

Books

The Social Order of the Underworld. How Prison Gangs Govern the American Penal System

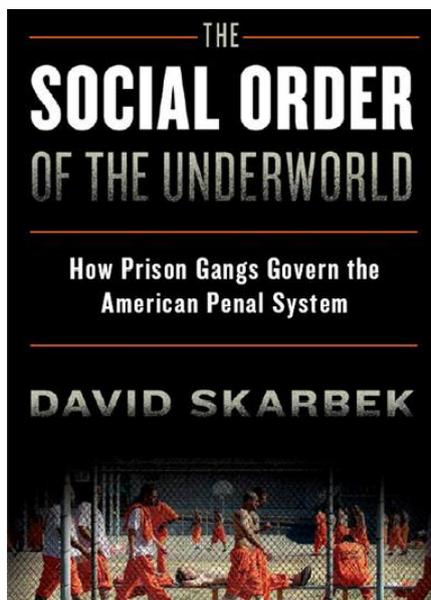
by **David Skarbek****, Oxford, Oxford University Press, 2014, 224 pp. Hardback and Paperback

*Reviewed by Maurizio Catino**

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David Skarbek has written a very thoughtful and captivating book about social order among U.S. prison gangs. Skarbek, a political economist, studies governance and institutions through a rational-choice perspective. Evoking the Hobbesian dilemma, one of the main questions of his research is: How do rules and institutions shape incentives and behavior?

Applying an instrumental approach to the study of California prison gangs, Skarbek casts a new light on the extralegal governance institutions that criminals create, and the outcome that these institutions produce: i.e., social order in a very hostile and dangerous environment. This outstanding book starts from a simple empirical question: why prison gangs exist in some places and times, but not in others? The answer is that criminals form gangs for a practical reason: to regulate their social and economic interactions. This answer is in contrast with more typical explanations, which argue that prisoners form gangs to promote violence. Contrary to popular convictions, Skarbek shows that prison gangs are not chaotic bands of violent and racist people. Rather, they are sophisticated organizations with complex regulatory functions, playing a vital role in the maintenance of social order in prisons. Due to the lack of access to many formal and reliable governance institutions, criminals must rely on extralegal governance institutions: gangs operate as alternative governmental organizations within the American penal system: "Prison gangs form to provide extralegal governance when inmates have a demand for it and official governance mechanisms are ineffective or unavaila-



ble' (p. 8).

Prison gangs are inmate organizations that operate within a prison system. They are permanent organizations, characterized by restrictive, and exclusive membership. There are almost 50,000 gangs in the U.S. prison system, and 308,000 gang members. Gangs are racially and ethnically segregated, and members have tattoos to identify themselves, and to make their membership clearly visible. One of the most interesting aspects highlighted by Skarbek is that prison gangs have formed only recently: there were no gangs for a century, from 1851 to 1957. Gangs originate in the period from 1957 to 1970, and they have dominated U.S. prisons ever since.

Why did it take so long for gangs to form? What caused their emergence in the late 50s? The answer is to be found in the demographic changes that occurred in the U.S. prison system in this period, which induced changes in prisons' extralegal governance. Inmates need protection of their property rights and governance of their common resources. Because officials were not able to provide reliable control, and the convict code was

not effective anymore, inmates formed gangs as a form of extralegal governance to protect their rights, and facilitate exchange when state-based governance institutions could or did not do so.

To become a gang member is a must for new inmates. Otherwise, they will not have any protection. As Skarbek argues: "Inmates have a need for governance, but they cannot fully rely on third-party enforcement (the correctional officers) or the discipline of continuous dealings to solve their problems. Inmates use two alternatives sources to official mechanisms: norms and organizations" (p. 24). Norms regulate the permitted and forbidden behavior in a specific context. Norms usually rely on decentralized punishment for their enforcement. For more than a century, the 'convict code' has regulated the lives of inmates in U.S. prisons, reducing conflicts and coordinating people's actions and expectations. Beginning in the 1950s, the convict code was not able to assure his functions anymore, becoming ineffective by the mid-1970s. Why did this happen then? Why norms were no longer useful? The declining power of the convict code coincides with a period of huge expansion of the penal system.

In general, norms are less effective: (1) in a large population, (2) when people do not know each other, (3) when there are younger people, and (4) when a community is more heterogeneous. All of these elements characterized the demographic changes in U.S. prisons, weakening the efficacy of the convict code in providing governance to the criminal underworld. The decline of norms, in the absence of effective official mechanisms of control, caused a power vacuum in the inmate social system, and highlighted the need for a different form of extralegal governance: the organization. This is an alternative solution to limit negative behavior, Skarbek affirms. Organizations are more costly than norms, because they require time and resources to spread information and dispense punishment.

