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Post-Colonial Latin America, since 1800

Ryan C. Edwards

Introduction

This chapter explores penal colonies in Latin America since 1800, ranging from the peripheries of Colombia and Argentina, to island settlements in Brazil, Mexico and Chile.¹ Though not entirely comprehensive, the goal is to expand our knowledge of penal colonies and convict transportation, as well as clandestine and ‘non-modern’ forms of detention. This approach recognizes a broad set of incarceration practices within Latin America, and emphasizes those forms that fall outside the more widely studied scientific radial penitentiary. The goal is to trace how convicts helped construct and colonize post-colonial Latin America, and to highlight how the changing categories of ‘criminal’ and ‘subversive’ shaped national identities, geographies and histories.

With these multiple examples and sites, an attempt to synthesize prison histories in Latin America still brings to the fore a broader set of problems within the categorization and historicizing of ‘independence,’ ‘post-colonial’ and ‘Latin America’ – the latter term was not used until the 1840s. The broader region constitutes much of the continental Western Hemisphere as well as the Caribbean and other island territories, and more than a few complications arise. While most of the territory under Spanish colonial rule dating back to the early sixteenth century gained independence in the 1820s, some notable exceptions such as Cuba and Puerto Rico remained under the Crown’s control until 1898. Though Brazil was relinquished from the Portuguese crown in 1822, it became a large monarchy in a hemisphere of republics until its own transition to democratic independence in 1882. Islands in the Caribbean such as Jamaica and Haiti, or mainland colonies such as French Guiana and portions of the United States, do not fit easily into a colonial or national purview of ‘Latin America.’ And yet, in practice, these spaces were often part of a broader New World hemisphere, one in which ideas, models and peoples circulated widely.

Rather than reify political boundaries that, in practice, were far more fluid than a colonial/post-colonial rupture can capture, this chapter focuses on Latin America from the early nineteenth century to present day. The terms ‘modern’ and ‘post-colonial’, therefore, must be understood loosely as summary statements used to navigate rather than to strictly define the field.² Similarly, while it is clear that many reformers in Latin

America looked to Europe and the United States for models and plans for penal and penitentiary reforms, the reduction of these efforts to either mimicry or a truncated-modernity ignores some of the ways in which Latin American nations enacted certain liberal reforms before their northern/western counter-parts. The abolition of slavery, for example, was completed in most of Latin America before Britain's abolition of slavery in 1833 and the end of the US Civil War in 1865.³ As recent scholarship has shown, there was often a link between abolition and the rise of racialized justice systems throughout the Americas.⁴ Penitentiaries and penal colonies, in this regard became sites that helped transform national spaces and identities. Comparative approaches can be productive in revealing dialogic rather than declensionist histories.

This chapter, therefore, is interested in origins, but not necessarily originality. Penologists and reformers, populist and authoritarian regimes, those who were subjugated and those who critiqued crime and prison systems, were all acting within and responding to transformations that happened on local, regional and global scales. With respect to penal reform and convict transportation, Latin America presents an interesting synthesis of elements within a modernizing world.⁵ Rather than a set of regional analyses, this chapter works through various themes to understand the plurality of penal regimes in Latin America and the multiple ways in which various groups of actors engaged in or responded to these systems. Section one begins with independence and the rise of national prison systems as part of broader state formations. Section two looks at island and agricultural colonies as forms of social control, claims to territory and the development of peripheral spaces. Section three looks at political prisoners and the tactics used by authoritarian regimes to combat dissent and steer politics in moments of changing demographics and waves of immigration. Section four discusses detention and disappearances during the various Latin American 'dirty wars', and the subsequent rise of neoliberalism in penal systems. The chapter concludes with a few thoughts on future research and questions that scholars are asking about the history of detention, incarceration and the afterlives of prisons in Latin America. While the chapter is synthetic and fashioned to provide an overview of post-colonial penal operations in Latin America, it is also an invitation for further research that makes broader connections with the political, social, cultural and environmental histories of the region.

Independence and the rise of national prison systems

Penal reform was a component of the modernizing independent nation-state. For most of the colonial period (1510s–1810s), punishment had been administered through bodily injury, banishment, forced labour, and in extreme cases, execution. However, as Timothy J. Coates and Christian G. De Vito show in this volume, penal reform was already on the minds of elites and officials in colonial Latin America during the Bourbon Reforms of the mid to late eighteenth century.⁶ These reforms did address issues of law and punishment to a small degree, as penologists wrote treatises on enlightenment reform as undertaken in Europe.⁷ Though their main focus reorganized

Spanish governance in the Americas, including the creation of new viceroyalties, tax collection and a general tightening of Spanish control. Promise of penal reform was disrupted by the wars of independence that broke out in 1810, though prominent independence leader José de San Martín renewed calls for penal reform in Peru in 1821, showing that revolutionaries also saw a modern penitentiary system as part of nation state formation.⁸ The general desire of new statesmen, jurists and other professionals was to regularize penal systems in their newly independent nations. Penal reform, nevertheless, was a slow process that lagged behind other issues such as land reform, education and the building of other government branches. Penal colonization in this equation proved more pragmatic for young nations looking to consolidate their land holdings, develop peripheral spaces and forge national boundaries during the early and mid-nineteenth century.

Territorial claims on the margins were first coupled with military outposts, and were often manned by convicted criminals. A dual system was enacted in which state expansion was effected through penal institutions that linked convict labour and public works at the frontiers and borderlands, while modern penitentiaries were erected in urban areas to display an increasingly scientific form of incarceration-rehabilitation. The use of military outposts (*presidios*), which were a regular fixture during the colonial period, was also commonplace during the early years of nationalism. From northern Mexico to the southern stretches of the Southern Cone, conscripts and convicts (*presidarios*) were placed side by side to claim national territory along the frontier.⁹ These fortified spaces were economical, as convicts were rarely remunerated for their labours and services. Thus, aside from transportation costs and maintenance of the site, expenses were quite low. Labour in these spaces generally produced modest infrastructure such as roads, as well as the clearing of land for ranches and agricultural use. Conquests over indigenous groups acquired new lands, which enabled the construction of modern infrastructure such as telegraph lines and transportation mediums.¹⁰ Military conflicts often drew troops and convict conscripts from one region of the country to another, as well as pulling from urban centres, as seen in the Southern Cone.¹¹ The late colonial to early independence period therefore marked a continuity in the use of outposts that employed convicts and conscripts to render legible the claims of the state. However, the term *presidio* was increasingly associated with prison spaces, often for military offenders, as opposed to strictly military spaces.¹²

While the *presidios* protected or consolidated land claims, the national urban penitentiary displayed progress to the citizenry as well as foreign investors and scientific communities. Rio de Janeiro became the first city in Latin America to initiate such a modern penitentiary. In 1834, just over a decade after Brazil was transferred from the Portuguese crown to a monarchy in its own right, construction began on the facility, which was then completed in 1850. During the time that it took to finish construction on the Brazilian House of Correction, Chile began work on its penitentiary in Santiago in 1844. Similarly, the project took over a decade to complete. In subsequent decades, modern penitentiaries were built in the capitals of Quito, Ecuador, in 1874, Buenos Aires, Argentina, in 1877, and La Paz, Bolivia, in 1896. In each instance, architectural models from the USA and Europe were used for blueprints. In Peru, for example, the most prominent model was the central-rotunda radial pavilion of Eastern State

Penitentiary in Philadelphia, designed by John Havilland. Peruvian penologist Pas Soldán had travelled to Philadelphia in 1853 and began work in Lima in 1856. These institutions often went by the term *panóptico*, though they rarely followed the architectural panopticon model proffered by Jeremy Bentham in 1798. Rather, they were most often radial penitentiaries with a central rotunda, and pavilions, usually between five and eight, that stretched from the centre. Most penitentiaries were two storeys and contained between a few hundred to over a thousand individual cells with iron bars and stone walls. Bathrooms, kitchens, infirmaries and workshops made these institutions highly functional, and in theory, hygienic, as they were spatially portioned for various activities, rewards and punishments.

