside prison. This was further developed in a description provided by Rodrigo in a radio interview. He stated:

A detainee needs to learn about labour habits, because we come from a system that has destroyed labour (...) The person needs to study and learn work habits. What work habits can a person learn if he/she performs forced labour? (...) We do not defend delinquency or crimes, nor justify crimes, but we need to give a social function to the conviction. We want to transform people that made a mistake in their path or do not have the knowledge due to their ignorance, so they can become what they really are: part of society (...) The detainee who assimilates as a worker and works and gains a salary to maintain his family, and learns the work habits that the law asks, is in the path towards social rehabilitation. (Fieldwork notes, December 2016)

Rodrigo names three different types of work in this extract. First, he mentions the role of labour outside prison and its relationship with crime. He mentions the system ‘that has destroyed labour’ linking the lack of work outside prison to the impoverished and violent conditions of social life that had been produced and maintained in Argentina in the past years. He positions crime as a consequence of the lack of access to education and ‘labour habits’. In this way, he placed the lack of work outside prison (and the lack of labour habits of inmates) as the main reason for crime. Secondly, he mentions ‘forced labour’ as that work that is implemented as prison work inside prisons. Although he is not explicit about this, he refers to this type of work as one devoid of meaning as it does not enable people to learn ‘labour habits’. Thirdly, he mentions a third type of work, which may allow people ‘to assimilate as a worker and works and gains a salary to maintain his family and learns work habits’. According to him, this

third type is dignified work, even if performed inside prison. And it would be dignified because it would be well paid, include benefits and labour rights and allow the person inside prison to sustain his/her family outside.

By identifying the figure of the inmate to that of the worker, TAPLA aimed to contest the way in which work was being conducted inside prison but also outside prison. Rodrigo describes those incarcerated as people that ‘can become what they really are: a part in society’. The strategy could be described as an active struggle against disposability as it demands full employment as well as the enactment of labour relations that are not exploitative, it works towards inclusion and fights exclusion. Furthermore, it demands a place for those imprisoned in society. The strategy implied not only a refusal to be conducted as a disposable or surplus worker (as they were treated before going into prison and inside prison) but also included a specific way to be conducted. When Rodrigo mentions the need to ‘assimilate’ as a worker it is demanding a specific way of conducting oneself: not as a disposable man, but rather as a dignified worker.

Prison work from ‘outside’

The way in which TAPLA’s strategy is constructed requires further examination in relation to the specific normativities it conveys and the specific spatialities it implies. On one hand, TAPLA’s strategy could be analysed as based upon the liberal paradigm of individual moral recuperation and constructed around a politics of morality based around work and family. TAPLA aimed to link the figure of the inmate not only to that of a worker but also to that of a ‘family man’ – a male breadwinner head of household. The way in which TAPLA constructs these identities is greatly gendered and based on

an ideal figure of the bread-winning man. While during the first months after the foundation of the TAPLA the activities proposed by the trade union were mainly focused on men's prison, after a few months they also reached women's prisons. Nevertheless, during my fieldwork TAPLA's office holders were mainly occupied by men. TAPLA's platform placed 'family' and family relationships as a key element of their demands. However, the way TAPLA constructs this identity is still based on normative ideals that link men to their role as workers and as bread-winners of their heterosexual family.

On the other hand, the strategy posed by TAPLA is mainly oriented towards the construction of a 'worker' within prison walls. Among the main objectives of the TAPLA, a key one was to promote full employment in all prisons in the country and attain minimum salary within prisons. The strategy also promoted the development of employment categories within prisons. In this sense, its main aim seems to be directed to build prisons as a key employer reproducing the ideal conditions of the worker within the prison. However, this denies an important element related to what happened outside the prison. By focusing on building an identity of the worker inside the prison and denying attention to the transit between the 'inside and the outside'; the strategy fails to consider the complex issues that arise when the strategy is placed in its wider context.

In order to understand how the TAPLA's strategy is entangled in wider carceral governmentality logics, it is necessary to understand the role that prison work played beyond prison walls. In order to do so, I present several findings related to the way prison labour was understood and perceived by the family members who participated in the family meetings that I attended during my fieldwork. In these meetings, the

meanings of prison work gained new dimensions. To explore an emergent theme of the thesis from another angle, I argue that in order to understand better the reach of carceral governmentality is not only important to look at what goes inside prisons, but also how does that what goes inside prison affects what goes outside (and vice versa).

Indeed, the relationship between work and prison was often mentioned in the experiences that women shared in the family meetings. Among the women who participated in the family meetings, there was a general consensus on the importance that work within prison had for their relatives and their families. One issue of concern was the lack of sufficient work within prisons. Women whose relatives had been recently imprisoned often complained that their relatives had not been granted work inside the prison. In these conversations, work was defined as a right of their relatives in prison and an issue that was key to maintaining them- content and busy- within prison. Work was not seen as an imposition of the imprisonment regime but rather as a right that had to be granted to them. As a right, work was framed as something that needed to be demanded of the state rather than something that was being extracted by the state from the imprisoned bodies. In one of the meetings, Elena, who had her youngest son in prison, stated:

Not everyone that wants a job has a job inside prison. That is a lie. Everyone should have a job. You won't tell me that there are not millions of things they can do. My son makes clips. How many things can they do inside prison so everyone can work? (...) If everyone got that, they would be much better. That is what needs to be modified in the system (...). Only 30% works and studies, not 70% (...) It is true that the state needs to go to the companies and provide jobs to everyone in the prison. (Fieldwork notes, June 2013)

Elena mentions that everyone ‘would be me much better’ off inside prison if they all worked. Her comment relates to the overall disciplinary mechanism that prison officials use to maintain inmates occupied as a key element in prison governance. Within this system, ‘being idle’ in prison is seen as a potential problem, while work is assessed as a way of maintaining populations quiet and occupied. Having their relatives occupied and calm within prison was also a top priority for family members. However, the claim that Elena makes, that ‘the state needs to go to the companies and provide jobs to everyone in the prison’ that is similar to the one posed by TAPLA in that rather than posing work as exploitative, it frames it as a right.

Among families, work within prison was also considered as key for the economic survival of the family outside prison. Most of the women that had their relatives working in prison used the salary of their relatives to sustain the costs that families tend to bear with their family members’ imprisonment. The attainment of jobs within prison had concrete and real material consequences for the everyday life of women whose relatives were imprisoned. As described in detail in Chapter 4, during the first months of their family members’ imprisonment, or when their relative did not yet managed to obtain a job in prison, the economic costs of the well-being of those incarcerated were mainly absorbed by family members. Indeed, the costs devoted to the caring of those imprisoned (including food, hygiene and health products as well as clothing and blankets) had to be mainly provided by household budgets when those imprisoned did not have access to a salary. Positioning them as ‘workers’ inside prison with a salary played a key role in the way their masculinity was connected with the pride of being ‘able to maintain a family’. In practice, the minimum salary that they were paid was generally not sufficient to pay for the expenses of their families but it did lower the weight of the costs derived from the inmates’ expenses. Families whose

relatives had work travelled to the prison premises especially to be able to cash the cheques of their husband and usually added it to the general household budget.

In this context, the organization formed by family members demanded more prison-work (rather than less) to the state. The nature of the work demanded was framed as a right and not as punishment. In this way, the organization of family members shared with TAPLA the demand to improve the conditions of work inside the prison. When asked about this issue, Ana, one of the key organizers of the family meetings who had her husband in prison, stated the following:

My husband is a worker and his employer is the state. He has a family to take care of and the prison is not allowing him to find a job outside, so the state needs to assure his work rights. As such, he needs to be respected, get paid holidays and he also should be indemnified after he is released from prison. Because he loses his work when he is released from prison (...). (Fieldwork notes, May 2013)

Ana's comment is illustrative of the specific spatiality involved in the framing of the incarcerated man as a worker. Ana frames her husband as an employee of the state due to his imprisonment. The description of inmates as workers (however fragile these work arrangements inside prison would be) was common among women who had their husbands in prison. This strategy was not only used to describe their relatives to other people or only used as a rhetoric to defend their relatives from criticism for external parties, but also an explanation that made sense to them in the construction of their own image of families. Laura, a woman who had been visiting her husband during his fourteen-year imprisonment and had a five-year old daughter, Bianca, (who had been conceived and born while he was imprisoned), had the following to say in a

conversation between three women who had their relatives imprisoned in one of the meetings:

Laura: I tell my little girl that we go to her father's job every Sunday; that this is where he works and that this is where we go. I tell her that we can pay for her birthday with the money he makes. I know that that is a lie.

Ana: It is true that he gets a salary, it is true that he works.

Laura: I tell her that the place where the personal search is done is a telephone box place. She tells me: 'but people do not name it telephone box, they name it personal search'. 'You are right', I say, 'But this is because they do not want anyone to come and steal the factory'. She asks and I tell her that, she keeps on asking all the time. (...) I continue to tell Bianca the same thing, because I do not dare, I do not dare tell her. I thought he was going to come back before she grew up, so I did not want to tell her.

Ana: I play dumb.

Delia: Well, her Dad is working and you eat because of that.

Ana: No, she does not eat because of that. (Fieldwork notes, May 2013)

This conversation shows the lengths that women who have their husbands in prison go to maintain, for themselves but also for others, an image of a family headed by a working man that is also a family man. The conversation took place in one of the meetings that I attended and it shows how women struggle in their attempts to maintain that image in front of their children but also for each other. Laura starts the conversation by mentioning that she tells her children that their father lives in a factory and there is where they go when they visit them on Sundays. This is the way she found to resist the intrusion of the prison in her son and daughter's childhood. By telling them that their father is working and not in prison she believed she could minimize the pain

of having a father in prison. The role of Ana in the conversation shows further complexity. At first, she reaffirms the fact that those imprisoned 'do work, they do have salaries'. However, later in the conversation she admits that this might be a fantasy developed in order to save themselves for further pain. 'I play dumb', she states and then adds, in order to contest Delia when she states that their imprisoned men sustain their families, that their children do not eat because of the salaries of imprisoned men.

The use of work in TAPLA's strategy as a means to recover dignity and become 'part of society' may be understood in the context of the ambivalent role of prison work that families of those incarcerated expressed throughout these meetings. Especially, it may be understood in relation with the specific masculinities implied in the role of work and, most importantly, in the way in which work within prison was conducted.

