

PENITENTIARY SYSTEMS IN THE ERA OF INTERNET SERVICES IN RUSSIA

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Over the past years, the development of penitentiary Internet services has coincided with an equally widely discussed campaign for the general improvement of government services (so-called e-government). The use of Internet technologies in the penitentiary as an aspect of “modernizing” government services has opened up a field of potential synchronic and diachronic comparisons into the relationship between punishment and the media. By posing the following questions to the two experts, the conversation *Laboratorium* would like to initiate aims to investigate in comparative perspective how new technologies and services affect the relationship between state and society in the sphere of criminal punishment.

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Q: *What difference does the (restricted) use of Internet services by inmates and members of their families make to the system of penitentiary control by the government and society at large?*

A: In terms of power and control in the Russian penitentiary system, it obviously shifts the balance towards the authorities, transferring to them control over what the prisoners consume and removing the “dangers” of the existing system—where relatives turn up at SIZOs (pretrial detention centers) or IKs (*ispravitel'nye kolonii*, or correctional colonies) with parcels in which they can conceal prohibited objects/products. In many US penitentiaries visitors are only allowed to buy products from vending machines, on site. In Russia, the Internet shops can be seen as the equivalent of these on-site vending machines. Of course, it is important to remember that the Russian penal service has always relied heavily upon relatives provisioning the prisoners; compared with Western jurisdictions, where parcels and presents are “extras,” in Russia there have been times when relatives’ parcels have been essential for survival (in women’s prisons and colonies they subsidize chronic deficits in feminine hygiene products). They also serve as an important “currency” in intra-cell, or dormitory, social and economic relationships.

I would like to draw attention to the symbolic place of the food parcel in the popular image of imprisonment in Russia. (I think it could be compared to the small

brown suitcase of transatlantic refugees to the United States from Scotland and Ireland in the early twentieth century.) The image of the convict's mother/wife/sister struggling with her bags at the prison gate links the current penal culture with the Soviet period; it is an image of penalty that does not accord with how the authorities would like the system to be perceived nowadays (since current discourse is about the need to get rid of Gulag legacies).

I am interested in the fact that the Internet shops, initially targeted mainly at the SIZOs, are now being rolled out to penal colonies as well. I do not fully understand why the SIZOs were initially privileged since, firstly, relatives are more likely to be close at hand and can bring products in, and, secondly, prisoners who do not have friends and relatives to supply them are not usually able to make purchases themselves because generally they cannot work and earn money in SIZOs. I would have thought that the greater immediate need was in the colonies, but they, of course, are less visible. I need to give some thought to this—too often when we consider the Russian penal system, we fail to take account of just how very different prisoner management is in the different institutions. One practical explanation might be that the Internet shops are just easier to organize in an urban setting. The more likely explanation is that it is a public relations drive on the part of the prison authorities to show that they are addressing the notorious standard of living problems in its penal institutions. It must not be forgotten that in 2012 the European Court of Human Rights in *Ananyev and Others v. Russia* found conditions in Russian remand prisons in breach of Article 4 of the European Convention on Human Rights as a result of systematic failings in penal management, and that Federal Penal Service (FSIN) was forced in early 2013 to sack the deputy head in charge of prison medical services for the appalling levels of morbidity and mortality in its penal institutions. This is even before we begin to consider the revelations smuggled out of Colony No. 14 in Mordoviya by Nadezhda Tolokonnikova, a member of the punk group Pussy Riot, who is serving there her two-year sentence for performing at the Moscow Cathedral of Christ the Savior.¹ Russian penal institutions are in need of a “good news” story.

On the other, much lauded, use of the Internet—allowing prisoners to use email and Skype—I would simply say this is the Russian penal service trying to make a virtue out of a situation that demonstrates just how inhumane treatment of prisoners is in the current distribution of correctional colonies. The self-congratulatory announcements of regional penal authorities about prisoners being able to Skype with their relatives as being a “solution” to the problem of their relatives having to make the long journeys to visit is, to my mind, obscene.

Like so many of the penal service reforms of the past two decades in Russia, what are presented as positive developments are in reality responses to problems that should not exist in any orderly and humane system of incarceration: problems like the inadequate provision of medicines, food, and hygiene products, and colonies in such far-flung places with visiting rules so limited that family contacts cannot be maintained.

¹ Tolokonnikova's letter was published in the *Guardian* on September 23, 2013 (<http://www.theguardian.com/music/2013/sep/23/pussy-riot-hunger-strike-nadezhda-tolokonnikova>).

