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Between state theatres and prisoner performances of change: Nicaragua's contested moral politics of incarceration

Julienne Weegels

Abstract

In Nicaragua, the national penitentiary law holds that the primordial goal of imprisonment is the 'penal re-education' of incarcerated people. Constituting the institutional vehicle for so-called 'change of attitude', this politico-moral framework however shapes not only how re-education is enacted, but also who is considered deserving of the benefits it has become infused with, spurring a continuous performative battle between prisoners and authorities. At the hand of long-term ethnographic research conducted with (formerly) incarcerated people, this article seeks to elucidate not only the ways in which multiple moral orders can coexist and vie with each other, but also how morality and legitimacy are co-constituted. It does so by expanding on Jarett Zigon's tripartite conceptualization of 'moral assemblages' to consider the potentiality of institutional ethical breakdown, focusing on the ethical practices of incarcerated young men as they struggle for moral recognition within and against the institution. Having considered in depth the moral politics and performances of penal re-education, I turn to the re-emergence of political imprisonment to elicit how moral and political breakdowns may strengthen one another, planting the seeds for institutional change. Yet nearly 7 years after the mass protests and their lethal repression, Nicaraguan criminal justice institutions appear more politically and morally unmovable than ever. Though local moral assemblages have certainly proven malleable, this politico-moral work 'from below' appears severely limited by the disproportionate amount of power amassed 'above'. That is, by a system of powerholders who have radicalized their values, investing in the maintenance of their political position at all costs. As a result, the Nicaraguan case points to both possibilities and severe limitations for moral and institutional change under autocratic rule.

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Authoritarianism, morality, Nicaragua, politics, re-education, resistance

Introduction

Across the world, variations of correction, punishment and rehabilitation are enacted by penal institutions on incarcerated people as moral interventions. This is no different in Nicaragua, where the national penitentiary law holds that the primordial goal of imprisonment is 'the prisoner's re-education', so they may be 'socially reinserted'.[1] This concern is however not only a moral one, but also a *political* one. In effect, taking a closer look at the moral politics of incarceration in Nicaragua can help see how political contexts structure certain moral and ethical potentialities within confinement, and how these are contested. After all, with penal re-education as the institutional vehicle for prisoner 'change of attitude', this politico-moral framework shapes not only *how* re-education is enacted, but also *who* is considered deserving of the disciplining practices and benefits it has become infused with, spurring a continuous performative battle between prisoners and authorities.

In this article, I draw on Jarett Zigon's (2010) tripartite conceptualization of 'moral assemblages' – as conformed of institutional moralities, public discourse and people's embodied ethical dispositions – to provide insight into the ways in which multiple moral orders can coexist *and* vie with each other. I explore these assemblages through ethnographic research conducted with (formerly) incarcerated people in and around Nicaragua's prison system, including ongoing digital and interview-based research with (former) political prisoners and their family members. Following the massive anti-government protests that paralysed Nicaragua between April and July 2018, state practices of arbitrary detention, locally termed political imprisonment, notably re-emerged (Amnesty International, 2018, 2021). By mid-2019 an estimated 1600 people were convicted or imprisoned awaiting trial for participating in the protests. Though many have since been released, this highly repressive situation persists and close to half a million people have fled the country (UN-GRHEN, 2023; UPPN, 2022). While political imprisonment is often considered separate from 'regular' imprisonment (Kenney, 2017), I include (former) political prisoners' experiences here because I found the more extreme forms of disciplining they are subjected to do not present a rupture, but rather a continuity and exacerbation of the politico-moral ordering practices that the rest of the imprisoned population is also subject to.

This article is divided into five sections. In order to address fully both the role of politics and morality in institutional environments, I first briefly expand on Zigon's tripartite moral assemblage theory, relating it to discussions on institutional ordering and legitimacy. After providing a note on my methodology, I then present three empirical sections. The first discusses the emergence of Nicaragua's current prison system's institutional moral framework, elucidating how its penal re-education model is historically embedded in the development of the Sandinista party-state.[2] In so doing, I also consider the role of broader public and political discourses around crime control, which have influenced the trajectory of its institutional ideology from a popular-socialist to a socially conservative moral paradigm and practice. Moving into prison in the second section, I focus on the ethical practices of incarcerated young men as they struggle for moral recognition with the institution. Explaining how prisoners both subscribe to and contest the authorities' paradigm, I explore their 'embodied moral dispositions' (Zigon, 2010: 8) through their attempts to forward their own understandings and practices of the required 'change of attitude' within a

prison theatre programme. Finally I turn to political imprisonment. As the institution's politico-moral work has become magnified with its re-emergence, political prisoners have been paradoxically excluded from participation in penal re-education. What is more, calling into question the current Sandinista state's legitimacy and moral authority, they attempt to disrupt and force the institution to its own 'moral breakdown' (Zigon, 2010: 9). Beyond the strictly personal sphere, this leads me to consider how moral breakdowns may be collectivized, leading to political breakdown, and vice versa. Might the seeds for institutional change be planted in this way? Having considered in depth the moral politics of incarceration, I conclude that the Nicaraguan case points to both possibilities and severe limitations for radical institutional change.

Morality and legitimacy in conflicted institutional environments

When analysing the moral and ethical work of participation in Russian drug rehabilitation programmes, anthropologist Jarrett Zigon (2010) found that 'all particular contexts [are] defined not by *one* morality and its ethics, but rather by a unique local moral and ethical *assemblage*' (p. 5, emphasis mine). Contrary to the common approach to institutions as ordered by singular moralities then, Zigon found them to be composed of unique, localized assemblages of multiple moralities and their ethics – as shifting configurations made up of various interlocking, contextually emergent parts. Such assemblages allow for morality to be understood and operationalized at three interrelated levels: '(1) the institutional; (2) that of public discourse and (3) embodied dispositions' (Zigon, 2010: 6). I follow this tripartite conceptualization of the moral and ethical assemblage and complement it with a performative understanding of political and institutional legitimacy, to explore how individual moral and ethical work might feed into attempts at collective restructuring and institutional change.

