Temporary passage: state categories to refer to populations and institutions in the prison policy management model

Martinho Braga Batista e Silva (https://orcid.org/0000-0003-3577-958X) [1]

Abstract *A document containing a prison policy management model was examined during a study of the governmental categories established to address confinement in Brazil. Based on Bourdieu and Hertz, an attempt was made to develop an ethnography attentive to the expressions used to refer to populations and institutions so that they could reveal ongoing terminological changes and maintenance. Deprivation of liberty is traversed by public policies and vice versa, pointing to prisons as "intersectoral spaces" and prisoners as "people deprived of liberty".*
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[1] Instituto de Medicina Social, Universidade do Estado do Rio de Janeiro. R. São Francisco Xavier 524, Blocos D e E, 7º andar, Maracanã. 20550-900. Rio de Janeiro RJ Brasil. silmartinho@gmail.com

Introduction

In 2016, I was the rapporteur of a working group (WG) at the Ministry of Justice when I listened to the presentation of what was called at the time the "new penitentiary system management model". Later, this novelty was published under the title "prison policy management model"[1], a 400-page document containing several contributions to address the relationship between the State, public policies, and health in the prison system, particularly regarding the planning, management, and evaluation of health actions offered to people deprived of their liberty. During the ministerial and inter-institutional WG mentioned above created to address the care of psychoactive substance users in prison, the justification for calling the consultant responsible for the elaboration of the "new model" to a meeting was that it would put the access of people deprived of liberty to social policies at center-stage. I will foreground this document with hundreds of pages in this study on the governmental categories created to address confinement in Brazil.

Considering the State as a principle of legitimate representation of the social world, Bourdieu points out the relevance of state categories for the analysis of public policies, as they canonize social classifications and produce social identity[2], closely linked to censuses and statistics, including those in which we learn the number, sex, and age of the prison population. Also called official categories by the author mentioned above, they are illustrated through housing policies in France in the 1970s, surrounded by agents mobilized around the market for "own houses" and "rents", and that will be the penal policies in Brazil in the 2000s and the agents involved in custody in "prisons", those on which I will focus. State commissions are central in elaborating these acts of categorization, that is, public certifications by agents endowed with symbolic authority, as is the case of the so-called "personalized credits" promoted by the French Housing Commission studied by Bourdieu[2]. Comprised of a group of people mandated to carry out a socially recognized mission, the commission is an organizational invention whose mission is to designate a problem deserving of being addressed by people worthy of managing public problems. Could the WG mentioned above be considered a State commission?

Indeed, the WG mentioned above fits the notion of a State commission insofar as it was installed in the Ministry of Justice to address a public issue, the care of drug users in prison,

and was integrated by representatives of different bodies from within and outside the Executive Power at its various levels and sectors and even by members of international organizations. I will examine the governmental categories created to address confinement in Brazil developed in state commissions through the document already cited on the "new model", particularly those referring to individuals and institutions.

In formulating public policies after the 1988 Brazilian Federal Constitution, several expressions are coined to designate their target populations and the establishments in which they must be served. Examples of this process are terms such as "person with a mental disorder" and "asylum institution", instead of "mental patient" and "psychiatric hospital"; "person deprived of liberty" and "penal facility" instead of "inmate" and "prison"; or even "people living on the streets" and "specialized referral center", and no longer "homeless person" and "shelter". These and other expressions are being considered governmental categories to refer to populations and facilities, continuing with Bourdieu's perspective on official categories, since they concern one of the central powers of the State, namely, "that of producing and imposing the categories of thought that we use spontaneously on all things in the world"[3].

Many of these terminological reformulations occur around confinement, traversing several sectors of the Executive Power, such as health, justice, and social assistance, and systems, such as the Unified Health System (SUS), the Unified Public Security System (SUSP), and the Unified Social Assistance System (SUAS). Besides focusing on government categories to name populations and establishments, I start by hypothesizing that the multiple and unstable terms refer to the euphemisms mentioned by Robert Hertz (4): they are created insofar as we avoid pronouncing the appropriate word, primarily motivated by feelings such as restlessness and aversion. This author affirms that when approaching the sacred and profane polarity through the hierarchies between the right and the left mother:

*While for the "right" a single term imposes itself in a pervasive area and shows a great stability, the idea of 'left' is expressed by **several different denominations**, whose diffusion is less important, which seem destined to disappear. Continually faced with new words: some of these words are obvious **euphemisms**, [...] when speaking on the left side, **people avoided pronouncing the appropriate word and tended to replace several words**, constantly renewed. **The multiple and unstable***

terms that designate the left [...] would be explained by the feelings of restlessness and aversion experienced by the community concerning the left side. In the impossibility of changing the thing, its name is changed with the expectation of abolishing or attenuating the evil[4] (p. 106-107, my emphasis).

