Women's Imprisonment in Eastern Europe

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Women's Imprisonment in Eastern Europe: 'Sitting out Time'

BY

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This book is for all the women who shared their collective and individual stories of pain, struggle, incredible strength, and survival.

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Contents

List of Abbreviations

CJS	Criminal Justice System
CSB	Central Statistical Bureau
ECtHR	European Court of Human Rights
EU	European Union
FSU	Former Soviet Union
OSP	Official Statistics Portal
TB	Tuberculosis

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About the Author

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Chapter 1

Introduction

This book is informed by a theoretical fusion of the sociology of imprisonment, carceral geography, feminism, and cultural criminology, which helps to depict the situated and complex nature of the prison as an institution. *Women's Imprisonment in Eastern Europe: 'Sitting Out Time'* provides a current snapshot of women's imprisonment in one of the former Soviet Union (FSU) countries – Latvia, which like other FSU countries undertook a radical transformation after the fall of the Soviet regime in the early 1990s. This abrupt ideological rupture and transition to a market economy brought new opportunities and challenges to post-Soviet society and this book focusses on how this transformation affected penality and women's imprisonment in Latvia and more broadly within the region.[1]

The East and West divide and organisational differences in the use of penal power help to unravel a sophisticated amalgam of penal power that has developed in Latvia as a result of the radically different penal approaches of the past and present times. The current focus on a rights-based approach and the use of 'soft power' is in sharp contrast to the Soviet inhumane and authoritarian penal power that relied upon the use of 'hard power', strict military discipline, and forced labour. But this binary distinction can only to some extent assist in understanding what is happening inside carceral institutions in FSU countries as the new approach has not yet been fully grasped or implemented and the previous way of operationalising penal power withered away after the collapse of the Soviet system. While capturing the opaque and 'messy' nature of penality within the FSU region can be a difficult task, subtle cultural differences should provide some additional insights as well as implemented legal and penal reforms, which were largely influenced by various international bodies such as the Council of

[1]Much of the literature discussed relates not only to the 15 countries that officially broke out after the collapse of the Soviet project but also to other Eastern bloc countries that were Soviet satellite states such as Poland, Hungary, and Romania. Hence, the FSU acronym should be interpreted in the broadest sense including all those countries in Eastern and Central Europe that experienced socialism under the Soviet-style system.

Women's Imprisonment in Eastern Europe: 'Sitting out Time', 1–4

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Europe and a deeper integration in Europe (particularly for those FSU countries that joined the European Union (EU)).[2] The initial public concerns about speedy transitioning from one 'union' to another were largely neglected and the possibility of joining the EU was presented as the obvious step towards prosperity, security, and progress; while much of it might be the case, these FSU countries retained their previous peripheral status in the new union.

Although each of the FSU countries developed and transitioned at their own pace, the direction of travel was similar – towards building a democratic society and functional state apparatus that can support a market economy framed by the neoliberal agenda (Krylov, 2018). During this early transition process when the all-encompassing Soviet ideology was replaced by a neoliberal logic, a nationalist and masculinised state was embraced. Such developments marginalised and depoliticised the role of women while re-traditionalising gendered roles and maternal duties. Some scholars suggest that neoliberalism in the global context reinforces patriarchal relationships of power and gender oppression, where women's labour is undervalued (Arruzza, Bhattacharya, & Fraser, 2019). However, both socialism and neoliberalism have failed to live up to their emancipatory potential and this aspect will be discussed later in the book.

As prisons and their internal life embody the wider political and economic framework in which they operate, this book starts by considering these overarching structures while highlighting the underpinning values that inform them. In Chapter 2, the ideological backdrop in which penal regimes develop and operate has been provided by contrasting the current global system that embodies a neoliberal logic with the Soviet approach towards social organisation and their commitments to emancipatory advancements. The departing point is that crime and crime control are cultural products which are closely linked with the leading ideologies of the time and gendered cultural assumptions, which continue to affect women's and men's penal experiences differently. So firstly, the main two contrasting sets of ideas or ideologies that have been prevalent in the FSU context are being interrogated to ascertain their influence on women's imprisonment in Latvia.

Then Chapter 3 takes the reader back to the early 1990s and the transition process which took place after the breakdown of the Soviet project. This abrupt and chaotic change entailed a transformation of the dominant culture along with the process of reconfiguration of the political, social, and cultural order. A particular focus is placed on Latvia and what this transition meant for the post-Soviet society, particularly women who found themselves in a difficult position as the new order – neoliberalism – came with blood and violent fights for power and influence (Alexievich, 2016).

After considering contextual factors, this book delves deeper into understanding women's experiences of imprisonment in Latvia. This book is based on PhD research (Jalili Idrissi, 2020), but it has taken a while for it to find its way to the reader. The outbreak of the global COVID-19 pandemic and a war between

[2]Latvia achieved full-fledged membership in the EU in 2004.