At the institutional level, Zigon holds, moral codes are rarely enforced uniformly – even if institutions themselves may say so. Institutional actors after all 'have varying levels of power available to them in order to propagate and enforce their version of morality' (Zigon, 2010: 7). This is relevant, as it means that people may seek to adhere to or contest multiple institutional moralities at the same time – religious, secular, state or political – depending on their own beliefs and upbringing. In turn, these relate to 'the public discourse of morality', which 'is all those public articulations of moral beliefs, conceptions, and hopes that are not *directly* articulated by an institution [but, for example] by the media, protest, philosophical discourse, everyday articulated beliefs and opinions, the arts, literature and stories' (Zigon, 2010). Clearly, there is a 'dialogical relationship' between public discourse and institutional moralities, which at times makes these difficult to separate. Yet no matter how all-encompassing institutional moral exigencies might be, there is always some space for *dissent* in public discourse. After all, 'in their everyday articulations of their moral beliefs and concepts [people can] also offer an alternative moral voice to that of institutional morality' (Zigon, 2010: 8).

If we follow Zigon (2010), such moral articulations can also present themselves as 'reflexive verbalization[s] of a third kind of morality, that is, morality as *embodied dispositions*' (emphasis mine). A distinction between ethics and morality becomes relevant then, as Zigon (2010) defines ethics as the 'conscious reflection on, or turning of attention toward' one's embodied moral dispositions (p. 8), resulting in *ethical moments* where people consciously reflect on their moral beliefs or behaviour. Interestingly, he points to the social origin of such moments in events or interactions that unsettle our normal way of being in the world: 'this working on oneself in what I call the ethical moment is brought about by a moral breakdown [...] when some event or person intrudes into

the everyday life of a person and forces them to consciously reflect upon the appropriate ethical response […] to create a new moral dispositional self' (Zigon, 2010: 9). Moments of moral breakdown are thus pivotal to personal behavioural change and renewal, as it is 'by performing ethics [that] new moral personas and new moral worlds are created, even if ever so slightly' (Zigon, 2010). Because of the ways in which these moments feed back into the social world, 'the possibility for shifts, alterations, and changes in the aspects of institutional morality and the public discourses of morality' arise with such ethical moments, too (Zigon, 2010: 10). If we take this seriously, which I propose to do in this article, we can approach both the institution's moral universe as shifting and malleable *and* the ethical work that incarcerated people engage in as more-than-personal.

To move from the personal to the political, it becomes important to consider the role of legitimacy. Moral authority is intimately entwined with the production of legitimacy in the prison environment, as penal institutions too depend on 'consent derived from actions expressive of it' to be perceived as legitimate (Beetham, 2013: 13). That is, on 'performative acts of legitimation' (Beetham, 2013: 267) or, in other words, performances of compliance. The institution *needs* this constant performative renewal as it is by way of these acts, which confer legitimacy (or not), that the system is legitimized (or delegitimized), affirming (or not) the institution's moral authority. By engaging in prisons' daily routines and ethical work on themselves, incarcerated people are usually held to comply with and thus legitimize the institution, even if not deliberately. Yet as there are performances of legitimation, there are also performances that delegitimize the institution, its rules and its moral codes. Following Zigon's consideration of prisoners' ethical practices following moments of moral breakdown, we may consider for instance how the ethical work of incarcerated people may also *contest* the institution's moral universe and thus delegitimize the institution. Considering how institutional legitimacy and moral authority are thus bound up in one another, I explore how prisoners may in fact attempt to push the institution to a moral and political breakdown of its own. Notably, in moments of moral breakdown, performances of de-legitimation may be leveraged by incarcerated people against their institutional environment in order to call into question not only its moral but also its political authority and effectuate institutional change. This creates space to understand the relationship between institutional moralities and legitimacy as mutually constituted and intertwined, in constant need of affirmation, rather than as stable, fixed and independent of its need for performative renewal. In other words, such a conceptualization creates space for understanding institutional change 'from below', through shifting moral assemblages and performances of (de)legitimation. I will return to this when considering regular and political prisoners' performances with and against penal re-education and state authority.[3]

Methodology

Between 2009 and 2016 I conducted a multi-sited ethnographic research in and around the Nicaraguan prison system, largely by way of a prison theatre initiative that ran at a regional penitentiary (SPR, 2009–2013) and a city police jail (CPJ, 2015–2016), which I co-facilitated. Trained as an anthropologist, the theatre programme was my access point to what proved to be a highly politicized institutional panorama. As I immersed myself in the largely unsupervised and highly collective prison environment with the prisoner-actors, I gradually became familiar with the intricacies of institutional concealment and public secrecy (Jefferson and Schmidt, 2019; Taussig, 1999). In effect, my research itself became subject to these politics, as those who manage to set foot in Nicaragua's prison system are invariably exposed and drawn to participate in its undercurrent of public secrecy.[4] Taking an apprentice-like approach (Wacquant, 2004), I sought to situate myself

as close as possible, for as long as I could, within this environment (Hamm and Ferrell, 1998: 270), attempting to *move with* my research collaborators across prison's power-infused spaces as far as possible (Ingold, 2011; Jefferson, 2015).[5]

In all, I conducted 34 months of on-site research over the course of seven years. I was at the SPR between 2 to 5 days a week, 3 to 4 hours a day. The research period with the CPJ was more intense, spanning Monday to Friday, from around 8AM when the participants arrived at the community centre, to 4PM when they were picked back up by the prison bus. This allowed me to spend time with them over lunch, on the yard and during the theatre workshops, as well as on the tour bus outside prison. At both facilities, the theatre programme was open to any prisoner allowed to participate in re-educational activities.[6] Importantly, the incarcerated young men I worked with did not conform a unison group: outside the theatre space some were perceived as cell block leaders, some were prisoner council members, others were relegated to the lower echelons of the prisoner hierarchy, and yet others attempted to extract themselves from this hierarchy altogether. At the SPR, the programme ran mainly with long-sentenced prisoners and was monitored by the director of penal re-education. At the police-led community centre, we worked with shorter-sentenced prisoners from the CPJ and were monitored by the Juvenile Affairs captain as well as the police commissioner general. In both cases, this 'monitoring' was quite informal. It never required reporting on individual prisoners' behaviour. It rather required us, the theatre facilitators, to periodically explain *our* activities to the institution, in a way monitoring the programme's compliance with the (party and moral) politics of the system, demanding institutional fluency from us as voluntary 'service providers', too.