While, as it has been noted earlier, work is an integral element of disciplinary systems within prisons (Haney, 2010b), TAPLA's demands (and the strike itself) aimed at re-engineering the concept of work within prisons from one focused on punishment to one focused on dignity. The organization of a strike inside prison constructed the prison as a public employer rather than an institution of punishment, at the same time that it built the prisoner as a worker that had the right to refuse to work if conditions were not adequate. As mentioned before, the construction of this worker was closely configured along an ideology based on the heterosexual and 'bread-winning' man.

By doing so, it contested the devaluation of masculinities within prisons and the treatment of those incarcerated as disposable. Indeed, the role of work in constructing 'ideal' fatherhood and families within prisons was present in many of the conversations

that families had in the meetings. By transforming prisons into factories (as in the story that Laura tells her kids), TAPLA's strategy was contesting the way in which prisons were built as warehouses for 'disposable' men. Instead, by framing prison as a provider of jobs (and demanding for better salaries) it exposed the way work was being used within prisons. In this way, the use of the rehabilitation discourse in this context, also exposed the lack of compliance with the law that established work as a right of inmates.

However, TAPLA's also inscribed its demand for work in a specific spatiality that may be described as instrumental for larger logics of carceral governmentality. These logics were unveiled to me in the conversations that I had with women in the meetings about the difficulties that they had faced when their husbands left prison. Ana often mentioned that her hope for the role of work (as a key element in the integration of those imprisoned) was often one of hesitation. This view was deeply linked with her own experience accompanying her husband in one of his special outings from prison. Ana had already told me that a few years before I started doing fieldwork in the organization of family members, her husband had requested and been allowed to special outings from prison to be able to work outside. In order to achieve this, Ana had had to tell the Judge that she would be in charge of supervising him and she had arranged that a bakery that was situated near her house would hire him during these days. Ana described her experience accompanying her husband as a very tiring one. She told me how her husband was happy to be released from prison, but that could not sustain his daily employment outside prison. Eventually, the SPF found out that he was not attending the work schedule he had committed to and his special outings for work were suspended.

Ana's experience was shared by the stories that were told by several of the women who participated in the meetings on a regular basis. Many of them had experienced the difficulties that their imprisoned men had had when leaving prison to obtain (and mainly maintain) a job or free-lance work. In their conversations, they often discussed how they could create and sustain a job for their relatives that would be released from prison. Estela, for instance, had bought a kit for cleaning cars and she stated that she was keeping the kit in her garage so her son could use it when he got released from prison. Patricia imagined her husband could join her in the management of a shop she had set up inside her house. Veronica had bought several sewing machines with the plan to set up a workshop after her boyfriend's release from prison. After their relatives' release, however, more often than not, these plans faced many difficulties. Those who left prisons found it often impossible to get a job due to their prison records and they were often faced with discrimination in the labour market. Furthermore, those who managed to attain a job or work from home, found it very hard to maintain these jobs over time.

Family members were also hesitant that their relatives would be interested in continuing outside the prison those jobs they had learnt inside. That was contrasted with the 'successes' they had in their work inside prison. Pedro, for instance, was the husband of Luisa, and he had built a beautiful garden inside Ezeiza. Luisa invited me to visit the garden in one of the family visits inside prison. When he was waiting for his release from prison, I asked Luisa whether he would continue with gardening outside the prison. However, she stated that that would be difficult as he did not want to continue with gardening outside. 'Gardening is a way he found to be free inside prison', she told me, 'I doubt he would like to go on with that outside prison.' Elena

explained to me a similar issue in a conversation we had about his son who was imprisoned in the prison of Ezeiza:

Juan has learnt carpentry in prison. You can't imagine how beautiful things he did for his daughter the other day. He built a small table and chair for her with his own hands, with his own hands! I could not imagine that when his girlfriend told me, so beautiful (...) But no, he won't continue with that job outside. He tells me, 'Mommy, this makes me happy here, it helps me not to think here. But no way will I continue with this job outside'. It will always remind him to prison, you know? That job is prison to him.⁶⁵ (Interview 8)

The way Elena and Luisa describe the work of their relatives in prison sheds light on an important issue related to the complex spatialities of TAPLA's resistant strategy. While Luisa describes the work of her husband in prison as the 'way he found to be free in prison', Elena describes the job of her son in prison as what 'will remind him to prison' after he is released. In both cases, the women mention that their relatives would not continue to do that type of work outside the prison. Their comments were not different to the ones I heard from other families. This finding contests the liberal fantasy of rehabilitation as a possible avenue to social integration and draws attention to the lack of attention to the intersection between different mobilities and spatialities inherent in this ideal. At different moments in my fieldwork I was confronted by the lack of attention that public policies placed on the transition that those imprisoned had

⁶⁵ In the original: Juan aprendió carpintería en el penal. No sabés las lindas cosas que hizo para la nena el otro día. Construyó una mesita y una sillita con sus propias manos, con sus propias manos! Yo no podía creer cuando su novia me contó, tan lindas (...) Pero no, no va a seguir con ese trabajo afuera. El me dice, 'Mamá, esto me hace feliz acá, me ayuda, a no pensar estando acá'. Le va a recordar todo el tiempo del penal. Ese trabajo es el penal para él.'

to go through when leaving prison. The focus on work 'within prison' left unattended the importance of the transition 'from prison to the outside'.

This calls attention to an issue in carceral governmentality that is often neglected: their role in constructing prisons as an expected and inevitable (sometimes even 'wanted') part of their everyday life. The counter-conduct of carceral governmentality through the emphasis on the role of inmates as workers that TAPLA does bases its struggles on the deployment of a specific mobility (the emphasis on being 'mobile' inside prison). However, it denies other key mobilities that are embedded in the power relations exercised by carceral governmentalities: those that connect the inside with the outside of the prison. Indeed, what made a person feel 'free' inside prison may well work as lack of freedom outside the prison. Furthermore, the way they are treated in prison also acts as a hinder and an obstacle to be able to continue with their lives outside. It highlights the difficulties a person may have to adapt to life outside walls after the traumatic experience of being treated as disposable within prison walls and being forced to adapt to this treatment.

At several occasions in my fieldwork I encountered the way in which those incarcerated (men and women) as well as their families took the prison as an inevitable aspect of their lives: people who were scared to leave the prison because they feared not to be able to have a job outside, family members who feared the return of their family member because that meant the loss of his salary as well as the reworking of a relationship that had been accustomed to prison walls, former incarcerated people who were arrested and returned to the prison a few months after being released because, according to their families, 'they could not find themselves outside, they are happier inside' (Interview 8).

As in the case of prison files in Chapter 3 of this thesis, the analysis of TAPLA's strategy as a counter-conduct unveils a specific aspect of carceral governmentality that cannot be distinguished if we assess carceral governmentality as an equivalent to the laws that regulate prison regime. The set-up of TAPLA questions and challenges the way those imprisoned are conducted within prison in relation to work. The strategy implies a questioning of the way in which prison work and those incarcerated are constructed within carceral governmentality and proposes a new way of conduction which would re-establish their masculinity and dignity through work. The analysis of the specific spatialities within the strategy gives some insights on the way the counter-conduct may be also an integral form of carceral governmentality. This may be analysed as a form of conduct which constructs those imprisoned as prison-workers, even through disciplinary means. In this sense, the study of the spatialities embedded in this strategy 'highlights the mutually constitutive relationship' between counter-conduct and carceral governmentality (Odysseos et al., 2016). Furthermore, it allowed me to 'trace' how TAPLA strategy 'may reproduce the very thing it opposes' (Nişancioğlu and Pal, 2016).

Assembling 'outside' prisons: an epilogue

While I was finalising this thesis, a law proposal was presented by several members of the National Congress to limit the prerogatives of the prison law (24,660) that related to prison's special outings, early release and remission. The day that the law was supposed to be discussed in the Congress, approximately one hundred people including families of those incarcerated, released men and women, and human rights organizations working on prison issues gathered outside the Congress to protest and ask for the refusal of the law project. It was the first time in the history of Argentinean

democracy that so many people marched in front of the Congress for the rights of those who were incarcerated. I was in Buenos Aires that day and I went to the protest. Several of the organizations had taken posters and signs that read “Do not reform the Law 24,660”, “No to the regressive reform of the Law 24,660”. Using a megaphone, the mother of a man who was in prison stated:

Where is democracy? (...) To all the Senators, those who have in their hands the project of reform, they should place their hand in their hearts and say to this law: No. We do not want more kids dead in prison. For them, they are just a number but for us, they are our kids. And we have to fight for them, we have to be standing up and together (...) We have to win the streets, we have to win the streets. All of us, the family of those detained, we need to win the street. Because if not, we need to shout, we need them to listen, in the Senate. The reform, no! (...) Help us, we do not want more deaths, to take another kid out in a black bag.⁶⁶ (Fieldwork Notes, December 2016)

During the speeches, Laura was standing in the crowd holding a cell phone. On the other side of the telephone, inside prison, her husband and his comrades inside the prison were listening to what was going on in the street. Those incarcerated were also assembling inside and sharing the news of the march with the rest of the prison. A few hours later, the phone was attached to the megaphone. As those who were outside the Congress marched around the Congress building, through the megaphone, those

⁶⁶ In the original: ¿Adónde está la democracia? (...) A todos los Senadores, a aquellos que tienen en su mano, que se pongan la mano en el corazón y digan, a esta Ley no. No queremos más pibes muertos en las cárceles. Son un número, para ellos son un número pero para nosotros son nuestros hijos. Y nosotros tenemos que pelear por ellos, nosotros tenemos que estar de pie y juntos (...) Hay que ganar la calle, hay que ganar la calle. A todos ustedes, los familiares de los detenidos, tenemos que ganar la calle. Porque si no, tenemos que gritar, tenemos que hacernos que nos escuchen. En el Senado, a la reforma, no (...) Ayúdenos, por que no queremos más muertes, sacar a un chico en una bolsa negra (...).

marching could hear the drums that were banging inside the prison. Through these sound, they were also marching with those who had gathered outside the Congress. The march lasted approximately four hours and ended with the confirmation that the law project would not enter the Congress agenda for discussion during that year.

The scene outside the Congress can be defined as a new form of counter-conduct that was developed after decades of increasing prison populations in the country. Due to its recent form, and the constraints of time that are entailed in PhD research of this nature, it is difficult to elaborate fully on how these marches and protests are and will be entangled with carceral governmentality logics. However, a few words can be said about the spatialities embedded in this type of march as a counter-conduct and the possible avenues it opens to contest carceral governmentality.