Thus, the expression "mad offender" may fall into disuse while "adult person with mental disorders in conflict with the law" becomes effective, the same as "jail" compared to "prison unit", these expressions being taken here at the same time as state categories from Bourdieu's perspective and euphemisms in Hertz's. Oliveira (2015) believes euphemism is the most pleasant word or expression used to soften the implicit weight of another, coarser word or expression to reduce tensions in the speech. Moreover, the euphemism "can be used in several areas, **especially those involving the community**, for example, Politics, Economy and Society[5]" (p. 15, my emphasis) in the case of public policies. While euphemisms are intended to soften the meaning, other figures of speech have the opposite objective, as is the case of dysphemisms, "employment of a **derogatory**, ridiculous, sarcastic or foul word or expression, operating as a stimulant, irritating the sensibility through trivial or vile evocations. It reinforces something...[5]" (p. 34, my emphasis); this is the case of "bandit", among many other terms that increasingly inhabit the news and are pronounced mainly in recent years by the leaders and public authorities of the Federal Executive Branch.

Methods

The ethnography of documents will be the research methodology adopted in this investigation on the document mentioned above presented in a ministerial WG, henceforth designated as the "new model". More than verifying what is lacking in writings and what would be found in face-to-face interactions, whether in person or virtual, Vianna (2014) recommends taking them as their universe; in other words, the dimension of reality whose record is essential within public administration[6]. This same approach has also been adopted to investigate the vicissitudes of letters drawn up by people deprived of their liberty, sometimes taking part in administrative procedures and work[7]. It also inspires other ethnographies in organizations, such as the one developed with the Institute of Applied Economic Research

planning technicians on the technical notes and other documents they prepare, given its technical and political nature[8].

Thus, I located records of expressions through which the federal government names specific target populations of its public policies and the establishments in which it expects them to be attended, received, monitored, sheltered, hospitalized, cared for, or kept in the new model. The procedures of describing, systematizing, and analyzing the 400 pages that make up the "new model" highlighted these expressions that point to individuals and institutions so that state categories and euphemisms could gain prominence in the analysis and, thus, reveal the legitimate representation of the social world made public by the State. The categories were listed and counted, and their frequency in the new model was also pointed out, as shown in Chart 1.

Results and discussion

We will present the new model more comprehensively and then focus on the elements related to the governmental categories to refer to those deprived of liberty and penal facilities. Dividing it into two topics helps to understand the peculiarities of the document and how its content is used to achieve the research objective.

Deprivation of liberty traversed by public policies

Divided into six parts and 12 chapters, the new model is a proposal document presenting some suggestions, including a registration system to provide prison activities. The foundations, conceptual aspects, and postulates begin, and the educational processes end this document that "seeks to standardize guidelines, principles, and procedures for the several Brazilian prison systems", recognizing their plurality: "there are more than 1,400 different management models, a number equivalent to the number of prisons". This claim to unity is precisely one of the facets of the Bourdieusian conception of the State, a set of agents mandated to speak on behalf of the official while speaking officially, homogenizing very heterogeneous procedures and work, making a set of particular events universal.

The new model is the product of a partnership between the National Penitentiary Department and the United Nations Development Program, and the initial demand is called "Proposal

for a Prison Policy Management Model". The new model is propositional, normative, and challenges the rules that guide the daily life of most prisons since the second chapter on food, communication, and escort services underlines that:

The caveat about the importance of security aspects, in this case, should not be used as a justification for impediments or censures that hinder the contact of people in custody with their family or friends. Nor should it serve to prevent persons deprived of their liberty from being allowed to update and contact information about occurrences, facts, and events that continue to happen, regardless of their temporary condition of deprivation[1] (p. 156).

The consultancy that gave rise to the new model was coordinated by specialists in the social and human sciences, to debate the concept of family that guides the services of intimate and social visits: *[…] it must not be restricted to ties of blood or marriage, it must be understood from the emotional, psychic, material, financial and affective safety relationships that bind people*[1] (p. 161). In other words, it is not a conventional way of proposing ways of managing prison populations; on the contrary, benefiting from a wide philosophical, sociological, historical, and criminological literature gathered in 11 pages of bibliographic references. In this sense, it also considers the penitentiary administration *an administrative body, separate from the police forces – responsible for investigating crimes and prisons – and the justice system – responsible for judicial processes and procedures*[1] (p. 170), distinguishing police forces, the justice system, and prison system.