During my on-site research I also sought out others who had not participated in the theatre programme and co-hosted a radio show with formerly incarcerated people. I kept in touch with participants as they were released and conducted several follow-up interviews, also online. Two years later, when the 2018 protests erupted, political persecution quickly hit close to home. Amid the Clean-Up Operation, a good friend was picked from the street by police and subjected to brutal interrogation techniques. Another was arrested a few months later and politically imprisoned. Both organically and in the vein of critically engaged ethnographic practice (Clarke, 2010), I began conducting research with family members of political prisoners and, later, released political prisoners, particularly around the re-emerging practices of torture and forced displacement (locally termed 'exile', e.g., UPPN, 2022; Weegels, 2023). This varied set of engagements provided me with a nuanced understanding of the different ways in which the political crisis continues to impact both the prison system itself and the lives of those drawn into it. Notably, as former regular prisoners became political prisoners and, with time, some former political prisoners became regular prisoners again, boundaries between the two have proven malleable and difficult to uphold. My inclusion of both in the present article therefor purposely pushes beyond a moralist division between the two. After all, as this article demonstrates, regular prisoners certainly (are made to) engage in moral and political work, too.

Politicizing prisons: Between Sandinista institutional moralities and conservative public discourse

As I walked up to the Regional Penitentiary's checkpoint every morning, photo-ID in hand, a faded mural of Sandinista National Liberation Front (FSLN) founder and guerrilla commander Carlos Fonseca greeted me, reminding me of the revolutionary origins of the prison system. Fonseca was murdered in the build-up to the 1979 Sandinista Popular Revolution, which significantly

transformed the country over the following decade. Most importantly, the Sandinistas completely overhauled the former dictatorship's state institutions. Ousting its infamous National Guard, they built an own police force, army and prison system from the ground up. This particular penitentiary was built in those revolutionary years and, in peeling red-and-black paint, the alphabetization campaign's slogan 'teach them to read' still accompanied Fonseca's fading portrait. It signalled the institution's historical and political foundations, highlighting its emergent re-educational paradigm. Over 40 years ago, during the civil war that ensued after the Sandinista triumph (1981–1990), this paradigm was envisioned to change the outlook of both counterrevolutionaries and common criminals (Centeno Mayorga, 2012), who were incarcerated and put to work in the prison's adjacent barracks, repairing military vehicles and confectioning their uniforms.

At the police station and administrative offices adjacent to the City Police Jail, these political origins did not materialize merely as a faded remnant, but rather stood out as a revamped partisan present. The outer walls of the police station were painted in fresh, colourful murals of different revolutionary figures (including Nicaragua's president Ortega, Venezuela's deceased president Hugo Chávez and Cuba's Che Guevara) – the FSLN party flag hanging proudly beside the national flag at the entrance. Inside, government campaign posters lined the precinct's hallways, much like they had at the penitentiary's administrative offices. Presenting themselves as institutional spaces with a clear political affiliation, these carceral sites thus both referenced and invoked the previous period of revolutionary politics (1979–1990), claiming it continues to inform the current Sandinista government politics and, by extension, the institutions' moral politics.

As Table 1 demonstrates, control over Nicaragua's state institutions of governance and crime control has historically been highly politicized. From the early 1930s to the late 1970s, the Somoza family dynasty ruled the country as if it was their private property (Walker and Wade, 2017). Crime control as well as counterinsurgency were bestowed on the National Guard, an elite armed force who were trained in part at the U.S. School of the Americas. The National Guard was also in charge of the prison system, which housed at once regular prisoners and political opponents (Centeno Mayorga, 2012). Especially in the 1960s and 1970s, when a variety of left-wing groups – from social democratic intellectuals to socialist guerrillas – began to organize their struggle for liberation under the FSLN's banner, Somoza's fortress-like prisons became known as sites of arbitrary detention, torture and even unlawful execution, where political prisoners were held in infrahuman conditions (e.g., Borge, 1989; Chamorro Cardenal, 1958). Eventually, however, nearly two decades of guerrilla warfare galvanized in an intense period of urban insurrection, leading to the abovementioned Sandinista Popular Revolution and its ousting of the Somoza dictatorship in July 1979. Following that date, most of Somoza's prisons were closed. The nation became signatory to multiple human rights treaties and, with many former political prisoners among its ranks, the penitentiary system that the Sandinistas envisioned and constructed in the wake of the revolution largely attempted to outlaw the torturous penal traditions of their predecessors.[7]

Like many other state reforms, the penitentiary system was largely remodelled in the semblance of its socialist counterparts. Inspired by Cuban and Soviet ideals, prisoners were to receive education, work and live together in communal, barrack-style penitentiary facilities constructed in (or in the vicinity of) urban centres across the country (Centeno Mayorga, 2012; Piacentini and Slade, 2024).[8] This structure complemented the existing Nicaraguan prison culture, where family visits provided for most of the prisoners' basic needs, and prison authorities regularly (if not entirely legally) delegated day-to-day prison governance to prisoners of high standing on the prisoner hierarchy (i.e., criminal leaders).[9] Being an institution established under wartime conditions, the 1980s penitentiary system however still held a large segment of political opponents – mostly captured and

Table 1. Historical timeline of political and institutional control.

Time period	Government	Prison system
1936–1979	Somoza family dictatorship (liberal right-wing, autocratic governance), consisting of first Anastasio Somoza García, then Luis Somoza Debayle, and finally Anastasio Somoza Debayle.	Run by the National Guard, a highly politicized elite military institution who were also the police and fell under the direct control of the presidency (the Somoza's were also National Guard generals)
1979–1990	Sandinista revolutionary period (radical left-wing, first democratic elections in 1984). FSLN revolutionary junta (9 commanders, 1979–1984) and Daniel Ortega (1984–1990)	National Guard disbanded. Foundation of the Sandinista Police, Sandinista Popular Army (EPS), and National Penitentiary System (SPN). Replacement of almost all penitentiary facilities, with the exception of La Modelo (Managua capital city penitentiary) and some jails (like El Chipote, also in Managua). The SPN falls under the Ministry of the Interior (MINT), which obeys the revolutionary government. The prison system develops its own civil-military career and structure
1990–2006	'Neoliberal period' (liberal right-wing, democratic governance). Governments of Violeta Barrios de Chamorro (1990–1996), Arnoldo Alemán (1996–2001) and Enrique Bolaños (2002–2006).	Sandinista Police and EPS are nationalized, becoming the National Police (PN) and National Army (EN). The MINT is depoliticized and becomes the Ministry of Governance (MIGOB). The PN and SPN come to fall under the MIGOB. The SPN persists in largely unchanged form
2006-Present	Sandinista return to power (left-wing politics, neoliberal economic policy, autocratic governance). Successive governments of Daniel Ortega (2006–2011; 2011–2016; 2016–2021; 2021-present). Return to familial autocracy – Ortega's wife Rosario Murillo is formally vice-president as of 2016. Following far-reaching 2024 constitutional amendments, she is now co-president	The PN become the spearhead of Sandinista institutional re-politicization. Adopting a nation-wide community policing model in 2010 it is removed from the MIGOB and brought under the direct control of the presidency in 2014. The SPN continues under the MIGOB, which is re-politicized too. In 2023, the MIGOB and its four directions (including the SPN) are integrated into the PN, effectively re-establishing the MINT and bringing them under the direct control of the presidency, culminating the process of state re-politicization (and centralized, autocratic control)