Russia and Ukraine are some of the key events that set the context for the current publication. The fast-changing world and international affairs raise questions about the longevity of peace and security in Eastern Europe and beyond as well as Russia's role in global politics. Some academics point out that the war in Ukraine serves as a reminder of the failure to create a genuine new world order at the end of the Cold War (Sakwa, 2022) when Western liberal democracy was presented as the only way forward (Kotz, 2015). The FSU countries introduced neoliberal reforms by using the Western style prototypes and expertise, but there was no actual template provided for reconfiguration of human existence, accepted norms, and values and this book shows how some women in prison are still struggling with coming to terms with the latter aspect, especially those women who gained their education and life experience during the Soviet times.[3] There seems to be a Soviet romanticism and nostalgia in women's prison, but these sentiments are not amounting to neo-sovietism that can be understood as a desire to restore certain practices associated with the Soviet past. Instead, this book suggests that the new neoliberal ideology has driven out the Soviet beliefs, values, and attitudes to the most secluded and isolated places and a women's prison in Latvia provides an ideal place of refuge in which the nostalgia for the Soviet times and the opposition to the current order can be voiced the loudest. This nostalgia is not for the totalitarian state apparatus or the immense and brutal penal power but rather women embracing idealistic Soviet values that were promoted at the time such as community, comradery, and simplicity. The all-pervading and all-encompassing Soviet ideology gave meaning and evoked certain feelings of belonging and greatness that go beyond the individual experiences and while much of it was Soviet propaganda, for many people these feelings were real. This Soviet romanticism and nostalgia also amount to a critique of the present.

In general, penal institutions are sites in which many of those who do not fit in the dominant culture end up spending their lives and a prison can be viewed like a time and value capsule that provides an alternative space where the dominant culture can be challenged and resisted. A women's prison in Latvia quite literally provides an alternative physical space as it holds many remnants of a bygone era that forms tangible forms of the Soviet legacy. But the 'intangible' Soviet legacy in terms of the values and the Soviet nostalgia is also equally important. Hence, this book focusses on both tangible and intangible forms of the Soviet legacy in a women's prison in Latvia. Overall, the book examines how social, political, and cultural factors have shaped the development of gendered penal regimes in Latvia while drawing on examples from other FSU countries.

The last three chapters – Chapters 4–6–consider women's imprisonment through three distinct realms of punishment: spatial (Chapter 4 reads as a journey through the carceral space), procedural (Chapter 5 considers the prison regime), and ideological/relational (Chapter 6 delves deeper into women's core principles

[3]As already predicted by Dahrendorf (1990), legal and economic transition will be much easier and quicker than the rebuilding of cultural codes and reconstruction of society which might take up to 60 years.

and values that guide them). Each of these realms can be deemed as a pertinent aspect of imprisonment upon which life inside depends but there is a motif that unites all three realms which is 'carceral collectivism'. As suggested by Piacentini and Slade (2015), 'carceral collectivism' embodies three vital characteristics: penal governance that stems from peer surveillance, a communal dormitory type living, and prisoners being equipped with diffused authority and governance.

In sum, this book can be compared to the well-known Russian nest doll – matryoshka,[4] which contains three layers. At the broadest macro-level, the aim is to dwell on downwards constructions or how ideology (implicit or explicit) is used as a mechanism for social control. The wider environment is considered as the political, economic, and socio-cultural trajectories that have influenced the development of the main penal strategies in Latvia. The meso-level examines implications brought by the changes in prison regulatory frameworks and physical conditions as well as how they are affecting the main control strategies. These strategies seem to emerge from the fusion of Soviet rationalised 'carceral collectivism' (spatial and cultural), the rights-based approach, and the neoliberal progressive stage system with embedded schemes of progression and earned privileges, which results in a hybrid system. The micro-level contains the analysis of human interactions and relationships among incarcerated women and prison staff, which is in line with Crewe's (2009) suggestion that prison researchers can provide a sociological snapshot of prison life that can be further interpreted within the broader policy context. Thus, as much as it is about understanding everyday life within a women's prison, it is about stepping outside of it and analysing the broader structural context.

[4]Although, the use of the term 'matryoshka' can be problematic as it has deeply ingrained gendered cultural assumptions of nurturing womanhood (see Pallot & Piacentini assisted by Moran, 2012), I am using this concept for its design features, which allow to highlight the interconnectedness and interdependence of all three levels: macro, meso, and micro.

