Young boys behind bars: An ethnographic study of violence and care in South Africa
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Citation for published version (APA):
‘A criminal is a criminal,’ said the policewoman as she led me to the juvenile court’s underground holding cells, where inmates are confined while waiting to appear before the magistrate. She continued: ‘It doesn’t matter how old the child is, if you do the same crime (as adults do), you must be treated in the same way.’ It is clear that the policewoman had a non-negotiable, homogeneous understanding of a criminal. However, in my daily interactions at the secure care facility I observed that, in addition to the label ‘criminal’, multiple labels, different perceptions and characterisations of the boys were also produced and reproduced. Individual boys hold multiple rather than single labels, labels which they negotiate while interacting with other boys and staff. These labels derive from a boy’s perceived personal characteristic or behavioural and moral evaluations as to whether he is good or bad, friendly or unfriendly, violent or non-violent.

This chapter describes the process of how boys are perceived and labelled as criminals or non-criminals by staff and peers. It shows how the representation and classification of a child as criminal or non-criminal is not as simple a matter as the policewoman made it out to be. The chapter explores the context-specific construction of boys as criminals or non-criminals and examines the factors contributing to this process. Three cases will be presented to illustrate various aspects of the labelling process.

5.1. The case of Chris

Early, one Monday morning I was on my way to the Sharks dormitory. As I walked down the passage past the offices of the clinical staff and managers, I crossed through the steel gate that leads to the courtyard. Here, I bumped into the social worker, Inga. She was leaving her group session in the Owls dormitory. As always, I asked about the group. Today she did not seem too pleased with the progress of the boys and their interaction within the dormitory.

I started telling her about the group discussion I had had with the boys the week before. I told her about Chris, a 14-year-old boy who had been arrested for physically assaulting his younger sister and, while in the institution, assaulting one of the well-liked boys in the Sharks dormitory because he was friendly and humorous. He had been incarcerated for about two months and seemed to have adapted well. Inga and I discussed how co-operative Chris was and that he was seldom involved in physical fights. Inga said she felt that Chris was ‘not meant to be here’, in other words, that he did not belong in the institution. Chris needed help with his anger issues and once that was managed, he could go home. Inga believed he had potential and that he should not disappear deeper into the judicial system, for once a child enters the system, it would be difficult to remove him from it because he would deteriorate while incarcerated; once released, he would have to struggle to re-enter and participate in society.
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My conversation with Inga about Chris raised the question of what specific factors led to us having this image of a boy like Chris. Why did we perceive him as a ‘non-criminal’? And why was it that over time this perception changed? I will try to answer these questions below by identifying and examining a number of factors that contributed to such changing perceptions.

5.1.1. Developing relationships and daily interaction

When Chris entered Middletown, staff members had access only to the scant information about him they received from the social worker and courts which had dealt with him before he was admitted. They knew he had led a fairly crime-free life until he assaulted his sister. They also knew he had reached a relatively high level of education (he was a senior at high school), lived in a somewhat stable home environment and enjoyed good relationships with his family. Even though Chris was admitted for a serious violent crime, on the basis of this information he was perceived among staff members as a child with potential. Staff evaluated him as having the ability to abandon criminal behaviour and not spend the rest of his life moving in and out of correctional facilities. This positive image of the boy was confirmed when, during incarceration, Chris established a history of good behaviour and relationships with boys and staff. He interacted respectfully with care workers, developed a playful friendship with them, and was very co-operative during programmes.

As time goes by, staff closely observe the daily behaviour of boys. As a result, staff either confirm or reject the labels the boys received when entering the institution. In Chris’s case, staff supported the benign image of Chris because he was not seen as directly involved in perpetrating violence in Middletown. He would sometimes verbally threaten other boys, but in most cases he would report boys troubling him to the care worker. This reporting was part of the protocol for boys to follow when being abused. Chris’s behaviour led staff to perceive him as more mature than many other boys and to treat him as an adolescent rather than a young child. It also meant he was allowed more freedom physically and socially within the institution.