convicted members of the former National Guard and counterrevolutionary militias (together named the Contra) with which the newfound Sandinista state was embroiled in a bloody internal armed conflict that would result in over 50,000 deaths (Walker and Wade, 2017).

This context spurred the establishment of an ideologically oriented programme for penal re-education. The programme strongly resembled the Cuban model of ideological education, but was also informed by the Sandinistas' own liberation-theological foundations – state socialism

and liberation theology being the cornerstones of the Sandinista nation-building effort at the time (e.g., Cardenal, 2005; Lancaster, 1992; Montoya, 2012). In particular, Ernesto 'Che' Guevara's teachings on the revolutionary man as a *project* (the 'New Man' or 'man of the 21st century')[10] were important for the development of Nicaraguan penal re-education. Meshed with liberation theology's focus on popular education and new penal notions about the progressive administration of privileges for the rehabilitation of 'delinquent' citizens in vogue in the global North, the Sandinista state administered its prison system in the form of a politicized progressive privilege system. With this system, the Sandinista state sought to promote two prominent moral duties among its prisoners: social consciousness (promoted through education) and self-sacrifice (promoted through social and military service). Offering education and work to those who complied, it rewarded prisoners who presented a 'change of attitude' with regime advancement and sentence reduction, while punishing those who broke disciplinary codes with sanctions including isolation and the restriction of privileges or family visits.[11]

During its foundational years, the institutional moral assemblage was thus anchored in a popular-socialist framework that contained elements of Guevarian socialism, liberation theology and Soviet collectivism, translating into the construction of a particular type of prison infrastructure (collective dormitories and workshops) and a politico-moral prison regime predicated on penal re-education. This way, the prison direction tried to instil in all prisoners (both political and regular) the key politico-moral subjectivities of the Sandinista nation-building effort at large.

Following the FSLN's electoral defeat in 1990, successive governments of the so-called 'neoliberal period' attempted to erase, or at least unsettle, the politico-moral inheritance of the Sandinista state. While other institutions were heavily impacted by this process of state 'de-Sandinistization' (Rocha, 2007), such as the police (which was nationalized) and the army (which was both nationalized and significantly reduced in numbers), the implementation of neoliberalist state decentralization and structural adjustment programmes impacted the prison system differently, leaving its re-educational foundations largely in place. Though many work programmes were discontinued (the end of the civil war meaning the end of the need for military repair and confection, for instance), the penitentiary administration leaned on the help of numerous newly founded NGOs and faith-based organizations to keep educational, religious and cultural programmes going. At the time, prison authorities saw in these non-state institutions (rather than in the neoliberal state) their allies. They provided the system with resources and materials where the neoliberal state was unable or unwilling to do so (Centeno Mayorga, 2012). Throughout the post-war decade, then, the prison system was able to cater to the neoliberal governments' calls to simply warehouse and punish (mostly young) people in conflict with the law, while it also continued to work morally to re-educate them, upholding remnants of the revolutionary institutional moral assembly.

Though the structural underfunding of the prison system effectively made the prison system dependent on attracting external (and foreign) aid to keep its penal ideology alive, this hybridization only reached so far: an attempt to control and change the penitentiary system's institutional make-up from above – through a very short-lived attempt by then-President Arnoldo Alemán to place a civilian at its head in 1999 – notably failed. Keen on legally enshrining the institution's make-up and outlook, the General Direction of the National Penitentiary System (DGSPN) lobbied throughout the 1990s and early 2000s to establish a formal penitentiary law, appealing in particular to the National Assembly's Sandinista bench. Finally passed in 2003, Law 473 comprised an extensive politico-legal project that fixed both the penal ideology of re-education and the

public nature of the penitentiary system in legal scripture. It also clearly defined the DGSPN and its officers as *the only legitimate operators* of the prison system.

At the level of public discourse, however, the institution's moral assemblage began to be compounded by social-conservative moral concerns around rising post-war crime rates, which were leveraged for policy change by the three successive governments of the 'neoliberal period' (1990–2006; see e.g., Rocha, 2007). Successfully forwarding elements of conservative Christianity (orthodox Catholicism as well as Pentecostal evangelism), social determinism and neoliberal market thinking – all of which promoted a 'natural divide' between social classes on moral, 'cultural' and economic grounds – these governments challenged the former Sandinista state's popular-socialist framework. It is in this light that FSLN-leader Daniel Ortega manoeuvered to forge a pact with the largest right-wing party, the business elite, and more conservative factions of the Catholic church, effectively shifting moral paradigms to ensure the necessary electoral gains for the FSLN to return to power (Collombon and Rodgers, 2018). When Ortega's new government was inaugurated in January 2007 then, his FSLN had already melded popular-socialist notions of work and education for all with neoliberal market politics and a highly conservative moral agenda in the arena of gender, the family and faith – epitomized in the government's slogan '*cristiana, socialista y solidaria*' (Christian, socialist and solidary).

Under this new Sandinista framework, youth and community securitization policies that were initiated under the previous administrations were continued and deepened rather than abandoned, promoting the National Police as the 'moral entrepreneur' of community development (Dammert and Malone, 2020; Weegels, 2018b). While the earlier establishment of the police direction for Juvenile Affairs (in 2004) already brought a securitized community-based approach to youth at the urban margins, the FSLN's establishment of community-level Citizen Power Councils (CPCs) and its institutionalization of a community-oriented policing model made for a stronger focus on both prevention as a policing strategy and 'family' and 'community' as units for the implementation of crime-fighting policies (Policía Nacional, 2011), producing particularly gendered, classed and politicized 'noncitizen' subjects for state intervention.

