From Russia

RUSSIA'S GIANT INCARCERATOR – PRISON REFLECTIONS

by Laura Piacentini

Introduction

I have been engaged in academic study of the Russian prison system for 13 years, stepping into a Russian prison establishment to do research for the very first time in 1998. Since then, I have gathered data from 15 prison establishments. In this article, I sketch out some of the key findings from my work. My findings are by no means illustrative of the entire penal system. However, they do feed into larger questions of how prison is managed in a time of great turbulence and change in a country that has been described recently as a giant incarcerator (Christie, 2004).

Doing prison research

In terms of prison conditions or in reducing re-offending, nowhere in the world can it be said that there is a perfect or model prison. From countries as far apart as Pakistan and Poland, from Norway to New Zealand there are many examples of how societies are affected by the presence of law-breaking behaviour and the myriad ways in which offending occurs. Yet, the presence of the prison remains as a static emblem of society's disapproval of crime the world over.

Imprisonment has been researched in relation to different social groups and the social relations that emerge such as coping among older and elderly male prisoners, lifers, prison off i c e r s ' work, paramilitaries in Northern Ireland's prisons, governance of women prisoners, prisoner values, prison education, suicide in prisons, medical power in prisons, the use and role of television as a mechanism for coping with confinement and prisoners' work. There have been few comparative studies of prison regimes, comparative studies of different UK jurisdictions, and fewer still international comparative studies. Critical perspectives pour over penal policy. Recently it has been argued that the 're-integration industries' are evaluated and legitimised by reference to their policy effectiveness. The critical perspective, that

imprisonment is part of the penal body politic has been reinforced particularly forcefully in relation to women's imprisonment. Hannah-Moffat argues: 'prisons now speak of empowerment, choice and healing; yet many argue that little about the regime has changed and that few lessons have been learned' (Hannah-Moffat, 2001:4). The vast majority of monographs of prison research are written from the perspective of the researcher and it is important to note that there has been very little criminological scholarship on how prisoners and prison staff, experience the process of being engaged in research (for the former see Bosworth, et al, 2005 for an excellent article co-authored by four prisoners and a prison researcher on doing prison research. For the latter see Crawley, 2004). Imprisonment's 'success' or 'failure' is ingrained in the public discourse. It is hardly surprising, therefore, that prison officers often describe feeling weary and prisoners describe feeling vanquished.

Prison researchers and taking sides

For the prison researcher neutrality in doing prison research poses certain dilemmas. This is a debate that is not about whether to take a side, but whose side? Can prison researchers avoid taking sides? Moreover, in taking account of the fact that there is a range of influences that shape prison research, what are these influences? Where do they come from? And do they inject bias? These complex and perplexing questions are the key methodological and intellectual conundrums researchers face when they are the observer, the recorder and the 'marginal participant' (Sparks, 2002:557) in the peculiar setting of the prison.

Let us here first consider that the dilemma of asserting a 'position' as a prison researcher can be traced to the symbolic representation of the prison in contemporary society. Societal attitudes to law breaking range widely and wildly. From noisy, hard-line and populist stances captured in newspaper and television headlines that demand swift and severe punishments, to what can be described as rehabilitative optimism on the part of those who administer imprisonment and captured in the pioneering zeal of 'initiatives', interventionist approaches and allied agency working, mean that generally speaking, there are two sides of imprisonment. On the one side, prisons epitomize the confinement of difficult-to-manage persons, against whom society has won. All that is demonic about the human spirit is reflected in the prison and society's rightful deprivation of liberty is the justified

response. The other side of prison is reflected in the personal background of those whom society incarcerates; individuals whose drug and alcohol addictions, economic deprivations, marginality and disconnections from mainstream society challenge the first premise of the prison as the container of the dangerous. The prison, it could also be reasonably said, holds persons against whom society has failed. As contradictory and confusing as it sounds, imprisonment performs an unambiguous punitive response but is also a microcosm of some sort of social failure. For the prison researcher, this is why the research site is so contentious. Sympathy towards staff gives credence to the punitive side and sympathy to prisoners establishes credibility among the captive population.