Each institution was coupled with penal reforms, of which there was a general wave across Latin America from the 1870s to 1890s. This was a period defined in many regions by strong military and authoritarian leaders who forced liberalism onto the peripheries while making grand displays in the capitals.¹³ The *científicos* (technocrats and scientific statesmen) of leaders like Mexico's Porfirio Díaz (1876–1911) thus placed an emphasis on modernization through technologies such as railways and telegraph lines, grand boulevards and ornate architecture, as well as institutions such as the penitentiary. Latin American theorists travelled to international prison congresses to compare their systems and statistics, and enact new laws based on prevailing methods used in the USA and Europe. Mexico for instance was featured in the First International Penitentiary Congress held in London in 1872. The country was criticized for lacking a central authority – a critique which resonated with an increasingly centralized state. Moreover, its cellular prisons lacked the transparency and visitation rights that had become common in the USA and Europe.¹⁴ Lawmakers sought to make public, or at the very least accessible to authorities, the conditions of these institutions. Following the congress, architect Antonio Torres Torija started construction on a new penitentiary in Mexico City in 1885. He based the structure on plans by Lorenzo de la Hidalga from 1848 that drew heavily from Jeremy Bentham's work. After nearly fifty years, in 1900, the national penitentiary in Mexico City was inaugurated.¹⁵

More nations would participate in subsequent gatherings, which placed Latin America within an increasingly global penology network. Reformers such as British Captain Alexander Maconochie, commander of the convict station of Norfolk Island in Australia, resonated with multiple penologists in Latin America. Enrique Cortés, who attended the 1872 London congress working on the behalf of Spain and Latin American nations, used Maconochie's oft repeated quote to open his 1871 work, *La cuestión penal*: 'Let us build more on suggestion and less on strength; let us use more encouragement and less walls.'¹⁶ While walls would continue to go up in and around most penitentiaries, there were significant transformations in the form of incarceration. At the International Penitentiary Congress of 1878 in Stockholm, for example, the Argentine delegation noted, 'The approved resolutions will be like the treatment prescribed by a medical doctor to combat illness. If we are sicker than other countries, we should try to demonstrate it and indicate the symptoms of our social ills so that we may find a remedy.'¹⁷ And yet, no one message rang true across the hemisphere. Each nation took multiple approaches to incarceration, rehabilitation and utilizing convicts as resources.

Latin American penologists grew in number and drew on foreign practices to measure their own needs and success. While inspiration came from abroad, there was still not a consensus as to which foreign model worked best. Even in the USA and Europe, reformers had failed to identify a perfect penitentiary architecture and regime of reform, rehabilitation and deterrence. The Sixth International Prison Congress held in Brussels in 1900 showed an overall desire to modernize and render scientific the practice of incarceration, and debates continued among the participants as to how exactly to achieve these ends. For example, representatives revealed conflicting results regarding recidivism. Some demanded the most 'severe [treatment] within the limits of common humanity' for first time offenders so as to deter them from repeat offending, while others denied the efficacy of increased severity. A few delegates argued that the spatial aspects of a penitentiary were less important than the tenure of one's sentence, noting that the longer one's incarceration the less likely one's return to crime.¹⁸ What stifled Latin American nations most in these early congresses was a lack of statistics on this question of re-offending. Recidivism rates were largely a mystery, and the penitentiaries were too new and often underfunded to yield consistent or reliable results.

Modern penitentiaries, therefore, were hospital-like on the one hand, for they sought to cure criminals of their bad ways. And yet, they were also laboratories, in that they sought solutions to unanswered criminal questions. Buildings, in this sense, have long been designed with bodies in mind. They become a prosthesis of the body, extending the functions of both through a building-body assemblage.¹⁹ This fluidity, and its emphasis on chemistry and biology spoke to scientists' obsession with transmission during the turn of the century. The body (*cuero*), as historian Kristen Ruggiero argues for the case of Argentina, suggested a complete entity, whereas flesh (*carne*) was vulnerable and connected with others and therefore was in need of monitoring and manipulating.²⁰ Contagion and disease metaphors held great purchase for scientists and social control. Criminality could be spread through environments and contact, and influences like alcohol could awaken latent criminal tendencies.²¹ Institutions like the National Penitentiary in Buenos Aires became places of experimentation as much as places of rehabilitation. Their infirmaries and anthropometry rooms provided data to fill professional journals across the sciences. The ordering, therefore, of cells and penal institutions began and continued outside the prison walls, and stretched to other institutions. By bringing these worlds together, a fledgling group of experts hoped to better understand the national social body and its criminal underbelly. Science and pragmatism were often at odds as to how unwanted and dangerous peoples could best be used. Increasingly, they were disposed of beyond the city centre.

Island colonies and forging the frontier

Modern penitentiaries in capital cities were a way of displaying progress and participation in a global intellectual community. Though the social body that they addressed and sought to perfect often proved too complicated for a single fix. Penitentiaries were

accompanied therefore by another form of punishment: the establishment of penal and agricultural colonies in the frontiers, borders and islands of burgeoning nations (see Map 9.1). These colonies were pragmatic undertakings within a larger penal network that developed peripheral and liminal spaces, but also served to suppress and remove political opposition and detain unwanted immigrants and labour agitators. A mixed cohort of convicts, captives, deserters and 'undesirables' had long been sent to the frontiers of loosely defined national territories. Their continued use during the post-colonial period existed alongside new forms of coerced labour in the wake of the abolition of slavery between the 1820s and 1850s in most of Latin America. This included the importation of contract workers known as 'coolies' from China and other parts of Asia, who extracted guano and nitrates from Chile and Peru, and built the railways of the North American west (including Mexico). Migrant workers captured by *engancheros* (coercive hiring teams) were also forced to labour and actively develop the peripheries of Latin America. This often had profound ecological consequences, especially for lands traditionally held in common by indigenous communities that were increasingly privatized and exploited for a range of raw materials, from coffee and henequen to petroleum.²² Penal colonies and coerced convict labour, in other words, served multiple social, economic and geopolitical functions.

Island penal colonies have a long history in Latin America and proved useful under newly independent governments. These spaces included little-known regional islands and stretches just off urban coastlines. Distant locations were also common, and some loom large in global imaginaries, such as the Galapagos Islands, which lie nearly 1,400 kilometres from the Ecuadorian capital of Quito and are best known for their role in Charles Darwin's theories of evolution, and the Juan Fernández Islands west of Chile made famous for inspiring the story of Robinson Crusoe. Representations of these islands oscillated between torture and abuses on the one hand, and idyllic paradises on the other. In practice under national governments, island and frontier colonies produced local autonomy and limited central bureaucratic oversight, as distance made inspections difficult, and *de facto* rules often superseded official laws.

Each island tells a different story. In the circum-Caribbean, those stories hinged on the transatlantic slave trade and its demise during the nineteenth century. Brazil's unique colonial relationship to Portugal, and its late abolition of slavery, produced a combination of military and convict institutions. While Spanish American nations engaged in violent wars for independence, Brazil made a relatively peaceful and tactful transition to independence in 1822, wherein independent Brazil became the sole monarchy in the Americas under the rule of Pedro I, the son of Portuguese ruler João VI. The young Brazilian nation sought to expand west into the Amazon, where little progress had been made during the colonial period.²³ As expansion continued into the interior, islands were used to house convicts and deserters, and by the 1850s these practices took large scale forms. The island of Fernando de Noronha located over 500 kilometres off the coast from Recife and Natal became an agricultural prison colony in 1856. Fernando de Noronha would hold the largest concentration of convicts in the Brazilian Empire, reaching more than 1,600 in population. The island functioned as a large plantation, and in many ways, served as a microcosm that highlighted the racial and free/unfree tensions within Brazilian society.²⁴ Convicts came from overflowing

Map 9.1 Convict transportation in independent Latin America

city jails and were arrested largely under vagrancy and poor laws. Later reforms in the 1860s and 1880s tried to construct a sustaining agricultural colony where convicts cultivated manioc, cotton and other crops. Women were eventually brought to the

island to promote the settlement by families. Indeed, heterosexual conjugality was a mainstay of the colony, but to little success in the long-term, as single men continued to be the target demographic for imprisonment. Transportation placed a priority on longer sentences due to costs. There were proposals in the 1880s to make the island a place of rehabilitation, similar to that of the modern penitentiary, though such proposals were not enacted. Slavery continued in Brazil until 1888, by which time conscription was coupled with penal servitude as the most prominent form of social control.²⁵ Fernando de Noronha proved difficult to maintain, and after multiple transfers of administration and policy, the project was decommissioned in 1897. Military conscription of 'criminals' reached upwards of 12,000 at this time, serving the broader role of penal justice and social control as it surpassed the roughly 10,000 people held in the prison system as a whole.

Spanish Caribbean nations also revealed tensions between colonialism, slavery and independence. The most infamous of these systems occurred in Cuba during the struggle for independence in the 1890s. In the wake of the Haitian Revolution (1791–1804), the Spanish crown intensified its use of slave labour in Cuba to become the world's largest sugar producer during much of the nineteenth century.²⁶ However, the abolition of slavery in Cuba in 1886 fuelled debates regarding the island's potential independence from Spain. As rebels fought Spanish loyalists in 1894, the military enacted the world's first concentration camps in 1896.²⁷ While the initial goal was to relocate insurgent groups from the outskirts, civilians, to varying degrees, were captured by the *reconcentración* (literally reconcentration) and moved to towns and cities. Of the roughly 300,000 people relocated, it is estimated that at least 100,000 individuals died in these camps, mainly from starvation and disease.²⁸

The Cuban case was exceptional for its scale, and overshadowed neighbouring imperial holdings. In nearby Spanish Puerto Rico, for example, which had been a marginal military outpost, a similar history with protracted slavery produced fears among the Creole class. Maroon communities of escaped slaves in the mountains and rugged peripheries forged clandestine and criminal landscapes that put elites on edge. Though the island contained a formidable penal archipelago by the late 1800s, the island's institutions were hardly regularized.²⁹ These spaces, such as La Puntilla, had military connections to form criminal/military *presidios* through their relation and proximity to naval docks and munitions depots. Puerto Rico and Cuba are in some sense outliers given their Spanish colonial status until the turn of the century. They reveal, however, colonial/post-colonial connections that existed elsewhere.