The gathering outside the Congress was an unprecedented action taken by those related to those incarcerated. Families of those incarcerated and released men and women made themselves visible as a group of people that had relatives in prison or had been or were imprisoned. They enacted a significant political event by stating that despite their deemed disposability they were there, appearing in front of the Congress, taking a street space to demand to be heard. Butler (2015: 26) notes that when ‘bodies gather as they do to express their indignation and to enact plural existence in public space, they are also making broader demands: they are demanding to be recognized, to be valued, they are exercising a right to appear, to exercise freedom, and they are demanding a liveable life’.

The assembly entails a specific claim to public space. In Chapter 4, I showed how carceral governmentality infiltrates the ‘private’ and domestic spaces of women who

visit both physically and virtually. I described the way in which the domestic and private spaces were actually embedded in carceral logics. The assembly shows a different appropriation of space that is relevant to assess as a counter-conduct. By claiming their right to be in physical presence (or virtually, through sound) in the streets in front of the Congress the assembly occupies a space that, though formally framed as public, was devoid to them by their association with someone incarcerated, their own incarceration or their label as criminals.

The appearance of the families of those incarcerated (and their imprisoned relatives) in public spaces could be compared to the gatherings of undocumented workers in public spaces in the United States. Butler (2015: 79) describes how when those undocumented bodies ‘emerge on the street, acting like citizens’ they put into view their labour, which is ‘supposed to remain necessary and shrouded from view’. When the woman holding the megaphone in front of the National Congress states that “*We have to win the streets, we have to win the streets. All of us, the family of those detained, we need to win the street. Because if not, we need to shout, we need them to listen, in the Senate. The reform, no!*” she is counter-conducting the invisibility of those imprisoned, she is claiming her right and the right of her son in prison to be recognized. In this way, she rejects to be treated as disposable and as deprived of agency. When she states, ‘*Help us, we do not want to take another kid out in a black bag*’ she is asking for solidarity. Standing in front of the Congress, she publicly exposes the politics of death enacted by prison systems and claims for the liveability of those incarcerated and for their recognition as human lives.

The ‘family of detainees’ category

The assembling of bodies outside Congress represent a counter-conduct to carceral governmentality because it ‘intervenes in the spatial organization of power’ which regulates who can appear and who cannot appear in public space (Butler, 2015: 85). However, it is valid to question the ways in which carceral governmentality (threatened by the appearance of what is needed to be hidden and silenced) would react to the assembling of those incarcerated and their relatives in public space: What strategies or tactics may this governmentality be displaying to incorporate these counter-conducts, ‘to try to re-utilize them and re-insert them in its own system’? (Foucault, 2007: 215)

In this section, I review a few insights that could be assessed as governmentality responses to the search of visibility that families of those imprisoned (and those incarcerated) enacted in the public space. I do not attempt in this section to produce an elaborated response to the different ways in which carceral governmentality could and would respond to the search of recognition of families of those incarcerated in the public sphere, but will still name a few insights that could give some clues on the different ways in which this could be performed.

One way in which their appearance in the public sphere could be assessed as being re-inserted in carceral governmentality is through the coinage and use of the category of ‘family of detainees’ as an object of public and social policy. This was, as in the case of the analysis of prison work, an issue that was pursued by women who had their relatives in prison. In the family meetings, women will name the importance that a special policy for them that will understand their situation and provide with

cash-conditional transfers, psychological treatment and services for their kids could help them. However, the ways in which these categories could be transformed into public policies should be taken with caution. Indeed, the line between framing the children and families of those incarcerated as right-holders and putting them in a condition to be assessed as ‘risk populations’ may be fine.

Related to the latter, a second way in which the appearance of families in the public sphere could be assessed as possibly being appropriated is through the establishment of the category of ‘families of detainees’ as overseers of human rights violations in prisons. Rather than risk populations, in this context families are constructed as the eyes and witnesses of human rights abuses in prisons. During my fieldwork, I identified several times in which state organizations who had the legal responsibility to supervise human rights inside prisons framed families of those detainees as their main informants of human rights abuses inside prison. At first, this does not seem to be a problem. Indeed, families of those imprisoned visit prisons often and can usually gain first knowledge of the problems that occur within prisons. A public policy created with good intentions may well justify this position. However, in the daily practice of these organizations this first conclusion may be contested. Indeed, as part of my fieldwork, I attended a meeting that the Ombudsman in charge of supervisions human rights inside prisons had organized with some people who were relatives of those incarcerated. There were about twenty people in the meeting, sitting in a circle, while the public official gave a talk about the rights that families had and the ways they had to complaint and denounce abuses by penitentiary officials. After an hour, a man (who had one son in prison and another one who had been killed inside prison) stood up and said: ‘I know I have rights, I know I have rights, but my son was killed

anyway.’. The woman who was sitting next to me started crying. While her tears went down her cheeks, she mumbled, ‘Yes, he is right, he is right.’

As days went by, I found out what they both meant. The Ombudsman did not have the budget nor the human resources to ensure that human rights were not violated inside prisons. After meeting several family members who were interested and active in protecting their imprisoned sons and daughters they had assessed that it would be good to organize a training with them to tell them what their rights were. However, while the ‘rights’ that the public official mentioned were printed in the Constitution, in the daily practice around prisons these were rarely enforceable. The transfer of the responsibility of overseeing for human rights abuses inside the prison to the families that was being pursued (directly and indirectly) by the Ombudsman was (beyond its good intentions) creating a great burden on this man. It made him feel responsible for not being able to protect the son who had died. If he had rights, how had he allowed it to happen?

Conclusion

This chapter analysed two different counter-conducts initiated by incarcerated men and/or families of those incarcerated and released women and men that exposed, through distinct ways, specific techniques of power used by carceral governmentality to deem those incarcerated as disposable populations. The chapter argues that these two struggles make different claims around the spatialities that they inhabit and they (im)mobilities they convey.

The strategy developed by the trade union is based on an appropriation of the rehabilitation language expressed on the Prison Law, claiming for the state’s

compliance with the right to work inside prisons and demanding more prison work. I argued that this calls attention to the need to explore further what aspect of carceral governmentality was this counter-conduct struggling against. By contextualizing the way in which the available work for those incarcerated is framed inside and outside prison, the chapter unveiled that TAPLA's strategy exposes the deemed disposability that those incarcerated face both inside and outside prison.

At the same time, the analysis of TAPLA's strategy also looked at the specific spatiality entailed in this counter-conduct and its relationship with wider logics of carceral governmentality. It showed how TAPLA's strategy may be reproducing the same exclusion it opposes. By framing prison as a factory, the strategy frames those imprisoned as workers only while incarcerated. Without tackling the lack of access to livelihood beyond prison walls, the strategy may be framed as politically instrumental but also deceitful. The strategy entails reinforcing the character of prisons as an 'institutional kidnapping' at the interior of a politics of social inclusion, framing social inclusion mainly through prison work (Pavarini, 2009). This may, in turn, render in the reinforcing of the power of the prison and limiting the imagination of a world without prisons, while contributing with the thickening of prison walls.

The second initiative analysed in this chapter entails an opposite spatiality to that of TAPLA's strategy. Rather than locking demands inside prison, the gathering before Congress claims the right to physical presence in public space. The assembly outside of Congress of families of those incarcerated, released men and women and the appearance (through sound) of those still incarcerated makes a clear demand to be recognized, heard and seen. It entails a specific demand not to be treated as disposable.

This counter-conduct stands against the invisibility of those imprisoned and claims a recognition to be heard.

Still, and following from the main argument of this thesis, it is important to wonder and pose the question about in which ways and how would this ‘appearance’ be attempted to be ‘re-inserted’ and ‘re-utilized’ by carceral governmentality (Foucault 2007: 215). The chapter ends posing a few ways in which this could be happening through the inclusion of the ‘category of families of detainees’ in different public policies. In this regard, it is important to note that carceral governmentality does not only work as a repressive force but mainly through the rendering of counter-conducts as instrumental for expanding the reach of power relations.

In both cases, the strategies of these counter-conducts entailed a refusal to be conducted as disposable and a project to conduct themselves in an alternative way. In the TAPLA’s strategy, there is an emphasis on the dignity of work and the masculinities entailed on being able to contribute financially to the family. In the march before Congress, the emphasis is on the right to be active, seen and listened. It entails a call to conduct themselves as visible and active beings. In both cases, the counter-conducts emphasize on relationality as a main strategy to avoid their deemed disposability.

Conclusion

What do the struggles of those incarcerated and their families reveal about the techniques of governance in contemporary Argentina? Regarding struggles as ‘catalyst[s]’ of power relations (Foucault, 1982: 211), this thesis analysed both everyday individual struggles as well as collective strategies against different aspects of incarceration. The three case studies explored throughout this thesis analysed these struggles neither as radical resistant practices against incarceration nor as mere instruments of incarceration logics. Rather, struggles were studied throughout this thesis as simultaneously contesting and being reinserted in carceral governmentality logics. The case studies included: a) individual struggles against prison/juridical files (Chapter 3), b) the everyday practices of women who visit their family members in federal prisons (Chapter 4), and c) different collective strategies developed by those incarcerated and/or their families and released women and men (Chapter 5).

In order to critically analyse these struggles, the thesis drew from Foucault’s concepts of counter-conduct and governmentality. The choice of these concepts as analytical tools derived both from the analysis of the literature review and, inductively, from the experiences that I had in the field after reworking my initial assumptions and research plans. These concepts allowed me to overcome the focus on the institution of the prison as the main unit of observation and to go beyond the domination/resistance binary that has usually permeated the study of prison struggles within ‘prison studies’ and ‘disposability studies’ literatures. Following the presentation of the literature review and main analytical tools in Chapter 1, Chapter 2 gave an overview of the context of federal imprisonment in Argentina, noting its main legacies and historical

phases. The context provided insights to situate the struggles that were identified and analysed throughout the rest of the thesis.

The three ethnographic case studies analysed were organized around different sites. Chapter 3 followed ‘prison/judicial files’ as they came into contact with different participants in my fieldwork, from the bureaucratic offices of the SPF to the meetings of family members of those incarcerated, and into the Parole and judicial offices. This chapter explored counter-conducts against the regulation of prison files. It showed how those incarcerated and their families struggle against the surveillance role of the files beyond prison walls and also respond to carceral governmentality logics through the fear and hope that the ambivalence of prison/judicial files convey. Chapter 4 followed women that visit their relatives in prison - from their houses to their travels to prison and into the prison itself. The chapter explored these visits as significant (im)mobilities that work as a counter-conduct of deemed disposability of those incarcerated while simultaneously become re-appropriated to expand prison walls and produce further regimes of disposability. Finally, Chapter 5 explored two collective counter-conducts which make distinct claims against the deemed disposability of those incarcerated. It looked at a trade union formed by those incarcerated and a march organized outside Congress and critically analysed the spatialities embedded in these strategies. The chapter reflected on the different ways in which these may be thickening and expanding prison walls.