5.1.2. Incarceration and criminal history

Being newly incarcerated as a first-time offender is very important in the perceptions and labelling of the boys. The number of times a boy has been incarcerated, rather than the length of his previous incarceration(s), determines the type of label he receives. First-timers are mostly perceived as boys who are not completely immersed in criminal activity and rather as children in trouble, needing help. An additional factor closely linked to the boy’s criminal and incarceration history is the type of incarceration he had experienced before coming to the secure care facility. Staff explicitly argue that they have a clearer understanding of the child and will be able to predict his behaviour better when they are aware of the kind of placement he has previously been exposed to (if any), as this suggests the type of experiences he will have had. Different kinds of institutions have different reputations, reputations which influence the image of its (former) inmates. Moreover, these institutions and their reputations are hierarchically ordered, based on criteria of the levels of violence and corruption within the institution and the level of criminality of the type of inmate incarcerated.
At the top of the imagined structure is the most feared adult prison, the most notorious example being Pollsmoor prison in the Cape Town suburb of Tokai. Through extensive media coverage and stories, adult prisons such as Pollsmoor are known for the power of the prison gangs, high levels of violence perpetrated against staff and inmates, and general corruption that governs its daily running. It has become one of the most feared forms of incarceration. Secure care facilities, on the other hand, have been established for the incarceration of children and do not generally carry connotations of violence and corruption. However, different secure care facilities incarcerate different boys. Secure care facilities that house older boys, compared to the one where this study took place, are seen as more violent and as housing boys who are perceived as more criminal. Therefore, when a young boy has been incarcerated with older inmates either in a secure care facility for older boys or in an adult prison, he is perceived to have survived high levels of violence. In the eyes of staff and boys at a secure care facility for younger boys, this implies that he will possess strategies and power that implicate him in the perpetration of violence.

In such a case, neither the length of incarceration nor the crime that the boy was incarcerated for is very important. Whatever the reason for his incarceration in a higher-ranking institution in this hierarchy of violence, staff and boys in lower-ranked institutions will perceive him as someone of whom they should be cautious. One of the examples is Art, a 14-year-old who was admitted to Middletown after being incarcerated at Pollsmoor for a few days because they did not immediately have a place available for him elsewhere. The boys’ perceptions of Art changed to something like respect when they heard that he had initially been incarcerated in an adult prison.

Within the hierarchy of institutions for incarceration, secure care facilities for young children are positioned at the bottom because less violence, abuse and corruption are perceived to occur within its walls. The general perception in the broader structure of institutions is that secure care facilities incarcerate children who are troubled and have made bad decisions. A warden at Pollsmoor had this to say: ‘After all, they are still children. All they need is the proper guidance.’ Unlike Art, Chris came to the secure care facility for younger children without any history other than the crime he had recently committed and was therefore seen as a boy in trouble, not a criminal. As a result, the social worker suggested that Chris receive psychological therapy.

5.1.3. The criminalisation of Chris

Weeks later, I was told by staff that Chris had been sexually assaulting and sodomising two new boys, Chad and Reggie. One morning, a care worker found one of the new boys naked in his bed. The care worker questioned the boy, but it was other boys who informed her that Chris had been visiting the new boy at night and having sex with him.

The news shocked me and I did not know how to respond because I felt betrayed by Chris. Noticing my reaction, one of the staff members said, ‘Yes, they look like that [innocent]. We sometimes forget that they’re criminals’. Then the occupational therapist interrupted, noticing the disbelief in my eyes: ‘They’re criminals, Heidi! You have to be very careful. They will pull the wool over your eyes’. Right there Chris had changed from being a child in trouble, a child with potential, into a criminal. I will call this process of transition in the eyes of others ‘the process of criminalising a person’. This process is fluid and fragile. Let us look a bit closer into the factors that assisted Chris in this transition to being criminalised.
First, there was his perpetration of a crime that was perceived as very serious. Similar to the hierarchy of institutions, there exists a hierarchy of crimes. Had he perpetrated a less serious crime he possibly could have negotiated and to some extent retained his label of troubled boy. But both staff and boys at Middletown perceive sodomy and rape among the more serious crimes one can commit. Boys believe murder and rape are only committed by ‘real’ criminals. It was clear that the more serious and violent the crime, the higher the risk of the boy being defined as criminal. In a discussion with Ryan and Darius I asked how others see them when they steal cables. Darius said, ‘That’s nothing! They [the rest of the boys] only laugh at you saying you [are] a cable thief. I asked him, ‘So that’s not a criminal?’ Ryan said, ‘No, a criminal is someone who commits murder or rape’.