The securitization of the urban margins had manifold consequences, including the steady extension of community-oriented policing with an array of repressive policies and police bodies. In the early 2010s the anti-drug policy *Plan Coraza Popular* (Plan Popular Armor) and Dantos police unit led the way in the militarization of the police, culminating in the re-establishment of the Special Forces (DOEP), the full submission of the police to the executive in 2014, and finally, in 2018, the creation of so-called para-police groups for the suppression of anti-government protests, consolidating the National Police's (re)turn to political policing (Dammert and Malone, 2020; Weegels, 2018b). In Nicaragua, community policing, repressive anti-drug policing, and political policing thus exist on a continuum which embraces social-conservative moral concerns, holding both drug-involved youth and political opponents responsible for 'community destruction'. At the same time, they presume marginalized youth can be convinced to 'change their ways' through involvement in (pro-government) community activities, ensuring their removal from their communities (to prison) in the case of non-compliance. This way, my research participants from the City Police Jail were provided with opportunities for 'rehabilitation' and 'social reinsertion' by the Direction for Juvenile Affairs at an FSLN-owned community centre on the outskirts of the city – even as their hard-handed arrests were carried out by the anti-narcotics division – while my research participants involved in the anti-government protests were not afforded such options and directed instantly to the most repressive sites of the carceral archipelago as a severe punishment for their political non-compliance.

Though the prison system was long at the bottom of the list for institutional renewal and expansion,[12] this process began in earnest following the 2018 protests. Preceded by the tripling of the imprisoned population over the period of my on-site research, state funding began to be made available to expand prison facilities in the early 2010s. Such expansions were largely for more punitive forms of incarceration, the most significant pre-protest one being the addition of a maximum security facility – a cellblock known as '*la 300'* – to the Jorge Navarro Penitentiary Complex (better known as La Modelo) in 2013. Following the protests, another new cellblock was added to the complex (*Galería 16*), consisting of large dormitories with three-story bunkbeds, built to exclusively hold political prisoners. The infamous El Chipote jail in Managua, a near century-old torture site from the Somoza era, was reoccupied as such throughout the protests. In February 2019, a modern police complex was opened especially to replace it and quickly became known as the 'New Chipote'. Yet the government continues to deploy a euphemistic politico-moral discourse centred around prevention, re-education and community progress, including the spectacularized use of conditional release. At the same time, access to this expanding institutional environment is prohibited almost entirely. In what follows, I demonstrate how this system's politico-institutional moral assemblage is both embodied and contested by incarcerated people, drawing first from their experiences with and understandings of penal re-education and its contested legitimacy through my ethnographic work prior to the protests, before shifting my attention to post-protest political imprisonment and the push for institutional breakdown.

Behind closed doors: Contesting and embodying institutional moralities

As all re-educational activities can be used by incarcerated people to work toward their early release (implying a future-oriented engagement), the young men I conducted research with frequently engaged in performative and narrative strategies that blurred, omitted or detached their current (and envisioned future) selves from their pasts. Yet, much as Lois Presser (2004) noted for incarcerated people in the United States, they also often grabbed the interactional opportunity 'to resist their problematic classification and to make claims about social problems *they* encountered, such as with the criminal justice system' (p. 83, emphasis in original). In this way, most of the interactions that made up our time together – from the theatre workshops, to lunchtime conversations, prison bus talks, taped interviews, written accounts and even songs the young men shared[13] – presented opportunities for adhering to, appropriating and/or resisting the institution's moral requirements to present a 'change of attitude'. This was further propelled by the intimate and collective character that the theatre programme acquired at both sites – which was both intensive (two to five times per week, multiple hours a day) and 'private' (in the sense that the authorities – police or prison officers – frequently absented themselves from the theatre workshops). In fact, situations of group dialogue in which participants' embodied moral dispositions and/or their performative understanding of the institutional framework were shared and discussed, appeared with such frequency that I considered the workshops to be reflexive spaces that prisoners appropriated for both 'performing prison' (Weegels, 2018a) and 'doing freedom' (Ugelvik, 2014).

Over time, these shared reflections and performances demonstrated how their own understandings of change related primarily to gendered moral notions around what being a 'good' man is. While this connected to their sense of being judged and stigmatized for being 'bad' men (either by ascription and/or their own perception), they tended to reject the notion that it was only the authorities who could define what being 'good' entailed. For them, be(com)ing a good man (*un*

hombre de bien) instead appeared to hinge on spiritual as well as peer- or family-oriented understandings of change. Importantly, this meant 'changing' did not necessarily include desistance from crime, as revenue earned through criminal activities could be put to good use for becoming a responsible father, brother or son (helping out the family). It could also help the young men themselves acquire higher standing on the prisoner hierarchy so they would not fall prey to peer exploitation, which was perceived to be reserved for the morally deplorable. This way, profits from illegal activities became morally acceptable *if* put to 'good' use. One of the participants at the city police jail for instance shared that he planned to use initially illegal means (selling firearms he had hidden away) to help his mother set up a legal shop. Another confided in us he still smoked weed (an illegal activity in Nicaragua) to 'keep my cool' and avoid getting into fights in the overcrowded cell. Similarly, another noted after his release that he continued to smoke weed regularly to keep his calm and comply with the requisites of his day job. In their view, the instrumental use of illegal resources or substances did not undo the ethical work they were doing to 'go legit', stay 'out of trouble', or remain on the 'right path'.

In practice, individual police or prison officers could sympathize with these kinds of efforts, though they invariably called into question the durability of the projected outcomes. For them, continuing with illegal activities, even if to 'good' ends, would eventually land these young men back in prison. They noted that more durable forms of change required total desistance from illegal substances, activities and criminal associations. Interestingly, most prisoners found this standpoint to be hypocritical. They actively disputed the degree to which illegality *equalled* immorality not only in practice, but also ethically, as many considered certain behaviours on part of the state and its actors to be unethical and morally deplorable, too. This included first and foremost the abuses of authority many of them recalled to have been subjected to, such as beatings upon arrest and humiliating acts in front of their peers when strip-searched for contraband. But it also included their discontent with the wider criminal justice system and its incitement of bribery and corruption (e.g., Rocha et al., 2023).

