

Special Collection:
Carceral citizenship in Latin American and the Caribbean

Carceral citizenship in Latin America and the Caribbean:
Exclusion and belonging in the new mass carceral zone

Caroline Mary Parker
University College London

Julienne Weegels
University of Amsterdam, CEDLA

Abstract

The punitive turn in crime control has radically altered the shape and meaning of citizenship across the Americas. Imprisonment, compulsory drug rehabilitation, and alternative forms of penal control have multiplied, circumscribing citizens' options for social and political participation while also leading to striking new modes of social, political, and economic membership across the region. While criminalization is ordinarily viewed as something that threatens 'full' citizenship, this special collection explores the new and differentiated kinds of political, economic, and social belonging being devised by the region's criminalized men and women. In paying close attention to how penal power and its subversion articulate with existing stratifications of citizenship, we illuminate how distinct kinds of carceral citizenship are emerging in various locales across Latin America and the Caribbean. In this article, we also introduce the other contributions to this Special Collection. *Keywords:* Imprisonment, carceral citizenship, criminalization, Latin America, Caribbean.

Resumen: Ciudadanía carcelaria en América Latina y el Caribe: Exclusión y pertenencia en la nueva zona carcelaria masiva

El giro punitivo en el control de la delincuencia ha alterado radicalmente la forma y el significado de la ciudadanía en las Américas. El encarcelamiento, la rehabilitación obligatoria por consumo de drogas y otras formas alternativas de control penal se han multiplicado, limitando las opciones de participación social y política de los ciudadanos, al tiempo que han dado lugar a nuevas y sorprendentes formas de pertenencia social, política y económica en toda la región. Mientras que la criminalización suele considerarse una amenaza para la ciudadanía 'plena', este número especial explora los nuevos y diferenciados tipos de pertenencia política, económica y social que están diseñando las personas criminalizadas de la región. Prestando especial atención a cómo el poder penal y su subversión se articulan con las estratificaciones existentes

de ciudadanía, ilustramos cómo están surgiendo distintos tipos de ciudadanía carcelaria en diversos lugares de América Latina y el Caribe. En este artículo presentamos también el resto de contribuciones a este Número Especial. *Palabras clave*: Encarcelamiento, ciudadanía carcelaria, criminalización, América Latina, Caribe.

Introduction

In the first two decades of the twenty-first century – a time when aggregate incarceration rates in Europe and the United States fell by 21 and 18 per cent respectively – incarceration rates in South American and Central American countries grew on average by 145 and 80 per cent (Walmsley, 2016). Taken as a whole, the absolute size of the prison population in Latin America grew six times faster than the general population between 2010 and 2020 (Chaparro et al., 2017). Though some countries, including Puerto Rico (this collection), have shown recent signs of modest declines, the overall regional trend for Latin America is clear: incarceration is growing faster in Latin America than in any other world region (Garces & Darke, 2021).

Latin America's ongoing prison boom is attributable to various factors, but the most critical of all has undoubtedly been the embrace by many countries of highly punitive drug prohibition laws, paired with political and sensationalist fear-mongering around (youth) gang and drug-related violence (e.g. Bonner, 2019; Chevigny, 2003; Dammert & Salazar, 2009; Jones & Rodgers, 2009). Drug prohibition policies, in turn, have brought with them an explosion in 'carceral' alternatives to the prison, chiefly in the form of re-education programs and compulsory drug treatment centres (e.g. García, 2023; O'Neill, 2015; Parker, 2020). With over 1.5 million Latin Americans now behind bars (World Prison Brief, 2020), and millions more living under correctional supervision in the region's "soft security" apparatus (O'Neill, 2015) – that is, the capillary network of churches, re-education programs, gang prevention initiatives, and drug rehabilitation centres that now provide an important albeit under-appreciated alternative to incarceration – Latin America has emerged as the "new mass carceral zone" (Darke & Garces, 2017).

On the back of these structural developments, we argue that local formations of citizenship – already highly stratified across the region – have assumed new qualities. On the one hand, incarcerated and criminally stigmatized citizens have been deprived of various legal and social aspects of their citizenship. On the legal-judicial side of things, many have incurred new legal restrictions on where and how they can live, and many have forfeited formal rights to due process and constitutionally protected access to healthcare and education (IADB, 2020; Klaufus & Weegels, 2022). Then there are the social dimensions of citizenship which are relinquished in the aftermath of imprisonment: the social stigmas and exclusions that can bar former prisoners from participating in labour markets, family life, and even from inhabiting public spaces (Brotherton & Barrios, 2011; Dinzey-Flores, 2013; Vargas, 2006). On the other hand, and often in response to

these legal and social forfeitures, incarcerated and criminally regulated populations have also devised complicated new modes of political, economic and social belonging. We think here of the formal and informal social networks and the bonds of social solidarity that unite criminally regulated populations both within and beyond prisons.

To make sense of these developments, this special collection builds on and extends prior analyses of Latin American prison governance (Darke et al., 2021; Sozzo, 2022) to explore the stratified forms of political, economic, and social participation that are emerging among penalized populations across the region. We do this by situating these new kinds of ‘carceral citizenship’ – defined by Reuben Miller and Forrest Stuart (2017) as the new modes of political membership brought into being by carceral expansion – within their historical, regional, and political contexts. Exploring these diverse and emerging forms of carceral citizenship will illuminate, in turn, the social significance of carceral expansion across ever greater domains of social life. We ask: How has the extension and intensification of penal power changed the content and meaning of citizenship in Latin America? What new forms of political, economic, and social participation does carceral expansion give rise to, within and beyond prisons? Does it make sense to speak of a singular or plural ‘carceral’ citizenship? And more to the point, who exactly embodies carceral citizenship and what distinguishes it from other prevailing modes of citizenship in Latin America today? In this introduction, we first summarize what we deem the key components of the Latin American ‘carceral turn’. We then link these structural developments to changing modalities and experiences of citizenship and probe the possibilities and analytical utility of the US-born notion of carceral citizenship for capturing and understanding the changing nature of incarcerated and formerly incarcerated people’s social and political belonging in Latin America and the Caribbean. Finally, we briefly introduce how each of the collection’s contributions addresses these questions, jointly composing a framework of analysis for carceral citizenship in the region today.