Not only did Chris perpetrate sexual violence as such, but this violence was directed against new boys. Staff and boys perceive new boys as vulnerable and as adapting to their surroundings. In the hierarchy of violence the issue is not only the type of violence perpetrated, but also the type of victim it is directed towards and its frequency. Both boys who were violated by Chris were seen as more vulnerable than others by their peers and staff. Chad was mentally challenged, whereas Reggie was a ‘moffie’ (homosexual).

Finally, it was precisely the fact that Chris’s participation in perpetrating violence was so unexpected, that created the impression of his sudden fall from grace. It created a sense that he was unpredictable, untrustworthy and, on top of that, dangerous. The relationships that once existed disintegrated as a consequence of him betraying the image of the gentle, troubled boy others had believed him to be. The staff’s expression of uncertainty and anger towards Chris after this information was divulged, which were feelings I shared, is a telling sign of this disintegration, but also, paradoxically, of the fact that close relationships may develop between staff and boys, including deep personal attachments. As the social worker remarked, ‘We sometimes forget that they’re criminals.’

As a consequence of his actions, Chris’s new image eventually influenced the way in which he was managed. He was later moved to another dorm with older boys. But is it possible for someone labelled a criminal to make the transition back to being perceived as a non-criminal? And if so, what factors would influence such a transition? I refer to this transition from criminal to non-criminal, as registered in the eyes of others, as the process of decriminalisation.

5.2. The case of Kyle

Kyle is housed in the Owls dormitory. Given his age and length of incarceration, he is considered one of the older boys in the institution. At the time of our meeting, he had already been locked up for months. He was notorious for his aggressive behaviour, brawls with other boys and boldly challenging staff. Staff members often defined and responded to Kyle and his behaviour as problematic. For instance, if he asked a staff member a question, they would be quick to describe him as confrontational or seeking attention. Many staff members were reluctant and some of the clinical staff even refused to work with him. Most staff believed that he did not want to change and that he had already decided, for himself, that the criminal lifestyle was his future.

Nevertheless, the occupational therapist and social worker invited Kyle to assist them in preparing a gender-based violence programme that they would be hosting one Monday. To
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their surprise, Kyle agreed to assist and worked through the weekend. Kyle helped hang posters, create cards, and pack gift bags for visitors and so on. Over this weekend, staff developed a new relationship with Kyle and a new image of him. This once perceived criminal now proved trustworthy and reliable. On the Monday morning, just before the programme began, the social worker called me and said, ‘Kyle is a changed man. He was helping us the whole weekend. He was good.’ She smiled as she walked away. That weekend, Kyle exited his criminal identity.

A history of violent behaviour and lack of co-operation assists in reproducing an image of being a criminal. According to the staff, if a boy disrespects staff and behaves aggressively towards them, this boy possesses ‘criminal ability’ and is not a child in need. In Kyle’s case his unruly behaviour was experienced as intentional. Staff referred to him as ‘deciding’ not to change and to remain within criminality. The ascription of intentionality to a boy’s problematic behaviour plays a significant role in creating labels of criminality. When criminal and violent behaviour is understood to be intentional and conscious, the individual is perceived to be a criminal.

The issue of intentionality was a regular issue of debate among staff and boys. For instance, Jim, who is 13 years old, murdered a toddler. He had to look after the baby while his neighbour left the house for a few minutes. According to Jim, the baby started to cry uncontrollably. He tried to make the baby stop crying and was unsuccessful. Eventually Jim picked up the toddler and started to shake her violently. As a result of the shaking, Jim killed the toddler. When staff and some of the boys heard what had happened, they would say, ‘It was an accident’ and ‘He was stressed out while looking after the child and he didn’t mean to hurt the child’. Because they assumed that Jim did not intentionally want to hurt the toddler, he was not perceived as a criminal. Instead, various explanations were provided to explain and justify James’s violent act. Therefore, the issue of intentionality is a key factor in creating or undoing the perception that someone is a criminal.