Venezuela also had a long history of penal institutions, such as Puerto Cabello prison. Also known as San Felipe Castle, this was Venezuela's first fortified town dating back to the 1830s. It would later serve as an important connector with the neighbouring penal colony of French Guiana, as escapees were put to work, and socialists would be detained in the 1930s. Inmate labour constructed the road that linked Ciudad Bolívar and Caracas, thus highlighting the local, regional and international connections formed by these institutions.³⁰ The circum-Caribbean, therefore, marked the confluence of imperial powers and highlights how penal flows were not always limited to a single empire or nation.

In Central America, a number of penal code reforms looked toward infrastructure development. The 1880 Costa Rica penal code pushed an agricultural-penal agenda of labour and reform that coupled infrastructure and land improvement with social order, and in 1919, Panama established its own penal colony near Panama City.³¹ The standout nation in the region, however, was Mexico. There, proposals for an island penal colony date back to the 1850s, followed by proposals a decade later for the Yucatán and Baja California peninsulas.³² The goal was for convicts to serve short sentences before being granted freedom to cultivate family plots of land. Convict transportation increased under the reign of Díaz (best known as the *Porfiriato*). Under Díaz the Mexican economy boomed, as he and his *científicos* brought progress and investments to the state and its frontiers. However, progress came through order, often in the form of oppression. Inmate populations increased, and while many prisoners were held in city jails, after the 1894 penal reform, prisoners held at the Belem gaol (later replaced by the Lecumberri prison) were frequently transported to the Valle Nacional in Oaxaca, the Yucatán and Quintana Roo as contract labourers for large land-owners. As such, the Ministry of the Interior and national deputies worked together to scientifically solve the problem of overcrowding and recidivism.

Still, island transport offered the most practical option, and in 1908 the Mexican state opened a penal colony on the Islas Marías in the Pacific, just over 100 kilometres from the Mexican coast. Rather than political prisoners or violent offenders, many of these transportees were *rateros* (petty thieves). A stand out feature, however, was that many of those transported to the island had not been formally processed, and therefore, chances of being exiled were unpredictable and precarious. More than 2,200 individuals were sent to the Islas Marías in 1910 alone.³³ Small stores and other social amenities, such as a theatre and sporting grounds, supported a small civilian and government population. Work ethic and family life were central to the mission, as government officials had the right to grant land to the convicts. Inmates performed various labour tasks, including work in the salt quarries and the felling of timber, as well as work in the stables and chicken coops. Most of those exiled were young working-class men (a common demographic for such locations), though women and minors were also sent to the island. The female population was rarely more than a few dozen, however, as they were often outnumbered by male counterparts nearly forty to one.³⁴ While the Mexican Revolution (1910–1920) ultimately slowed transportation to the Islas Marías, the subsequent *cristero* rebellion (1926–1929) reinvigorated the island as a site for the banishment of Catholic deportees who challenged many of the revolution's secular reforms.³⁵ In 1947, banishment was eliminated in Mexico. Islas Marías, however, continued to serve as a federal prison, and garnered the attention of foreign penologists studying the island setting as an alternative to fortified prisons.

Chile's island and frontier colonies had also grappled with colonial orders. While slavery was not central to Chilean society as it was in the Caribbean, independence and revolutionary figures sustained the use of island incarceration. The Juan Fernández Islands, located roughly 700 kilometres west of Valparaíso, had long been used as a space of banishment by the colonial *audencias* in Lima, Santiago and Quito. As a military outpost, it served to combat potential incursions from competing European

empires. The islands had been a space for pirates and privateering, and the young Chilean republic after independence was unable to supplant clandestine practices with permanent settlers. It began as a dumping ground for political opponents, first Chilean revolutionaries who opposed Spanish rule, then those who opposed the new Chilean state in the 1820s. By the 1830s, a strong-armed conservative government executed many of the individuals exiled to the island, much to the dismay of the public.³⁶ The colony rarely held more than a few hundred prisoners and even fewer free settlers. They fed on modest crops of produce and goats that had been imported to populate the island, as well as sea lions and other aquatic fare. Concerted attempts to develop the island beyond a holding space were not seriously pursued. By the 1850s, private colonization became the new focus, including proposals from financiers from Bolivia, Switzerland and the United States. Prisoners were granted more leniency, but this resulted in an inmate mutiny and multiple escapes. By 1852 the colony was abandoned, and it remained closed until the late 1860s, during which time most convicts were transported to the new penitentiary in Santiago.³⁷

Islands often proved problematic for their isolation and disconnect. Frontier spaces could, at least potentially, be brought into developing networks and the geo-body. But this too was a complex task. Colombia, for example, has been called a country of regions, which provides a diversity of crops, climates and terrains, but also, a difficulty in uniting these spaces. In the Llanos of Colombia, proposals for agricultural colonies dated back to the 1850s in attempts to spur development. Indeed, conservative and liberal regimes both utilized agricultural penal colonies as a means of development by the end of the century.³⁸ Following a war with Peru in the Amazon district of Leticia (1932–1934), new attempts were made. The men – they were almost always men – who populated these colonies were a mix of criminals, vagrants and immigrants. Inmates cleared the land for the planting of maize, bananas and yucca, as well as cattle grazing. While such colonies often suffered from underfunding and local corruption, the increase in government presence in these regions, especially when fertile such as in Acacías, just south of Bogotá, attracted volunteer settlers to farm and stay permanently. An inmate population in Acacías of roughly 500 helped create a town that supported 35,000 inhabitants by the 1960s. In the less desirable soils of Araracurara in the far south, conversely, such undertakings yielded little in the form of free settlers, despite a larger labour core reaching upwards of 1,600.³⁹ Similar institutions were founded in Ecuador in 1936 and Bolivia in 1942.

The southern stretches of the Southern Cone brought together island and frontier challenges. In Argentina, famed *caudillo* (strongman leader) Manuel Rosas used exile and prisons to control dissenting political figures as well. During these nascent years of statehood, some exiled figures wrote formative works condemning undemocratic rule and even sought to subvert sovereignty by joining with neighbouring powers.⁴⁰ By the late 1890s, Argentine statesmen commissioned the Ushuaia prison, which started as a military outpost on Staten Island to the east of Tierra del Fuego. The island, however, proved too remote and difficult to provision, so it was moved to the protected bay on the Beagle Channel. For geopolitical purposes, the penal colony was placed just a few kilometres east of the Chilean border to reinforce the presence of the Argentine state in the wake of a tenuous border treaty in 1881.

Rather than serve solely as a military prison, reformers blended the penitentiary and penal colony to offer a hybrid approach to incarceration for civilian recidivists. Prison Director Catello Muratgia wrote an extensive global history of prisons and proffered a new way forward with an 'open door' institution in southernmost Patagonia.⁴¹ Construction began in 1901 on a radial cellular prison that offered all of the scientific spaces and designs one would expect from a modern penitentiary. But Ushuaia was also a distant penal colony used to colonize southern Patagonia on the island of Tierra del Fuego. In 1911 the military and civilian prisons merged and focused on recidivists, most of whom had committed violent crimes. Inmates were housed in 370 penitentiary cells, though the population regularly surpassed 500. Rooted in a frontier rehabilitation ethos, inmates spent their days labouring as lumberjacks and firefighters (Figure 9.1).⁴² A prison garden provided produce, and inmates tended to chicken coups, a bread bakery, and provided rations for themselves, prison employees, and sometimes the town. Over the following decades the inmates constructed roads and government buildings, and provided electricity for the growing town. The prison coupled colonization and development, and while family households were scant, economic development and land use were greatly transformed. An all male prison population provided a large work force, though directors lamented the lack of potential female suitors for the inmates who might encourage family settlement upon release. Some believed that indigenous women from the island should be gathered

Figure 9.1 Inmates labouring in Monte Susana in Ushuaia, Argentina, 1933

Source: Archivo General de la Nación, Dpto. Doc. Fotográficos, Buenos Aires, 18360A.

to form relationships with the men, though the plan was never implemented. Non-convict families would eventually move to the region, as inmate labour built the infrastructure of Ushuaia providing for future industries. For example, today Tierra del Fuego National Park, inaugurated in 1960 to protect the forest once felled by inmates, attracts tens of thousands of tourists each year. Also, Ushuaia was designated as a duty free zone, as its port connects Pacific and Atlantic economies. Industry and manufacturing built upon the infrastructure erected by inmates, which tourists can see through the prison-turned-museum in 1997.

Penal colonies were, at the very least, disruptive of existing social, economic, environmental and political networks, while productive of others. Whether sent to a distant island or frontier agricultural colony, the exile of prisoners added physical space to the distance between loved ones and their incarcerated family member. As milestones occurred, such as the birth of a child, news could be hard to come by. In one instance, a man exiled to Ushuaia became a father but could not contact his newborn child. The mother published a photo of their baby in *Caras y Caretas* in the hopes that the magazine might circulate in the prison and therefore offer an image of the child to the new father.⁴³ Thus, while theorists promoted heteronormative families as the ideal for national identity, penal colonies most often ensured their severance and dislocation.