The carceral ‘turns’ of Latin America

A variety of structural-level developments across the region have drastically re-worked the boundaries and conditions of belonging and exclusion. These are, most significantly: 1) the embrace of punitive policies to combat crime (strongly related to ethno-racial and class-based stigma), leading to the prison boom and severe prison-overcrowding, and, 2) the informalization of confinement and the establishment of modes of self and co-governance within prisons, and modes of self-help and mutual-aid rehabilitation beyond prisons – including the enlistment of civil society and religious groups into the work of criminal rehabilitation, as well as the reliance on kinship networks ‘outside’ prison for survival ‘inside’. Though these developments are not neatly separable and have affected different countries and communities in different ways, they together comprise the

backdrop to which distinct modes of carceral citizenship have emerged. For this reason, we describe each of these developments in turn.

Punitive politics and the prison boom

Among the key instruments driving prison expansion in Latin America are drug prohibition policies that use criminal law as the frontline tool to regulate the cultivation, distribution, selling, and consumption of psychoactive substances. While prohibitionist legislation was passed in Latin America as early as the 1920's, these laws initially imposed light penalties on a relatively small collection of drug-related behaviours. Starting with US President Richard Nixon's declaration of a "War on Drugs" in the 1970's, however, many Latin American nations followed suit: devising similarly severe anti-drug policies, starting most notoriously with Colombia's 'embrace' of the drug eradication program Plan Colombia in cooperation with the US Drug Enforcement Agency (DEA).

For several decades now, US government aid has often been paired with (or even conditioned on) the implementation of anti-drug, anti-gang, and (as of the early 2000's) anti-terror enforcement frameworks (Peres Milani, 2021; Pérez Ricart, 2018). As a result, many Latin American countries and recipients of this aid have now introduced highly punitive drug laws and gang prohibition laws that impose severe penalties on a very wide range of criminal, drug-related conducts (Darke & Garces, 2017; Macaulay, 2019). Whereas the regional average minimum sentence for drug trafficking in Latin America was 4.5 years imprisonment in 1950, by 2010 this stood at 59.7 years (Yepes et al., 2013). Conversely, where the region's average maximum sentence for drug trafficking was 34 years imprisonment in 1950, by 2010 this stood at 141 years (Yepes et al., 2013.). This means that in some Latin American countries, drug trafficking is now subject to longer minimum sentences than rape or murder. In the Dominican Republic, to take one extreme example, the possession of even a small amount of heroin residue in a used syringe can constitute legal evidence for drug trafficking, meaning that homeless drug users who are barely involved in drug dealing are routinely incarcerated for decades at a time (Padilla et al., 2020).

By 2018 then, the median incarceration rate was 233/100,000 for South American countries and 316/100,000 for Central American countries, compared to 88 for Southern Asia, 81 for Western Europe, and 53 for Western Africa (Walmsley, 2018). Between 2000 and 2020, the greatest growth in incarceration rates among the countries featured in this special collection was Brazil (186 per cent), followed by Nicaragua (159 per cent), Guatemala (129 per cent), and Argentina (125 per cent). Puerto Rico in turn experienced a moderate decline of 2.1 per cent; but had very high incarceration rates to start with and currently still claims so by international standards (see Figure 1).

Figure 1. Incarceration rates in Latin America, 2000-2020 (elaborated based on the World Prison Brief)

Country	Incarceration rate per 100,000 population		Change of incarceration rate between 2000 and 2020, in %
	2000	2020	
Argentina	102	230*	125.49 %
Brazil	133	381	186.47 %
Guatemala	62	142	129.03 %
Nicaragua	128	332	159.38 %
Puerto Rico	284	278	-2.11 %
*Last published rate 2018			

Latin America's "carceral turn" has been achieved through various legislative mechanisms and governmental rationalities, some of which can be more easily discerned than others. In addition to the aforementioned hyperactivity at the level of anti-drug and anti-gang policies, there also been a more insidious change at the level of governmentality, often referred to as the "punitive turn" in politics, or even as "punitive populism" (Bonner, 2019; Dammert & Salazar, 2009). Contrary to the rehabilitative ideals of the resocialization and welfarist policy frameworks that manifested in many countries in the early twentieth century, including, for example, in Puerto Rico during the post-war period (Ortiz Díaz, 2023) and in Nicaragua under the revolutionary paradigm of the 1980's (Weegels, 2018a), the current punitive policy framework that predominates across most of the region today is one that prioritizes punishment over rehabilitation. Promoting tough-on-crime policies and highly sensationalized 'lock up and leave them to rot' discourses, this framework is embraced by political leaders across the political spectrum (Macaulay, 2019; Rosen & Cutrona, 2023; Sozzo, 2018). The political gains of what has been termed punitive or penal populism are heavily entangled with the media's hyperbolic presentation of crime and crime-fighting, fostering a public consensus around hard-line approaches to crime and punishment, even as such policies have proven not to actually solve the problem of crime (Bonner, 2019; Rosen & Cutrona, 2023; Samet, 2019).

Instead of addressing the root causes of crime, which are seated in persistent socio-economic inequalities across the region (continuing to be the most unequal in the world), these punitive populist policies target particular groups of marginalized young men, scapegoating them to be the cause of all social ills (Alves, 2018; Bergman, 2018; Weegels, 2018b). Under the guise of crime control, such policies have resulted in the detention of whole swaths of the population, but predominately of young men from marginalized urban areas, who are now warehoused within overcrowded facilities while the politicians promoting their exclusion from society make extensive political gains at their expense (Carter

2022; Sozzo, 2018). Projecting particular groups as ‘criminal Others’ who are said to be diametrically at odds with ‘hard-working, good citizens’ then, anti-drug policies tend to feed the production of differentiated and exclusionary modes of citizenship (Alves, 2018; Carter, 2022; Denyer Willis, 2015; Weegels, 2018b). So while, undoubtedly, the drug-economy produces its own grave forms of social violence – violence that somehow needs to be addressed – the punitive anti-drug politics of the last few decades have proven incapable of reducing violence, just as they have proven incapable of containing the drug economy (Bergman, 2018). Instead, the emerging consensus according to critical research in and around Latin America’s prisons and police is that the punitive turn has fed the re-emergence of authoritarian forms of policing and state violence, including rampant police killings under both right- and left-leaning governments (Antillano et al., 2016; Darke, 2018; Daudelin & Ratton, 2018; González, 2021).