The thesis has made three main arguments in response to the overarching research question, each of which seeks to advance extant academic literature in which the study is located. The first argument is that incarceration and struggles against it are underpinned by gender relations. This entails considering that incarceration is not an

individual but rather a relational enterprise. That is to say, incarceration affects not only those who are arrested (and eventually convicted or absolved), but also the gendered care relations that are constructed around those who are locked behind prison walls. This argument speaks predominantly to the literature on ‘prison studies’, which have tended to focus on what goes *inside* prisons (Sparks et al., 1996; Bosworth, 1999) and thereby overlooked the network of family and friendship relations which become part of the prison system through their relatives’ imprisonment (Comfort, 2007). The argument adds further nuance to the analysis of the inside/outside divide, which has tended to structure the study of prisons (Moran, 2015). It calls attention to the need to listen to the struggles of those who visit in order to understand the specific ways in which different imprisonment regimes extend their reach to regulate the lives of those who remain outside.

By widening the focus within which struggles against incarceration have been explored, this thesis unveiled how power relations embedded around Federal prisons in Argentina affect the lives of those that live beyond and within prison walls. In Chapter 3, for instance, I showed how the specific way in which an administrative/judiciary tool (prison/juridical files) was being used within the prison system, had specific consequences in the everyday life of those living beyond prison walls. In Chapter 4, I unveiled how incarceration regimes which deem those incarcerated as disposable populations leads to the depletion of those engaged in gendered social reproduction labour. Finally, in Chapter 5, I pointed out the importance of exploring initiatives that claim to strengthen work and other policies within prisons through a gendered lense, taking into account the spatialities that these policies imply and convey.

This leads us to the second main argument that this thesis has aimed to advance. I have argued that struggles against incarceration both contest the way incarceration is governed and are re-inserted in a wider governmentality logic. The use of the concept of counter-conduct is relevant in this context for several reasons. First, because it allows us to see how those incarcerated and their families actively resist certain aspects of the ways in which incarceration is being conducted. Secondly, the concept prompts researchers to investigate further the ways in which struggles are also embedded in governmentality. Finally, it unveils how struggles and governmentality cannot be detached but rather are interrelated. This argument contributes to both the literature on prisons struggles that have been clustered along the domination/resistance binary (Fili, 2013; Ugelvik, 2011; Bosworth and Carrabine, 2001) as well as the ‘disposability studies’ that have tended to disregard the capacity that those deemed as disposable have to fight against their condition (Balibar, 2001; Sassen, 2014).

Framing gendered struggles against incarceration through this perspective enables researchers to listen to the experiences of women who visit not only as a continuation of their gendered roles and unpaid work (Touraut, 2012), or as mere involuntary contribution to prison logics (Ferreccio, 2015b), but also as active resistant practices against the subjection and framing of those incarcerated. This argument contributes to the literature on gender and imprisonment (Carlen, 2002; Touraut, 2012) as well as to the broader literature on gendered resistance, in that it neither ignores nor romanticizes the contestations that women do in their everyday lives. It urges researchers to take note of the struggles that women perform around the expansion of prisons and imprisonment. Rather than labelling visits to prison as a passive reflection of reified gendered roles, it calls attention to the need to understand the specific power relations they are faced with and standing against. It is especially important not to

‘misunderstand the various cultural meanings’ embedded in different contexts, neither ‘the very idioms of agency that are relevant’ to different women (Butler, 2004: 47-9; see also Mohanty, 1988).

Furthermore, the approach to struggles used throughout this thesis may open-up possibilities to challenge the ways in which incarceration has been used in broader feminist struggles. In this way, it may prompt new questions that problematize, for instance, the (often uncritical) role that prisons have played in campaigns against gender violence in different parts of the world (Bernstein, 2010; Richie, 2002). It calls attention to the complex and challenging ways in which women’s lives (especially those living in poor neighbourhoods that are greatly targeted by policing and imprisonment) are crossed by imprisonment and calls attention to the need for further investigation of the intersections between prisons and feminist politics.

The third argument that this thesis advances relates to the importance of building from Foucault’s work on prisons and discipline through the engagement with his work on governmentality and counter-conducts to study imprisonment from a gendered perspective. Different scholars have noted the limitations of Foucault’s work on *Discipline and Punish* to study current regimes within contemporary prisons (Alford, 2000; Van Hoven and Sibley, 2008) and the role of prisons in the context of increasing prison populations (Fraser, 2003; Wacquant, 2016). In contrast to this, Foucault’s work on counter-conduct on governmentality, within which I frame my work, provides us with relevant analytical tools and welcomes new methodological approaches to the study of prisons.

The findings presented in this thesis bring nuance to study power relations around Federal prisons in Argentina. The different findings presented throughout the thesis, point out to different instances through which disciplinary and biopolitical powers are re-animated through carceral governmentality. Chapter 3, for instance, explored the ways in which the ambivalence of prison/juridical files was nevertheless productive to carceral governmentality. In Chapter 4, the biopolitical function of prison visits towards those incarcerated without visits was discussed. Finally, in Chapter 5, I noted how counter-conducts' appropriation of disciplinary/rehabilitation discourses exposed a continued regime of deemed disposability beyond and within prison walls.

The concept of counter-conduct has also been useful to reflect further on the different ways in which the notion of 'disposability' is assigned to those incarcerated and to analyse how people refuse to be conducted through disposability and instead propose alternative ways to conduct themselves. Chapter 2 described how the different legacies permeating punitive and imprisonment policies around Federal prisons contribute to the construction of those incarcerated as external 'others', stripping them out of their humanity and relationality and legitimating their expel from urban spaces. In Chapter 3, attention was placed on the productive role that ambivalence within prison/juridical files played for governing those incarcerated and their families. I argued that the ambivalence of prison/juridical files ensured that anything that would be written in the file could go against them. I also suggested that the counter-conducts performed by those incarcerated and their families imply a refusal to be conducted as a piece of paper and include strategies to limit, hide from or avoid being subjected to prison/juridical files. In Chapter 4, I showed how the visits to prison performed by women relatives of those incarcerated show a refusal to abandon them as disposable beings and instead emphasised the relational importance of care relationships for

survival inside prison walls. Finally, in Chapter 5, I showed two different ways in which deemed disposability was enacted. The trade union appeal to rehabilitation rhetoric exposes a refusal to be conducted as a disposable labour force and instead calls for better labour conditions while abiding formal disciplinary regimes within prisons. The march before Congress makes a specific claim to overcome the invisibility in which families of those incarcerated, as well as those imprisoned, tend to be framed to instead claim appearance and recognition in public space.

Notwithstanding these contributions, the research has nevertheless left certain issues under-acknowledged and others that could not be explored fully. In the Introduction and in Chapter 2, for instance, it was acknowledged the difficulty of talking about race in Argentina. Following Segato, the definition of race used throughout this thesis has noted how ‘the permanent construction of race obeys to the objective of subjugation, subalternization and expropriation’ (2007: 24). It was suggested that racialization was not a cause but rather an effect produced through imprisonment (2015). In this context, it was suggested that incarceration plays a key role in constructing and reproducing race as ‘undesirability’ (Segato, 2015: 254).

While it should be noted that further research is needed to be able to explore this issue in depth, this thesis has named some subtle ways in which the social construction of race is enacted through incarceration. Findings within this thesis suggest some subtle ways in which this may be operating. However, it is important to state that in order to be able to unveil an issue that in Argentina has so ‘masterfully’ been silenced would require a much longer fieldwork than the one that was available for this thesis. Indeed, time constraints during my fieldwork and the initial difficulties to access prisons have

limited further elaboration on the specific ways in which racialization is enacted through incarceration.

The findings presented in this thesis suggest some ways in which incarceration reproduces processes of othering and racialization in Argentina. While the issue of race was rarely named, the data retrieved during my fieldwork gave some initial and preliminary insights that suggest a specific construction of racialization around prisons. In Chapter 3, I analysed the ways in which files were key in the enactment of ideas about subjects and membership. I showed how for those subjected to prison files, to be read only through the file implied a disregard of their individuality and the silencing of his existence beyond the file. Those bodies that are constructed as files are actually 'marked' and framed as others. In this sense, I contest that to be inscribed as and only be constructed as 'a file' constituted in itself a form of racialization. In Chapter 5, I looked at the spatialities of collective struggles against the disposability enacted through incarceration. While race-as-such was not named in these accounts, it was still implied in the construction of the visibility/invisibility matrix which framed these spaces. The claim to 'win the streets' by those linked with those incarcerated may be seen as a transgression of the spatialized racialization in the specific context of Argentina. As mentioned earlier in the Introduction, within this national context, prisons are linked to those that are racialized (and defined as barbarian) while the public space is reserved to those who are defined as citizens (and linked with 'civilization' and whiteness).

While other insights into the way racialization operates were not analysed in detail throughout the thesis, some can still be identified. In Chapter 4, for instance, I described the screening of women's bodies through the processing areas as a form of

screening along sexual and gendered norms. In particular, in pages 165 and 166 of this thesis, I showed the case of Paula a woman who was compelled to change her clothes many times to be able to enter the prison to visit her partner. In her description, Paula notes that the police (prison guard) she gets in her turn is 'blond'. She notes that she did not want to get her in her turn. While as I mentioned in the Introduction of this thesis, as a researcher I saw and perceived Paula as a light-skinned women, in her story she identifies a difference with the prison guard which is closely related to the understanding of 'racialization' and its relation to imprisonment that I suggested in Chapter 2. Her description of the prison guard as 'blond' is a subtle indication of how she positioned herself in relation to the prison guard who was supervising her entry to prison. Those imprisoned (and those closely related to them) are 'racialized' in the way that they are coded as inferior (a code that is only sometimes described in colour terms but yet constantly exercised).

These insights point out to the importance of further analysing the specific and contextual ways in which prisons and racialization interact. As mentioned earlier in the Introduction, these initial insights prompted me to reflect on my own positionality and challenge how the 'master narratives' constructed around race in Argentina where also informing my perceptions on these issues. In this sense, these preliminary findings call for the need to open a new agenda of research to further explore in greater detail and precision how these processes of racialization work in the everyday life of those that interact inside but also around prisons.