Highly aware of the demographic and criminological make-up behind bars, the young men knew themselves disproportionately targeted for minor crimes as they hailed from the urban margins, while deals were cut with the 'bigger fish' and sentences were recurrently lowered depending on suspects' disposability over economic or political resources. They also pointed out how some prisoners were selected for early release over others based on corrupt and politicized criteria in an extralegal selection process, as happens each year around festive dates like Christmas and Mother's Day, and which I witnessed following the pacification of a riot at the CPJ. Many of my research participants considered these practices to be part and parcel of the system's ambiguous moral universe and knew them integral to the workings of '*el Sistema*', a term they used to refer not only concretely to the criminal justice system, but also more abstractly to the system of state and non-state political actors that are able to exert their power over and through the judiciary, police and prison institutions.

In their experience, this Sistema is inherently two-faced. On the one hand it shows an official public face that is both law-making and law-abiding. On the other, it hides its extralegal face, which various prisoners affirmed operated through a vast system of political and economic affluence and influence, where political and institutional *conectes* (connections) and *palancas* (spring boards, both in the form of persons and resources) are deployed as leverage to obtain institutional benefits. While re-education is formally the key objective of imprisonment then, prisoners recurrently pointed to the way in which the re-educational paradigm and its programmes also served to hide systemic injustices: 'they want to block the sun with a finger (*quieren tapar el sol con un dedo*),' the young men would indicate – the finger being the state's positive presentation of

its prison and policing policies and the sun the glaring reality of overcrowding, systemic corruption and the extralegal use of force.

This evidently raised ethical concerns for us within the theatre-in-prison programme. Were we not, in this way, aiding the Sistema, helping it present a friendly, progressive face while the realities of imprisonment remained structurally violent? Yes *and* no, the incarcerated participants would stress. For them, engaging in the system was inevitable if anything was to be gained from it. At the same time, some explained this way they could perform compliance *and* resist authority-led understandings of change. During the fora with the audiences after the theatre presentations, they would endure the police captain's anti-drug discourse and, once the mic would be opened for questions from the audience, leave out words of gratitude for the institution and instead thank God, their families, and the theatre group for the 'changes we have achieved'. It appeared that the purpose of re-education for them centred around the involvement of non-state actors and institutions (churches, artists, volunteers, family members) to provide for spaces that they considered vital in their present and future-oriented ethical enactments. Often these were actors and institutions that provided alternative institutional moralities and public discourses to that of penal re-education. Ironically then, the re-educational arena is both the space where authority expectations of change are most clearly articulated *and* where self-fashioning *beyond* the institution occurs.

In search of a more profound change, for instance, some sought a more religious form of redemption from 'the Devil one walks with'. But making peace with God is not easy, much less finding peace in 'the inability to change how you think', as Javi stressed.[14] Even as he left prison after completing 8.5 years on a 15-year bid, he took with him the struggle to 'change'. In the narrative below, through strict thoughts of self-control, he nevertheless keeps running into his 'inability' to change his 'terrorist mind':

> 'When I go back (to the past),' he draws a deep breath, 'my mind gets clouded and I can't see straight.' Javi's voice sounds close on the other side of the phone. 'I've endured everything *taco a taco* (head-on). I don't drink or use drugs, I supported it all by myself (*solo*).' He explains how he used to sit in his cell every night, reading the Bible. 'Julia, to be *tranquilo* (calm) is one thing, to be happy (*feliz*) is another…' He pauses. 'I told you I was sentenced to 18 years in prison, right? […] I could give a shit about everything and all of [the city], I was going to make a grenade, a bomb, I already had the materials, and would blow myself up with the whole courthouse,' his voice gets increasingly excited, 'once I thought about kidnapping the prison warden, Julia, when I talk about this stuff my heart vibrates (*me vibra el corazón*).' He pauses. 'That's what I want to change. In prison, so as not to bash some other guy's brain in I'd press my fists against the wall until blood would come out. It helps me to be here, to work with the sheep, to walk alone. It inspires me.' He calms. 'It hurts to have lost my youth in prison. It's hard to want to talk and not be able to… I really don't want to go back to Nicaragua, so I have to keep going ahead and not take a single step back. If I got out of where I was dead [i.e., prison] can you imagine all I can do alive?'

Though he has found ways to calm himself, Javi oscillates between disruptive thoughts he himself deems criminal, and a profound search for changing the way he 'thinks'. He holds back and runs into his thoughts as we speak. At times he seemed hesitant, perhaps afraid that what he was saying would scare me, but I knew he did *not* blow up the courthouse, kill the warden, or kill the judge. I knew he did something though – something 'ugly' enough to keep postponing its revelation. Yet it didn't really matter what it was: what mattered was that his '*pasadas feas*' (ugly strides, as he called them) continued to propel his desire to change – never to go back

again. In prison, he seemed to have sought out God for sanity. He spoke a lot of his thwarted relation with God. He also worked as an '*encargado de área*' (area supervisor) within the prisoner-authority co-governance system, watching over the donated sports equipment, where he expressed frustration over the ways in which the authorities would openly scoff their 'deservedness' and allegedly even steal donations. Though Javi's personal search for change might project an extreme case (after all, not all prisoners are preoccupied with changing), it illustrated an operation of moral control directed inward, of ethical work. While this certainly involved an internalization of the push to 'change attitudes', Javi projected his desires and frustrations towards a divine entity, an understanding and fair 'judge', rather than the authorities. He was not alone in invoking God or other third parties – prison teachers, chaplains, family members and volunteers – as impartial entities in the arbitration of 'true' justice.