It also recommends training courses for different social stakeholders, including managers and operators of the prison system and civil society interested in developing prison actions. Moreover, the new model intends to be an "epistemological change" insofar as it aims to:

[…] the centrality of assuring rights and offering policies, services, and assistance as a structuring axis of this Prison Policy, a centrality aligned with a transformative prison perspective in an approach that aims to cause the least damage to people deprived of liberty and minimize the distinctions between life in civil liberties and passage through prisons[1] (p. 67).

The activities and services offered must allow developing subjects for life in civil liberties and not their indoctrination or training for incarcerated life. The idea is that intersectoral actions are promoted to ensure that the prison stay is temporary, a "passage". In this sense, it is an attempt to make what would be the future SUSP – the new

model is from 2016, the SUSP from 2018 – closer to the SUAS, given the emphasis that the latter system places on intersectoriality[9]. Furthermore, at SUAS, it is common to highlight the temporary and non-permanent situations in which its users find themselves, people "living on the streets" among them, which is where the governmental category "prisoner" is also contested in the new model: *Here the term gains an ontological meaning: it is about marking as something "essential", constitutive of the subject, what is one's temporary condition. Deprivation of liberty thus becomes an inseparable condition of being oneself*[1] (p. 39). Finally, one cannot fail to notice that the SUS and, notably, the National Policy for Comprehensive Health Care for People Deprived of Liberty in the Prison System were recognized as pioneers of the epistemological change mentioned above[1].

Public policies traversed by deprivation of liberty

The new model makes these and other clarifications about "prisoners" and other terms to refer to the target population of public policy:

While the United Nations Organization adopts "prisoner" as a generic term to designate people incarcerated, the term "persons deprived of liberty" or related terms will be used here. When referring to a group of people deprived of their liberty, the term "prison population" will also be used, which corresponds to a term specific to the field[1] (p. 31).

It also adds that other terms used are "penitentiary administration" and "prison administration managing bodies", and the latter is used whenever reference is made to the institutional and official nature of the management structure of state prison systems, while the first concerns the dynamics and actions of state managers, management teams, and servants of the prison systems, therefore, a term that indicates relational practices of managing bodies of the Penitentiary Administration and other stakeholders in the field, such as the prison population itself, federal, state or municipal agencies, and civil society. Regarding the facilities in which people deprived of liberty must be held in custody, it emphasizes that a penal establishment is not just the place where people whose legal judgment led to a conviction are sent.

In this way, the new model is attentive to the processes of stigmatization of the prison community since:

For now, we should remember that as long as prison systems continue to operate from those

opaque relationships, teams of servants from the most varied sectors of prison management will still have under their command a public that is institutionally produced as more fragile: people deprived of liberty and their relatives. Overcoming this situation of stigmatization and fragmentation is an additional challenge for a national policy[1] (p. 35).

Dysphemisms and derogatory expressions such as "bandit", among others, are striking in these stigmatization processes. As Oliveira clarifies, dysphemisms are distinct from euphemisms, softening the implicit weight of words, as with "deprived of liberty" instead of "imprisoned". The following table is full of them, both in terms of expressions to refer to individuals and institutions, revealing a broad "euphemization work" surrounded by "creative appointments"[2] (p. 99).

These constitutional acts highlight the desirable provisionality of deprivation of liberty by referring to prisons as "accommodation spaces" or even "places of passage for people deprived of liberty and work for staff teams". As in the SUAS, the idea is to make the shelter spaces places of passage, not of permanence; the public pronouncements of these expressions contribute to officializing this perspective, called "epistemological change" in the new model. However, the term "jails" is used much more frequently to refer to establishments where this deprivation of liberty is expected to occur: ten times more than accommodation spaces (70 compared to 7) and dozens of times more than what a place of passage, which means, at the very least, that a relevant official document such as the new model maintains and at the same time changes terms, consolidates, and at the same time creates vocabularies in a way that does not stop referring to jails, although it tries to remember that they can become places of passage.

Considering this number and frequency of expressions to refer to establishments in the new model, we found that "prison environment", "prison system" (hundreds of times triggered in the document), and mainly "prisons" (thousands of times triggered in the document) are the most frequent in the document, although they are also called "intersectoral spaces" and even "a space of confinement, of agglomeration of many people who live together daily and, in general, without adequate conditions of ventilation, lighting, occupation, and cleaning". Therefore, these termi-

Chart 1. Number and frequency of Government Categories to refer to populations and establishments in the new model.