In theory, each of these scenarios was meant to rehabilitate inmates, often through hard physical labour that would break them mentally and physically in order to then build them up in the eyes of the state. There was an irony, however, in that agricultural colonies often failed to provide inmates with job skills that they desired for urban life. Results were quite mixed regarding whether inmates stayed and settled these regions after their sentences. Therefore, a disconnect between theory and practicality often thwarted any such transformation. Moreover, for most frontier prisons the question of future settlement by free labourers, rather than freed convicts, was at the core of these projects. There was a clear appeal for the settling of terrestrial frontier regions, whether for exploitable resources or to fend off encroaching political neighbours, as was also the case in Japanese Hokkaido (see Minako Sakata in this volume).

It is difficult to calculate how many convicts were sent to penal colonies in Greater Latin America. Accurate and consistent statistics varied from site to site. Self sustaining economies often destroyed or forestalled non prison endeavours, and shifts in management led to inconsistencies. Economic relationships could prove scandalous, as local merchants often price gauged the prison for things like meat rations, and conversely, the prison undercut local merchants by producing goods such as eggs and bread for townspeople at cheaper rates. Such controversies could at times discourage proper record-keeping. And yet, these islands and frontier colonies could be microcosms of broader society. At times, one could locate all the trappings of society, in isolation. The ills of the nation, and those individuals most likely to precipitate its decline, could in theory be best addressed at this smaller scale. In either case, transportation of convicts and unwanted groups in the tens of thousands created new carceral geographies within and beyond the boundaries of nascent nation states.

Political prisoners, mobility and legibility

By the first decades of the twentieth century, while penal colonies and 'non-modern' forms of incarceration were still in use, criminology reached its apogee. Jurists, anthropologists, detectives and statesmen read the works of criminologists and theorists in Europe and compared their respective 'social questions'. However, neither the Italian positivist school of 'born criminality', nor the French school of social crime where 'societies get the criminals they deserve', were adopted wholesale. Rather, Latin American thinkers studied these theories within the contexts of their own cities and populations, and sought local ways to deal with their situated issues.⁴⁴ Crime and delinquency became, in general, a social pathology that was diagnosed along national lines, though through transnational networks. The velocities of modernity produced dense city populations and trans-urban flows that criminalized neighbourhoods and classes, and sought to relocate and reorganize a variety of social groups.

Convict voyages therefore, to no small degree, could begin when one emigrated from Europe – as well as Asia and Africa – to the Americas. Many of these groups were labelled 'criminals' in advance, as booming immigrant populations and labour movements were contrasted with a rising Right in countries like Argentina, Brazil and Chile.⁴⁵ In addition to violent criminals and petty thieves, anarchists, labour organizers and outspoken students were regularly under surveillance by professionalizing police units and militant governments who increasingly worked together. Authorities actively collapsed the line between illegality and subversion to solve what they saw as social questions within their changing demographics at the turn of the century.⁴⁶ While only a fraction of these individuals were transported to distant colonies, the mobility and spatial impact of turn of the century criminology and penal codes should not be understated. In the early decades of the 1900s, exile and expulsion became new fates through residency orders and laws of social defence that targeted political groups.⁴⁷ Thus, coupled with deportation, colonies far removed from urban centres offered forms of political control in changing nation states.

Some countries had explicit codes that spoke to political crimes. Indeed, political prisons had long represented a particular class with regard to incarceration, and exile was a central factor in their punishment. Ruling parties, often of conservative and military regimes, used internal exile through penal colonies as a way to remove influential figures engaged in political dissent. As historian Carlos Aguirre notes, this category was imprecise across history and regimes, and could include participants in military insurrections, labour strikes, opposition party members and those recently ousted by coups. And yet, some generalities can be identified. When political prisoners were housed in urban penitentiaries they were often placed in a separate wing from common criminals. In part, political prisoners preferred the separation as they did not identify with 'criminals' and believed they had committed no crime (or in some cases, their crimes were justified in the face of unjust authority).

In Peru, the 1889 Law of Repression stated that political crimes should be treated, through law and punishment, the same as other crimes. Such laws were tested over time, as the penal islands of El Frontón and San Lorenzo served as destinations for political prisoners in the early 1900s. When President Augusto Leguía came to power

for the second time, in 1919, he imprisoned many of the previous members of the administration, as well as journalists and labour organizers. San Lorenzo was opened in 1921 as a destination for these political figures. The island became 'big business', with more and more figures incarcerated as repression increased through the 1920s.⁴⁸ In 1927 upwards of forty of José Carlos Mariátegui's collaborators were arrested in a 'communist conspiracy', and two years later 180 more were arrested and Mariátegui was placed under house arrest.⁴⁹ The famed communist writer, who examined the connections and limits of Marxism with an indigenous Peruvian past, died the following year in 1930.

Authoritarian regimes often target journalists and writers. Porfirio Díaz in Mexico targeted a group that came to be known as the 'Club of Incarcerated Journalists'. The club exposed the shortcomings and hypocrisies in the penal code. Though, their emphasis was on the need for separate facilities for political prisoners, and not necessarily the terms under which one was incarcerated for political dissent.⁵⁰ By the early twentieth century, prisons became sites of convergence for political figures, activists and students, as well as common prisoners who might be 'radicalized' through political interactions and personal experiences.⁵¹ Mexico was part of a Greater Caribbean in which Leftists moved from port to port. One could travel from Veracruz to San Juan, Puerto Rico, then on to Tampa Bay, Florida, whether to mobilize comrades, or evade capture.⁵²

Some of these spaces had long histories that took on new significance as places of detention. The Isla de Pinos in Cuba had been a place of imprisonment and banishment for the Spanish Empire that continued through the national period. The most famous individual to be confined there was José Martí in 1870. Martí demanded independence from Spain, travelled widely in the Americas, was later exiled to New York and authored the iconic poem, 'Nuestra América'.⁵³ Though he would not be the last revolutionary to be incarcerated in the Cuban system. In 1926, the Cuban government constructed the Cárcel Modelo on the island. By 1933, revolutionaries were imprisoned, and the institution became a gathering ground of intellectuals.⁵⁴ Twenty years later the well-known revolutionary Fidel Castro would be imprisoned in Isla de Pinos before the successful Cuban Revolution in 1959.

While exile was intended to sever ties, it could also serve to make new connections and give voice to distant regions. This was the case in Ushuaia, Argentina. The penal colony was part of public imaginations from its inauguration in 1902. However, the prison took a new hold on the population when Simón Radowitzky, an anarchist from eastern Europe, assassinated the Buenos Aires chief of police, Ramón Falcon in 1909. Radowitzky became a martyr for the anarchist cause in the following decades. This was particularly timely when, in 1921, there was a military assault on 1,500 striking farm workers, many of them anarchists and socialists, just north of Ushuaia in the province of Santa Cruz.⁵⁵ Comrades and sympathizers fought to shed light on these far-flung attacks and the distant penal colony that lay beyond continental Patagonia. While most political prisoners distanced themselves from common criminals, Radowitzky was characterized as the 'guardian angel' of his fellow inmates in Ushuaia.⁵⁶ Publications noted that he provided clothing, medicine and other resources he had obtained for inmates in need. The extent to which such stories are true is hard to prove, but such

accounts reveal the good versus evil sagas established by distant and mythic penal colonies when populated by celebrity radical figures.

Such influence had been a fear of criminologists, like Dr José Belbey, who described the connection between anarchists, feeble-mindedness and criminality, stating that the 'environment acts strongly upon them' as they 'oscillate in accord with the spiritual and moral climate that surrounds them. They are suggestible to a high degree, like weather vanes moved by the wind'.⁵⁷ Fellow criminologist Francisco de Veyga was suspicious for other reasons, arguing that anarchists were less about the political ideals that they espoused and instead sought eternal praise as martyrs. 'Every anarchist today is predisposed to crime', he argued, 'and do not need an inspiration for crime other than the example of those who have already fallen, whose painful but sublime footsteps they follow to their own sacrifice'.⁵⁸ Suggestibility and vanity, therefore, were both signs of a weak constitution. Anonymity, conversely, also became a key concern for criminologists, as the masses, and one's ability to blend into the crowd, put authorities on edge. Popular publications like *Caras y Caretas* in Argentina mocked how coach drivers, who regularly went on strike, could clean up for images to be used on identification cards but then quickly grow long beards, wear tattered clothing and appear to be wholly different people.⁵⁹ Similarly, Chilean IWW (Industrial Workers of the World) labour organizer Juan Onofre Chamorro purposefully distorted the physiognomy of his face when he knew he would be in the public eye.⁶⁰ Visibility and recognition became a concern for those policed, as well as those doing the policing, as such practices thwarted the supposed objectivity of cameras and crime sciences.