Reaching beyond the institutional framework, but enabled by it to a certain extent as well, the performances and understandings of change expressed by the incarcerated young men I worked with pointed to different elements of the local moral assemblage, presented through embodied moral dispositions and beliefs resulting not only from their religious and family environments, but also from the broader prison environment, marked by the ambiguous and politicized workings of the Sistema. They all knew the re-educational arena to be the arena *par excellence* to perform compliance to the Sistema's moral world, as it was literally measured and weighed here: every day spent on re-educational activities 'counted for two' (*2-por-1*) and could thus eventually lead to sentence reduction. Interestingly however, even when prison authorities retreated from re-educational spaces, their absence did not produce subversion. Instead, prisoners readily stepped in as proxies to police themselves and each other in the face of non-institutional re-educational actors who offered related as well as distinct institutional moralities and public discourses, like the theatre group. Seeking to make themselves visible as capable moral agents to both the authorities *and* the outside world in this way, demanded from them a variety of moral performances marked by institutional fluency: knowing *what* and what *not* to do, when, *where* and (perhaps most importantly) in front of *whom*. Even as their moral performances catered to the authorities' requirement to 'change attitudes' then, they often had a different audience in mind. This was true not only for the *present* moment of the performance – vis-a-vis other prisoners and third parties present to witness and validate it – but also for *future* validation by judges during parole hearings, for instance, by family members during prison visits, or even by God, in life or after death. Akin to Mahmood's paradox of subjectivation – 'the paradox that arises when the act of submitting oneself to norms itself potentiates possibilities for agency' (in Mattingly and Throop, 2018: 484) – it was precisely by performing change that incarcerated young men could appropriate and reconfigure various elements from the local moral assemblage to stake claims to their own morality and social value, as well as to the Sistema's perceived immorality, in the process.

Undeserving subjects and institutional breakdown

Though the re-educational paradigm was developed precisely to deal with the moral and political education of incarcerated regime opponents in the revolutionary 1980s, Nicaragua's current political prisoners are paradoxically excluded from participating in any form of penal re-education. This is evidenced not only in their (now predominantly) being held in institutions that have no re-educational offer (such as the Evaristo Vásquez police complex, better known as the New Chipote, or La Modelo's maximum security facility, the '300', where they are furthermore

segregated from the general prison population), but also in their exclusion from *any* kind of re-educational or communal activity when they are held on cellblocks or in prisons that do have a re-educational offer (even when they share their cell with regular prisoners; see also Weegels, 2023). This exclusion is not coincidental. Over the years, re-education has become considered a privilege, not an ideological given. In its political discourse, the Ortega-Murillo government has deemed political prisoners 'un-Nicaraguan' noncitizens and resorted to significantly curtailing, if not entirely obliterating, their exercise of basic human, civil and political rights. This implies both an infrahuman treatment behind bars and, after their release from prison, a near-total ban from public services such as schooling, health care, and the renewal of licenses and documents (e.g., UPPN, 2022). By now 357 former political prisoners have even been made stateless, stripped of their Nicaraguan nationality and 'deported' to the United States and Guatemala – an action in grave violation of international law (UN-GHREN, 2023).

Inside prison, people incarcerated for political reasons are effectively excluded from the incarcerated community *as a political community*: they are barred from sitting on prisoner councils (the institutionalized cornerstone of prison co-governance arrangements), receive restricted family visits, and are, as noted above, excluded from re-educational activities and spaces. In effect, almost all are held under a continuous 'disciplinary regime', which alongside the aforementioned entails they only receive one hour of yard time a day (if any). This precludes them form obtaining any benefits offered through re-education, primordially that of sentence reduction.[15] Standing in direct opposition to the institutional framework, there is moreover no 'paradoxical effect' for them in the process of subjectivation – instead, this process is perceived as inherently coercive and even physically violent, as multiple former political prisoners I interviewed emphasized (UPPN 2022; [author], 2023). Yet it would be a mistake to understand their exclusion from re-educational activities as an *interruption* of institutional moral workings, which are co-constituted by the Sistema. After all, the same composite, politicized moral assemblage that girds re-education also allows for the excessive and extralegal punishment of political prisoners, in effect magnifying rather than interrupting the politico-moral work of the institution. In their case, it is precisely the use of (overt) state violence, torture and arbitrary detention that is meant to work on them morally and politically.

That being said, precisely these repressive tactics have profoundly called into question the moral authority and related political legitimacy of the Sandinista party-state and its practices of incarceration. In other words, the brutality of the repression of protest in dissent propelled contestations over criminal justice in/actions (including police brutality, political persecution and imprisonment, and state impunity), which have become central to a much larger performative battle between the party-state and its opponents. In this performative battle, political prisoners, their families and allies attempt to force the *institution* to ethically reflect and work on itself, by provoking instances of moral breakdown. To speak with Zigon (2010), the 2018 protests quite explosively 'intruded' on the 'everyday life' of the Sandinista state and its institutions, forcing it to 'consciously reflect upon the appropriate ethical response' (Zigon, 2010: 9). Considering the protests a 'coup attempt' sponsored by 'foreign elements' (adhering to a politico-moral division reminiscent of the Cold War), the government rolled out its lethal crackdown. Yet this repressive response was deemed far from ethical by a large section of the nation's population. In effect, vehemently distraught by it, opposing citizens and their organizations continue to engage in confrontations with the party-state, initially on the streets but also in the international political and human rights arena, thereby repeatedly intruding on the institutions' everyday life in an attempt force it to moral breakdown again and again.

A key instance of such ethical work took place on 14 November 2019, at the San Miguel Arcángel parish in the small city of Masaya, when family members of political prisoners organized a mass and a sit-in to call for their release. Soon, the church was surrounded by riot police, forming a cordon and blocking access to the building. Then the electricity was cut off. Later, the water. The sit-in inadvertently became a hunger strike in which the local priests were also involved. A caravan of people set out to Masaya, determined to help the mothers and priests by providing food and water. They would be stopped by the police. Thirteen people, among which well-known recently released political prisoners, were detained and sentenced to lengthy periods of imprisonment in expedited, closed-door trials. Farther Edwin Román, who had already been stopped and beaten before, would later be exiled. This event, as a part of continued acts of protest and contestation – or performances of de-legitimation, to speak with Beetham (2013) – actively called on the authorities to change their ways, generating ethical reflection on the moral work of policing and incarceration, by shifting public discourse around the state's legitimacy to its plummeting moral authority.