Organization in the prisons system took the form of gangs, which “formed to meet the demand for protection, for both one’s person and property, but also to protect the security of transactions in the prison’s underground economy. Identifying the changes in the supply and demand for governance explains why prison gangs form” (p. 50).

Inmates require extralegal governance because they want more protection of their property rights (e.g., they sleep in open dormitories, where there are pervasive problems of personal and property security), and because they need to establish criteria to regulate the access to scarce common resources (e.g. basketball courts, TV, etc.). Gangs are not created to promote chaos and violence, but for the opposite reason. As a matter of fact, one of the most important, and positive effects of gangs, has been the decline in violence, riots and homicides in U.S. prisons. Nowadays, the U.S. prison system is a community responsibility system based on gang affiliation. Prison gangs create social order resolving conflicts and disputes among inmates (over drug deals, drug debts, theft, etc.). Each gang is responsible for their mem-

bers. To maintain reputation, gangs have a strong interest in punishing their own members when they violate rules: “Gangs govern the social system effectively because they know which inmates are reliable and can exclude and punish opportunistic inmates. Their information collection mechanism and capacity for violence provide a credible threat that elicits obedience from inmates” (p. 90). Rules are created to govern the interactions with members and non-members, to improve communication, to govern the underground economy.

There are some theoretical and practical lessons from Skarbek’s research. From a theoretical point of view, to understand aggregate economic and social outcomes, it is fundamental to understand the role of extralegal governance institutions, making them visible. These are relevant as much as most legal institutions in facilitating cooperation and economic exchange. From a practical point of view, Skarbek’s research is an excellent and empirically informed guide to manage problems with prison inmates. First of all, if the government wants to reduce the power of gangs, it is necessary to remove inmates’ need for extralegal institu-

tions, altering “the conditions that give rise to inmates’ demand for them and to identify what substitute mechanism are available ... [There are] three possible solutions to reduce the influence of prison gangs ..: (1) make prisons safer and more liberal, (2) incarcerate fewer people, and (3) hire more police” (p. 161).

Skarbek analyzed mainly gangs within the California State Prison System. It would be interesting to replicate this analysis in other prisons, in the U.S. and other countries, to assess the extent to which Skarbek’s findings are generalizable.

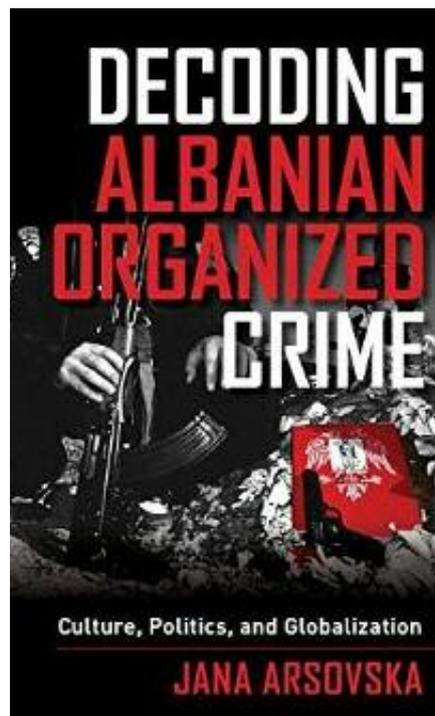
Studying an unconventional case like prison gangs, Skarbek did a great and innovative job for the social sciences in promoting a new understanding of organizational phenomena such as the role of extralegal governance in social systems. The book is very well written, and it is enjoyable and engaging to read. Highly recommended.

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Decoding Albanian Organized Crime. Culture, Politics and Globalization

by **Jana Arsovska***, University of California Press, 321 pp, Paperback, Ebook

The expansion of organized crime across national borders has become a key security concern for the international community. In this theoretically and empirically vibrant portrait of a global phenomenon, Jana Arsovska examines some of the most widespread myths about the so-called Albanian Mafia. Based on more than a decade of research, including interviews with victims, offenders, and law enforcement across ten countries, as well as court files and confidential intelligence reports, *Decoding Albanian Organized Crime* presents a comprehensive overview of the causes, codes of conduct, activities, migration, and structure of Albanian organized crime groups in the Balkans, Western Europe, and the United States. Paying particular attention to the dynamic relationships among culture, politics, and organized crime, the book develops a framework for understanding the global growth of the criminal underworld and provides a model for future comparative research.



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