Beyond this, the findings presented throughout this thesis suggest that there is potential to further explore the ways in which carceral governmentality and counter-conducts against incarceration relate to each other. Chapter 5 already advanced a few

ways in which new research could further explore the ways in which counter-conducts may be re-inserted and re-utilized by carceral governmentality. Unfortunately, the restricted time-frame of the Ph.D. has precluded further investigation on other temporal ways in which governmentality and counter-conduct relate as two gears of the same wheel that are in permanent and mutual correlation.

However, the recent political context in Argentina (with the arrival to the Presidency of right-wing political coalitions in 2015 who tend to emphasise incarceration as a relevant governance policy), makes this project an even more urgent and relevant. Indeed, as shown in Chapter 5, certain events around the strengthening of the punitive aspects of prison legislation has been recently met by struggles against incarceration that are becoming, slowly, one way in which people living in poverty may engage in political contestations against the way they are governed. This thesis may, in this context, be understood as one step towards a broader research agenda aimed at understanding the way in which gender, poverty and exclusion are being governed through prisons and imprisonment.

Bibliography

- Ahmed S. (2013) *The cultural politics of emotion*, New York: Routledge.
- Alford CF. (2000) What would it matter if everything Foucault said about prison were wrong? Discipline and Punish after twenty years. *Theory and society* 29: 125-146.
- Allspach A. (2010) Landscapes of (neo-) liberal control: the transcarceral spaces of federally sentenced women in Canada. *Gender, Place and Culture* 17: 705-723.
- Amoore L. (2006) Biometric borders: Governing mobilities in the war on terror. *Political Geography* 25: 336-351.
- Antillano A. (2015) Cuando los presos mandan: control informal dentro de la cárcel venezolana. *Espacio Abierto* 24: 16-39.
- Arocena G. (2008) Las directrices fundamentales de la ejecución de la pena privativa de la libertad en el derecho argentino. *Boletín Mexicano de Derecho Comparado* XLI: 565-596.
- Auyero J. (2012) *Patients of the state: the politics of waiting in Argentina*, Durham: Duke University Press.
- Ayos E. (2013) ¿Una política democrática de seguridad? Prevención del delito, políticas sociales y disputas en el campo conformado en torno a la inseguridad en la Argentina de la última década. In: CLAD (ed) *La Cuestión de Seguridad Nacional como Nuevo Desafío a la Gobernanza Democrática*. Caracas: XXVI Concurso del CLAD sobre Reforma del Estado y Modernización de la Administración Pública.
- Azzarito L. (2009) The panopticon of physical education: pretty, active and ideally white. *Physical education and sport pedagogy* 14: 19-39.
- Bales K. (2004) *Disposable people: New slavery in the global economy*, Berkeley: University of California Press.
- Balibar E. (2001) Outlines of a topography of cruelty: citizenship and civility in the era of global violence. *Constellations* 8: 15-29.
- Ball SJ. (1990) Self-doubt and soft data: social and technical trajectories in ethnographic fieldwork. *International Journal of Qualitative Studies in Education* 3: 157-171.
- Bandyopadhyay M. (2010) *Everyday Life in a Prison: Confinement, surveillance, resistance*, New Delhi: Orient Black Swan.
- Bauman Z. (2000) Social Uses of Law and Order. *The British Journal of Criminology* 40: 205-221.
- Bauman Z. (2004) *Wasted lives: Modernity and its outcasts*, Cambridge: Polity Press.
- Beckett K and Godoy A. (2008) Power, politics and penalty: punitiveness as backlash in American democracies. *Studies in Law, Politics and Society* 45: 139-173.

- Bennett T. (1994) The exhibitionary complex. *Culture/Power/History: A Reader in Contemporary Social Theory* 127.
- Bergman M. (2014) Delito, marginalidad y desempeño institucional en la Argentina: resultado de la encuesta de presos condenados. Saenz Peña: Universidad de Tres de Febrero.
- Bernstein E. (2010) Militarized Humanitarianism Meets Carceral Feminism: The Politics of Sex, Rights, and Freedom in Contemporary Antitrafficking Campaigns. *Signs: Journal of Women in Culture and Society* 36: 45-71.
- Biehl J. (2013) *Vita: Life in a zone of social abandonment*, Berkeley and Los Angeles: University of California Press.
- Billo E and Mountz A. (2016) For institutional ethnography: geographical approaches to institutions and the everyday. *Progress in Human Geography* 40: 199-220.
- Birkbeck C. (2011) Imprisonment and internment: Comparing penal institutions North and South. *Punishment & Society* 13: 307-332.
- Bissell D. (2007) Animating suspension: waiting for mobilities. *Mobilities* 2: 277-298.
- Bosworth M. (1997) *Resisting identities : agency and power in women's prisons*. [electronic resource].
- Bosworth M. (1999) *Engendering resistance: agency and power in women's prisons*, Aldershot: Dartmouth.
- Bosworth M. (2000) Confining femininity: A history of gender, power and imprisonment. *Theoretical Criminology* 4: 265-284.
- Bosworth M and Carrabine E. (2001) Reassessing resistance race, gender and sexuality in prison. *Punishment & Society* 3: 501-515.
- Bosworth M and Flavin J. (2007) *Race, gender, and punishment: from colonialism to the war on terror*, New Brunswick and London: Rutgers University Press.
- Bourdieu P and Kauf T. (1999) *Meditaciones pascalianas*, Barcelona: Anagrama.
- Burity JA and Vainsencher SA. (2005) *Escuridão no fim do túnel: o cotidiano das famílias de presos no estado de Pernambuco*: Fundação Joaquim Nabuco, Editora Massangana.
- Butler J. (2004) *Precarious life: the powers of mourning and violence*, London and New York: Verso.
- Butler J. (2009) *Frames of war: when is life grievable?*, London and New York: Verso.
- Butler J. (2014) Bodily vulnerability, coalitions, and street politics. *Critical Studies* 37: 99-119.
- Butler J. (2015) *Notes toward a performative theory of assembly*, Boston: Harvard University Press.
- Butler J and Athanasiou A. (2013) *Dispossession: The performative in the political*, Cambridge: Polity Press.

- Caimari LM. (2000) Una sociedad nacional-carcelaria en la frontera argentina (Ushuaia, 1883-1947). *Primeras Jornadas de Historia del Delito en la Patagonia*. Universidad Nacional de Comahue, Argentina.
- Caimari LM. (2004) *Apenas un delincuente : crimen, castigo y cultura en la Argentina, 1880-1955*, Buenos Aires: Siglo Veintiuno Editores Argentina.
- Calveiro P. (2010) El tratamiento penitenciario de los cuerpos. México. *Cuadernos de Antropología Social* 32: 57-74.
- Calzado M, Fernández M and Lio V. (2013) Ciudad segura. Vecindad, víctimas y gubernamentalidad. Notas sobre la campaña electoral del PRO en la Ciudad de Buenos Aires (2011). *Confluenze. Rivista di Studi Iberoamericani* 5: 249-263.
- Carlen P. (1983) *Women's imprisonment : a study in social control*, London: Routledge & Kegan Paul.
- Carlen P. (2002) *Women and punishment : the struggle for justice*, Cullompton: Willan.
- Carrabine E. (2004) *Power, Discourse, and Resistance: A Genealogy of the Strangeways Prison Riot*, Aldershot: Ashgate.
- CELS, MPDN and PPN. (2011) *Mujeres en Prisión. Los alcances del castigo*, Buenos Aires: Siglo XXI Editores.
- Cesano JD. (2009) Aproximación al encuadramiento ideológico de la legislación penitenciaria nacional: una perspectiva histórica. Córdoba: Horizontes y Convergencias.
- Cesaroni C. (2013) *Masacre en el Pabellón Séptimo*, Buenos Aires: Tren en Movimiento.
- Chang G. (2000) *Disposable domestics: Immigrant women workers in the global economy*, Boston: South End Press.
- Chevigny P. (2003) The populism of fear. Politics of crime in the Americas. *Punishment & Society* 5: 77-96.
- Chiricos TG and Bales WD. (1991) Unemployment and punishment: an empirical assessment. *Criminology* 29: 701-724.
- Christie N. (2007) *Limits to pain: The role of punishment in penal policy*, Eugene: Wipf and Stock Publishers.
- Clemmer D. (1940) *The prison community*, Boston: Christopher Publishing House.
- Codd H. (2013) *In the shadow of prison: Families, imprisonment and criminal justice*, London and New York: Routledge.
- Coddington K. (2017) Mobile carceral logics: Aboriginal communities and asylum seekers facing enclosure in Australia's Northern Territory. In: Turner J and Peters K (eds) *Carceral Mobilities*. New York: Routledge.
- Combessie P. (2002) Marking the Carceral Boundary Penal Stigma in the Long Shadow of the Prison. *Ethnography* 3: 535-555.
- Comfort M. (2007) *Doing Time Together. Love and Family in the Shadow of the Prison*, Chicago: University of Chicago Press.