However, the staff’s assessment of a boy’s capability of participating in criminal and violent behaviour is subjective. They would constantly try to decipher from different information available to them whether or not a boy has the ability to steal something or murder someone. Kyle’s case reveals the dynamic, contingent aspects of these processes. Kyle’s participation and co-operation with staff during just one weekend caused the shift from his ascribed identity of a criminal to that of a boy with potential. Proven wrong in their stereotype of Kyle, the staff reconsidered, redefined and re-developed his representation as a criminal. The case of Kyle emphasises how influential staff are in the making and unmaking of criminals. Yet, when a boy is labelled and characterised by staff, this does not necessarily mean the image is shared by all. Perceptions and images of criminality are contingent on what transpires in the relationships between the boy and staff members, and because different staff members may have different relations with the boys, the status of boys is under constant review.

The next section further illustrates the subjective and contestable nature of the process of criminalising or decriminalising a boy, and how two boys involved in the same case can be perceived differently.
5.3. The cases of Brendon and Nathan

Nathan and Brendon both live in a tiny village situated in the Overberg region outside Cape Town. The region is well-known for its wine farms, but alongside the picturesque farms, the local community is rife with violent crime. There are high levels of unemployment, alcohol consumption, and children suffering from Fetal Alcohol Syndrome (FAS). It was in this community that a terrible crime occurred that made it to the front pages of newspapers.

A local paper reported: “Teenagers rape child” and “Kids arrested for gruesome attack”. The article begins in highlighting that inexperienced, young children were accused of brutally raping and physically mutilating a toddler. Brendon and Nathan were two of the three boys involved in the rape. The article explains how these three boys used a steel pole and wooden stick to sexually assault the toddler. This happened after the girl’s father took her with him to a shebeen and left her outside while he went drinking. The boys were able to lure the girl to a secluded field where they brutally raped her. After raping her, one of the boys picked up a brick and threw it in the girl’s face. It was believed that the boys intended to kill her but failed. The little girl survived the attack but lost her eye. She was found by others and then hospitalised for weeks. The family member who saw the girl soon after her attack said that she was unable to recognise the girl because of the physical damage inflicted on her. After the boys’ elaborate framing of a 38-year-old man, they were apprehended months later when their reports did not coincide. They were sent to Middletown for attempted murder, rape and sexual assault.

Many staff members were distraught at the violence the boys had committed, the more so since Brendon had previously been incarcerated at the institution. Staff members reported ‘breaking down’ when they heard of the crime. Some staff even confessed that their families at home did not know how to handle them after having heard the news. A few months later, due to a lack of evidence, the boys were released. But while at the institution, Brendon and Nathan were not equally labelled. ‘Arme Brendon’ (poor Brendon) is what one of the care workers said when she heard of his involvement in the violent rape of the girl. In the same breath she said, ‘Maar daai Nathan, hy’s nie reg nie’ (But that Nathan! There’s something wrong with him). This seemed to reflect a general perception of the two 12-year-old boys. Why were these boys, involved in the same crime, perceived differently? And how do these perceptions influence how they were managed? What factors influenced these opposite characterisations of the boys?

5.3.1. The physical body and demeanour

First, it appears that something about the boys’ bodies and demeanour played a role in how the staff perceived them. Brendon is exceptionally short for his age. Some staff suspected that he suffered from FAS. He also has a childlike voice. On the basis of his stunted physical development, staff and other boys managed him like a child. He was not perceived as a threat to other boys and was therefore often teased but not threatened or injured. Yet Brendon’s behaviour is not in line with his appearance. He is a re-offender and was being incarcerated for the fifth time. His crimes included house-breaking, theft and sexual assault. However, because he was perceived as needing help because of his physical shortcomings, many staff, in particular female staff members, protected him. Thus, regardless
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of Brendon’s extensive criminal history and his most recent shocking crime, he was not perceived as a criminal in the context of Middletown.