In the United States, where the notion of ‘carceral citizenship’ was born (Miller & Stuart, 2017), historians and critical sociologists began to identify as the carceral turn a similar intensification of strategies of social control and coercion encompassing policing, surveillance, criminalization, and imprisonment. The most well-known periodization of the carceral turn begins after the Civil Rights movement, accelerates with neoliberalism, and culminates in the mass imprisonment of Black America, ultimately re-inventing the racial segregation that has prevailed since slavery (e.g. Alexander, 2020; Wacquant, 2009). Following the exponential increase in prison populations in Latin America, a new diagnosis of its carceral turn soon took shape (Darke & Garces, 2017). We consider this carceral turn to be intimately entwined with the punitive turn described above, though its coincidence with neoliberal structural adjustment programs and inter-governmental aid to promote “citizen security” during and in the aftermath of the region’s transition to democracy, proceeded in distinct waves in different countries under the administration of socialist, liberal and conservative governments (Antillano et al. 2016; Carrington et al., 2016; Sozzo, 2018).

Understandably, Latin Americanists have tended to eschew conventional liberal (and Northern) conceptions of citizenship by theorizing alternative modes of political, social, and economic belonging that better capture the lives of citizens marked by the stigma of criminality. Writing from a range of disciplinary and sub-disciplinary perspectives, they have captured these alternative belongings by highlighting the ways in which political, social and legal practices and discourses of citizenship have been “exclusionary,” “reduced” and/or “contested”, leading to multiple forms of “insurgent” as well as “quasi”, “hybrid” or “non-citizenships”, especially among historically marginalized communities (e.g. Dagnino, 2003; Goldstein, 2012; Holston, 2008; Jaffe, 2013; Orlove et al., 2011; Rocco & da Silva, 2018; Roniger, 2006; Salman 2004; Von Vacano, 2012). Often (and tellingly) poised at the nexus of race-class politics, the prison, and the illicit and informal economies, part of the ongoing debate on citizenship in Latin America has shed light on the range of social belongings being devised in carceral communities (Darke et al., 2021), including gang memberships

(Biondi, 2016; Carter, 2022) and narco-cultures (Muehlmann, 2013). How has carceral expansion transformed possibilities for economic, political, and social membership in the Latin American and Caribbean region, both within and beyond the prison system, and for whom, precisely? Put differently, how might carceral theorists working in Latin America better capture how penal power articulates with existing social stratifications?

While clear-cut in the United States, the explicit connection between incarceration and ethno-racial segregation is also more complex in a region where most nation states only recently (since the 2000's) began recognizing their populations as ethno-racially plural rather than homogenously 'mixed' (Wade, 2017). Prior to the 2000's, the single most significant demographic and ideological process shaping race formation and racial identity in Latin America was *mestizaje* (racial mixture): an ideology, governing strategy, and regime of representation that renders most Latin Americans 'mixed' rather than 'Black', 'white' or 'indigenous' (Wade, 2017). Though race scholars have vigorously de-constructed *mestizaje* (Golash-Boza & Bonilla-Silva 2013), with "colourism" studies arguing that it conceals the fact that those with darker complexions occupy the most vulnerable rungs of society (Telles, 2014), *mestizaje* continues to ignite both a vigilant hyperconsciousness and vehement negation of the relevance of race to the reproduction of social inequalities (e.g. Alves, 2018; Costa Vargas, 2006; LeBron, 2019; Weegels, 2020a). Rather than generalizing one story of race, class, and incarceration from North-to-South and rather than imposing a singular story of 'the' carceral turn in the singular, we believe it is more productive to examine how incarceration articulates with neoliberal structural adjustment programs, local citizenship and security paradigms, and national histories of racial-ethnic and class-based stratification. Thus, we think it more accurate to speak of carceral 'turns' in the plural.

Hybrid states, prison governance and confinement beyond prison

Any account of a carceral turn in Latin America must also account for the blurred interface between crime and law enforcement. As the ethnographic records bountifully attests, the Latin American wave of democratization following the military dictatorships and civil wars of the 70's and 80's, was succeeded in many countries by a blurring of crime, law enforcement, and penal power (González, 2021).¹ All too often, the boundary between perpetrators and victims of crime, much like that between the enforcers and recipients of punishment, is far from clear-cut (Comaroff & Comaroff, 2007; Dayan, 2013; Goldstein, 2012). Take Bolivia, for example, where citizens overwhelmed by violence turned to 'self-help' justice mechanisms such as private security patrols and even vigilante lynching to combat crime in their communities (Goldstein, 2005). Or Brazil, where growing drug trafficking *comandos* began settling and adjudicating disputes in the larger city's favelas, producing "criminal governance arrangements" often better capable of providing order and security than state agents (Arias,

2006). Similarly, in Guatemala and Honduras, proliferating extortion rackets promise protection (for a fee) while they also threaten violence against civilians and impose their own brand of order at the urban margins (Carter, 2022; Fontes, 2016). So intertwined is policing by criminal governance agents in some countries that prisons themselves have emerged as key sites of its (re)production, placing prison systems within broader networks of criminality and security involving state and non-state actors alike.