	Populations	Facilities
1	People deprived of liberty – 230	Prison facility – 143
2	People deprived of liberty – 305	Prison facilities –193
3	**People without freedom – 1,575**	Penal facility – 7
4	People deprived – 154	Penal facilities – 29
5	People who are deprived of their liberty there -1	Correctional facility – 7
6	Person deprived – 48	Correctional facilities – 17
7	Incarcerated people – 10	Female facilities – 6
8	Person arrested – 6	Facilities – 624
9	Persons arrested – 7	Male prison facilities – 2
10	Persons arrested for trafficking -1	Female custody prison facility – 1
11	People condemned – 1	Semi-open regime facilities – 1
12	People condemned to prison – 1	Facilities and prison systems – 3
13	People under injunctions or partial deprivation of liberty regimes – 5	Female prison facilities – 10
14	Person with mental disorder in conflict with the law – 168	Prison units – 51
15	Person under custody – 14	Prison unit – 32
16	Persons under custody – 32	Exclusive provisional regime units – 1
17	New inmate – 7	Semi-open regime unit – 2
18	All the people who are routinely inside Brazilian prisons – 1	Closed regime unit – 3

Chart 1. Number and frequency of Government Categories to refer to populations and establishments in the new model.

	Populations	Facilities
19	All stakeholders that interact with the penitentiary system, especially people deprived of liberty and their families, civil servants, and managing teams – 1	Penal units – 9
20	All stakeholders that interact with the prison system – 82	Mother-and-child units – 1
21	All stakeholders involved in the prison system – 30	Units – 303
22	All the other stakeholders that interact with it (job providers, representatives of social movements and NGOs, of religions, universities, executive, and judiciary powers) – 1	Specific units for the female audience – 1
23	All the other stakeholders that interact with it – 17	Female units – 28
24	All the subjects – people without freedom, visitors and servants – interacting within the prison facilities – 28	Female correctional units – 1
25	All subjects who interact in prison environments – 14	**Prisons – 1,638**
26	All subjects who interact in prisons – 1	Brazilian prisons – 21
27	All subjects who interact in the prison unit – 1	Institution-prison – 2
28	Subjects who interact in prison environments – 3	Prison institution – 3
29	Subjects who interact in prisons – 48	Family hostel prison – 1
30	Different subjects that interact in prisons, either as custodians, servants, or visitors to prison facilities – 14	Jails – 70
31	Subjects under custody – 194	Brazilian jails – 1
32	Incarcerated subjects – 8	Penitentiaries – 222
33	Subject serving time – 3	Penitentiary – 36
34	Subject deprived of liberty – 1	Permanent transit places between accomodation areas and service areas – 1
35	Subjects deprived of liberty – 8	Place of passage for people deprived of liberty and work for staff teams – 1
36	Individuals deprived of liberty – 1	Provisional living place – 1
37	Prisoners – 21	Place where people whose legal judgment led to a conviction are sent – 1
38	Inmate – 22	Temporary accomodation places for people deprived of liberty, places of visitation for their families, places of work for penal servants, lawyers, teachers, representatives of churches, social, and religious organizations – 1
39	Inmates – 72	Place of passage for people deprived of liberty – 3
40	People serving alternative sentences – 1	Physical spaces suitable for humanized custody – 1
41	Sentenced – 2	Intersectoral spaces – 1
42	Sentenced – 2	Confinement and agglomeration space of many people living together daily and, in general, without adequate ventilation, lighting, occupation and cleaning conditions – 1
43	Inmates – 36	Spaces that produce psychic and mental disorders – 1
44	Inmate – 44	Deprived liberty spaces – 4
45	Male under custody – 2	Accomodation spaces – 5
46	Female under custody – 9	Correctional institution – 1
47	Males under custody – 31	Prison environment – 700
48	Females under custody – 17	Prison environments – 30

Chart 1. Number and frequency of Government Categories to refer to populations and establishments in the new model.