The second issue affecting the position of the researcher is that once inside a prison there is the reality of the prison officer and the reality of the prisoners who are mediated, controlled and managed in complex micro-worlds of human relations and forms of social interaction. While there are clear lines of demarcation and distance between prisoner and guard, there are also complex and inextricable linkages and proximity. There is a negotiated order of accommodation and compromise. Prisoners and guards share a common geographical, emotional and social isolation from the outside world that can break down the distinction between prisoner and guard and between prisoners and between guards to create shared solidarities and shared identities that can sustain prison life until the prisoner is released or until the guard goes home. The prison, its mode of rules and its flow control of physical and social interaction demands compliance from both the guard and the prisoner while the masculinist, hierarchical and austere environment must be shared by all. Nevertheless, although the prison is a complex world of multiple layers and multiple divisions, for the prison researcher it often comes down to taking one of two sides.

The research further tells us that everywhere in the world, prison is an aberration. Yet this is not strictly true in the case of Russian prisons. Perhaps the most significant key findings of my work is that in Russia, for nearly the entire twentieth century, imprisonment was seen as the norm and prison personnel and prisoners were cogs in the huge political machinery of the Soviet regime. And it is this heritage that has created such a complex set of challenges for those attempting to introduce reforms, for prison personnel administering imprisonment and for prisoners for whom a minimum standard of care has reached international proportions. Before I discuss some findings

from my research, it is helpful to set the context for the contemporary challenges facing prison authorities by outlining some of the features of twentieth century imprisonment in Russia.

Soviet prison ideology

What was so utterly distinctive about incarceration under the Communist regime was not that the prisoners worked on extraordinarily ambitious economic projects, but that prisoners' work was regarded as central to the advancement of the Soviet economy. Political ideology was fused with undemocratic legal norms to create an economic camp-industrial complex. Definitions of crime and punishment were faithful to the utopian destiny of the USSR: all crime was capitalist excess and punishment must therefore seek to politically correct deviants from being anti-Soviet to perfect proletarians and therefore loyal Soviet citizens. Hooliganism was a crime because smashing shop windows and causing street disturbances wrecked the harmony of Soviet society. Jailed criminals, therefore, took their place alongside teachers, doctors, mothers and fathers to commit to labour that would create the long cherished dream, a Kingdom of heaven on earth. From a criminological perspective, the myth making was audacious. Prisoners would work on grand economic projects elevating their status not as profaned convicts but as builders of communism. The reality however was that millions of citizens were arrested on the street, at home, on their way to work and subjected to clandestine trials before being sent to prison camps and forced to work, often to death, as slaves in industries as diverse as building railways to making class-room furniture.

If loyalty to the USSR was the ideological foundation of penal policy and criminal law then the Gulag (Central Administration of Camps) was the mechanism through which flowed Soviet ideology: a giant industrial camp complex that managed all economic projects. Created in 1934, the Gulag operated way beyond crime control in the usual sense by providing State functions. Indeed, the Gulag penal system became the exaggerated microcosm of Soviet bureaucracy and social control. Therefore, it could conceivably be argued that the conventional demarcation between criminal justice and society was obscured in Russia. Prisons, for all their horrors, were about loyalty to the cause, about honour, about glory. For the entire Stalin period (1926–1952) prisons were everywhere in the USSR. The precise number held in Soviet prisons during that period has become a

matter of guesswork. The figure of 12 million is widely accepted as accurate because the figure is based on actual numbers incarcerated and not total numbers 'repressed' (which includes many millions who were not sent to the camps).