It is pivotal to acknowledge the critical body of research that has been conducted on the slippages between state, non-state, and criminal ‘law’ enforcers, since these “hybrid states” – governing arrangements Jaffe (2013) calls “illicit public-private partnerships” – impact how criminal justice plays out on-the-ground, even permeating into citizen’s most basic understandings of citizenship. In multiple countries, prison governance is shared by those who are incarcerated. That is, prison administrations have often been shown to delegate responsibility for enforcing order to prisoners themselves (Antillano, 2015; Carter, 2022; Cerbini, 2012; Darke, 2018; O’Neill & Fontes, 2017; Pérez Guadalupe et al., 2021; Sozzo, 2022; Weegels et al., 2021). While this was previously often considered through a ‘failed state’ approach – arguing that state law enforcement agencies would not be equipped enough to adequately govern the prison system – this explanation has been nuanced (and at times supplanted) by a deeper understanding of the lack of political volition to ‘take control’, the vested economic interests in divesting control to particular groups of prisoners, and the nuances of shared prison governance. Through arrangements variously described as “self-governance”, “co-governance”, and “informal governance” state authorities share control (sometimes cooperatively, other times antagonistically) with imprisoned citizens who have assumed critical forms of (c)overly sanctioned power in enforcing order and administering punishment. The entanglement between prisons and their communities, however, goes beyond criminal networks and beyond the relationships of interdependency between prisons and communities to include new forms of confinement that are emerging within expressly *civic* realms (e.g. Aedo, forthcoming; García, 2023; Moore, 2020). This includes instances where civilians have devised and assumed critical roles in administering criminal rehabilitation on behalf of the carceral state *within* their communities, across a (decentralized) network of civil society and non-profit organizations. These include the (in)formal involvement of families, religious groups, charities, and political organizations in the work of “social reinsertion” when prison sentences end or when those diverted from prison enter some alternative form of re-education, drug rehabilitation, probation or parole (Avila & Sozzo, 2022; Bugnon, 2020; Weegels, 2020b).

In an under-appreciated trend towards decarceration within the formal prison complex, in fact, prisons in Ecuador, Peru, Mexico, and Puerto Rico are increasingly diverting convicted drug offenders to religious and community-based organizations that offer alternative forms of criminal and drug rehabilitation (Garces, 2019; Hansen, 2018; Kozelka, 2023; Parker, 2021a; 2021b; Silverstein,

2021). In many places, these NGO's and religious organizations are increasingly imbricated with the carceral state through prison referrals, formal corrections contracts, and also informal mechanisms of prison diversion. These "prisons of charity" (Garces, 2019) are often interpreted as sites where criminalized and socially excluded people create alternative social orders and bring new forms of citizenship and belonging into being (Parker, 2021a; 2021b). As Hansen relates (2018: 290), Puerto Rico's Evangelical "addiction ministries" offer surrogate grounds of belonging for criminalized Puerto Ricans who have been excluded from the labour market and from family life by virtue of their addiction, operating, in effect, as citizenships "of last resort".

These new sites of citizenship-formation can also be seen *inside* prisons. Brazil's APAC prisons are a prime example of the extensive divestment of prison control from state authorities to religious groups within the confines of the formal prison system (Darke, 2018), which the proliferation of evangelical wings and modules within state-run penitentiaries also attests to (e.g. Navarro & Sozzo, 2022; Thompson, 2022). In a curious circuitry that illustrates the entanglements of crime and punishment in the region, many of the (religious) organizations established to provide these prison alternatives turn out to be founded by and run by formerly incarcerated people themselves (Parker, 2020). Such 'redeemed criminals' are often heralded as national heroes who perform a critical civic service in gang prevention and fighting drugs, while also being able to connect and get through to the "clientele" on the basis of shared life experiences (Darke, 2018; O'Neill, 2015).

Understanding carceral citizenship: An overview of the contributions

Providing theoretically engaged discussions and empirically diverse case studies, this special collection builds on and extends the debates outlined above by providing a common language to theorize the new modes of political, economic, and social membership that have been brought into being by the Latin American prison boom. Taking citizenship in its broadest sense to encompass legal status, political participation, rights and duties, and collective belonging (Bosniak, 2000) – acknowledging that it is also flexible, fungible and fragile (Ong, 2022) – we use carceral citizenship as a framing device to analyse how regionally specific transformations in policing, imprisonment, and surveillance are (re)shaping citizenship and its practices today. The contributions to this special collection each offer important interventions in understanding carceral citizenship as it is extended to and practised by people who are arrested, charged (or not), incarcerated, civilly committed, or released from state custody into their communities as penally stigmatized citizens across the Americas.

It is important to underscore that we and our contributors did not set out with a shared or fixed understanding of carceral citizenship. Rather, our understandings took shape over the course of two conference panels at the Latin American Studies Association annual conference in 2021 and a workshop devised

particularly for the production of this special collection in January 2023.² Still, all contributors shared an awareness of the limits of the conventional juridical accounts of carcerality as something that straightforwardly and exclusively revokes ‘citizenship,’ as well as a curiosity to explore potential resonances with the critical notion of carceral citizenship without imposing a Northern conceptual framework on Southern realities, but curious to see how this notion may travel both empirically and theoretically. Each contribution therefore presents carceral citizenship as a dynamic and strategic concept that can illuminate how the carceral turn – in the plural – is reconfiguring different dimensions of political, economic, and socio-cultural belonging in generative ways – bringing new dimensions of belonging into being even as it revokes or obliterates others.

To begin, Caroline Parker presents the anomalous but important case of Puerto Rico – as a US territory and colony. To this day, Puerto Ricans are unable to vote in the presidential elections of the nation to which they belong, making the Puerto Rican case perhaps the most emblematic of stratified citizenship. As Parker shows, however, one cannot assume that just because Puerto Ricans on the island lack rights and entitlement relative to their US mainland peers that it is the same story when it comes to its offenders. In fact, formerly incarcerated people in Puerto Rico have succeeded to a much greater degree than their mainland peers in carving out a legalized and formalized niche for themselves as “guides” and “leaders” in self-help drug rehabilitation programs. In becoming “guides” and “leaders”, formerly incarcerated people develop a new relation with the state and by extension an new kind of citizenship predicated on their carceral experience. Yet Parker elicits the darker side of Puerto Rico’s unique brand of carceral citizenship too, as prisoners are recycled and converted into “wardens of the carceral state.” Formerly incarcerated people – sometimes only a few weeks out of their own prison sentences – come to wield considerable power over the lives and fate of their criminalized peers, as they are invited to undertake many of the carceral state’s roles in the confinement, care, punishment, and exploitation of offenders.