- Conlon D, Gill N and Moran D. (2013) *Carceral spaces: Mobility and agency in imprisonment and migrant detention*, Aldershot: Ashgate
- Cresswell T. (1999) Embodiment, power and the politics of mobility: the case of female tramps and hobos. *Transactions of the Institute of British Geographers* 24: 175-192.
- Crewe B. (2007) Power, adaptation and resistance in a late-modern men's prison. *British journal of criminology* 47: 256-275.
- D'Antonio D. (2008) Represión y resistencia en las cárceles de la última dictadura militar argentina. *La Revista CCC*. Buenos Aires: Centro Cultural de la Cooperación Floreal Gorini, 293-310.
- D'Aoust A-M. (2014) Ties that bind? Engaging emotions, governmentality and neoliberalism: Introduction to the Special Issue. *Global Society* 28: 267-276.
- da Cunha MIP. (2002) *Entre o bairro e a prison: trafico e trajectos*, Lisboa: Fim de Seculo.
- da Silva RE and Magalhaes CAT. (2007) Famílias sentenciadas: um estudo sobre o impacto da pena sobre as famílias dos presos. *Revista de Iniciacao Cientifica Newton*. 90-101.
- Daroqui A. (2000) La cárcel en la universidad. El discurso penitenciario en la normativa y prácticas interinstitucionales. In: Nari M and Fabre A (eds) *Voces de mujeres encarceladas*. Buenos Aires: Catálogos, 101-158.
- Daroqui A. (2002) La cárcel del presente, su "sentido" como práctica de secuestro institucional. In: Gayol S and Kessler G (eds) *Violencias, delitos y justicias en la Argentina*. Buenos Aires: Manantial-Universidad Nacional de General Sarmiento.
- Daroqui A and Motto C. (2008) *Cuerpos castigados. Malos tratos físicos y tortura en cárceles federales*. Buenos Aires: Editores del Puerto.
- Das V and Poole D. (2004) State and Its Margins: Comparative Ethnographies. In: Das V and Poole D (eds) *Anthropology in the Margins of the State*. Santa Fe: School of American Research Press.
- Davidson AI. (2007) Introduction. In: Foucault M and Davidson AI (eds) *Security, territory, population: Lectures at the Collège de France, 1977-78*. New York: Palgrave Macmillan.
- De Giorgi A. (2007) *Rethinking the political economy of punishment*, Aldershot: Ashgate.
- Death C. (2010) Counter-conducts: A Foucauldian analytics of protest. *Social Movement Studies* 9: 235-251.
- Death C. (2011) Counter-conducts in South Africa: power, government and dissent at the world summit. *Globalizations* 8: 425-438.
- Debrix F and Barder AD. (2009) Nothing to fear but fear: Governmentality and the biopolitical production of terror. *International Political Sociology* 3: 398-413.
- Deleuze G. (1992) Society of Control. *October* 59: 3-7.

- Demetriou O. (2016) Counter-Conduct and the Everyday: Anthropological Engagements with Philosophy. *Global Society* 30: 218-237.
- Diaz R. (2014) Un sindicato de trabajadores privados de la libertad. In: Centro de Estudios Laborales (ed). Buenos Aires: UNSAM/IDAES.
- Dirsuweit T. (1999) Carceral spaces in South Africa: a case study of institutional power, sexuality and transgression in a women's prison. *Geoforum* 30: 71-83.
- Duff A and Garland D. (1994) *A reader on punishment*, Oxford: Oxford University Press.
- Duncan MC. (1994) The politics of women's body images and practices: Foucault, the panopticon, and Shape magazine. *Journal of Sport & Social Issues* 18: 48-65.
- Epstein C. (2007) Guilty bodies, productive bodies, destructive bodies: Crossing the biometric borders. *International Political Sociology* 1: 149-164.
- Evans B and Giroux HA. (2015) *Disposable futures: The seduction of violence in the age of spectacle*, San Francisco: City Lights Bookstore.
- Ferreccio V. (2014) La larga sombra de la prision. Etnografía de los efectos extendidos del encarcelamiento en Santa Fe, Argentina. *Social Sciences*. Padova: Universidad de Padova.
- Ferreccio V. (2015a) El espacio corporal como espacio de sospecha: los familiares de detenidos frente a la requisita corporal. *Delito y sociedad* 24: 50-71.
- Ferreccio V. (2015b) Familiares de detenidos: exploraciones en torno a prácticas de equilibrio institucional en prisiones de Santa Fé. *Espacio Abierto* 24: 113-143.
- Fili A. (2013) Women in prison: victims or resisters? Representations of agency in women's prisons in Greece. *Signs: Journal of Women in Culture and Society* 39: 1-26.
- Foucault M. (1982) The subject and power. In: Dreyfus HL and Rabinow P (eds) *Michel Foucault. Beyond structuralism and hermeneutics*. Chicago: The University of Chicago, 777-795.
- Foucault M. (1991 [1977]) *Discipline and Punish. The Birth of the Prison*, London: Penguin Books.
- Foucault M. (2007) *Security, territory, population: Lectures at the Collège de France, 1977-78*, New York: Palgrave Macmillan.
- Foucault M. (2008) *The birth of biopolitics: lectures at the Collège de France, 1978-1979*: Springer.
- Fraser N. (2003) From discipline to flexibilization? Rereading Foucault in the shadow of globalization. *Constellations* 10: 160-171.
- Galvani I. (2012) Si me lo meten de cheto, te lo saco de cheto. Relaciones de poder y negociaciones entre personal e internos de una unidad penitenciaria de la provincia de Buenos Aires, para ubicar a un interno en un pabellón. *Revista Virtual Intercambios* 15.

- Garaño S. (2010a) El "tratamiento" penitenciario y su dimensión productiva en las identidades entre los presos políticos (1974-1983). *Iberoamericana* X: 113-130.
- Garaño S. (2010b) "Romper la vidriera, para que se vea la trastienda". Sentidos, valores morales y prácticas de la cárcel de Villa Devoto durante la última dictadura militar argentina (1976-1983). *Historia Crítica* 40: 98-120.
- Garland D. (1990) *Punishment and modern society: a study in social theory*, Oxford: Clarendon.
- Garland D. (1991) Sociological perspectives on punishment. *Crime & Justice* 14: 115.
- Ghiberto L and Sozzo M. (2016) El encierro dentro del encierro: Formas y dinámicas del aislamiento individual en las prisiones de varones y mujeres. *Delito y sociedad* 25: 109-155.
- Giroux HA. (2008) Beyond the biopolitics of disposability: rethinking neoliberalism in the New Gilded Age. *Social Identities* 14: 587-620.
- Giroux HA. (2009) *Youth in a suspect society: Democracy or disposability?*, London: Palgrave Macmillan.
- Giroux HA. (2012) *Disposable youth: Racialized memories, and the culture of cruelty*: Routledge.
- Goffman E. (1991 [1961]-a) *Asylums: essays on the social situation of mental patients and other inmates*, New York: Penguin.
- Goffman E. (1991 [1961]-b) The underlife of a public institution: a study of ways of making out in a mental hospital. *Asylums: Essays on the social situation of mental patients and other inmates*. New York: Penguin, 172-320.
- Golash-Boza TM. (2015) *Deported: Immigrant Policing, Disposable Labor and Global Capitalism*: NYU Press.
- Guillard A. (2013) Resistencia y poesía en las cárceles argentinas (1976-1983). *Amerika. Mémoires, identités, territoires* 8.
- Gutierrez A. (2012) ¿Qué es la movilidad? *Bitacora* 21 2: 61-74.
- Hage G. (2009) Waiting out the crisis: on stuckness and governmentality. *Waiting*: 97.
- Haney L. (2004) Introduction: Gender, welfare, and states of punishment. *Social Politics: International Studies in Gender, State & Society* 11: 333.
- Haney L. (2010a) *Offending women: power, punishment, and the regulation of desire*, California: University of California Press.
- Haney L. (2010b) Working through mass incarceration: gender and the politics of prison labor from east to west. *Signs* 36: 73.
- Haney L. (2013) Motherhood as punishment: the case of parenting in prison. *Signs* 39: 105-130.
- Hannah-Moffat K. (2004) Losing Ground: Gendered Knowledges, Parole Risk, and Responsibility. *Social Politics: International Studies in Gender, State & Society* 11: 363-385.

- Hasselberg I. (2016) *Enduring Uncertainty: Deportation, Punishment and Everyday Life*, New York and Oxford: Berghahn Books.
- Hathazy P. (2016) Remaking the prisons of the market democracies: new experts, old guards and politics in the carceral fields of Argentina and Chile. *Crime, Law and Social Change* 65: 163-193.
- Hathazy P and Müller M-M. (2016) The rebirth of the prison in Latin America: determinants, regimes and social effects. *Crime, Law and Social Change* 65: 113-135.
- Hayden P. (2007) Superfluous humanity: An Arendtian perspective on the political evil of global poverty. *Millennium* 35: 279-300.
- Hernández D. (2012) Activos y estructuras de oportunidades de movilidad: Una propuesta analítica para el estudio de la accesibilidad por transporte público, el bienestar y la equidad. *EURE (Santiago)* 38: 117-135.
- Herzfeld M. (1993) *The social production of indifference*, Chicago: University of Chicago Press.
- Histories of Violence. (2014a) Disposable Life - Cynthia H. Enloe. [Online] [Last accessed 8th April 2017] Available at: <https://www.historiesofviolence.com/full-lectures-cq5w>.
- Histories of Violence. (2014b) Disposable Life - Saskia Sassen. [Online] [Last accessed 8th April 2017] Available at: <https://www.historiesofviolence.com/full-lectures-cq5w>.
- Histories of Violence. (2014c) Disposable Life - Zygmunt Bauman. [Online] [Accessed 9th April 2007] Available from: <https://www.historiesofviolence.com/full-lectures-cq5w>.
- Hoskyns C and Rai S. (2007) Recasting the Global Political Economy: Counting Women's Unpaid Work. *New Political Economy* 12: 297-317.
- Howe A. (1994) *Punish and critique: towards a feminist analysis of penalty*, London and New York: Routledge.
- Hull MS. (2012) Documents and Bureaucracy*. *Annual Review of Anthropology* 41: 251-267.
- ICPS. (2017) World Prison Brief Data. London: Birkbeck Institute for Criminal Policy Research.
- Ignatieff M. (1989 [1978]) *A just measure of pain : the penitentiary in the industrial revolution, 1750-1850*, London: Penguin.
- Isequilla M. (2013) El derecho al trabajo y a la libertad sindical de las personas privadas de la libertad ambulatoria. *Revista Derecho Penal* 2: 277.
- Iturralde M. (2010) Democracies without citizenship: crime and punishment in Latin America. *New Criminal Review* 13: 309-332.
- Jewkes Y. (2014) An introduction to “doing prison research differently”. *Qualitative Inquiry* 20: 387-391.
- Jirón P. (2010) Mobile borders in urban daily mobility practices in Santiago de Chile. *International Political Sociology* 4: 66-79.