Prisoner memoirs time and again reveal the brutality of penal repression, relating the pains of imprisonment to the politicisation of the self. The Soviet prison we learn existed neither as a single unified experience, nor as a single unified institution. Meier (2004) argues that millions of Russians, including victims, believed passionately in Marxism/Leninism and the national psyche it espoused and he adds further that Russians have not come to terms fully with their past. Ultimately, Soviet national psyche created contradictory juxtapositions. Cities built from the Stalinist terror became the heirs of the Gulag. Gulags created impressive national industries where captives and captors shared a sense of affinity. However, in becoming brutalised by a system designed to mirror the psyche has been some discussion of how former prisoners were left feeling disconnected from what it means to be Russian and what it means to be a victim of penal atrocity. Nor was there any significant progress in penal ideology following Stalinism. Real rehabilitation – admitting that the state had made a mistake – came some time after the Gulag was dismantled following Stalin's death in 1952. For the victims this was piecemeal apologising. With judicial reform delayed until well into the 1960's and ideological reform stalled the system remained untouched for years after Stalin's death.

Unlike imprisonment in the West, by 1991 Soviet Russia binged on imprisonment, and society, fed by a diet of propaganda and fear, developed a deeply ingrained psyche about the real contribution work can make in society. So the prison ethos actually strengthened the powerful cultural symbolism of the Soviet work ethic.

Russian prisons today

I judge there to be three phases in the contemporary development of the Russian penal system: the immediate aftermath and the exposure of degrading conditions (phase 1); the turbulent mid-late 1990's when a process of indigenisation of criminal justice emerged (phase 2) and the present day marked by an externally driven human rights import which aims to deliver new international priorities in the area of prison management and the confinement of prisoners (phase 3).

Phase 1 – A system in chaos

The impact on the penal system of the collapse of the USSR in 1991 was monumental. When the doors of the prisons were opened, the reality was shocking. Human rights abuses, massive overcrowding, disease and torture were common place in the Soviet penal system. TB was rife, prisoners died of overcrowding and malnutrition. Victims of AIDS have now joined the prison population. The problems remain particularly acute in the remand prisons (SIZO). Although the Soviet system of imprisonment was notorious having been discredited and discarded for decades by dissidents, writers, campaigners and the international human rights community, the horrifying scale of the brutality was reported by United Nations Special Rapporteur on Torture as follows:

> *'The Special Rapporteur would need the poetic skills of a Dante or the artistic skills of a Bosch adequately to describe the infernal conditions he found in these cells. The senses of smell, touch, taste and sight are repulsively assailed. The conditions are cruel, inhuman and degrading; they are torturous' (The United Nations, Economic and Social Council, 1994: 19).*

With the collapse of the Soviet economy, prisons could no longer function as an industrial monolith. Moreover, in terms of political ideology, a vacuum had been created. The prison world that I stepped into, when I set out to study the system, was in a scandalous state physically and in ideological terms was in chaos. At 2001, the prison population in Russia was the second highest per head of the population in the world with 670 per 100,000 of the population (979,285) being held in all places of confinement in 2001 (this compares to 130 per 100,000 or 67,056 total for England and Wales for that year). At the beginning of 2006 there were 209 remand centres, 7 prisons and 141 institutions holding pre-trial prisoners, 767 correctional colonies, and 62 educational colonies for young offenders (14-17 years). Of the 763,000 in detention in 2005, 600,000 were serving sentences in colonies[1].

Phase 2 – The indigenisation of criminal justice

Over a five month period in 1999 I conducted an ethnographic study of how the contemporary penal system experienced the collapse of the Soviet prison monolith. I was interested to find out not only what kinds of work, programmes and initiatives had replaced the camp industrial complex, but also how prison personnel allocated and administered imprisonment in a 'modern day' Russia

now that the penal system was no longer driven by a dominant ideology, as historically was the case. I spent time inside or close to different regimes for men in western Russia (in Smolensk) and in Siberia (Omsk). In the 1999 study, I interviewed 31 prisoners and 193 prison personnel. This was followed by a second study in 2003 interviewing 32 prison personnel. To say that the fieldwork was riveting and hairraising would not be an exaggeration. I was expected to demonstrate my sensitivity to Russian culture by reciting Russian poems prior to interviews, to perform a mind-set where masculine values prevailed both inside and outside the prison setting and engage in singing folk songs during interviews (which was the more pleasurable side of the research!). As a result of my research I came to understand the deep ideological upheaval taking place in the post–Soviet system.