Along the lines of the considerable power incarcerated people can come to wield over one another and access to security, Anthony Fontes explores the making of carceral citizenship in Guatemala through an ethnographic exploration of *la talacha*, informal prison taxation schemes. As taxation is a key technology of citizenship, tax enforcement mechanisms, the distribution of tax burdens, citizens’ willingness to pay, and their expectations of what they should get in return all make taxation (and struggles over taxes) an essential lens through which to understand state formation and citizens’ perceptions of and relations with one another. In Guatemala, where organized crime competes with and subsumes state institutions in ways that profoundly impact all citizens, the state is however only one of many entities claiming the right to tax, at turns competing and colluding with its underworld. Against this backdrop, Fontes unpacks and explores how *la talacha* sets the terms of carceral citizenship by upholding prisoners’ collective survival, organizing prisoner-state co-governance, reifying the

prison's socio-economic hierarchies, and shaping inmates' relationships with the world beyond the prison.

Zooming out, Jean Daudelin and José Luiz Ratton explore how different rights regimes have come to coexist in Brazil's vast penal system and, as such, constitute diverse experiences of "real-life citizenship." Drawing on property rights theory, they argue that the country's variety of "hybrid and unjust" rights regimes are sustained by explicit and implicit bargains made among prisoners and authorities. Distinguishing between state-dominated regimes, criminal faction-led regimes, and regimes that deploy *chaveiros* (prisoner keyholders) to broker relations between authorities and prisoner collectives, they note that there is no reason to assume that all claims to the bargain are enforced by a political community or a state acting as its agent, that the bargain only involves 'full citizens', or that its terms are the same for all rights-holders. Non-state agents may well enforce claims over things and freedom sustainably, and they may well do so in several manners and to varying degrees – creating differentiated and unequal forms of carceral citizenship – while still expecting obedience to the rules it edicts in exchange and the payment of tax as compensation.

Ramiro Gual then takes us to Argentina, where universities play a significant role in opportunities for not only prisoner education, but also the exercise of prisoners' fundamental rights and political participation. Almost half of the country's public universities have developed educational programs, which cover 71 per cent of the country's prison system. Academic communities thus emerge with great potential for impact on life inside prison – as a different way of experiencing imprisonment – as well as for the advancement of prisoners' collective social, political, cultural and productive projects upon release. Gual explores how different university programs approach their educational work in prison, promoting the active construction of citizenship both inside and outside prison. A schism appears to emerge, however, between the way university education is organized inside prison and outside of it, demonstrated through former prisoners' attempts to continue their education post-release. This raises questions about the extent to which carceral forms of citizenship are compatible with post-release dreams, how they linger, and when they should end – not in legal terms of probation or parole, but in terms of the subjective experiences of differentiated citizenship.

Finally, Julienne Weegels considers the expansive qualities of carceral citizenship emanating from Nicaragua's hybrid carceral system. Focusing on the (re)emergence of political imprisonment as a modality of repression in the aftermath of the 2018 anti-government protests, she highlights the ways in which authorities have extended political prisoners' exclusion from the *polis* into the prison, and vice versa. This exclusion takes place not only by way of physical punishment and segregation but also by banning political prisoners from joining in forms of social and political participation generally available to prisoners through penal reeducation and membership in informal prisoner hierarchies and/or formal prisoner councils. Extending beyond the prison into post-release

life, former political prisoners are subjected to heightened police and community surveillance and the suspension of access to public services, through which they are made to feel a tight transcarceral grip that they experience as a “civil death”. Though incarceration and its aftermath thus heavily impacts on their subjective experiences of citizenship, their politically persecuted condition – as victims rather than perpetrators of (state) crimes – simultaneously provides them with the moral legitimacy to organize as *carceral citizens* in the fight for justice.

In all, these five articles point to the different ways in which carceral citizenships are constructed and experienced on the ground. Read together, they point to the generative qualities of the concept and prove it necessary to render it in the plural, as significant qualitative differences can be discerned both at the level of state paradigms and *de facto* modalities of prisoner participation in the day-to-day organization of their carceral communities. Where carceral citizenships are then imbricated in formalized modalities of prisoner participation in some cases – at times even pivotal to the reproduction of rehabilitative, educational or preventative initiatives – they appear to be produced instead through the restriction of such participations in other cases. This presents us with a tricky conundrum. On the one hand, institutionalization appears pivotal to trajectories for ‘citizen-becoming’ (*devenirse ciudadano*) – such as in the cases of Argentina and Puerto Rico – whereby formerly incarcerated people are accepted back into their communities on the condition they now correctly enact the rights and duties associated with societal belonging. That is, marginalized and criminalized communities cannot access these rights and duties *without* passing through the ‘normalizing’ experience of incarceration first. On the other hand, the prison experience can take on more significantly stratifying qualities – as in the cases of Brazil, Guatemala and Nicaragua – when formerly incarcerated people are relegated to distinct spheres for the exercise of belonging, which are often heavily policed (both internally and externally). The stickiness of carceral citizenships and their exploitative or empowering dimensions also appear to vary greatly not only across but also *within* prison systems and post-release contexts, as some (former) prisoners have more privileged access than others to the resources and relations that feed into the exercise of their rights and duties. The various articles demonstrate how this relates strongly to the degree of organization of their own collectives (e.g. prisoner councils, brotherhoods or criminal organizations, religious or educational communities, and victims’ or activist movements), where alternative forms of belonging are devised both alongside and/or in opposition to formally available modalities of participation. We, therefore, encourage researchers of Latin America’s criminalized communities to pay attention to the ways in which their expressions and contestations of social and political membership are imbricated in or even predicated on carceral expansion. After all, it is only if we understand the full extent of the region’s carceral turn and its reverberations in people’s daily lives, that we will be able to decisively counter the politics that gird it, toward true decriminalization and decarceration.

* * *

Caroline Mary Parker is a lecturer of Anthropology at the Department of Anthropology, University College London. Her forthcoming book entitled *Carceral Citizens: Labor and Confinement in Puerto Rico* expands upon the themes of this special collection and will be published by the University of Chicago Press in 2024.