While targeted groups sought to evade recognition, political prisoners often shed light on penal colonies and prison environments. Radowitzky was released in 1930, and in September of that year a military coup took hold of Argentina. Beginning in 1931, members of the Unión Cívica Radical, the political party that had ruled Argentina from 1916 to 1930, were exiled to Ushuaia. Before departing southward, many of them were held in the Martín García Islands on the Río de la Plata. The largest group of roughly forty *confinados* included literary figure and Rector of Buenos Aires University, Ricardo Rojas. They were called *confinados* because, rather than being incarcerated in the penitentiary, they were confined in private homes, with some liberties to move about the town. Rojas and others, like Martí had from Cuba, produced accounts of their internal exile in southern Patagonia that were published in magazine, newspapers and memoirs.⁶¹

Political prisoners, in this regard, stand out in the archives. Whether they received trials or were exiled directly, the public often knew of their cases. Moreover, their political status meant that they often existed in the historical and public record, even before their sentencing. Exile only heightened their celebrity, if not their visibility. These processes could catapult lesser known figures into a public lexicon. By following these individuals in their exile, prison narratives inform shifts in national histories as the experiences of prominent figures transform the way scholars think and write about the nation. In addition to Buenos Aires and Havana, Lima and Santiago, island prisons became incubators of a new politics. From the Juan Fernández Islands of Chile to the El Frontón of Peru, these island prisons could shift, if only temporarily, the political and intellectual epicentres of the nation.

But this was not always the case. While some exile sites and their captives are well documented, others have left only fragmented traces that are subsumed by other histories. The north and south of Chile offer two examples. State conflict with the Mapuche in southern Chile dates back to the colonial era. Where the Spanish Empire had failed to pacify or eliminate indigenous groups, such as in Patagonia, convicts were sent in the 1840s by the Chilean state to Fort Bulnes (named after then president, Manuel Bulnes) on the edge of the Magallanes archipelago. Fires ravaged the settlement, however, and it was relocated to Punta Arenas, where a new prison was inaugurated in 1907.⁶² The city had grown by the 1930s, though indigenous groups remained strong in the south. State initiated forest camps were organized to permanently settle itinerate and nomadic groups. Conflicts over land use led to labour strikes, and in 1934, two paramilitary groups marched on the strikers. Some rebels were taken prisoner, others fled to Argentina, while hundreds more were marched to the nearby city of Temuco. Many, however, never arrived in the city, and for some historians they are considered the first disappeared group in modern Chilean history.⁶³ In the north of Chile, a different group was targeted a decade later. In 1948, the Law of Permanent Defence of Democracy outlawed and purged the Communist Party. Labour activists were also seen as security risks. At least 600 individuals were sent to prison camps in Chile's northern town of Pisagua. As Lessie Jo Frazier has shown, the town that began as a 'Penal Fishing Industry City' would be used multiple times in the following decades as a site for political repression.⁶⁴ While the site was notable again during the coup of 1973, there is some evidence that even before political targets, homosexual men were exiled there in the 1920s, many of whom were tossed overboard while in transit. Without revered political figures to represent these varied groups, their stories are drowned out by other histories and lost in the archives. However, the arid climate of the northern coastal desert preserved bodies, such that when mass graves were dug up, their forms were intact to help tell the story.

Political prisoners, and those more generally considered to be subversive, therefore, were not created equal. The privileging of a penal colony or convict history often rests on the spectacular nature of certain events, the infrastructures and monuments built by incarcerated individuals, or the categories under which peoples were targeted. Martí, Mariátegui and Rojas have long loomed large in Latin American history, first as writers and only secondly as political prisoners exiled to penal colonies. Other groups have remained nameless masses, while some have yet to reappear in the historical record. There is a danger in letting martyrs stand in for the whole. What histories lie under the surface of penal colonies, either through acts of silencing or erasure, requires further work.

Detention and the rebirth of the prison

While political opponents and agitators were targeted in the early 1900s, penal reforms were also enacted. These new penal codes, from Argentina in 1922, to Mexico in 1929 and 1931, to Colombia in 1936, and Panama in 1922 and 1942, sought to once again address the specific needs of the state and demographic and cultural changes within each

nation. There was also a growing Latin American identity, and experts were meeting more frequently at international conventions in an attempt to form an inter-American network of knowledge. In 1938, the Latin American Congresses of Criminology held its first meeting in Buenos Aires, followed by meetings in Santiago in 1941, and Rio de Janeiro in 1944. By the third meeting it had become a hemispheric institution, and the name was changed to the Pan American Congress on Penal Sciences. Indeed, in the wake of the First World War and the onslaught of the Second World War, the United States showed an increasing interest in Latin America.⁶⁵ The Congress on Criminalistics held in Santiago in 1944, for example, had representation from the US Federal Bureau of Investigation (FBI). Political repression was increasingly couched in terms of security, and states collaborated to fight threats, real or imagined. That same year, 1944, only Mexico, Uruguay, Chile, Costa Rica and Colombia, were democracies; in 1946, only Paraguay, El Salvador, Honduras, Nicaragua and the Dominican Republic were not.⁶⁶ Dictatorships had been toppled in Latin America following the Second World War. Rising middle classes, urbanization, unions, literacy and militant students all demanded democracy, while communist and socialist parties softened their radicalism and joined popular fronts. This reign, however, was short-lived; 1947 and 1948 marked a shift away from democracy. The creation of the US Central Intelligence Agency (CIA) and increased hemispheric initiatives, mixed with growing labour repression meant that by 1954, dictators once again ruled most of Latin America.⁶⁷

Each of these shifts in power would have impacts on prison reform and policing tactics in the second half of the twentieth century. In 1961 the Kennedy administration implemented the Alliance for Progress, which was designed to foster inter-American relations and combat communism following the Cuban Revolution and failed invasion of the Bay of Pigs.⁶⁸ The role of the CIA in the coups in Guatemala (1954) and Chile (1973) are well documented, as are the international surveillance programs under Operation Condor in the 1970s. In Augusto Pinochet's Chile (1973–1990), for example, it is estimated that more than 2,000 people were disappeared, while another 30,000 were detained and tortured in secret police sites, as well as in iconic spaces such as the National Soccer Stadium in Santiago. Similar revelations have come to light in recent years. A collection of documents was recently released that reveal US knowledge, and to some degree approval, of 'the process' (*el proceso*) in neighbouring Argentina beginning in 1976.⁶⁹ Roughly 30,000 people labelled 'subversives' were rounded up in the streets, stolen from their homes, tortured in secret camps and disappeared, many into the Atlantic Ocean. Across the Americas, secret and clandestine prisons were established in peripheral deserts or forests, but more often, they were hidden in plain sight in urban neighbourhoods.

Authors have struggled to characterize shifts in penal systems in the wake of these dictatorships. Some have argued that Latin America made the neo-liberal transition to the 'penalization of poverty', while others have highlighted the hybrid modes and application of hyper incarceration.⁷⁰ The supermax prison has recently been exported to Latin America along with new transnational networks such as the involvement of the Inter-American Development Bank.⁷¹ In Colombia, for example, incarceration rates increased by more than 300 per cent between 1994 and 2004 in what has been called 'authoritarian liberalism'.⁷² In neighbouring Venezuela, social welfare and reform under a Bolivarian Hugo Chávez nonetheless relied on a punitive system.⁷³ And, as is

well documented, Cuba is front and centre for the US War on Terror because of the 'detention' site at Guantanamo Bay.⁷⁴ Though Latin America was not simply a recipient of foreign flexes of power. In each case, these are marked shifts from the populist and social democracies of the mid-century.

International and transnational dialogues and networks created new, shifting and hybrid institutions. In recent decades, deals such as the North American Free Trade Agreement (NAFTA), though not directly oriented toward penal reform, have created policing units and narco-economies that create new landscapes of criminality and incarceration. For example, the import of inexpensive subsidized corn from the United States has driven rural maize farmers off the land. In many cases, they have switched to marijuana or opium production to survive.⁷⁵ Similarly, the traditional cultivation and usage of coca leaves in the Andes has been outlawed through trade agreements with the USA in an attempt to choke the cocaine industry. Thus, *cocaleros* who cultivate coca leaves for tea and non-synthetic uses became criminals overnight for a practice that has little to do with the drug trade.⁷⁶

In each case, thinking through post-colonial and contemporary convict transportation as linked to immigration, and even asylum seekers, becomes plausible. Prison populations in nearly every country in Latin America have increased since the 1950s, and the region has witnessed a 'rebirth' of the prison.⁷⁷ By 2010, the total prison population across Latin America surpassed 1.4 million, with Brazil and Mexico entering the top ten incarcerated populations in the world in absolute numbers, and El Salvador and Cuba entering the top ten for rate of incarceration.⁷⁸

Conclusion

Penal colonies and convict labour were integral components of state-formation and development in post-colonial Latin America. From infrastructure and agriculture, to reimagining the nation and nationalism, a diverse group of captives transformed the islands and peripheries of the hemisphere. Recognizing these contributions places Latin America within a broader global history of penal colonization. The continuation and in many cases heightened collaboration across American nations highlights the vast reach, top-down as well as bottom-up mobility, and overall spatial significance of prisons and policing in Latin America. While national histories of these themes have been explored, it is clear that they are insufficient for understanding the phenomena and impact of convict histories across the hemisphere. Penal colonies, convict transport, exile, and international policing and frontier security, have been evolving and interconnected endeavours of state formation, development and social control since independence in Latin America.