Chapter 2

The Clash of the Ideologies and (Un)intended Outcomes

This chapter provides the ideological context in which penal regimes develop and operate. For Latvia as one of the FSU countries, two ideologies are of particular relevance, namely neoliberalism and Soviet-style socialism. Contrasts between the neoliberal regime and the Soviet approach and their commitments to emancipatory advancements will be provided. The main aim of this chapter is to explore how the ideology (implicit or explicit) serves as a mechanism for social control. In particular, the focus is on how ideology creates a particular cultural climate, which in turn generates gender-specific implications for crime and crime control mechanisms. The first two sections of this chapter provide a brief overview of the two seemingly opposed socio-political, economic, and cultural systems, namely the neoliberal and Soviet projects. Whereas the concluding section draws on the similarities of both ideologies and their overall strategies for maximising benefits from penality and incarceration. Even if it might seem to be at odds with the timeline of events, firstly, the neoliberal project is interrogated as Marxism was a response to capitalism, namely the Soviet project emerged to counter the harms and injustice of the capitalist system, which according to Karl Marx alienated the masses.

Throughout the book, I refer to the Soviet and neoliberal projects and this is to highlight their 'unfinished' nature and 'incompleteness' that serves as a cover-up for undesirable outcomes and the associated harms in production. Both projects have brought different kinds of harms and advancements to society and there are some further conceptual clarifications required. The neoliberal project does not refer to a homogeneous set of practices and should instead be viewed as an analytical category that is connected to the promotion of a particular agenda through economic and public policies (Whyte & Wiegratz, 2016). The neoliberal project is also not associated with a set territory or particular countries, which is useful for the purpose of mimicking the idea of the 'borderless neoliberal ethos' (Ong, 2006, p. 148) and acknowledging the different types of 'local neoliberalisms' that have developed (Peck & Tickell, 2002). The Soviet project, unlike its

Women's Imprisonment in Eastern Europe: 'Sitting out Time', 5–16

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neoliberal competitor, had more distinct boundaries and geographical constraints but similarly it should not be understood in monolithic terms especially considering its ever-ongoing mission of building communism.

'Ins and Outs' of the Neoliberal Project

The neoliberal project at the macro-socio-political level sets out conditions for the construction of social order in which the market plays a central role. The centrality of market and its principles mean that certain interests are promoted such as free trade, deregulation, privatisation, and minimal social spending. The neoliberal project equips state actors with an operating framework that favours the interests of capital and those who hold it; currently, this framework is so well embedded within Western society that it is easier to imagine the end of the world than the end of capitalism or, similarly, the end of capitalism is seen as the end of the world (Fisher, 2009; Jameson, 2003; Zizek, 2011).[1] Since emerging in the 1970s, the neoliberal project has become a dominant force on a global scale that is able to create different conditions for exploitation – one of those being taking advantage of natural disasters and emergency situations across the globe. As defined by Klein (2007, 2018), this exploitation can be referred to as the 'shock doctrine', which relies on the deliberate abuse of a state of emergency by a speedy introduction of a radical pro-corporate agenda, which includes privatisation and public–private partnerships.

While the 'shock doctrine' is one of the radical ways of imposing neoliberal governance in areas which so far have managed to buck the trend, a much more seamless process has occurred in many Western territories where the boundaries between state and market have withered away. One of the most visible market influences within public governance is the application of the 'managerial' ethos or the public institution placement under the rules of a business model. Such values as risk management and the three E's – economy, efficiency, and effectiveness become the leading principles in the public sector. In order to deliver adaptive, efficient, and cost-effective services, governments and public bodies outsource many of their functions to privately owned companies (Mazerolle, Rynne, & McPhedran, 2018). Ritzer already in the early 1990s conceptualised the McDonaldisation model of society in America that captures the 'irrationality of rationality' (Ritzer, 2004, p. 17), which means, by attempting to rationalise and make more efficient bureaucracies and human actions, the opposite effect is achieved. The increased focus on quantification and efficiency produces dehumanisation and mind-numbing work routines as well as a lack of meaningful employment, which is all contrary to the desired rationality. By applying the McDonaldisation model to criminal justice, a reference to 'McJustice' has emerged capturing imperfections or irrationalities of criminal justice, which include but

[1]Although more and more often it is possible to encounter writings that the end of capitalism has begun or that we are entering a new era of neofeudalism (Dean, 2022; Kotkin, 2020).

are not limited to mistakes and miscarriages of justice, issues with plea bargaining, and the overall cost effectiveness of criminal justice (Bohm, 2006). Similarly, Feeley and Simon (1992) observed the emerging changes in criminal justice and suggested that there is a move from 'old' to 'new penology'. This shift entailed moving away from concerns of 'punishing individuals to managing aggregates of dangerous groups' (Feeley & Simon, 1992, p. 449). Penal institutions effectively serve the function of discarding socially undesirable elements and controlling the poor (Gilmore, 2023; Jay, 2019; Wacquant, 2009).