Address: University College London, 14 Taviton St, London WC1H 0BW, United Kingdom.

E-mail: Caroline-parker@ucl.ac.uk

Julianne Weegels is an assistant professor of Latin American Studies at the University of Amsterdam Centre for Latin American Research and Documentation (CEDLA). She is co-organizer of the Global Prisons Research Network. Her current work focuses on carceral expansion and contestation in Central America.

Address: CEDLA-UvA, Roetersstraat 33, 1018WB Amsterdam, The Netherlands.

E-mail: j.h.j.weegels@uva.nl

Notes

- 1 It also produced the peculiar paradox of economic growth resulting in more rather than less crime (Bergman, 2018).
- 2 These in turn build on ongoing conversations taking place at the annual conferences of the Latin American Studies Association, as well as international workshops organized by the Americas and Global Prisons Research Networks. These encounters have resulted in multiple publications, including, but not limited to Darke & Garces (2017) special issue on *Latin American prisons for the Prisons Service Journal*, Fondevila & Peirce (2019) special issue on prison violence in *Latin America for the International Criminal Justice Review*, Weegels et al. (2020) special issue connecting urban and prison ethnographies for the *Cambridge Journal of Anthropology*, Darke et al.'s edited volume *Carceral Communities in Latin America: Troubling Prison Worlds in the 21st Century* (2021), and Sozzo's edited volume *Prisons, Inmates and Governance in Latin America* (2022).

References

- Aedo, A. (Forthcoming). Carceral domesticity as containment of troubled families in Santiago, Chile. *Environment and Planning D: Society and Space*.
- Alexander, M. (2020). *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*. New York: The New Press.
- Alves, J. A. (2018). *The anti-black city: Police terror and black urban life in Brazil*. Minneapolis: University of Minnesota Press.
- Antillano, A. (2015). Cuando los presos mandan: Control informal dentro de la cárcel venezolana. *Espacio abierto*, 24(4), 16–39.
- Antillano, A., Pojomovsky, I., Zubillaga, V., Sepúlveda, C., & Hanson, R. (2016). The Venezuelan prison: From neoliberalism to the Bolivarian revolution. *Crime, Law, and Social Change*, 65, 195–211. <https://doi.org/10.1007/s10611-015-9576-4>

- Arias, E. D. (2006). The Dynamics of Criminal Governance: Networks and Social Order in Rio de Janeiro. *Journal of Latin American studies*, 38(2), 293–325.
<https://doi.org/10.1017/S0022216X06000721>
- Avila, F., & Sozzo, M. (2022). El ‘preso-emprendedor’. Responsabilización y co-gobierno en la prisión de Punta de Rieles en Uruguay. *Delito y sociedad*, 31(53), 22–25.
<https://doi.org/10.14409/dys.2022.53.e0058>
- Bergman, M. (2018). *More money, more crime: Prosperity and rising crime in Latin America*. New York: Oxford University Press.
- Biondi, K. (2016). *Sharing this walk: An ethnography of prison life and the PCC in Brazil*, transl. John F. Collins. Chapel Hill: University of North Carolina Press.
- Bonner, M. D. (2019). *Tough on crime: The rise of punitive populism in Latin America*. Pittsburgh: University of Pittsburgh Press.
- Bosniak, L. S. (n.d.). Universal citizenship and the problem of alienage. Available at SSRN 232049.
- Brotherton, D. C., & Barrios, L. (2011). *Banished to the homeland: Dominican deportees and their stories of exile*. New York: Columbia University Press.
- Bugnon, G. (2020). *Governing delinquency through freedom: Control, rehabilitation and desistance*, transl. Lucy Garnier. London: Routledge.
- Carrington, K., Hogg, R., & Sozzo, M. (2016). Southern criminology. *The British Journal of Criminology*, 56(1), 1–20. <https://doi.org/10.1093/bjc/azv083>
- Carter, J. H. (2022). *Gothic sovereignty: Street gangs and statecraft in Honduras*. Austin: University of Texas Press.
- Cerbini, F. (2012). *La casa de jabón: Etnografía de una cárcel boliviana*. Barcelona: Ediciones Bellaterra.
- Chaparro, S., Correa, C. P., & Youngers, C. (2017). *Irrational punishment: Drug laws and incarceration in the Americas*. The Research Consortium on Drugs and the Law, <https://cdn.sanity.io/files/6u5teakk/production/6ffe25a900d540cd41ee45fdeba54bf0b074237f.pdf?dl=>
- Chevigny, P. (2003). The populism of fear: Politics of crime in the Americas. *Punishment and Society*, 5, 77–96. <https://doi.org/10.1177/1462474503005001293>
- Comaroff, J., & Comaroff, J. (2007). Law and disorder in the postcolony. *Social Anthropology*, 15(2), 133–152. <https://doi.org/10.1111/j.0964-0282.2007.00010.x>
- Costa Vargas, J. H. (2006). When a favela dared to become a gated condominium: The politics of race and urban space in Rio de Janeiro. *Latin American Perspectives*, 33(4), 49–81. <https://doi.org/10.1177/0094582X06289892>
- Dagnino, Evelina. 2003. Citizenship in Latin America: An introduction. *Latin American Perspectives*, 30(2), 3–17. <https://doi.org/10.1177/0094582X02250624>
- Dammert, L., & Salazar, F. (2009). *¿Duros con el delito? Populismo e inseguridad en América Latina*. FLACSO Chile.
- Darke, S. (2018). *Conviviality and survival: Co-producing Brazilian prison order*. London: Palgrave Macmillan.
- Darke, S., & Garces, C. (2017). Surviving in the new mass carceral zone. *Prison Service Journal*, 229, 2–9,
<https://www.crimeandjustice.org.uk/sites/crimeandjustice.org.uk/files/PSJ%20229%20January%202017.pdf>
- Darke, S., Garces, C., Duno-Gottberg, L., & Antillano, A. (eds.). (2021). *Carceral communities in Latin America: Troubling prison worlds in the 21st century*. London: Palgrave Macmillan.
- Daudelin, J. & Ratton, J. L. (2018). *Illegal markets, violence and inequality: Evidence from a Brazilian metropolis*. London: Palgrave Pivot.
- Dayan, C. (2013). *The law is a white dog: How legal rituals make and unmake persons*. New Jersey: Princeton University Press.