What I found was that the central prison authorities in Moscow, despite their good intentions were struggling to control the entire penal system under a unified system. I found a penal system that utilised contradictory and confusing ideas about imprisonment, probably because under the then President Boris Yelstin, Russian society was facing a turbulent and chaotic transition. For example, in Smolensk region in western Russia, I discovered that westernised notions of imprisonment (punishment and rehabilitation) and of crime (criminals are innately bad) formed the basis of new interventions. Programmes such as behavioural psychology, soothing words transmitted through Tannoy equipment and cognitive behavioural therapy, were being embraced with rapid speed — in one case such programmes had been in place since 1993. Many prison officers and managers were experiencing significant difficulties in grafting a western rhetoric of human rights and offender–focused interventions onto their existing practices. I heard many confused and concerned voices struggling to survive in the ruins of industrial penal colonies. The prison system had developed into a quasi–devolved management structure. The regions (oblast) were responsible for facilitating and overseeing practices and resources. Nowadays, the prisons retain a federal connection to the central administration in Moscow. However, the turbulent political and economic transition, coupled with the sheer magnitude of managing the entire penal infrastructure from Moscow, has resulted in many disparate regional practices and ideas emerging.

A radically different picture emerged in the Omsk prisons in Siberia, and in Kemerovo prisons in eastern Siberia. The prisons in Omsk have retained the Soviet ethic of work as the foundation for prisoner reform. The

respondents there viewed crime not as an innate flaw in the individual, but as a consequence of complex social and economic factors: prisoners, I was told, were influenced by their environment and not by their personality. The prison authorities in the oblast targeted the social harm that crime causes. Prisoners engaged in a range of community programmes, work and training initiatives that arose from partnership programmes with local schools, councils, universities and businesses. Guiding principles came from reformed Soviet concepts such as 'inculcating an ethic of work', 'taking responsibility for one's labour' and 'giving back to victims through work'.

These different ideologies and practices have arisen since the collapse of the Soviet system. The industrial sector in Russia is weak and the prison system has experienced mixed fortunes in capitalising on low level industry. Regions in the east are able to exploit natural resources such as forestry to provide for prison labour. In western Russia, however, natural resources are in less abundant supply, so the regions are left to compete in the light industrial sector. Cheaper imports from the Far East have made it almost impossible for the prisons to offer competitive labour to the market. In the face of a declining industrial sector, it is no wonder that alternative penal discourses are emerging. In addition, western Russia is often referred to as European Russia. Prisons located there have become more readily exposed to cultural influences from the west than in the rest of the country, where ideas have taken longer to permeate the penal periphery. There has been a sustained international effort to hold the prison authorities to account for human rights abuses in Russian prisons. Adapted versions of westernised programmes offer instant universal credibility, due to their 'western' origins. It is hardly surprising that many prison officers in the western prison establishments felt under the glare of both the Moscow authorities and the Council of Europe parliamentary delegations who visit Russian prison to monitor for human rights.

The micro-penal economy

In many regions, prison labour is necessary if the prisons, and the prisoners themselves, are to survive. Although prisons are expected to rehabilitate prisoners as well as punish their law–breaking behaviour, a prisoner in Russia has to work in order to live, and not for the sake of the national economy, as was the case during the USSR. Central government funding and resources have improved under President Putin, but funds are not always guaranteed,

so it is left to the regions to provide for the prisons. When the central government allocates resources, it does so on the basis of what the prisons can do for themselves, bearing in mind their access to raw materials and markets. Every prison I visited utilised a system of barter to provide these extra items. For example, a local farmer may require repairs to his/her farming equipment. The farmer will visit the prisons and offer dairy products from his/her farm in exchange for repairs to the equipment. Since barter has everyday usage in Russia, its emergence in the prison realm is unsurprising, but demonstrates how instrumental the private sector (in a less commercial format) has become in the provision of resources (see Piacentini, 2005).