Q: *Would you say that electronic services have been, or will be, making prison systems in different countries more similar? In particular, is it important which corporation provides such services—whether it is a state, private, or multinational corporation?*

A: I think it does make systems more alike in this particular respect but only at the margins—I cannot wholly go along with ideas about the globalization or convergence of prison systems (there is too much “culture” embedded in them). All the various countries that are signatories to international conventions on the humane treatment of prisoners deliver very different penal experiences for their inmates. Even though Russia has slowly been moving towards achieving the minimum UN standards, for example in the amount of space per prisoner or the daily intake of calories, its system of managing prisoners, the nature of its rehabilitative interventions, and its sentencing practices continue to have peculiarly Russian features. Together with Laura Piacentini, I have, in my own research (Pallot and Piacentini 2012), explored the cultural attachment to collectivism in penal management and to what we now term “in exile imprisonment,” the sending of prisoners long distances to serve their sentences in a process akin to nineteenth-century exile (Piacentini and Pallot, forthcoming).

I am not sure whether the Internet services being provided by the state or privately makes much difference. My understanding in Russia’s case is that the shops are basically the Penal Service’s commissary. The privatization of the prison service in the Russian Federation is a long way off. It is not the technologies per se that are important but the context in which they are used and the meanings prisoners, society, and the authorities vest in them. I do not know how Skype and email work in UK prisons, but in Russia the immediate assumption of their users will be that they are being used by the Operations Department to monitor conversations. Where Internet shopping is concerned, it would be seen as a poor substitute for homemade *pel’meni* and *pirozhki*, the delivery of which to correctional colonies is so important to reinforcing family identities in Russia. So I would be worried about the technological-deterministic implication of the question.

In one important respect the penetration of new technologies into Russia prisons is completely different from elsewhere, or at least from well-regulated penal institutions in the West. I have in mind the extraordinary circulation in Russian correctional colonies of illicit mobile phones and other electronic devices. I am currently engaged in a project about prisoners’ relatives and I have been astounded by the way my respondents talk about chatting on the phone for hours on end with their “loved ones” behind bars and the way that prisoners have easy access to Internet dating sites, where they can make contact with “*zaochnitsy*,” women who want to have a relationship with a prisoner. Of course, there are differences among colonies in the opportunities prisoners have for accessing electronic devices and keeping them concealed from personnel, but still it is not an exaggeration to say that their importance must far outweigh any impact the official communication media can have at the present time—but in what way, it is impossible to say. I am not sure,

though, that using them to order up consumer goods, in the normal understanding of the term, is the most common use! But the widespread existence of illicit communication devices also draws attention to the way new technologies may become a vehicle for challenging penal authority.

Q: *One of the key missions of human rights and nongovernmental organizations has been to improve conditions of imprisonment. What is the importance of new technologies in their work? As far as you know, what tendencies have affected the penitentiary system in response to technological modernization?*

A: Following on from my response to the previous question, the widespread availability of mobile phones in Russian penal institutions means that human rights violations, poor conditions, and news of protests swiftly enter the public sphere in a way that they never did in the past. So, they have increased transparency and this must be good, and no doubt, even though much of this activity is “illicit,” the prison service cannot afford any longer to ignore it. But your question is, I assume, about the licit penetration of new technologies and their impact. My experience of Russian NGOs is that they are skeptical that the “latest innovation” will bring the situation in Russia in line with EU or UN rules, as they believe a fundamental transformation of the system is needed that would reduce the prison population. On the other hand, the Russian Penal Service developed what it calls a new Concept (not reform—an important distinction because they want(ed) to convey a radical break with the past). An important element of the Concept is precisely the introduction of new technologies at all stages and everywhere. When I first started researching Russian prisons and colonies they had no CCTV to speak of or any other obvious means of technological surveillance of the mass of the prisoners—reliance was placed on informants, prisoner “prefects,” and personnel. Now, if official reports are to be believed, CCTV is universal in colonies, electronic tagging is used in various contexts, and investments have been made in new prison vehicles to fit them out with cameras (so the driver in the future will be able to see just how overcrowded and uncomfortable the prisoners are!). Colonies are now keeping electronic records of prisoners, computer programs are being used to plan the transportation routes, and so on. Colonies are also proud of installing computers for prisoners to use—in juvenile colonies I have visited, the Russian Orthodox Church is the main donor of computers, so maybe thought needs to be given to the Church’s mission to prisons and new technologies. So technology has a prominent place in the penal service’s reform. Officially, the changes announced in the Concept are still scheduled to be completed by 2020, however its centerpiece—the replacement of correctional colonies by cellular-type prisons and open prisons in the Western mold—has been dropped.