The situation was completely different for Nathan. Nathan was also 12 years old but, compared to Brendon, he was rather tall. Staff members said that he possessed a ‘blank stare’ and was eerily quiet, creating an uncomfortable feeling among many boys and staff. They judged him to be ‘weird’ and ‘creepy’. Compared to Brendon, Nathan had a capable and strong body that did not invite the protection certain staff assumed Brendon needed.

5.3.2. Relationships

As I discussed in relation to Kyle, the development of relationships between staff and boys influences a boy’s status as a criminal. Staff members found it difficult to relate to Nathan because he was relatively new and they were unable to develop a longstanding relationship in the few months that he was there. As a multiple offender, Brendon was able to develop relationships with staff members. His case challenged my initial idea that re-offenders are always seen as the ‘bad’ guys. Paradoxically, re-offenders can benefit from their multiple incarcerations since they may be able to develop relationships with the professionals they encounter. Their becoming a familiar face in some cases may prove beneficial to them.

For example, during my visit to a court in the city, three boys, with whom I had worked at the institution, appeared before the magistrate on a charge of house-breaking. All three were re-offenders. When they appeared before the magistrate, she said, ‘Ek is nou moeg van julle gesigte te sien. Ek wil julle nie hier weer sien nie’ (I am tired of seeing your faces. I don’t want to see you here again). She then acquitted them of the charges. Apparently the familiarity certain boys develop from being in the system for a period of time can influence their fate and image beyond the secure care facility, even in the court room.

Brendon’s case reflects the development of a good relationship with staff and boys. But what happens when a boy does not develop a good relationship with staff, as in Nathan’s case? I watched how Nathan would sit silently in the corner of the room, watching the other boys. Because of his unsociable attitude, staff perceived him as being unpredictable and mentally unstable.

5.3.3. Feelings of remorse

Earlier I discussed intentionality and how the ascription of it to criminal deeds impact on how a boy will be labelled. In the case of Nathan, certain staff members went so far as to refer to him as a psychopath: lacking a conscience, incapable of feeling remorse or expressing emotion. According to one of the teachers, Brendon had confessed that he was involved in the crime and had indicated a sense of remorse when she asked him about the rape of the little girl. The teacher said he nervously responded that he was feeling bad for the crime and for the girl he had hurt. When I spoke to Brendon on another occasion, he explained how he decided to walk away from the crime scene: ‘Yes, I walked away … I left and went home …’ He added that Nathan continued to beat the girl after he [Brendon] had decided to walk away from the scene. The teacher said that when she asked Nathan why he
violently assaulted the girl, he stared back and replied, ‘When I saw her, I wanted to hurt her.’ After that he was silent. The teacher explained that ‘he felt no remorse for the crime that he had committed. At least Brendon showed some emotion. He was crying in my office.’ Brendon reinforced this perception of Nathan: ‘He [Nathan] is happy about what he had done because he was bragging to others about it and explaining how he had hit the girl to death.’

5.3.4. Boys and accountability

Closely linked to remorse and intentionality is the boys’ sense of accountability for the crime. Does the boy take responsibility for his violent behaviour? Staff suggested that Brendon was taking responsibility for the crime that he had committed. However, Brendon also explained that ‘Nathan told me to throw her with a brick … I was just doing what he told me to do.’ Brendon confessed he was scared that Nathan might hurt him if he didn’t follow his orders. Brendon was believed to speak the truth because of his position and relationships within the institution with staff and other boys. However, when Nathan similarly confessed to beating and sexually assaulting the girl, this was taken as proof of his insanity and pathology. He was seen as the main offender and his confession simply emphasised his accountability. In this case, the irony is that the multiple offender, who had been incarcerated for longer was more readily trusted than the first-time offender incarcerated for a shorter period. In other words, Brendon’s multiple and extended stay in Middletown helped him maintain his image as a non-criminal.

