



# Skarbek: The Puzzle of Prison Order: Why Life Behind Bars Varies Around the World

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Life in prison has become a subject of scholarly interest in many parts of the world, but few have attempted to compare forms of internal organization in carceral institutions at different times and in different locations. In *The Puzzle of Prison Order: Why Life Behind Bars Varies Around the World*, David Skarbek introduces readers to an original theoretical framework developed to not only understand but also explain and predict variations in prison social order across time and space. With an educational background in economics and a career as a political scientist and economist, Skarbek has so far focused on institutions and institutional change, showing a particular interest in the governance of prison gangs (Skarbek, 2023). *The Puzzle of Prison Order*, his second book after *The Social Order of the Underworld: How Prison Gangs Govern the American Penal System* (2014), breaks new ground by raising the conversation on governance inside prisons to the cross-national level.

Skarbek's book, which is divided into eight short chapters, presents itself to readers as compact and to the point. In the first chapter, he introduces his governance theory of social order, identifying a relationship between the quality of official governance inside prisons and the degree of extralegal governance. The next six chapters are divided into two substantive parts in which Skarbek tests his theory in different settings. In the first part (Chapters 2–4), Skarbek surveys cases that differ in terms of the involvement of official governance institutions with issues behind bars. The cases are diverse in terms of their geographic locations: he describes conditions in a Brazilian jail and a Bolivian prison in Chapter 2, turning to Norwegian prisons in Chapter 3. In Chapter 4, he surveys a historical case, the Andersonville prisoner-of-war camp established in Georgia in 1864 during the American Civil War. It is important to note that

Skarbek did not visit any of these facilities himself but instead draws on landmark ethnographic work conducted by others. Upon reviewing these case studies, he hypothesizes that prisons with low-quality official governance—measured by the inadequacy of staff and resources to meet the incarcerated population's demands—provide a fertile ground for the development of extralegal governance institutions. Such institutions can take many forms, ranging from highly centralized institutions—characterized by a hierarchical organization, distinct leadership, and written rules—to a reliance on decentralized mechanisms in which a central authority and hierarchy are absent and members are guided by an informal, unwritten code of etiquette. However, the population must first see a purpose in establishing extralegal governance institutions for themselves. As the case of Andersonville should illustrate, official governance was lacking in this camp, but the population did not invest in any extralegal governance institutions due to their precarious situation as prisoners of war and the unpredictability of their immediate future. According to Skarbek, these are the conditions that give rise to a minimal governance regime.

While the governance theory of social order holds that high-quality official governance provisions hamper the development of informal governance institutions, it cannot explain why official governance is or is not provided in the first place. For example, the model does not explain why the Norwegian penal system is willing to put enough resources into its prisons to be able to supply high-quality governance, while the Brazilian or Bolivian systems are not. Readers interested in understanding the cultural, social, political, and economic contexts out of which the penal systems of the studied locations sprung will have to look elsewhere. However, much comparative prison research has so far focused on uncovering the reasons that bring people to prison—mostly prisons in the U.S. and selected European countries—rather than how their lives are governed once inside (e.g., Blumstein et al., 2005; Brodeur, 2007; Cavadino

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& Dignan, 2006; Sozzo, 2022, expanding the conversation to the Global South).

Skarbek's analysis remains focused on understanding life behind bars, and this is also where the main strength of his approach lies. In the second substantive part of the book (Chapters 5–7), he examines in more detail how the incarcerated themselves govern in locations where moderate official governance is provided. He first outlines conditions in small female state prisons in California (Chapter 5), briefly compares English and Welsh male prisons with those found in California (Chapter 6) and refers to case studies on the gay and transgender unit of the Los Angeles County Jail (Chapter 7). What these seemingly diverse institutions have in common, according to Skarbek, is that alongside moderate official governance, the incarcerated populations have space to govern themselves. However, Skarbek argues that smaller carceral institutions (like the female state prisons in California), institutions closer to their home ground (as seen with English and Welsh male prisons), and those with a higher degree of shared backgrounds, norms, and values among the population (as observed in the gay and transgender unit in the Los Angeles County Jail) make centralized extralegal institutions—most notably gangs—less attractive. When prisoners are more likely to know and connect with each other, the fear of the loss of personal reputation serves as an extralegal governance mechanism that is decentralized but highly effective in keeping gangs outside the prison gates.

After these case studies, Skarbek uses the third and final part of the book (Chapter 8) to discuss the value and potential limitations of his approach. Skarbek's theory should be well suited to explaining why prison gangs—as one manifestation of a centralized extralegal governance institution—are predominant in some institutions but inconsequential in others. More specifically, his model holds that gangs are less likely to emerge in small facilities that are close to their populations' home quarters and that house individuals from similar backgrounds. From a security standpoint, this model thus has important implications, as it holds that gang violence could be countered with quite specific administrative adjustments.

While Skarbek undoubtedly breaks new ground with his model, he also admits that his work should only be seen as a first attempt to explain prison social order. Due to the small number of cases presented in his book and the disparate setting of each case, Skarbek finds his theory to have predictive value, but that value should only be considered “probabilistic” rather than “deterministic” (p. 150). Indeed, Skarbek's sample is small, and while he chose cases in “disparate settings” on purpose (p. 149)—covering both jails and prisons in different

countries, a historical prisoner-of-war camp, institutions derived from distinct political and economic contexts, and including different security levels and male, female, as well as transgender populations—he also chose locations where case studies had already been conducted. In other words, he had to rely on what other researchers had written about, and he could not visit the studied institutions himself and ask the same probing questions derived from his model in each individual setting. Skarbek himself is upfront about this limitation, inviting scholars to become more “intentional and systematic” (p. 155) in comparative research and to rigorously test his model in different locations and specific institutions over a longer time, especially those where new governance styles have been adopted or larger administrative changes have been made. For example, an interesting test could be a case study on rural jails in California. Since the implementation of a prison realignment policy in 2011, persons convicted of non-violent, non-serious, or non-sexual offenses have been shifted from state prisons to local jails, resulting in different population dynamics in the latter, which are rather small institutions typically situated close to the incarcerated populations' home grounds.

Overall, *The Puzzle of Prison Order* presents readers an innovative model that attempts to piece seemingly dissimilar prison regimes together into a neat framework to explain and possibly predict the emergence and development of governance regimes in carceral institutions around the world. Few attempts have been made prior to Skarbek to categorize these institutions cross-nationally and to provide explanations for the variations in prison social order that exist worldwide. This book fills a void in cross-national research on life inside carceral institutions and serves as an honest invitation to test the framework in additional locales and historical time periods, especially with the goal of assessing its predictive value. Now, it is up to scholars interested in governance behind bars to become inspired and put the proposed theory to the test.

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