- Denyer Willis, G. (2015). *The killing consensus: Police, organized crime, and the regulation of life and death in urban Brazil*. Berkeley: University of California Press.
- Dinze-Flores, Z. Z. (2013). *Locked in, locked out: Gated communities in a Puerto Rican city*. Philadelphia: University of Pennsylvania Press.
- Fontes, A. W. (2016). Extorted life: Protection rackets in Guatemala City. *Public Culture*, 28(3), 593–616. <https://doi.org/10.1215/08992363-3511562>
- Forman Jr, J. (2017). *Locking up our own: Crime and punishment in Black America*. New York: Farrar, Straus and Giroux.
- Garces, C. (2019). Prisons of charity: Christian exceptionality and decarceration in Ecuador's penal state. James, E. C. (ed.), *Governing gifts: Faith, charity, and the security state* (79–97). Albuquerque: University of New Mexico Press.
- Garces, C., & Darke, S. (2021). Ethnographic reflexivity and ethics of community in the new mass carceral zone. S. Darke, C. Garces, L. Duno-Gottberg & A. Antillan (eds.) *Carceral communities in Latin America: Troubling prison worlds in the 21st century* (1–35). Basingstoke: Palgrave Macmillan.
- García, A. (2023). The confessional community: Narratives of violence and survival in Mexico City's anexos. *American ethnologist*, 50(4), 622–631. <https://doi.org/10.1111/amet.13204>
- Golash-Boza, T., & Bonilla-Silva, E. (2013). Rethinking race, racism, identity and ideology in Latin America. *Ethnic and racial studies*, 36(10), 1485–1489. <https://doi.org/10.1080/01419870.2013.808357>
- Goldstein, D. M. (2005). Flexible justice: Neoliberal violence and 'self-help' security in Bolivia. *Critique of Anthropology*, 25(4), 389–411. <https://doi.org/10.1177/0308275X05058656>
- _____. (2012). *Outlawed: Between security and rights in a Bolivian city*. Durham: Duke University Press.
- González, Y. M. (2021). *Authoritarian police in Latin America: Contested security in Latin America*. Cambridge: Cambridge University Press.
- Hansen, H. (2018). *Addicted to Christ: Remaking men in Puerto Rican Pentecostal drug ministries*. Berkeley: University of California Press.
- Holston, J. (2008). *Insurgent Citizenship: Disjunctions of Democracy and Modernity in Brazil*. New Jersey: Princeton University Press.
- IADB. (2020). *Regional comparative report survey of individuals deprived of liberty: Caribbean 2016–2019*. <https://publications.iadb.org/publications/english/document/Regional-Comparative-Report-Survey-of-Individuals-Deprived-of-Liberty-Caribbean-2016-2019-The-Bahamas-Barbados-Guyana-Jamaica-Suriname-and-Trinidad-and-Tobago.pdf>
- Jaffe, R. (2013). The hybrid state: Crime and citizenship in urban Jamaica. *American ethnologist*, 40(4), 734–748. <https://doi.org/10.1111/amet.12051>
- Jones, G. A., & Rodgers, D. (eds.). (2009). *Youth violence in Latin America: Gangs and juvenile justice in perspective*. Basingstoke: Palgrave Macmillan.
- Kozelka, E. (2023). Living the process: Examining the continuum of coercion and care in Tijuana's community-based rehabilitation centers. *Culture, Medicine, and Psychiatry*, 1–24. <https://doi.org/10.1007/s11013-023-09822-8>
- Klaufus, C., & Weegels, J. (2022). From prison to pit: Trajectories of a dispensable population in Latin America. *Mortality*, 27(4), 410–425. <https://doi.org/10.1080/13576275.2022.2107795>
- LeBron, M. (2019). *Policing life and death: Race, violence, and resistance in Puerto Rico*. Oakland: University of California Press.
- Macaulay, F. (2019). Prisoner capture: Welfare, lawfare, and warfare in Latin America's overcrowded prisons. R. Sieder, K. Ansolabehere & T. Alfonso (eds.) *Routledge Handbook of Law and Society in Latin America* (243–258). London: Routledge.