A two-tier 'justice' system is being created. It can be argued that under the new market-oriented regime, lawlessness for the rich has been guaranteed (Currie, 1997) with the general notion being that law and order is for the poor, whereas the global rich can enjoy advantages as 'order is local, while the elite and the free-market laws it obeys are translocal' (Bauman, 2000, p. 219). Men tend to have a particular advantage as women tend to be place-bound 'whereas businessmen are constituted as free-floating' actors (Mitchell, 2016, p. 122). Thus, neoliberal policies result in protecting patriarchy and the interests of capital where the rich and powerful are able to safeguard their security (Harvey, 2007) and those groups that have historically occupied a marginalised social position experience a more pronounced effect of neoliberalism. Whereas those who have been in a position of power and wealth (traditionally men) have an upper hand in benefitting from this system. A new group of ultra or super-rich is emerging which comprises mainly men, especially when the list of the wealthiest individuals on the planet is being investigated with likes of Jeff Bezos and Elon Musk[2] being among the top three (Forbes, 2023). As capitalism has been inherently about creating profit and maximising wealth, these processes lead to the centralisation of capital where the rich get richer and excessive inequalities are produced (Dorling, 2018). Fraser (2013) has highlighted the deeply rooted androcentrism of capitalism as its structures and practices that prevent women from being on par with men. This is reflected both in public and private spheres where women's labour (both paid and unpaid) is undervalued, and as suggested by Arruzza et al. (2019), the current system is a wellspring of gender oppression. Some of the research findings from the emerging economies which have followed the introduction of neoliberal economic reforms point to the re-traditionalisation of gendered roles and responsibilities (Molyneux, 2006) where women are seen as protective mothers:

> who will translate any gains from the market into the means for household survival, and will be prepared to make unlimited personal sacrifices to provide the household with a safety net against the ravages of neoliberal macroeconomic policies. (Cornwall, Gideon, & Wilson, 2008, p. 5)

[2]Remarkably both men have extended their ambitions of domination not only on the Earth but also in outer space.

Making sacrifices and sheltering their families become particularly important during economic crisis and austerity. The neoliberal project exposes individuals to cyclical downturns and economic crises, which as a domino effect, cause a serious damage to the economic landscape of nations and communities. It can be particularly damaging to the 'surplus' labour force, which often tends to be composed of women, people of colour, and those who hold precarious positions through casual employment, unemployment, or underemployment. Some scholars would highlight the inherent racism of neoliberalism or its convenient acceptance of practices that promote inequality, division, and exploitative relations (Bhattacharyya, 2018; Gilmore, 2023). Therefore, women of colour face gender-based challenges that are compounded by racism and prejudice.

Crime control as an industry: Crime and crime control can be seen as cultural products, which represent the leading ideologies of the time and need to be 'read in terms of the meanings they carry' (Hayward & Young, 2004, p. 259). So it is important to understand the underpinning meaning of crime control and what this process brings. The neoliberal project turns crime control into a business model which has the potential to replace some of the industries that have been in decline or vanished in Western countries (Christie, 2000). In some rural areas, prisons provide the only growth industry and a new lifeline for communities, which have suffered from a considerable decline in farming, manufacturing, and other production industries (Fitzgibbon & Lea, 2020; Huling, 2002; Lotke, 1996). Changes in the global production and industry seemingly have helped to discover the great opportunity that crime control provides – as crime can be in continuous supply creating a never-ending industry (Christie, 2000).

By contracting out services within the criminal justice system (CJS), a perfect business model is created for those who are engaged in crime control. Distinct sets of functions such as ancillary services and prison management become outsourced to private sector, and consequently, a significant transfer of resources from public to private sector takes place (Klein, 2007). Governments are allegedly saving money due to more efficient service provision and delivery via competitive tenders in which the cheapest service provider would be awarded the contract. However, the cheapest provider is not always the best one and, in fact, the CJS becomes dominated by a handful of multinational corporations or conglomerates such as G4S and Serco for whom various mechanisms are available to limit competition. While the business model application in criminal justice aims to provide cost-savings and greater effectiveness via competition, this is rarely achieved as the state must step in whenever the private sector needs to be bailed out to maintain smooth running of critical infrastructure such as prisons. Consequently, neoliberalism blurs the boundary between the interests of state and private businesses.

Neoliberalism as a form of capitalism is designed to focus on controlling the lowest social strata of society. Such an approach distracts attention from the crimes of the powerful and allows a 'prison industrial complex' being built around punishing the poor and 'disposable' or those who struggle to live 'up to the norm' (Bauman, 2000, p. 207). Furthermore, a different control mechanism is applied to those who are aspiring to live 'up to the norm' – they are drawn into