

the newly freed individuals into “voluntary” laborers on the plantations. By 1845, Paton points out, Jamaican prisons were more effectively disciplinary than British jails in their attempt to reshape the subjectivity of their inmates; the local legislature outlawed flogging and most other corporal punishments altogether. Faced with stiff resistance to plantation labor, however, magistrates began to practice violent punishments again in the 1850s. The famous Morant Bay rebels of 1865 burned courthouses and jails as well as denounced labor abuses. By this point, political debates about penal reform had dehumanized freedpeople so completely that flogging black men had come to be considered an ideal punishment; the “return of the repressive” set the stage for the bloody British massacre of the rebels.

Paton’s final chapter on popular uses and meanings of justice is a wonderful reconstruction of Jamaican freedpeople’s world views, ranging far beyond their multivalent engagement with the colonial court system to encompass their creation of the Native Baptist church courts which reinforced popular patriarchal norms, as well as women and marginalized people’s use of obeah and mayalism to exact revenge and enforce proper social conduct among each other. Paton shows how working Jamaicans could be “extremely litigious” while remaining profoundly suspicious of colonial authorities. She also examines with great sensitivity the crucial roles played by village “half-inch” lawyers, those local advocates who developed often informal, but “troublesome” knowledge of the British courts. In all, this is the best analysis of popular strategies and interpretation of justice and punishment that I have read.

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**CARLOS AGUIRRE:** *The Criminals of Lima and their Worlds. The Prison Experience, 1850-1935.* Durham & London: Duke University Press, 2005.

An elongated and narrow hall, consisting of two floors of close-set prisoners’ cells. On the ground floor, a group of people, probably inmates, are seated at a long dining table. One guard, leaning against the cell door, is watching the inmates dine. A big cross under the curved ceiling is also watching them from above. The picture was taken from a distance; it is very dark and gloomy. Neither the faces of the inmates nor their bodies can be observed. They almost seem to create one inseparable body, which at the same time is separated from “the outside world”. This photo, on the cover of Aguirre’s book, shows an interior view of the Lima penitentiary.

Aguirre's research immediately reveals that the above impression is quite misleading. Lima's criminals and prisoners were not a distinctive "class" belonging to a separate "world of crime," as their image was so often portrayed and constructed. Rather, they were part of the many worlds that comprised the Peruvian society in which they lived. It was not only the heterogeneity of Lima's prison population but also the common values, cultural codes and social practices shared both by the prisoners and their guards – by "criminals" and "decent" people alike – that contested and subverted the imaginary and real borderlines which supposedly divided the criminal population from the rest of Peruvian society. For instance, Lima's penitentiary inmates used two different areas to play football: the indigenous prisoners played in the "Pampa del Tawantinsuyo" and the *costeños* used the "Pampa de los Criollos." As Aguirre shows in this and other examples, the prisons and their inhabitants were an extension and a mirror of "free society".

The complexity of the worlds in which the prisoners of Lima lived is revealed through a range of perspectives that Aguirre combines from inside and outside the prisons: the representation of crime and criminals in prescientific and scientific criminological discourses; the contribution of police practices to the sociocultural construction of an alleged "criminal class"; the "customary order" inside the prisons and the social interactions among and between inmates and prison authorities. These interactions, Aguirre argues, were more essential in shaping "the prisoners' world" than written laws and criminological – penological doctrines. Coca consumption is a good illustration of this point. Both criminologists and prison experts considered this custom a corrupting vice, and yet in practice it was not only tolerated but even promoted. Coca was sold openly at the prison canteen, consumed together by the prison's employees, guards and inmates, and sometimes also used by prison authorities as a reward for good behavior.

Aguirre's historical inquiry of the evolution of prisons for male criminals in Lima encompasses a long chronological span. It begins with the invention of "the criminal question" and the new attitudes towards crime and criminals that emerged in Lima in the mid-nineteenth century. The 1850s mark the birth of prison reform in Peru, eventually leading in 1862 to the first (and only) penitentiary in the country, an institution which soon became "a symbol of modernity for Peruvian elites" (p. 91). The inquiry ends a few years after the fall of president Leguía's second regime (1919-1930). As Aguirre points out, the question of what to do with prisons and how to improve their administration was part of the larger project of modernization promoted by the Leguía regime. However, eighty years after the birth of the prison reform program, Lima's penal institutions "continued to be places where inmates suffered the combined effects of despotism, neglect, corruption, and indifference" (pp. 107-108). Why was this

so? Political inertia and logistical impediments constitute only partial explanations. Aguirre's main argument is that the operation of Lima's prisons reveals the authoritarian and exclusionary nature of modernization in Peru, as well as the pervasiveness of traditional forms of social domination and dehumanizing attitudes toward subordinate citizens.

Indian criminals and prisoners are frequently mentioned in this book. Nevertheless, the special treatment accorded to them, both in criminological discourse and in criminal law practices, deserves further attention. As Aguirre notes, "the proportion of penitentiary inmates sentenced by Lima's tribunals declined over time, while the share of those sentenced in other jurisdictions increased" (p. 114). In fact, many of the Indian prisoners in the penitentiary were convicted by provincial courts. These inmates were not exactly "the criminals of Lima" and the criminological discourse that referred to them and to the problem of "Indian delinquency", especially from the 1910s onwards, was much more related to the broader national issue of "the Indian question" than to the problem of "crime in the city". It is therefore necessary to examine more carefully the discourse about "Indian criminality" that took place in the Andean regions whence those inmates came. Looking into the writings of José Frisancho or Anfiloquio Valdelomar, for example, reveals a picture according to which Indian delinquents were depicted as blameless for their "condition" and whose portraits are less "negative and distant" than those presented by Aguirre (p.49). In addition, criminal law practices after the enactment of the Penal Code of 1924 – according to which the penalties imposed on indigenous delinquents were sometimes reduced significantly based on their classification as "semi-civilized or degraded by servitude and alcoholism" – may show other aspects of continuity (which are emphasized throughout the book) but also important elements of change.

"Prisons are worth studying", says Aguirre, "because, among other things, they reveal a great deal about the values and obsessions of a society, the ways in which power and domination are both exercised and contested, and the connections between legal mandates and cultural values, on the one hand, and state policies and ordinary citizens on the other" (pp. 216-217). This position and the way in which it is argued make *The Criminals of Lima and their Worlds* essential reading both for those who study the evolution of institutions of confinement as well as for those who are interested in Peruvian social history.

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