- Miller, R. J., & Stuart, F. (2017). Carceral citizenship: Race, rights and responsibility in the age of mass supervision. *Theoretical Criminology*, 21(4), 532–548. <https://doi.org/10.1177/1362480617731203>
- Moore, H. (2020). Extralegal agency and the search for safety in northeast Brazil. *Cambridge Journal of Anthropology*, 38(1), 33–51. <https://doi.org/10.3167/cja.2020.380104>
- Muehlmann, S. (2013). *When I wear my alligator boots: Narco-culture in the US Mexico borderlands*. Berkeley: University of California Press.
- Navarro, L., & Sozzo, M. (2022). Evangelical wings and prison governance in Argentina. M. Sozzo (ed.) *Prisons, inmates and governance in Latin America* (259–293). Basingstoke: Palgrave Macmillan.
- O’Neill, K. L. (2015). *Secure the soul*. Berkeley: University of California Press.
- O’Neill, K. L., & Fontes, A. W. (2017). Making do: The practice of imprisonment in postwar Guatemala. *Journal of Latin American geography*, 16(2), 31–48. <https://doi.org/10.1353/lag.2017.0020>
- Ong, A. (2022). Citizenship: Flexible, fungible, fragile. *Citizenship studies*, 26(4-5), 599–607. <https://doi.org/10.1080/13621025.2022.2091244>
- Orlove, B., Taddei, R., Podesta, G., & Broad, K. (2011). Environmental citizenship in Latin America: Climate, intermediate organizations, and political subjects: Contemporary debates on ecology, society, and culture in Latin America, *Latin American research review*, 46, 115–140. <https://doi.org/10.1353/lar.2011.0034>
- Ortiz Díaz, A. (2023). *Raising the living dead: Rehabilitative corrections in Puerto Rico and the Caribbean*. Chicago: University of Chicago Press.
- Padilla, M., Colón-Burgos, J. F., Parker, C. M., Varas-Díaz, N., & Matiz-Reyes, A. (2020). An institutional ethnography of prevention and treatment services for substance use disorders in the Dominican Republic. *Global Public Health*, 15(5), 691–703. <https://doi.org/10.1080/17441692.2019.1701059>
- Parker, C. M. (2020). From treatment to containment to enterprise: An ethno-history of therapeutic communities in Puerto Rico, 1961–1993. *Culture, Medicine, and Psychiatry*, 44(1), 135–157. <https://doi.org/10.1007/s11013-019-09642-9>
- _____. (2021a). Keeping busy when there’s nothing to do. *American Ethnologist*, 48(3), 301–313. <https://doi.org/10.1111/amet.13029>
- _____. (2021b). Carceral alliance: Vernacular professionalization and containment in puerto rican drug rehabilitation. S. Darke, C. Garces, L. Duno-Gottberg & A. Antillano (eds.) *Carceral communities in Latin America: Troubling prison worlds in the 21st century* (213–231). London: Palgrave Macmillan. https://doi.org/10.1007/978-3-030-61499-7_10
- Peres Milani, L. (2021). US Foreign policy to South America since 9/11: Neglect or militarisation? *Contexto internacional*, 43(1), 121–146. <https://doi.org/10.1590/s0102-8529.2019430100006>
- Pérez Guadalupe, J. L., Cavallaro, J., & Nuño Cisneros, L. (2021). Towards a governance model of ungovernable prisons: How recognition of inmate organizations, dialogue, and mutual respect can transform violent prisons in Latin America. *Catholic University law review*, 70(3), 367–420.
- Pérez Ricart, C. A. (2018). The role of the DEA in the emergence of the field of anti-narcotics policing in Latin America. *Global governance*, 24(2), 169–192. <https://doi.org/10.1163/19426720-02402002>
- Rocco, R., & Da Silva, S. (2018). *Cities and Citizenship in Contemporary Latin America and the Caribbean: Conference proceedings NALACS Conference 16-17 June 2016, TU Delft*. Delft: TU Delft Press.
- Roniger, L. (2006). Citizenship in Latin America: New works and debates, *Citizenship studies*, 10(4), 489–502. <https://doi.org/10.1080/13621020600858005>

- Rosen, J. D., & Cutrona, S. A. (2023). *Mano dura policies in Latin America*. New York: Routledge.
- Salman, A. J. 2004. Apocryphal citizenship: Anthropologizing the citizenship debate in Latin America, *Journal of urban history*, 30(6), pp. 853–873.
<https://doi.org/10.1177/0096144204266739>
- Samet, R. (2019). *Deadline: Populism and the press in Venezuela*. Chicago: University of Chicago Press.
- Silverstein, S. M. (2021). A second chance: Reenactment and recovery narratives in a Peruvian drug rehabilitation center. *Medical Anthropology Quarterly*, 35(2), 190–208.
- Sozzo, M. (2018). Beyond the ‘neo-liberal penalty thesis’? Punitive turn and political change in South America. K. Carrington, R. Hogg, J. Scott & M. Sozzo (eds.) *The Palgrave handbook of criminology and the global south* (659–685). London: Palgrave.
- _____. (2022). Inmate governance in Latin America: Comparative and theoretical notes. M. Sozzo (ed.) *Prisons, inmates and governance in Latin America* (367–397). London: Palgrave.
- Telles, E. (2014). *Pigmentocracies: Ethnicity, race and color in Latin America*.
- Thompson, D. C. (2022). Evangelical Christianity as infrastructure in Brazil’s penal system. *Journal of Latin American studies*, 54(3), 457–479.
<https://doi.org/10.1017/S0022216X22000426>
- Von Vacano, Diego A. 2012. *The color of citizenship: race, modernity and Latin American/Hispanic political thought*. New York: Oxford University Press.
- Wacquant, L. (2009). *Punishing the poor: The neoliberal government of social insecurity*. Durham: Duke University Press.
- Wade, P. (2017). *Degrees of mixture, degrees of freedom: Genomics, multiculturalism, and race in Latin America*. Durham: Duke University Press.
- Walmsley, R. (2016). *World prison population*. World Prison Brief, Institute for Criminal Policy Research,
https://www.prisonstudies.org/sites/default/files/resources/downloads/world_prison_population_list_11th_edition_0.pdf
- _____. (2018). *World prison population list*. World Prison Brief, Institute for Criminal Policy Research,
https://www.prisonstudies.org/sites/default/files/resources/downloads/wppl_12.pdf
- Weegels, J. (2018a). *Performing prison: Power, agency and co-governance in Nicaraguan prisons* (doctoral dissertation). University of Amsterdam.
- _____. (2018b). ‘The terror and scourge of the barrio’: Representations of youth crime and policing on Nicaraguan television news, *Journal of Latin American Studies*, 50(4), 861–887. <https://doi.org/10.1017/S0022216X18000317>
- _____. (2020a). From pinta to changed man: Performing reinsertion and escaping color at the Nicaraguan margins. *Latin American and Caribbean ethnic studies*, 15(3), 309–324. <https://doi.org/10.1080/17442222.2020.1798075>
- _____. (2020b). Freedom in the face of Nicaragua’s hybrid carceral system. *Cambridge Journal of Anthropology*, 38(1), 52–69. <https://doi.org/10.3167/cja.2020.380105>
- Weegels, J., Gual, R., & Espinoza, O. (2021) Compartiendo el poder: Experiencias de cogobierno entre reclusos y autoridades en las cárceles latinoamericanas. N. Hernández Jiménez (ed.) *Temas criminológicos latinoamericanos: Teoría, evidencia empírica y ejecución penal, Temas Criminológicas* (321–369). Bogotá: Tirant lo Blanch.
- World Prison Brief. (2020). *South America*. <https://www.prisonstudies.org/map/south-america> (last visited 1 March 2023).
- Yepes, R. U., Guzmán, D. E., & Norato, J. P. (2013). *Addicted to punishment The disproportionality of drug laws in Latin America*.
https://www.tni.org/files/download/addicted-punishment_0.pdf