However, even Brendon’s remarkably resilient positive image was not constant. When his brother Randall came to the institution at the age of nine for house-breaking and theft, Randall started getting more attention from staff than Brendon. He was much smaller than Brendon and adored by the staff. As a result, Brendon started fighting with his brother for what staff understood to be petty things. This led to Brendon being seen as being more criminal compared to his brother. Moreover, when Brendon would fight and bully the boys from Panthers who were smaller and younger than himself, staff would punish him more harshly by sending him to the manager’s office or isolating him from the group.

5.4. Complexities of the labelling process

In most cases, first-time offenders such as Chris are seen as more trustworthy than re-offenders. Ascending the hierarchy of crime and hierarchy of institutions, in the eyes of staff, is usually unambiguously negative. However, this is not always so. The intersection with other factors – such as physical build, perceived lack of intentionality, remorse – may prevent a negative image developing of a particular re-offender. The case of Brendon illustrates this. Furthermore, staff and boys may have different images of a boy. From the boys’ point of view, upward movement in the hierarchy creates a sense of power and respect among peers, whereas for staff this commonly reflects the degradation of the boy’s well-being and his diminished ability to abandon criminal behaviour.

When a boy enters the institution, staff and peers informally assess and eventually characterise him. The identity they ascribe to the boy based on their first impressions of him determines how they will interact with him. In the context of a correctional institution, such as a secure care facility like Middletown, the core dimension of the identity ascribed by staff...
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to a boy is that of being a criminal or not. The production, reproduction and transformation of such a label over time is a complex process. Once attached to a boy, the label of either criminal or non-criminal becomes influential in further shaping how a boy is perceived and how others respond to him.

As the cases in this chapter have shown, perceiving and labelling of boys as criminal and subsequently dealing with boys as criminals is not only a consequence of the official charging and sentencing of a child for a crime he committed. Nor does it depend on standard, measurable criteria, such as the seriousness of the crime or the number of crimes a child has committed. There is a hierarchy of crimes that is taken into account in the labelling process, as much as there is a hierarchy of correctional institutions that is associated with a person’s status as a criminal or not. Relatively subjective criteria, such as to what extent a boy who commits a crime expresses remorse and acknowledges accountability, also plays a role. However, in the final instance these criteria are appraised and applied within complex daily interactions between the boy with staff and peers, thus making the labelling process dependent on constantly changing subjective factors. Through these processes, incarcerated boys, especially those who are multiple offenders, accumulate or exhaust social-psychological capital: labelling is contingent on the history of their interactions within the correctional services as well.

5.5. Conclusion

The main argument of this chapter is not that once a boy is incarcerated he is permanently labelled a criminal. Rather, I have shown how perceiving and labelling (making and unmaking) incarcerated children as criminals or non-criminals is a fluid and negotiable process. It is the daily interactions among boys and staff in the institution that in the final instance determines a boy’s criminal status. These interactions are heavily influenced by subjective, moral appraisals by staff of a boy’s behaviour. The long time it took before Chris’s credit with staff ran out and his apparent fall from grace was influenced by him being a first offender as well as positive appraisals of his behaviour being respectful and cooperative during the early months of his stay. But his sudden fall from grace was deeply influenced by the staff’s feelings of disappointment at having been misled by the boy. Daily interactions that determine boys’ identities are also heavily dependent on the conditions (such as resources and competences) and contexts in which these interactions take place. Kyle would not have been able to redeem himself if the staff had not initiated a creative project and thinking of involving Kyle productively in it. Brendon and Nathan were eventually labelled as, respectively, a child needing to be protected and a psychopath, because of their daily interaction with staff and peers but also because of individual traits such as the potential of their physical bodies.

The production and reproduction of labels related to one being a criminal or not influences and determines the management and experiences of the child in and outside the institution. It also influences the manner in which the boys respond to others and their environment. Such labelling of boys does not only affect how the boys are dealt with inside the institution. In the long run, it influences the future decisions that either result in longer imprisonment or discharge from the institution. In the next chapter, we will see that the way boys are dealt with in the institution and how they negotiate their roles and positions are influenced by social standards and community culture outside the institution.