Colonial Systems of Control

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In August 2002 prison activists and scholars from the United States, Canada, Australia, and across the African continent travelled to Lagos, Nigeria, for the Tenth International Conference on Penal Abolition (ICOPA X). Coordinated by Viviane Salch-Hanna, then a staff member at Prisoners Rehabilitation and Welfare Action, the conference challenged those of us involved in prison activism and research to examine our unstated Western bias. Although often extremely knowledgeable about prison systems and anti-prison movements in the United States, Canada, and Europe, few of us knew anything about penal systems in West Africa. Indeed, we had most commonly defined the concerns, priorities, and goals of prison studies and anti-prison activism with no regard for the experiences of scholars and activists in the global South. Shortly before the conference the US government issued a warning suggesting that American visitors might not be safe in Nigeria, due to ethnic and religious conflict, and that Nigerian Airways was not up to international air safety standards, further discouraging travel. These warnings remind us that the lack of scholarly and activist engagements across the First World/Third World divide is a reflection of broader ideological and structural forces. Despite the shrinking of the globe and the emergence of a border-crossing cosmopolitan elite, significant barriers remain to meaningful and transformative transnational engagements in the field of prison.
studies and activism, Viviane Saleh-Hanna has therefore given us an important gift by gathering in these pages the experiences and analyses of African scholars, former prisoners, and human rights activists.

Colonial Systems of Control is a groundbreaking collection of essays. The book offers challenges for prison activists, and proposes new directions and methodological approaches for the field of prison studies. Viviane Saleh-Hanna brings together Western and African scholars, former prisoners, and human rights activists—a powerful approach that offers the reader a range of perspectives from which to approach the topic. The testimonies by former prisoners in particular provide a humanizing glimpse of the microlevel struggles for survival of criminalized African men and women, while the scholarly articles address the macrolevel social, political, and legal context. But the book is not just an analysis of what is wrong with the Nigerian penal system. Instead, the authors offer two possible alternatives to the status quo: a revitalization of traditional models of justice based on African cultural principles and penal abolitionism, and a model developed in Europe and North America but applied here uniquely to the African context.

Nigeria is home to immense wealth, enormous poverty, a decaying infrastructure, and blatant corruption. Lagos, a city of twelve million people, mostly Yorubas, Igbos, and Hausas, is a sprawling urban futurescape directly out of an Octavia Butler novel. Despite the billions of dollars each year generated by oil revenues, there is no reliable clean water, the roads are riddled with potholes deep enough to swallow a car, and, since garbage collection is infrequent, there are constant piles of smoking trash at the sides of the road. Thousands of cars burn leaded gas and churn out black fumes directly in the faces of the children selling every product imaginable to the drivers stuck in constant “go slows” (traffic jams). With the current government following the International Monetary Fund’s (IMF) neoliberal agenda, and with widespread corruption of government officials, there is little
hope of investment in roads, public transportation, water, or electricity any time soon. Victoria Island is a walled oasis within this urban mayhem. Reserved for “expats”—whites—and rich blacks working for multinationals such as Shell and Chevron, Victoria Island has modern restaurants, apartment blocks with their own generators and water supply, swimming pools, and expensive hotels.

Since the discovery of oil and the growth of incredible wealth inequalities, avoiding armed robbers has become an everyday part of life. It is not considered safe to drive outside town after dark, and Nigerians returning home from working abroad are frequently robbed. In desperation, communities have turned to vigilante gangs such as the Bakassi Boys, who carry out extralegal, on-the-spot executions of alleged culprits. In southeast Nigeria, where oil revenues and corruption make political positions goldmines, politicians are accused of having put the Bakassi Boys on the payroll. In the north, communities have turned to the harsh punishments given out under sharia law (traditional Muslim law), such as stoning and cutting off a hand. At first glance, we might be encouraged to believe that a study of prisons in a setting so different from the North American context would have little to teach a Western audience. It is critical, however, that we do not approach these essays as if they illuminate a fascinating yet distant experience, an exotic taste of otherness. Rather we can read these essays as a subaltern commentary on state violence, social control, inequality, and resistance. In this sense scholars and activists in North America and Europe have a great deal to learn from our Nigerian counterparts.

These essays make three critical interventions. First, they introduce the concept of “penal coloniality” and provide a detailed argument for understanding the emergence of prisons in Africa as an integral facet of colonialism. Essays by Ume and Saleh-Hanna and by Elechi demonstrate that precolonial systems of justice were based on concepts that are largely absent in Western models. These concepts included the belief that individuals who committed offences were harming the community or the spirit
world rather than the state; that such offences could be made good through reparations to the affected family or community rather than through punishment; and that family and kin networks served as formal systems of social control, with banishment from the family and community to be used only as a last resort. The rise of the prison is then traced through the early and late colonial eras, as well as the postindependence eras of military and democratic rule. This genealogy demonstrates the shifting function of imprisonment and its close connection to relations of rule. By unpacking the history of the prison in this way, the authors encourage the reader to think critically about the role and function of prisons in contemporary societies. The Nigerian case study provides an opportunity to step back from the apparent inevitability and omnipresence of penal culture, and to study a society without prisons, a core concept developed in abstract terms by abolitionists in the West.