The stalemate between the powerholders of the Sandinista party-state and those who stand in opposition to it also has a significant impact behind prison walls, where the violent and degrading treatment of political prisoners serves as a warning to the general prison population *and* the authorities that crossing the government is not an option. Even as political prisoners and their family members continuously delegitimize the powerholders (both morally and politically) through many smaller and larger acts of intrusion and reflection (including hunger strikes, the smuggling of messages and videos, even a riot), the consistent threat of extralegal persecution and punishment blocks potential intercommunal solidarity. In effect, the Sandinista state's publicly debilitated moral standing appears to have generated an ever stricter adherence and need for authorities to constantly reaffirm their political commitment to the presidency. The police institution thus figures prominently in the government's public displays, including the inauguration of 'voluntary police' (para-police groups) in heavily mediatized acts of legitimation of the party-state. While continuous purges of state institutions (including the judiciary) point to an increasingly autocratic moral politics, the desired ethical outcome of the oppositional push for a radical and systemic moral breakdown thus seems ever more distant.

In effect, on 4 July 2023 the government went so far as to amend the Constitution and Police Law (No. 872), removing from writing its purportedly 'apolitical, non-partisan and professional' character and including the prosecution of 'deserters', among others. This means that penal state authorities themselves are increasingly politically policed by the government too, requiring from them performances of legitimation at the continued cost of civilian's human, civil and political rights. While the Nicaraguan case thus points to the ways in which political contexts structure certain moral and ethical potentialities within confinement, and how these are experienced and (oftentimes) contested, the far-reaching autocratization of such a political context can also hinder and even actively repress possibilities for institutional change, particularly 'from below' – that is, through the moral and ethical work of individual prisoners and authorities. After all, in such contexts the holders of political power have vested interests in averting institutional change and particularly penal institutions become the warrantors of autocratic power.

Conclusions

In this article I have explored the shifting and increasingly contested moral assemblages of Nicaragua's prison system through both regular and political prisoners' moral and ethical work.

Following a close consideration of the political and moral origins and enactment of penal re-education, which pushes prisoners to 'change attitudes', I demonstrated how incarcerated people's understandings of change can differ from the state's. Though penal re-education has a pivotal role for the legitimation of incarceration on the basis of the moral and ethical work it encourages, many incarcerated people look to non-state actors, including family members, religious institutions, educational, sports and cultural volunteers rather than the penal state for moral guidance and (re)inclusion in the broader moral community. Still, they must contend with the authorities to have their 'change' valued and approved, as only penal state actors can hand out coveted rewards, including any type of furlough and (temporary) release.

In the background, the gradual re-establishment of the Sandinista party-state has led to an increased politicization of the workings of the Nicaragua's penal state, such that prisoners understand this entwined party-state network as *el Sistema* – a hybrid system of political and criminal affluence and influence that structures much of the penal state's workings. This plays into the way local moral assemblages are organized and shapes not only *how* re-education is enacted, but also *who* is considered deserving of the benefits it has become infused with, spurring a continuous performative battle between prisoners and authorities. Interestingly, political prisoners (who are precluded from participating in this battle from the outset), find alternative ways through which to stake their moral claims and contest their imprisonment. In the process, they and their allies try to push the institution itself to moral breakdown, aided by their family members, protest movements and others who stand in solidarity with them.

Yet nearly 7 years after the large-scale re-emergence of political imprisonment, Nicaraguan criminal justice institutions appear more politically and morally unmovable than ever. Though local moral assemblages have certainly proven malleable and the state's opponents continuously try to plant seeds for institutional change (through smaller and larger acts of contestation behind and beyond bars), this politico-moral work 'from below' appears severely limited by the disproportionate amount of power amassed 'above'. That is, by a system of powerholders who have radicalized their values, investing in the maintenance of their political position at all costs, predominantly through the reproduction of a logics of loyalty and self-sacrifice. While the treatment of political prisoners demonstrates the shrinking of space for a diversity of ethical responses to moral breakdown and acceptable performative repertoires, the party-state's reliance on public performances of legitimation and subjectivation also makes them vulnerable. In the long run, this might well lead to *more* rather than less contestation over its legitimacy and moral authority, especially from within.

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Notes

1. Law 473, art. 6 (2003).
2. The Sandinista National Liberation Front (FSLN by its Spanish acronym) has been back in power in Nicaragua since 2007, when it began to (re)construct a party-state system.
3. I purposely do so beyond the incidence of riots, as I have explored their creative impacts on political legitimacy and co-governance arrangements elsewhere (Weegels, 2019).
4. I have written extensively on the ethics and politics of access, secrecy and concealment elsewhere (see Weegels, 2021).
5. Though methodological accounts on prison ethnography were quite sparse at the time, there have since been a number of milestone publications, including *Focaal*'s special issue 'Prison climates in the global South' (Martin et al., 2014) and *The Palgrave Handbook of Prison Ethnography* (Drake et al., 2015), marking a veritable re-birth of ethnographic prison studies.
6. Some prisoners are not allowed to participate in reeducational activities due to the nature of their crime(s) or the prison regime they are under. By law, this excludes prisoners convicted for drug trafficking and organized crime, as well as those (temporarily) sanctioned to the disciplinary regime. In practice, the former were however rarely excluded. Instead, prisoners convicted for crimes considered heinous by the prisoner community (e.g. child molesting or rape) were left out, mainly due to concerns for their safety.
7. Though the Ministry of Interior (MINT) reserved particular parts of the prison apparatus and a series of black sites for 'intelligence gathering' purposes (i.e., interrogation and torture) by its state security service, the DGSE (see also Unknown, 2004, 'Tropical Chekists').
8. The IIDH gives a good impression of prison conditions in the 1980s and early 1990s (retrievable from https://archivos.juridicas.unam.mx/www/bjv/libros/5/2031/8.pdf).
9. Commonly referred to as 'self-government' in Latin American prison studies (e.g., Sozzo, 2022).
10. See also Guevara (1969).
11. All Nicaraguan penitentiaries retained a number of 'disciplinary cells' for the explicit purpose of punishment and isolation. These are commonly referred to by prisoners as '*calabozos*' (dungeons), as they are generally small, dark, poorly ventilated and frequently overcrowded.
12. Contrary to the police and military (see e.g. Dammert and Malone, 2020; Ruhl, 2019).

13. After release, I followed up with many of them in the form of continued theatre encounters, life story interviews and (in some cases) social or home visits.
14. At the moment of our phone conversation in 2017, Javi was working as a sheepherder in Spain, where he had migrated shortly after he was released from prison earlier that year.
15. Until date, almost all political prisoner releases have been irregular, through the controversial implementation of amnesties, surprise releases and 'deportations'.

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