	Populations	Facilities
49	New inmate – 17	Environments conducive to the spread of several diseases – 1
50	New inmates – 30	Prison setting – 1
51	Released – 32	Prison accomodation – 1
52	Released – 25	Accomodation – 14
53	First offenders – 18	Social institution responsible for withdrawing the right of free movement of people through public space – 1
54	Repeat offenders – 2	Penal services – 28
55	Condemned – 10	**Prison system – 976**
56	Condemned – 13	Prison systems – 56
57	Temporary – 4	Penitentiary systems – 160
58	Temporary – 6	Penitentiary system – 46
59	Inmate – 10	Penal system – 6
60	Inmates – 19	Federal penitentiary system – 7
61	Foreign inmates – 1	State prison systems – 3
62	Women deprived of liberty – 9	
63	Woman deprived of liberty – 1	
64	Women in a situation of deprived liberty – 7	
65	Women serving time –28	
66	Incarcerated women – 4	
67	Women deprived of liberty –18	
68	Women released from prison – 13	
69	Pregnant women deprived of liberty – 8	
70	Incarcerated mothers – 57	
71	Incarcerated mothers whose children are outside the prison – 3	
72	Inmate mother – 42	
73	Females released from prison – 8	
74	Males released from prison – 20	
75	Men deprived of liberty – 1	
76	Men deprived of liberty – 18	
77	Male detainees – 1	
78	Children born while serving time – 1	
79	Young People and Adults Deprived of Liberty –3	
80	Visitors of the people deprived of liberty – 5	
81	Visitors – 646	
82	Relatives – 62	
83	Relatives of inmates – 2	
84	Relatives of male and female inmates – 5	
85	Released from prisons – 18	
86	New inmate – 8	
87	Specific population groups in a situation of deprived liberty – 5	
88	The flow of people who enter prisons under the conditions of relatives of the inmates, lawyers, or representatives of NGOs, social movements, universities – 1	

it continues

Chart 1. Number and frequency of Government Categories to refer to populations and establishments in the new model.

	Populations	Facilities
89	**Prison population –5,687**	
90	Brazilian prison population – 3	
91	Incarcerated population – 8	
92	Prison population – 11	
93	Population under custody – 6	
94	Incarcerated public – 2	
95	Criminal groups – 1	

Source: Elaborated by the author based on Melo F[1].

nological changes and multiplications coexist with the preservation of more colloquial expressions to talk about penal policies.

This is also the case with expressions referring to people, not just establishments. While we found 61 terms to name establishments in the new model, we found 95 to do it with populations; this process of multiple and unstable terms mentioned by Hertz[4] applies mainly to individuals more than to institutions. Thousands of times, the document adopts "prisons" to refer to facilities (1,638), "prison population" (5,687), adopted much more frequently; likewise, "prison system" (976) and "people deprived of liberty" (1,575), revealing which are the terms consolidated as keys in the grammar of custody. These and other euphemisms point to a set of governmental categories that configure official rhetoric.

The new model does not fail to remember that the so-called places of passage are permeated by the "flow of people who enter the prisons as relatives of the inmates, lawyers, or representatives of NGOs, social movements, universities" and also "all the stakeholders that interact with the penitentiary system, especially people deprived of their liberty and their families, civil servants and management teams", in a way that is not restricted to the so-called "subject under custody". Dozens, not hundreds or thousands of times, the "prisoners" are alluded to in the new model, in contrast to the "prison" category. Not everything remains, nor does everything change when we look carefully at this 400-page document on public policy management, which unfortunately was nothing more than a proposal, a paper, a publication in a historical moment that

was not welcoming to the so-called "centrality of the guarantee of rights and the offer of policies, services, and assistance as a structuring axis of this Prison Policy", as is the case of 2016 in Brazil.

Final considerations

Multiplicity, change, and preservation of terms permeate the governmental categories created to address confinement in Brazil if we consider the new model as an example of this phenomenon. If "prisoner" is a term that remains in the grammar of custody, prisons do it in a much more forceful way, while the interaction of stakeholders in the prison system and its consideration as a place of passage point to the horizon of prison policy.

This study on the governmental categories to refer to people and facilities showed a progressive affinity between SUSP, SUS, and especially SUAS, from the emphasis on the intersectoral actions and provisional conditions. Suppose deprivation of liberty can be traversed by public policy and thus make prisons "intersectoral spaces". In that case, public policies can become more permeable to the "place of passage", to a temporary and not permanent deprivation of liberty, effectively holding under custody people in a situation of deprivation of liberty and not people deprived of liberty, something that refers to a condition.

The mapping of the categories created and used within the Brazilian federal government to refer to confined populations and asylum facilities in the justice sectors based on the new model revealed these articulations between systems. The description of the terminological changes under-

way in formulating public policies aimed at people in a situation of confinement in this sector illustrates the euphemization process underway in the official rhetoric. We could not analyze the consequences of these changes in the names of people and spaces for the classification of the Executive Branch in sectors, such as the recent Ministry of Citizenship and Ministry of Justice and Public Security. Future studies should address this current setting, surrounded by dysphemisms rather than euphemisms in the public pronouncements of federal government representatives.

Funding

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