Who are the prisoners?

Criminal prosecutions are socially unequal. But are they discriminatory?

The impunity of some corresponds to the merciless condemnation of others, including for minor infractions or even judicial error. Sociology, not able to be definitive with respect to whether or not there is organised discrimination and if so how, presents sociographic data on prison populations. An economically disadvantaged population, young, male, with low levels of education. Psychology contributes with probable causes for a predisposition to play the role of prisoner: lack of family structure, poor educational performance, cultures of exclusion. Professionals in the field know who the pre-delinquents are before the age of criminal responsibility. Police forces ask for criminal sentencing from tender age. From experience, law enforcement recognizes in these children the next generation of criminals who just have not yet committed any crimes.

Is the analytical model more often employed by social theory, separating political, economic, social and cultural dimensions, the most adequate to explain the social role of prisoners? What happens to the people living in the negative spectra of those dimensions?

There is a consensus as to the influence of economic circumstances as to the probability of an individual being incarcerated. But there is no agreement as to how institutional processes with the symbolic and political importance of the criminal courts accept their role in a social selection process that is recognised as unjust; how do those sovereign bodies come to serve an end diametrically opposed to its doctrinal aims; how do they, nevertheless, acquire the political legitimacy to do it; nor as to how they, sometimes, are used to incarcerate political or merely social inconvenients.

Taking in consideration our being in the presence of a global phenomenon (the fact that all States and all powers employ formalized sequestration as a means of social control), the question as to whether the typical dimensions used by social theory rise to the challenge of understanding prisons presents itself.

Is the social role of prisoners economic, political, cultural, of status? How does that explain the centrality of gender and stigma? How to explain the inconsistencies between the allegations of the special danger of young men, in practice? Why is it that the fact of prison torture has become internationally recognized to the point that the States which control the prisons admit their mutual incompetence to abolish those repugnant and prohibited practices?

Around the hypothesis of the great majority of prisoners being modern scapegoats unconsciously created by States, following a traditional formula of appeasement for vengeful impulses, there is discussion of the explanatory pertinence of this anthropological hypothesis to study of prisons.

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