At the local, national and regional levels, important processes for understanding, closure and memory have given rise to a constellation of 'dark tourism' in Latin America.⁷⁹ These sites range from schools of terror such as the Naval School of Mechanics (ESMA) in Buenos Aires, to prisons-turned-private property in Uruguay,

and island colonies-turned-ecological destinations in the Caribbean. The ‘afterlives’ of carceral sites often succumb to economic forces, leading to the construction of shopping malls and luxury condominiums in former architectures of incarceration.⁸⁰ Historians of Mexico are particularly familiar with these transformations. Lecumberri Palace, often called the ‘Black Palace’, served as a prison in Mexico City for most of the twentieth century, especially for political prisoners in the final decade of the Porfiriato as well as the Dirty War of the 1970s. In 1980 the prison was converted into the national archives, such that researchers browse through documents in former cells.⁸¹ More importantly, these are rarely singular transformations. People have been vigilant to preserve the memory of loved ones whose bodies will never be found, such as the Mothers of the Plaza de Mayo, in Argentina, who march regularly in honour of disappeared children and other family members. Prisons and exile tightly entangle space, memory and violence, in ways that are still being explored and exposed.

While convict transportation may be a limited practice, at least in recent years, our understanding of carceral geographies is expanding. Prison studies, therefore, cannot be confined to the walls that enclose inmates, or the islands that were intended to hold exiles. Rather, prison studies raises questions and reveals linkages that are often more telling of ‘free’ society than incarcerated worlds. This chapter has offered multiple examples across Latin America in the post-colonial period, though it is not exhaustive and there are surely more examples to be explored in the future. Latin America was not a uniform entity following independence; penologists, criminologists and others met at international conferences and read widely, but ultimately, local demographics, politics and economic situations inflected their situated reform efforts. Like elsewhere in the world, the efforts generally fell short of their goals and rhetoric, such that transportation, exile and ‘premodern’ practices persisted. But rather than failures, such shortcomings should be seen as productive of new conversations, initiatives and protests.

Notes

- 1 While the field is still relatively young, important case studies and edited volumes in recent years have shed light on Latin American penal history and its role in a broader global carceral archipelago. Two volumes in particular, to which this chapter owes much gratitude, are of note: Ricardo D. Salvatore and Carlos Aguirre, eds., *The Birth of the Penitentiary in Latin America* (Austin, TX: University of Texas Press, 1996); Ricardo D. Salvatore, Carlos Aguirre and Gilbert M. Joseph, eds., *Crime and Punishment in Latin America: Law and Society Since Late Colonial Times* (Durham, NC: Duke University Press, 2001). See also the chapter, Ricardo D. Salvatore and Carlos Aguirre, ‘Colonies of Settlement or Places of Banishment and Torment? Penal Colonies and Convict Labour in Latin America, c. 1800–1940’, in *Convict Labour*, eds. Christian G. De Vito and Alex Lichtenstein (Boston, MA: Brill, 2015).

- 2 I thank Ernesto Bassi for pointing me to Ann Stoler's work on concepts and categories as shortcuts, which references Bernard Cohn's 'summary statements' and the desire for 'working' concepts that embrace 'temporary' fixations rather than permanent placeholders. See the epilogue in Ann Stoler, *Carnal Knowledge and Imperial Power: Race and the Intimate in Colonial Rule* (Berkeley, CA: University of California Press, 2002). Indeed, Bassi's work does an excellent job of disrupting colonial and national boundaries to understand circulation and broader Hispanic worlds. See *An Aqueous Territory: Sailor Geographies and New Granada's Transimperial Greater Caribbean World* (Durham, NC: Duke University Press, 2016).
- 3 The death penalty was similarly eliminated in many nations much earlier than in other empires or polities. For example, former commonwealth colonies continued to hold capital punishment laws, but in instances such as Jamaica and Barbados, executions had largely ceased by the 1970s. For an overview of prison studies in the Caribbean, see the collection of essays in Rosemary Brana-Shute and Gary Brana-Shute, eds., *Crime and Punishment in the Caribbean* (Gainesville, FL: University of Florida Press, 1980). Capital punishment had largely ceased by the mid- to late nineteenth century in Latin America, though secret executions, especially of political subversives and racialized targets, can be found well before the rise of dictatorships in the later twentieth century. In Argentina, for example, where the 1853 constitution was supposed to mark a departure from the frontier justice of Juan Manuel de Rosas, capital punishment continued to be used as a deterrent for crime, especially with regard to the lower classes. Ricardo D. Salvatore, 'Death and Liberalism: Capital Punishment after the Fall of Rosas', in Salvatore, Aguirre, and Joseph, eds., *Crime and Punishment in Latin America*, 308–341.
- 4 Multiple academic works and documentaries have tackled this topic in the past decade. See Alex Lichtenstein, *Twice the Work of Free Labor: The Political Economy of Convict Labor in the New South* (New York, NY: Verso, 1996); Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* (New York, NY: The New Press, 2012).
- 5 Here I do not want to confuse 'modernizing' with 'modernity'. Modernity is central to much of what is discussed in this chapter, but the point here is to understand Latin America within global shifts and attempts to keep up, and at times lead, in positivist sciences, social reforms and political transformations. For an essay that reorients some common held conceptions of post-colonial Latin America in this regard, see José C. Moya, 'Introduction: Latin America – The Limitations and Meaning of a Historical Category', in *The Oxford Handbook of Latin American History*, ed. José C. Moya (New York, NY: Oxford University Press, 2011), 1–24. See also the analysis of colonial versus post-colonial Latin America in relation to approaches in global history, Matthew Brown, 'The Global History of Latin America', *Journal of Global History* 10, no. 3 (2015): 365–386.
- 6 See Christian G. De Vito and Tim Coates in this volume.
- 7 See, for example, Manuel Lardizábal y Uribe, *Discurso sobre las penas: Contrahido á las leyes criminales de España, para facilitar su reforma* (Madrid: Joachin Ibarra, 1782).
- 8 For more on these early endeavors, see J. Carlos García Basalo, *San Martín y la reforma carcelaria: aporte a la historia del derecho penal argentino y Americano* (Buenos Aires: Ediciones Arayú, 1954).
- 9 See Donna J. Guy and Thomas E. Sheridan, eds., *Contested Ground: Comparative Frontiers on the Northern and Southern Edges of the Spanish Empire* (Tucson, AZ: University of Arizona Press, 1998). Beyond this pairing of the military and penal

system, which would continue to varying degrees over the years, the symmetrical star design of many *presidios* was not far off that of the radial pavilions of the bourgeoning modern penitentiary. Thank you to Nicholas Myers for helping to reveal this comparison. See 'A Brief History of Militarization in the U.S.-Mexico Borderlands', Latin American Studies Program Blog, Cornell University (September 2016) <http://blogs.cornell.edu/lasp/2016/09/> (accessed 15 April 2017).

- 10 John E. Hodge, 'The Role of the Telegraph in the Consolidation and Expansion of the Argentine Republic', *The Americas* 41, no. 1 (1984): 59–80.
- 11 See Richard O. Perry, 'Argentina and Chile: The Struggle for Patagonia 1843–1881', *The Americas* 36, no. 3 (1980): 347–363; Ricardo Salvatore, 'The Crimes of Poor *Paysanos* in Midnineteenth-Century Buenos Aires' in *Reconstructing Criminality in Latin America*, eds. Carlos A. Aguirre and Robert Buffington (Wilmington, DE: Jaguar Books, 2000), 59–84.
- 12 An excellent engagement with *presidios* and convict labour during the long nineteenth century and transition from colonialism to independence is, Christian De Vito, 'Convict Labour in the Southern Borderlands of Latin America (c. 1750s–1910s): Comparative Perspectives', in *On Coerced Labour: Work and Compulsion after Chattel Slavery*, eds. Marcel van der Linden and Magaly Rodríguez García (Leiden: Brill, 2016), 98–126.
- 13 Jeremy Adelman has described the decades following independence in Latin America (roughly 1820s–1850s) as 'anarchy'. While this description is perhaps too dismissive of the political machinations of *caudillos* (political boss-men who ruled before the consolidation of state governments), the chronology fairly captures the transition in Latin America from a post-independence period of clientalism to a post-1850s period of bureaucratic order. See *Republic of Capital: Buenos Aires and the Legal Transformation of the Atlantic World* (Stanford, CA: Stanford University Press, 1999).
- 14 E. C. Wines, *Report on the International Penitentiary Congress of London* (Washington, DC: Government Printing Office, 1872).
- 15 Mexico, despite innovations elsewhere, was surprisingly late with the creation of a penitentiary in 1900. An excellent essay covering the history of these prisons can be found in Carlos Aguirre, 'Prisons and Prisoners in Modernising Latin America (1800–1940)', in *Cultures of Confinement: A History of the Prison in Africa, Asia, and Latin America*, eds. Frank Dikötter and Ian Brown (Ithaca, NY: Cornell University Press, 2007), 14–54.
- 16 Enrique Cortés, *La cuestión penal* (New York, NY: M. M. Zarzamendi, 1871).
- 17 Quoted in Julia Rodríguez, *Civilizing Argentina: Science, Medicine, and the Modern State* (Chapel Hill, NC: University of North Carolina Press, 2006), 37.
- 18 Samuel J. Barrows, *The Sixth International Prison Congress Held at Brussels, Belgium, August 1900: Report of its Proceedings and Conclusions* (Washington, DC: Government Printing Office, 1903).
- 19 Michelle Murphy, *Sick Building Syndrome and the Problem of Uncertainty: Environmental Politics, Technoscience, and Women Workers* (Durham, NC: Duke University Press, 2006), 11–13.
- 20 Kristin Ruggiero, *Modernity in the Flesh: Medicine, Law, and Society in Turn-of-the-Century Argentina* (Stanford, CA: Stanford University Press, 2004), 102–109.
- 21 Eusebio Gómez, *Estudios penitenciarios* (Buenos Aires: Talleres Gráficos Penitenciaria Nacional, 1906).