On the other hand, prison barter adds an interesting dimension to the notion of community justice. I understood prison barter as a unique form of social patronage. With local communities being kept informed of daily work and manufacture in the prisons, and prison personnel actively seeking out opportunities to barter with locals, the situation I found in 1999 and in 2003 tests the conventional wisdom of joined up community partnerships so often called for in the UK criminal justice system.

Phase 3 — The emergence of Human Rights

It must be asserted that what I came across was not a utopia of social inclusion, a rural idyll or a pristine community-prison relations. After all, these were, and remain, first and foremost under-resourced and poorly refurbished prison establishments. The obvious economic and social benefits aside, the practices of prison barter pushed the proverbial envelope of what prison officers are expected to achieve as custodians of captives. What do all these practices mean for a complex country such as Russia, which is increasingly welcoming human rights into its sensibility? Following a decade of transition and chaotic political, economic and social turbulence, the penal system is moving towards modernisation through reform and the implementation of the rule of law, minimum standards and human rights. It is undoubtedly the case that the path of penal modernisation has been aided by external organisations, NGOs and monitoring. Inspections by 'Special Rapporteurs' ensure that Russia can be shamed into global integration or political isolation. But this strategy brings its own dangers.

If we look at the case of prison barter, Russia would appear to violate human rights norms in prisons because the daily task of officers is to find resources to feed prisoners. Rather than work for rehabilitation, prisoners

work to live. For the majority of prison officers, however, human rights are irrelevant, as the concept was not created for Russian prisoners by Russian personnel but instead was brought into the country by 'outsiders'. One officer told me: 'It's all about making us feel bad. 'Have you done this procedure correctly?' 'Yes.' 'Have you treated so and so fairly?' 'Yes.' If I said no, I'd receive a dressing down' (see Piacentini, 2005). Such views cannot be assumed to be representative of the entire system, but it is undoubtedly the case that a more distinctive and effective penal system based on local sensibilities is finding difficulty in establishing itself. Human rights may be advocated cogently from the corridors of power in Geneva, but they are interpreted cynically by some on the ground as illustrative of a new politics, which demarcates nations based on whether they have 'good' or 'bad' prisons.

Conclusion

The benefits of embarking on a course of transition that is committed to human rights are clear. Human rights standards have exposed degrading conditions and abuses, when otherwise there would be silence. The government has been held to account over appalling conditions and prisoners' rights are judicially recognised. Often, national jurisdictions operate prisons at their own discretion to impose a system of regulation provides standards against which national laws can be scrutinised. There is a positive and powerful prospect that an active engagement with extending human rights standards to human rights understanding in the penal context will follow. Moreover, as we have seen in the Kalashnikov case human rights have created a new actor in the form of the Russian prisoner whose position has changed now that s/he is armed with international rights. So too might prison officers change their view of themselves as members of an internationally recognized profession of guarding.

Although Russia's penal transition has improved conditions and raised standards, it has also served to blur rather than to clarify the most pervading questions that should be asked of all prisons: Why do we punish? And, what do modern, democratic prisons look like? While past penal atrocity is acknowledged within senior circles in Russia, no operational process of reconciliation exists to measure, understand and resolve past state harm. Ironically the human rights impetus has also left structural frameworks intact. It seeks to improve society through an authentication of institutions and

norms. But political, economic and social advancement reached through authentication has a problematic application in penal systems. Authentication is a complex business because it is those states that operate in positions of political dominance that process the authentication of less powerful states and their criminal justice systems. This is a particular problem in prisons as they remain largely unseen and unfelt institutions. If human rights are to matter in Russia — and elsewhere — they must be introduced in the context of the local culture, involving local people in penal politics. Otherwise 11 JR100 human rights in prisons particularly for societies in transition will become a mere illusion — fundamentally flawed by virtue of their origin.

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Footnote

1. The majority of those sentenced to custody in Russia serve their sentence in 'correctional colonies', which are closed institutions with barracks.

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This article was previously published in The Prison Service Journal.