Second, these essays address the important issue of the relationship between the contemporary global political and economic order, the (neo)colonial state, and criminal punishment in the global South. There is a tendency in the scholarship on globalization to treat it as a new phenomenon arising entirely out of economic restructuring in the West, and the need for new markets and sources of labour. The authors gathered here bring an African lens to the social problems associated with globalization, and in so doing they establish the continuity of political, economic, and social dominance and exploitation from the beginnings of the trans-Atlantic slave trade through colonial rule, continental independence in the 1960s, and contemporary unequal global relations. The authors make a strong case that coloniality continues, transformed from direct rule by external colonial powers to oppression by an externally supported government structured by colonial principles of violence, militarization, and disregard for human rights. They argue against the conceptualization of the African continent as being in a state of postcoloniality and posit the colonial prison as evidence of its continuation.
The authors demonstrate that, at a local level, coloniality and globalization take the face of corrupt prison guards stealing rations meant for prisoners, police extorting bribes from terrified families of detainees, women incarcerated for mental illness, and soldiers imprisoned for complaining about poor conditions. They demonstrate that we cannot, as observers of the African continent often tend to, blame all the problems of poverty and human rights abuses on African governance. Equally, we cannot, as global justice activists tend to, ignore the abuses by African governments while pointing fingers at powerful Western nations, the IMF, and multinational corporations. Instead, this volume powerfully demonstrates the seamless interweaving of the local, national, and global, and finds the location of responsibility and accountability for the suffering of Nigerian prisoners at multiple levels.

Third, the essays gathered here address alternatives to criminal punishment in West Africa. Having demonstrated that prisons are a colonial invention that has little to do with African cultural traditions or principles of social organization, the authors come to the conclusion that alternatives must be found. However, rather than simply exhorting the reader to imagine a world without prisons, they provide concrete examples of alternatives and pathways to social change. One direction for change is to foster the development of indigenous justice models. Models such as “sentencing circles” in Aboriginal communities have been developed in Canada during the past decade, and there has been a plethora of research evaluating their effectiveness. However, there is little scholarship available outside the African continent on indigenous justice models in Africa. The authors make an invaluable contribution to scholarship on restorative and alternative non-punitive justice models. The chapter on ICOPA is particularly powerful because it documents the development of a transnational coalition of activists and scholars, including youth and former prisoners. This is the first detailed account I have read that documents the use of penal abolitionist discourse and
praxis in an African context. These essays answer an important abolitionist question: if not prisons, then what?

In the United States the explosion in prison construction that occurred in the past three decades has sparked intense interest in whether prisons work, whose interests they serve, and what could be used in place of prisons. Increasingly there is an emerging consensus that US legislators have built themselves into a fiscal and social crisis by investing ever-larger sums of public money into incarceration and packing already overcrowded prisons with more and more non-violent offenders. In California, for example, the governor has recently declared a state of emergency in the state prison system and started shipping prisoners to other states, sparking a new round of debates about what can be done about the prison system. In Canada federal officials have tended to resist pressure to conform to US models of mass incarceration. However, expansion and privatization have occurred at the provincial level, and prison activists and the media have brought public attention to the Americanization of Canadian criminal justice, from the introduction of boot camps to the introduction of US private prison companies to run a jail in Ontario.

Prisons are rapidly becoming what Angela Y. Davis (1981) calls a panacea for all social ills, from mental illness and drug addiction to homelessness and poverty. This reliance on imprisonment touches not only the growing number of people who have a family member or friend in prison, on parole, or on probation, or who have experienced the criminal punishment system firsthand, but also those impacted by cuts in education, social services, and health care that occur as criminal justice budgets spiral upward. This reliance affects our everyday lives as we see formerly incarcerated youth and racialized minorities recycled through our inner cities, with no resources or support to establish a new life, gain employment, find housing, and secure treatment for addiction or mental illness. Despite the unsustainability of a social policy built on criminalization and punishment rather than on social investment and community
infrastructure, politicians from both sides of the spectrum have been reluctant to envision real alternatives to mass incarceration. Colonial Systems of Control invites us to question the notion that caging people creates safety and to examine our assumptions about the efficacy of (state) violence in preventing (criminal) violence. It is a compelling and important book that will challenge the way you think about safety, crime, and punishment.

REFERENCE