- 22 Recent works have explored the relationship between forced labour and ecological change. For just a few examples, see Myrna I. Santiago, *The Ecology of Oil: Environment, Labor, and the Mexican Revolution, 1900–1938* (New York, NY: Cambridge University Press, 2006); Edward Melillo, 'The First Green Revolution: Debt Peonage and the Making of the Nitrogen Fertilizer Trade, 1840–1930', *American Historical Review* 117, no. 4 (2012): 1028–1060.
- 23 Hal Langfur, 'Uncertain Refuge: Frontier Formation and the Origins of the Botocudo War in Late Colonial Brazil', *Hispanic American Historical Review* 82, no. 2 (2002): 215–256.
- 24 See Peter M. Beattie, *Punishment in Paradise: Race, Slavery, Human Rights, and a Nineteenth-Century Brazilian Penal Colony* (Durham, NC: Duke University Press, 2015).
- 25 Peter M. Beattie, 'Conscription versus Penal Servitude: Army Reform's Influence on the Brazilian State's Management of Social Control, 1870–1930', *Journal of Social History* 32, no. 4 (1999): 847–878.
- 26 For more on Cuba and the reconciliation of liberalism and slavery in the era of abolition, see Dale Tomich, 'The Wealth of Empire: Francisco Arango y Parreño, Political Economy, and the Second Slavery in Cuba', *Comparative Studies in Society and History* 45, no. 1 (2003): 4–28.
- 27 Jonathan Hyslop, 'The Invention of the Concentration Camp: Cuba, Southern Africa and the Philippines, 1896–1907', *South African Historical Journal* 63, no. 2 (2011): 251–276.
- 28 On 'reconcentration', see John L. Tone, *War and Genocide in Cuba, 1895–1898* (Chapel Hill, NC: University of North Carolina Press, 2006), 193–224.
- 29 See Toribio Núñez, *Ciencia social según los principios de Jeremías Bentham* (Madrid: Imprenta Royal, 1835).
- 30 See the recounting in René Belbenoit, *Dry Guillotine: Fifteen Years among the Living Dead*, trans. Preston Rambo (New York, NY: Blue Ribbon Books, 1938), 203–204.
- 31 The penal colonies, however, were short-lived and a penitentiary model became the focus with the inauguration in 1909 of the facility under the Ministry of War. For more on the Costa Rican case and a broader critique of the political historiography of the nation, see Steven Palmer, 'Confinement, Policing, and the Emergences of Social Policy in Costa Rica, 1880–1935', in Salvatore and Aguirre, eds., *The Birth of the Penitentiary*, 224–254. On Panama, see the innovative historical approach in Ezer Vierba, 'The Committee's Report: Punishment, Power and Subject in Twentieth-Century Panamá', *Rethinking History* 17, no. 1 (2013): 2–37.
- 32 Miguel Gil, *La tumba del Pacífico* (Mexico City: Ediciones de La Prensa, 1931–1932).
- 33 Pablo Piccato, 'Cuidado con los Rateros: The Making of Criminals in Modern Mexico', in Salvatore, Aguirre and Joseph, eds., *Crime and Punishment in Latin America*, 246–247.
- 34 The island received some early attention from writers and scholars. See the census numbers in Pérez Espinoza Alfredo, *El penal de las Islas Marías* (Mexico City: n.p., 1937).
- 35 Matthew Butler, 'Mexican Nicodemus: The Apostleship of Refugio Padilla, *Cristero*, on the Islas Marías', *Mexican Studies* 25, no. 2 (Summer 2009): 271–306.
- 36 For an early history of the islands, see Benjamín Vicuña Mackenna, *Juan Fernández: Historia verdadera de la isla de Robinson Crusoe* (Santiago: Rafael Jover, 1883).
- 37 Ralph Lee Woodard, *Robinson Crusoe's Island: A History of the Juan Fernández Islands* (Chapel Hill, NC: University of North Carolina Press, 1969); Marco Antonio

León León, *Sistema carcelario en Chile: Visiones, realidades y proyectos (1816–1916)* (Santiago: Centro de Investigaciones Diego Barros Arana, 1996).

- 38 It should be noted that the term 'frontier' is a contentious one in Latin America. For many decades scholars refused the term as a US-centric category. In recent years, however, the term has received new attention from scholars who claim that denial led to overlooking complex elements of Latin American history in the hinterlands. See Richard Slatta, 'Comparing and Exploring Frontier Myth and Reality in Latin America', *History Compass* 10, no. 5 (2012): 375–385; Hal Langfur, 'Frontier/Fronteira: A Transnational Reframing of Brazil's Inland Colonization', *History Compass* 12, no. 11 (2014): 843–852.
- 39 Jane M. Rausch, 'Using Convicts to Settle the Frontier: A Comparison of Agricultural Penal Colonies as Tropical Frontier Institutions in Twentieth Century Colombia', *SECOLAS Annals* 34 (2002): 26–48.
- 40 While exiled in Chile in the 1840s, for example, future president of Argentina, Domingo Fausto Sarmiento, spoke with individuals in the Chilean government in an attempt to convince them that the Chilean state had a rightful claim over Patagonia. While in exile, Sarmiento wrote the now seminal text, *Facundo: or, Civilization and Barbarism* (1845). For more on the border disputes between Chile and Argentina during this time, see Perry, 'Argentina and Chile', 352.
- 41 Catello Muratgia, *Breve estudio sobre la regeneración de los delincuentes: precedido por datos históricos generales sobre sistemas penitenciarios* (Buenos Aires: Imprenta Tragant, 1905). For more on Ushuaia, see Ryan Edwards, 'From the Depths of Patagonia: The Ushuaia Penal Colony and the Nature of "the End of the World"', *Hispanic American Historical Review* 94, no. 2 (2014): 271–302.
- 42 Ryan C. Edwards, 'Convicts and Conservation: Inmate Labor, Fires and Forestry in Southernmost Argentina', *Journal of Historical Geography* 56, no. 2 (2017): 1–13.
- 43 'Una grata información', *Caras y Caretas* 338 (1906).
- 44 Positivist criminology became a dominant practice, as some scholars would travel to Europe to observe and adopt particular practices, though home-grown thinkers also flourished. And yet, while figures like Argentina's José Ingenieros had forged a criminology school in 1907 that embraced a biology-environment hybrid, Lombroso and positivist criminology had a larger and more lasting impact on the Argentine state from 1890 to 1940, and the institutional language of dangerousness and social defence guided these new policing and detective tactics. Ricardo Salvatore, 'Positivist Criminology and State Formation in Modern Argentina, 1890–1940', in *Criminals and Their Scientists: The History of Criminology in International Perspective*, eds. P. Becker and R. Wetzell (New York, NY: Cambridge University Press, 2006).
- 45 An excellent study that captures the similarities as well as changing waves of the Right is, Sandra McGee Deutsch, *Las Derechas: The Extreme Right in Argentina, Brazil, and Chile, 1890–1939* (Stanford, CA: Stanford University Press, 1999).
- 46 Jose C. Moya, 'The Positive Side of Stereotypes: Jewish Anarchists in Early-Twentieth-Century Buenos Aires', *Jewish History* 18, no. 1 (2004): 19–48.
- 47 For example, border disputes in Chile and Peru painted Peruvian labourers as 'black' anarchists who threatened Chilean society, while anti-Semitism in Argentina othered Eastern European immigrants. Raymond B. Craib, *The Cry of the Renegade: Politics and Poetry in Interwar Chile* (New York, NY: Oxford University Press, 2016), 41–48.
- 48 Abelardo Solís, *Once años* (Lima: Talleres Gráficos Sanmartí y Cia, 1934), 54.
- 49 Carlos Aguirre, *The Prisoners of Lima and Their Worlds: The Prison Experience, 1850–1935* (Durham, NC: Duke University Press, 2005), 132–139.