But the question you may be asking is whether these technologies are improving prisoners’ conditions. I suppose this is another way of asking whether the transition is, indeed, taking place in the penal environment from direct force and messy control to more neutral and hands-off disciplinary methods à la Foucault. I imagine that the answer to this is “maybe”—time will tell—but we have to remember that these

“improvements” will exist within the context of a system of prisoner management that originated in the Soviet period and that keeps Russia at the harsh end of the punishment spectrum. And judging from Tolokonnikova’s letter, informing and prisoner-on-prisoner pressure are still alive and well in the colonies. It will be a long time before the Russian Penal Service loses its attachment to the “old methods” of monitoring prisoners’ behavior and moods.

Of course, if the new technologies come to be deployed in ways that result in fewer people being sent to prison—for example, using electronic tagging to keep offenders in the community—that would be progress, but this would require the courts to change radically their sentencing practices and real investments to be made in the development of probation services, social welfare provision, and so on. Thus, this change will have to come not from the implementation of new technologies but from reform of the Criminal Code. The most recent attempt to introduce the use of tags into prison service practice, of course, ended badly for the former head of the service, who was accused of mass fraud in the purchase of tags from abroad. This serves as a cautionary reminder that endemic corruption in the prison service is going to attend any innovation involving large sums of money.

Q: *How does widening access to information, particularly visual, about the conditions of imprisonment in different states affect the prison administration, the inmates, and their families?*

A: In Russia this has been crucial, and since 1991 there has been far more information available to the public about the situation and condition in Russia’s prisons. There is a dialogue taking place between the public and the prison service, as well as between different levels within the prison service and between the center and the regions. I am continuously struck when I visit Russia by how often there are programs on television about prisons; either debates, or documentaries, or serials and dramas. But the various cultural productions are not necessarily a critique; for every *Zona* (the serial depicting the appalling conditions and corruption in a remand prison) there is a *Devochka* (a film about the redemption of an offender as a result of her time in a women’s colony). Prison-reform NGOs in Russia struggle to interest the general public. So it is not obvious that greater exposure of prisons necessarily pushes Russian penal administration in the direction of moderation or liberal reform. As for the inmates and their relatives, it is interesting just how many Internet sites there have been set up that allow relatives to share experiences, give each other support, and offer practical advice. They are most often launched by prisoners’ relatives themselves, who are unable to access official information and, to compensate, launch their own social networking groups. These sites and boards (for example, www.gulagu.net, www.zekov.net, and www.tyurem.net) discuss anything from how to reach particular colonies, what things are good to take to prisoners, how to go about assembling the materials needed to get married, or what the prospects are in a particular place for getting parole, to much broader critiques of the Penal Service. This is all very positive and it may well lie behind the fact that the Penal Service has

started to put an enormous amount of effort into its own websites. Whereas when I started researching prisons in Russia in 2007, I struggled to find anything online that gave systematic information to prisoners' relatives about visiting times, what was allowed to be included in parcels, and how to get to specific colonies, this information is now available and is similar to what is available for relatives of prisoners in California, for example. Meanwhile, every regional branch of the Federal Penal Service has websites that tell the world about how conditions are being improved for prisoners and report, for example, on the latest variety shows and "Miss Spring" beauty contests, foreign visits, the latest church to be built, and so on. Whether and how these representations have been internalized (and with what consequences for popular attitudes to incarceration) has yet to be investigated. The plethora of documentaries on US television that go inside California's Pelican Bay State Prison or Indiana State Prison or examine women's incarceration under titles like "Babies Behind Bars" or "Women Who Kill" have not, as far as I am aware, resulted in a less punitive society in the United States.

Q: *How does the reevaluation of an inmate's status as that of a consumer figure in the theoretical and sociological reconceptualization of the penitentiary systems? How can it affect broader social beliefs about justice?*

A: I can see the attraction of retheorizing the prisoner as a consumer in this neoliberal age; it would seem to fit well with the privatization of prisons and now the extension of Internet shopping to prisons. I can even see down the road boundaries being deconstructed between the "prisoner as consumer" and "consumer as prisoner." There are some dangers here, though, of forgetting that imprisonment is primarily and always about punishment, about incapacitation, exacting retribution, and, with a bit of luck and more investment than most systems put into it, reforming. I am not sure I agree that in Russia the inmate is being reevaluated as a consumer—and I would probably question the assumption in relation to other jurisdictions. To the extent that this concept springs, I assume, from a Foucauldian reading of prisons, it will fall foul of penal sociologists who, correctly in my view, are suspicious of theorizations that strip the punishment out of prisons—and by extension the condition of being "imprisoned" from the understanding of the prisoner. Even if I am wrong on the general point here, I do know that it is premature in Russia's case to theorize a transformation to the consumer-prisoner; as I have suggested earlier, the penetration of new technologies is unlikely to make big inroads into traditional consumption patterns in Russian penal institutions.

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