- Kalinsky B. (2004) Social anthropology in sensitive research contexts. A case study: State prisons, province of Neuquen, Argentina. *International Social Science Journal* 56: 153.
- Kalinsky B. (2005) Preso y nada más. El deterioro de la persona en las unidades penitenciarias argentinas. *Renglones. Revista del ITESO*. 58-59.
- Kessler G. (2010) Delito, sentimiento de inseguridad y políticas públicas. *VI Jornadas de Sociología*. Universidad Nacional de La Plata. Facultad de Humanidades y Ciencias de la Educación. Departamento de Sociología.
- Khanna R. (2009) Disposability. *differences: A Journal of Feminist Cultural Studies* 20.
- Kleist N and Jansen S. (2016) Introduction: Hope over Time—Crisis, Immobility and Future-Making. *History and Anthropology* 27: 373-392.
- Koskela H. (2006) The other side of surveillance': Webcams, power and agency. *Theorizing surveillance: The panopticon and beyond*: 163-181.
- Lacey N. (1994) *State punishment: political principles and community values*: Psychology Press.
- Laferrière M. (2006) Programas de la Universidad de Buenos Aires en centros del Servicio Penitenciario Federal Argentino.
- Le Quéau P. (2000) L'autre peine. Enquête exploratoire sur les conditions de vie des familles de détenus. *Cahier de Recherche* 147. Paris: CREDOC.
- LeBaron G and Roberts A. (2010) Toward a Feminist Political Economy of Capitalism and Carcerality. *Signs* 36: 19-44.
- Lombría A. (2013) Salud mental y cárcel: dispositivos de "cuidado" en contextos penitenciarios a partir de la Nueva Ley de Salud Mental. *VII Jornadas Santiago Wallace de Investigación en Antropología Social*. Sección de Antropología Social. Instituto de Ciencias Antropológicas. Facultad de Filosofía y Letras, UBA.
- Lombría A and Ojeda N. (2013) Los legajos personales únicos como campo de indagación antropológico. Un ejercicio metodológico. *Revista Nuevas Tendencias en Antropología* 4: 1-23.
- Lynch MJ. (2010) Radical Explanations of Penal Trends: The Rate of Surplus Value and the Incarceration Rate in the U.S., 1977-2004. *Journal of Crime and Justice* 33: 63-94.
- Malmvig H. (2016) Eyes Wide Shut: Power and Creative Visual Counter-Conducts in the Battle for Syria, 2011–2014. *Global Society* 30: 258-278.
- Martos A, Devís J and Sparkes A. (2013) Abrir las puertas de la cárcel. La negociación del acceso en una etnografía. *EMIGRA Working Paper No. 2*. Barcelona: EMIGRA and UNB.
- Marx GT. (2003) A tack in the shoe: Neutralizing and resisting the new surveillance. *Journal of Social Issues* 59: 369-390.
- Massey D. (1995) Thinking radical democracy spatially. *Environment and Planning D: Society and Space* 13: 283-288.

- Massey D. (1999) Power-geometries and the Politics of Space-Time. Heidelberg: University of Heidelberg.
- Massey RT. (2014) Exploring counter-conduct in upgraded informal settlements: The case of women residents in Makhaza and New Rest (Cape Town), South Africa. *Habitat International* 44: 290-296.
- Mathiesen T. (2012) *The defences of the weak: A sociological study of a Norwegian correctional institution*: Routledge.
- Mbembe A. (2003) Necropolitics. *Public Culture* 15: 11-40.
- McCahill M and Finn RL. (2014) *Surveillance, capital and resistance: Theorizing the surveillance subject*, Oxon: Routledge.
- McCorkel JA. (2004) Criminally Dependent? Gender, Punishment, and the Rhetoric of Welfare Reform. *Social Politics: International Studies in Gender, State & Society* 11: 386-410.
- McCorkel JA. (2003) Embodied surveillance and the gendering of punishment. *Journal of Contemporary Ethnography* 32: 41.
- McCorkel JA and Myers K. (2003) What difference does difference make? Position and Privilege in the Field. *Qualitative Sociology*. 26: 2.
- Melossi D. (1980) The Penal Question in Capital. In: Platt T and Takagi P (eds) *Punishment and Penal Discipline: Essays on the Prison and the Prisoners' Movement*. Berkeley: Crime and Social Justice Associates.
- Melossi D. (1981) *Prison and the factory : Origins of the penitentiary system*, London: Macmillan.
- Michalowski RJ and Carlson SM. (2000) Crime, Punishment, and Social Structures of Accumulation. *Journal of Contemporary Criminal Justice* 16: 272-292.
- Miguez D. (2007) Reciprocidad y Poder en el sistema penal argentino. Del “pitufeo” al motín de Sierra Chica. In: Isla A (ed) *En los márgenes de la ley: inseguridad y violencia en el Cono Sur*. Buenos Aires: Paidós, 23-45.
- Mohanty CT. (1988) Under Western eyes: Feminist scholarship and colonial discourses. *Feminist Review*: 61-88.
- Moran D. (2013) Between outside and inside? Prison visiting rooms as liminal carceral spaces. *GeoJournal* 78: 339-351.
- Moran D. (2015) *Carceral Geography: spaces and practices of incarceration*, Oxon: Routledge.
- Moran D, Pallot J and Piacentini L. (2013) Privacy in penal space: Women's imprisonment in Russia. *Geoforum* 47: 138-146.
- Mouzo K. (2012) El cuerpo doble. Reflexiones en torno al “cuerpo penitenciario”. *Revista Sociedad y Equidad* 3.
- Müller M-M. (2012) The rise of the penal state in Latin America. *Contemporary Justice Review* 15: 57-76.
- Nari M, Fabre A, Houser S, et al. (2000) Encierro y resistencia en las cárceles de Argentina. *2000 Meeting of the Latin American Studies Association*. Miami.

- National Decree 1183. (2003) Plan de Infraestructura Penitenciaria 2004, Poder Ejecutivo Nacional. Buenos Aires: Infoleg.
- National Law 24660. (1996) Ley de Ejecución de la Pena Privativa de la Libertad, Honorable Congreso de la Nación. Buenos Aires: Infoleg.
- Nişancioğlu K and Pal M. (2016) Counter-conduct in the university factory: Locating the Occupy Sussex campaign. *Global Society* 30: 279-300.
- Odysseos L, Death C and Malmvig H. (2016) Interrogating Michel Foucault's Counter-Conduct: Theorising the Subjects and Practices of Resistance in Global Politics. *Global Society* 30: 151-156.
- Ojeda NS. (2013) Cárcel de Mujeres. Una mirada etnográfica sobre las relaciones de afectividad en un establecimiento carcelario de mediana seguridad en Argentina.
- Ojeda NS. (2017) 'La administración del castigo': El sentido de las lógicas burocráticas en el Servicio Penitenciario Federal Argentino. *Dilemas-Revista de Estudios de Conflicto e Controle Social* 8: 761-786.
- P. V. (2014) The Gardener of Bernal. *Rough Spirits*. London: Different Skies.
- Pavarini M. (2009) *Castigar al enemigo: criminalidad, exclusión e inseguridad*. Quito: Flacso-Sede Ecuador.
- Peck J. (2003) Geography and public policy: mapping the penal state. *Progress in Human Geography* 27: 222-232.
- Pegoraro JS. (2000) Violencia delictiva, inseguridad urbana: la construcción social de la inseguridad ciudadana. *Nueva sociedad* 167: 114-131.
- Peters D. (2013) Gender and Sustainable Urban Mobility. *Global Report on Human Settlement*. Nairobi: UN Habitat.
- Peters K and Turner J. (2017) Carceral mobilities: a manifesto for mobilities, an agenda for carceral studies. In: Turner J and Peters K (eds) *Carceral mobilities. Interrogating movement in incarceration*. Oxon: Routledge.
- Piacentini L. (2005) Cultural talk and other intimate acquaintances with Russian prisons. *Crime Media Culture* 1: 189.
- Pickering S and Weber L. (2006) Borders, mobility and technologies of control. *Borders, mobility and technologies of control*. Springer, 1-19.
- Povinelli EA. (2011) *Economies of abandonment: Social belonging and endurance in late liberalism*, Durham and London: Duke University Press.
- PPN. (2014) Unidades Penitenciarias (mapas navegables). *Página web de la Procuración Penitenciaria Nacional*. [Online] [Last accessed 21st December 2016] Available at: www.ppn.gov.ar/?q=unidadespenitenciarias.
- Rai SM, Hoskyns C and Thomas D. (2014) Depletion. The cost of social reproduction. *International Feminist Journal of Politics* 16: 86-105.
- Razavi S. (2007) The Return to Social Policy and the Persistent Neglect of Unpaid Care. *Development and Change* 38: 377-400.
- Reiter K. (2014) The Pelican Bay hunger strike: resistance within the structural constraints of a US Supermax Prison. *South Atlantic Quarterly* 113: 579-611.

- Repetto F and Dal Masetto FP. (2011) *Protección social en la Argentina*, Santiago de Chile: CEPAL.
- Rhodes LA. (2001) Toward an anthropology of prisons. *Annual Review of Anthropology* 30: 65-83.
- Richie B. (2002) The social impact of mass incarceration on women. In: Mauer M and Chesney-Lind M (eds) *Invisible punishment : the collateral consequences of mass imprisonment*. New York: New Press.
- Rodríguez E. (2015) *Circuitos carcelarios: estudios sobre las cárceles en Argentina*, La Plata: Universidad Nacional de La Plata.
- Rosol M. (2014) On resistance in the post-political city: conduct and counter-conduct in Vancouver. *Space and Polity* 18: 70-84.
- Rossdale C and Stierl M. (2016) Everything Is Dangerous: Conduct and Counter-Conduct in the Occupy Movement. *Global Society* 30: 157-178.
- Rubin AT. (2015) Resistance or friction: Understanding the significance of prisoners' secondary adjustments. *Theoretical Criminology* 19: 23-42.
- Rusche G and Kirchheimer O. (1939) *Punishment and social structure*, New York: Columbia University Press.
- Salter MB. (2006) The global visa regime and the political technologies of the international self: borders, bodies, biopolitics. *Alternatives: Global, Local, Political* 31: 167-189.
- Salvatore RD and Aguirre C. (1996) *The birth of the penitentiary in Latin America : essays on criminology, prison reform, and social control, 1830-1940*, Austin: University of Texas Press.
- Sánchez de Madariaga I. (2009) Vivienda, movilidad y urbanismo para la igualdad en la diversidad: ciudades, género y dependencia. *Ciudad y Territorio: Estudios Territoriales* 161-162: 581-598.
- Sassen S. (2014) *Expulsions*, Boston: Harvard University Press.
- Schwartz B. (1974) Waiting, exchange, and power: The distribution of time in social systems. *American Journal of Sociology* 79: 841-870.
- Scott JC. (1990) *Domination and the arts of resistance: Hidden transcripts*, New Haven and London: Yale university press.
- Segato RL. (2007) El color de la cárcel en América Latina: apuntes sobre la colonialidad de la justicia en un continente en desconstrucción. *Nueva sociedad* 208: 142-161.
- Segato, RL. (2007). *La Nación y sus Otros: raza, etnicidad y diversidad religiosa en tiempos de Políticas de la Identidad*. Buenos Aires: Prometeo Libros.
- Segato RL. (2015) *La crítica de la colonialidad en ocho ensayos: y una antropología por demanda*, Buenos Aires: Prometeo Libros.
- Sewell G and Wilkinson B. (1992) Someone to watch over me': surveillance, discipline and the just-in-time labour process. *Sociology* 26: 271-289.
- Siisiäinen L. (2016) Foucault and Gay Counter-Conduct. *Global Society* 30: 301-319.