- 50 Multiple stories were published in *El Monitor Republicano* (Mexico City), in 1889. See Robert Buffington, 'Revolutionary Reform: Capitalist Development, Prison Reform, and Executive Power in Mexico', in Salvatore and Aguirre, eds., *The Birth of the Penitentiary*, 180–182.
- 51 On the importance of prison memoirs as broader historical sources, see the introduction in Peter Zinoman, *The Colonial Bastille: A History of Imprisonment in Vietnam, 1862–1940* (Berkeley, CA: University of California Press, 2001). See also the exchanges between imprisoned politicians and communists in Kasian Tejapira, *Commodifying Marxism: The Formation of Modern Thai Radical Culture, 1927–1958* (Kyoto: Kyoto University Press, 2001).
- 52 See, for example, the accounts in Kirwin R. Shaffer, *Black Flag Boricuas: Anarchism, Antiauthoritarianism, and the Left in Puerto Rico, 1897–1921* (Urbana, IL: University of Illinois Press, 2013).
- 53 Martí's imprisonment allowed him to attack the Spanish prison system directly in his 1871 publication, *El presidio político en Cuba* (La Habana: Ucar, García y Cía, 1944).
- 54 Rafael E. Saumell, *La cárcel letrada: Narrativa cubana carcelaria* (Madrid: Editorial Betania, 2012).
- 55 See the seminal work from 1980, Osvaldo Bayer, *La Patagonia Rebelde* (Buenos Aires: Booket, 2010).
- 56 See Alberto del Sar, *Ushuaia: La Tierra Maldita Tomo I* (Buenos Aires: Gurrunkel, 1924); International Institute of Social History (IHS) Bro 396/21, *Historia del mártir Simón Radowitzky*.
- 57 Quoted in Jonathan Ablard, *Madness in Buenos Aires: Patients, Psychiatrists, and the Argentine State, 1880–1983* (Athens, OH: Ohio University Press, 2008), 15.
- 58 Veyga assessed Planas Virella, a Spaniard who attempted to assassinate Argentine President Quintana in 1905, by citing Virella's biological and psychological irregularities, which were genetic and could similarly be witnessed in his sister's hysterical and epileptic attacks. See Rodríguez, *Civilizing Argentina*.
- 59 M. García Ferrari, *Ladrones conocidos, sospechos reservados: Identificación policial en Buenos Aires, 1880–1905* (Buenos Aires: Prometeo Libros, 2010).
- 60 In Chile, subversives went as far as to mock the police in court for planting poorly made bombs in the attempt to frame these groups. Raymond B. Craib, *The Cry of the Renegade: Politics and Poetry in Interwar Chile* (New York, NY: Oxford University Press, 2016), 122–123. Moreover, targeting of the Left often brought socialists to the aid of anarchists, who were generally at odds during this period. See, for example, Alfredo L. Spinetto, *Las Cárceles Argentinas: El Régimen de Ushuaia* (Buenos Aires: Ministro de Justicia e Instrucción Pública, 1924).
- 61 Ricardo Rojas, *Archipiélago: Tierra del Fuego* (Buenos Aires: Editorial Losada, 1942).
- 62 On the shifts in the Chilean penal system, see Marco Antonio León León, *Encierro y corrección: La configuración de un sistema de prisiones en Chile, 1800–1911* (Santiago: Universidad Central de Chile, 2003).
- 63 Thomas Miller Klubock, *La Frontera: Forests and Ecological Conflict in Chile's Frontier Territory* (Durham, NC: Duke University Press, 2014), 90–92.
- 64 Lessie Jo Frazier, *Salt in the Sand: Memory, Violence, and the Nation-State in Chile, 1890 to the Present* (Durham, NC: Duke University Press, 2007), 165. Frazier draws, in part, from discussions with activist and historian, Leonardo Fernández.
- 65 Negley Teeters, who attended these meetings and toured much of Latin America, noted many of the advances set forth by these reforms but also condemned the continued use and proposal for frontier prisons organized around development

- rather than rehabilitation. See Negley K. Teeters, *Penology from Panama to Cape Horn* (Philadelphia, PA: Temple University Press, 1946).
- 66 For an excellent discussion on this shift, see the conclusion in Greg Grandin, *The Last Colonial Massacre: Latin America in the Cold War* (Chicago, IL: University of Chicago Press, 2004).
- 67 The American FBI starting in the 1940s also targeted Leftists groups through the Special Intelligence Service (SIS). See Marc Becker, *The FBI in Latin America: The Ecuador Files* (Durham, NC: Duke University Press, 2017).
- 68 The Cuban case provides for an exploration into punishment regimes under a communist government and comparisons to Soviet gulag. Luis Salas, *Social Control and Deviance in Cuba* (New York, NY: Praeger, 1979).
- 69 The atrocities of this period often evade the traditional use of prisons and penitentiaries, and instead enact genocide and mass disappearances. Truth commissions and testimonials, therefore, have become crucial for recovering events and experiences. In the case of Chile, a publication of documents can be found in Peter Kornbluh, *The Pinochet File* (New York, NY: The New Press, 2003). For Argentina, many have turned to the prison memoir, Jacobo Timmerman, *Prisoner without a Name, Cell without a Number* (New York, NY: Alfred Knopf, 1981).
- 70 Markus-Michael Müller, 'The Rise of the Penal State in Latin America', *Contemporary Justice Review* 15, no. 1 (2012): 57–76. Müller is expanding the theoretical work of Loïc Wacquant in the global North/West. See also Fiona Macaulay, 'Modes of Prison Administration, Control and Governmentality in Latin America: Adoption, Adaptation and Hybridity', *Conflict, Security and Development* 13, no. 4 (2013): 361–392.
- 71 See Jarrett Blaustein, 'Exporting Criminological Innovation Abroad: Discursive Representation, "Evidence-Based Crime Prevention" and the Post-Neoliberal Development Agenda in Latin America', *Theoretical Criminology* 14, no. 4 (2015): 1–20; Julie de Dardel and Ola Söderström, 'The Rise and Fall of Supermax: How the US Prison Model and Ultra Punative Penal Policy Travelled to Colombia', *Maison D'Analyse des Processus Sociaux* (2015): 1–22.
- 72 Manuel Iturralde, 'Colombian Prisons as a Core Institution of Authoritarian Liberalism', *Crime Law and Social Change* 65, no. 3 (2016): 137–162.
- 73 However, inmates themselves seemed to be in charge of much of the ordering within some of these penal institutions. Andrés Antillano, Iván Pojomovsky, Verónica Zubillaga, Chelina Sepúlveda and Rebecca Hanson, 'The Venezuelan Prison: From Neoliberalism to the Bolivarian Revolution', *Crime Law and Social Change* 65 (2016): 195–211.
- 74 It bears repeating that this institution has its origins in the Spanish-American-Cuban-Philippine War. It was in the treaty that ended Spanish colonialism and converted Caribbean holdings to a US protectorate that gave the United States a lease for Guantanamo Bay. On the recent legal contortions of the space, see Derek Gregory, 'The Black Flag: Guantánamo Bay and the Space of Exception', *Geografiska Annaler, Series B* 88, no. 4 (2006): 405–427.
- 75 Oeindrila Dube, Omar García-Ponce and Kevin Thom, 'From Maize to Haze: Agricultural Shocks and the Growth of the Mexican Drug Sector', *Journal of the European Economic Association* 14, no. 5 (2016): 1181–1224.
- 76 The rise of the 'Pink-Tide' in South America since the late 1990s helped mitigate violence in Bolivia and Ecuador, while the increased policing of cocaine in Colombia has shifted the underground economy to Peru and neighbouring countries. While

the cocaine industry brought *cocaleros* into a global public view, overcrowding in prisons has also reached new levels of publicity that have shed light on these situations. New forms of visibility have linked labour to criminality, not through convicts, but traditional practices legally transformed overnight by new transnational drug policies. The relationship between labour and illegal commodities has been recently explored. See Paul Gootenberg, *Andean Cocaine: The Making of a Global Drug* (Chapel Hill, NC: University of North Carolina Press, 2009); Ursula Durand Ochoa, *The Political Empowerment of the Cocaleros of Bolivia and Peru* (New York, NY: Palgrave, 2014).

- 77 Paul Hathazy and Markus-Michael Müller, 'The Rebirth of the Prison in Latin America: Determinants, Regimes and Social Effects,' *Crime Law and Social Change* 65, no. 3 (2016): 113–135.
- 78 Sarah Badcock and Judith Pallot (in this volume) make a similar point about the Russian federation as a high imprisonment society. For more on contemporary incarceration rates worldwide, see 'Highest to Lowest – Prison Population Total,' *World Prison Brief* (WPB) http://www.prisonstudies.org/highest-to-lowest/prison-population-total?field_region_taxonomy_tid=All (accessed 24 September 2017). It should be noted that for the Americas, the USA is in the top ten for both categories (absolute population and percentage of population).
- 79 Michael Welch, 'Penal Tourism and a Tale of Four Cities: Reflecting on the Museum Effect in London, Sydney, Melbourne, and Buenos Aires,' *Criminology and Criminal Justice* 13, no. 5 (2013): 479–505
- 80 Susana Draper, *Afterlives of Confinement: Spatial Transitions in Postdictatorship Latin America* (Pittsburgh, PA: University of Pittsburgh Press, 2012).
- 81 A common quip is that the political prisoner wing was in fact the top political science department in the country. The Dirty War in Mexico is less recognized than those in the Southern Cone, but recent work, including a prison memoir, have brought the issue to light. See Alberto Ulloa Bornemann, *Surviving Mexico's Dirty War: A Political Prisoner's Memoir* (Philadelphia, PA: Temple University Press, 2007). For US audiences the prison was made famous by Dwight Worker, who escaped from Lecumberri in 1975 and wrote about the experience in *Escape* (San Francisco, CA: San Francisco Book Co., 1977).