- Silvey R. (2000) Stigmatized Spaces: Gender and Mobility under crisis in South Sulawesi, Indonesia. *Gender, Place and Culture* 7: 143-161.
- Simon J. (2010) Beyond the Panopticon: Mass Imprisonment and the Humanities. *Law, Culture and the Humanities* 6: 327-340.
- Smith C. (2013) Spaces of Punitive Violence. *Criticism* 55: 161-168.
- Smith DE. (2005) *Institutional Ethnography: a sociology for people*, Lanham: Altamira Press.
- SNEEP. (2015a) Informe Anual 2015. *Sistema Nacional de Estadísticas de Ejecución de la Pena*. Buenos Aires: Ministerio de Justicia y Derechos Humanos.
- SNEEP. (2015b) Informe Anual 2015. Servicio Penitenciario Nacional. *Sistema Nacional de Estadísticas de Ejecución de la Pena*. Buenos Aires: Ministerio de Justicia y Derechos Humanos.
- Sokhi-Bulley B. (2016) Re-reading the Riots: Counter-Conduct in London 2011. *Global Society* 30: 320-339.
- Sozzo M. (2009) Populismo punitivo, proyecto normalizador y "prisión-depósito" en Argentina. *Urvio, Revista Latinoamericana de Seguridad Ciudadana*. 1: 88-116.
- Sozzo M. (2011) Transition to Democracy and Penal Policy: The Case of Argentina. *Straus Working Paper 03/11*. New York: New York University Law School.
- Sozzo M. (2014a) Postneoliberalismo y penalidad en América del Sur. A modo de introducción. . In: Sozzo M (ed) *Postneoliberalismo y penalidad en América del Sur*. Buenos Aires: CLACSO.
- Sozzo M. (2014b) Postneoliberalismo y política penal en Argentina. In: Sozzo M (ed) *Postneoliberalismo y penalidad en América del Sur*. Buenos Aires: CLACSO.
- Sparks R, Bottoms AE and Hay W. (1996) *Prisons and the problem of order*, Oxford: Clarendon.
- Stoler AL. (2004) Affective states. In: Nugent D and Vincent J (eds) *A Companion to the Anthropology of Politics*. Oxford: Blackwell Publishing, 4-20.
- Subramanian S. (2008) Embodying the Space Between: Unmapping Writing about Racialised and Gendered Mobilities. In: Uteng TP and Cresswell T (eds) *Gendered mobilities*. Aldershot: Ashgate.
- Sudbury J. (2002) Celling Black Bodies: Black Women in the Global Prison Industrial Complex. *Feminist Review* 70: 57-74.
- Sudbury J. (2005) *Global lockdown: race, gender, and the prison-industrial complex*, New York: Routledge.
- Svampa M. (2007) Las fronteras del gobierno de Kirchner: entre la consolidación de lo viejo y aspiraciones de los nuevo. *Cuadernos del Cendes* 65: 39-61.
- Sykes GM. (2007 [1958]) *The society of captives: A study of a maximum security prison*, New Jersey: Princeton University Press.

- Torpey J. (2000) *The invention of the passport: surveillance, citizenship and the state*, Cambridge: Cambridge University Press.
- Touraut C. (2009) Entre détenu figé et proches en mouvement. L'expérience carcérale élargie: une expérience de mobilité. *Recherches familiales* 1: 81-88.
- Touraut C. (2012) *La famille à l'épreuve de la prison*, Paris: Presses Universitaires de France.
- Turner J. (2016) *The prison boundary: between society and carceral space*: Springer.
- Ugelvik T. (2011) The hidden food Mealtime resistance and identity work in a Norwegian prison. *Punishment & Society* 13: 47-63.
- Ugelvik T. (2014) *Power and resistance in prison: Doing time, doing freedom*, London: Palgrave MacMillan.
- Urry J. (2007) *Mobilities*: Polity.
- Useem B and Kimball P. (1991) *States of siege: US prison riots, 1971-1986*: Oxford University Press.
- Uteng TP and Cresswell T. (2008) *Gendered mobilities*, Aldershot: Ashgate.
- Valero A and Faraone S. (2016) Lo punitivo y lo terapéutico. Una experiencia desinstitucionalizadora en salud mental en el ámbito penitenciario de la provincia de Santa Fe (Argentina). *Delito y sociedad* 1: 93-111.
- Van Hoven B and Sibley D. (2008) 'Just duck': the role of vision in the production of prison spaces. *Environment and Planning D: Society and Space* 26: 1001-1017.
- Viegas F and Galvagni I. (2014) Los estudios sobre la cárcel en Argentina (2012-2013). *Cuestiones de sociología*.
- Wacquant L. (2002) The curious eclipse of prison ethnography. *Ethnography* 3: 371-397.
- Wacquant L. (2003) Toward a dictatorship over the poor? Notes on the penalization of poverty in Brazil. *Punishment & Society* 5: 197-205.
- Wacquant L. (2008) The militarization of urban marginality: lessons from the Brazilian metropolis. *International Political Sociology* 2: 56.
- Wacquant L. (2009) *Prisons of poverty*, Minneapolis: University of Minnesota Press.
- Wacquant L. (2010) Crafting the Neoliberal State: Workfare, Prisonfare, and Social Insecurity1. *Sociological Forum* 25: 197-220.
- Wacquant L. (2016) *Foucault, Bourdieu and the penal state in the era of neoliberalism*, Cambridge: Polity Press.
- Walmsley R. (2016) World Prison Population List (eleventh edition). *World Prison Brief*. London: Institute for Criminal Policy Research, University of Birkbeck.
- Weber M. (1969) *On Charisma and Institutional Building*, Chicago: Chicago University Press
- Wilson Gilmore R. (2007) *Golden Gulag*, California: University of California Press.

- Worrall A. (2004) Twisted Sisters, Ladettes, and the New Penology: The Social Construction of “Violent Girls”. In: Christine A and Worrall A (eds) *Girls’ Violence: Myths and Realities*. Albany: Sunny Press, 41-60.
- Wright MW. (2006) *Disposable women and other myths of global capitalism*, New York and London: Routledge.
- Yates M. (2011) The Human-As-Waste, the Labor Theory of Value and Disposability in Contemporary Capitalism. *Antipode* 43: 1679-1695.
- Yeung K-T and Somashekhar M. (2016) Sensing agency and resistance in old prisons: A pragmatist analysis of institutional control. *Theory, culture & society* 33: 79-101.

Annex 1. List of interviews to family members

Interview 1, NGO premises, Buenos Aires, 10th February 2013.
Interview 2, Interviewee home, Buenos Aires, 25th March 2013.
Interview 3, Interviewee home, Buenos Aires, 12th April 2013.
Interview 4, Interviewee home, Buenos Aires, 25th April 2013.
Interview 5, Prison outskirts, Buenos Aires, 1st May 2013.
Interview 6, Prison outskirts, Buenos Aires, 2nd May 2013.
Interview 7, Prison outskirts, Buenos Aires, 2nd May 2013.
Interview 8, NGO premises, Buenos Aires, 6th May 2013.
Interview 9, Prison outskirts, Buenos Aires, 7th May 2013.
Interview 10, Prison outskirts, Buenos Aires, 7th May 2013.
Interview 11, Prison outskirts, Buenos Aires, 7th May 2013.
Interview 12, Prison outskirts, Buenos Aires, 9th May 2013.
Interview 13, Prison outskirts, Buenos Aires, 9th May 2013.
Interview 14, Prison outskirts, Buenos Aires, 9th May 2013.
Interview 15, Prison outskirts, Buenos Aires, 10th May 2013.
Interview 16, Prison outskirts, Buenos Aires, 10th May 2013.
Interview 17, My home, Buenos Aires, 15th May 2013.
Interview 18, Interviewee home, Buenos Aires, 30th May 2013.
Interview 19, Prison outskirts, Buenos Aires, 1st June 2013.
Interview 20, Prison outskirts, Buenos Aires, 1st June 2013.
Interview 21, Prison outskirts, Buenos Aires, 1st June 2013.
Interview 22, Prison outskirts, Buenos Aires, 1st June 2013.
Interview 23, Interviewee home, Buenos Aires, 10th June 2013.
Interview 24, Prison outskirts, Buenos Aires, 15th June 2013.
Interview 25, Prison outskirts, Buenos Aires, 15th June 2013.
Interview 26, Prison outskirts, Buenos Aires, 18th June 2013.
Interview 27, Prison outskirts, Buenos Aires, 18th June 2013.
Interview 28, Prison outskirts, Buenos Aires, 18th June 2013.
Interview 29, Prison outskirts, Buenos Aires, 20th June 2013.
Interview 30, Prison outskirts, Buenos Aires, 20th June 2013.
Interview 31, Prison outskirts, Buenos Aires, 20th June 2013.
Interview 32, Prison outskirts, Buenos Aires, 20th June 2013.
Interview 33, Interviewee home, Buenos Aires, 23rd June 2013.

Interview 34, Prison outskirts, Buenos Aires, 27th June 2013.
Interview 35, Interviewee home, Buenos Aires, 27th June 2013.
Interview 36, Prison outskirts, Buenos Aires, 28th June 2013.
Interview 37, Prison outskirts, Buenos Aires, 28th June 2013.
Interview 38, Prison outskirts, Buenos Aires, 28th June 2013.
Interview 39, Prison outskirts, Buenos Aires, 29th June 2013.
Interview 40, Prison outskirts, Buenos Aires, 29th June 2013.
Interview 41, Prison outskirts, Buenos Aires, 29th June 2013.
Interview 42, Prison outskirts, Buenos Aires, 30th June 2013.
Interview 43, Prison outskirts, Buenos Aires, 30th June 2013.
Interview 44, Prison outskirts, Buenos Aires, 30th June 2013.
Interview 45, Prison outskirts, Buenos Aires, 30th June 2013.

Fieldwork notes were taken on different locations from the 21st of November 2012 to 1st of July 2013 and December 2016.