



Law as a weapon: Exploring prisoners' strategic use of the law in the prison field

OÑATI SOCIO-LEGAL SERIES FORTHCOMING: LAW AND CULTURE IN THE JURIDICAL FIELD OF THE PRISON: THEORETICAL AND EMPIRICAL PERSPECTIVES ON THE SOCIAL USES OF LAW IN PRISON

DOI LINK: [HTTPS://DOI.ORG/10.35295/OSLS.IISL.2041](https://doi.org/10.35295/OSLS.IISL.2041)

RECEIVED 14 MARCH 2024, ACCEPTED 17 JUNE 2024, FIRST-ONLINE PUBLISHED 3 OCTOBER 2024

ALESSANDRO MACULAN* 

Abstract

Grounded in Bourdieu's field theory and drawing from qualitative research conducted in a Northern Italian prison, this study aims to investigate how prisoners strategically utilize the law, rules, and regulations within the prison field. The law is conceptualized as a form of objectified cultural capital – a weapon wielded by prisoners to achieve specific objectives. Findings from this research re-veal that despite the challenges and constraints prisoners encounter when asserting their rights through legal means, the utilization of the law is intricately linked to navigating the operational logic of the prison field. By aligning their actions with this logic, prisoners seek to mitigate unintended consequences and maximize benefits.

Key words

Field theory; law; Bourdieu; qualitative research; prison

Resumen

Basado en la teoría del campo de Bourdieu y en una investigación cualitativa llevada a cabo en una prisión del norte de Italia, este estudio pretende investigar cómo los reclusos utilizan estratégicamente la ley, las normas y los reglamentos en el ámbito penitenciario. La ley se conceptualiza como una forma de capital cultural objetivado, un arma esgrimida por los reclusos para alcanzar objetivos específicos. Los resultados de esta investigación revelan que, a pesar de las dificultades y limitaciones a las que se enfrentan los reclusos a la hora de hacer valer sus derechos por medios legales, la utilización de la ley está estrechamente vinculada a la navegación por la lógica operativa del ámbito penitenciario. Al alinear sus acciones con esta lógica, los reclusos tratan de mitigar las consecuencias imprevistas y maximizar los beneficios.

* Alessandro Maculan. University of Padua, FISPPA Department | Via M. Cesarotti 10/12, 35123 Padova (Italy). Email address: alessandro.maculan@unipd.it

Palabras clave

Teoría de campo; derecho; Bourdieu; investigación cualitativa; prisión

Table of contents

1. Introduction	4
2. Towards a sociology of the prison field	5
2.1. The prison field	5
2.2. The carceral habitus	6
2.3. Forms of capital in the prison field	7
3. Law, rules, and regulations as objectified cultural capital	8
4. Method	9
5. Findings	10
6. Conclusions	17
References	18

1. Introduction

In the past decade, Pierre Bourdieu's concepts have increasingly permeated disciplines such as sociology of law (cf. Salento 2002, Brindisi 2010, Sarzotti 2010, Dezalay and Madsen 2012), criminology (cf. Sandberg 2008, McChail and Finn 2012, Shammass 2017), and penology (cf. Drake 2011, Page 2012, Schlosser 2013, Page and Goodman 2020, Haggerty and Bucerus 2021, Maculan 2022, Quinn 2023), whereas previously these fields had only sporadically drawn on them. The current trend reflects a "Bourdiesian moment" (Shammass and Sandberg 2016), that is, an intersection between these disciplines and Bourdieu's sociological perspective on the social world. This encounter has proven beneficial to numerous other social science fields over the years.

The field theory developed by Bourdieu can offer several advantages to the sociology of law, enriching the analyses conducted by scholars in this discipline. Indeed, field theory encourages researchers to distance themselves from *State thought*, allowing for the problematization of its categories and classifications that are often perceived as natural principles of vision and division of the world (Bourdieu 2015, Borghini 2020). Such a posture is crucial for the sociology of law to transcend its role as a mere institutional tool and instead provide a critical analysis of judicial science (Bourdieu 1986b, Rinaldi 2017). Field theory facilitates *contextual* thinking by "emphasizing the embedded nature of a domain of social action within a broader social space and its historical genesis and constitution" (Shammass and Sandberg 2016, 201). Thinking contextually, in this sense, aims to illuminate the conflictual nature of activities carried out by social agents, whose ultimate goal is to acquire resources valued within each field, granting authority to those who possess them. The Bourdiesian perspective and its field theory also draw attention to the *skilled* and *skilful* nature of activities, focusing on the embodied character of forms of knowledge and practices, shedding light on the *conflictual* nature of purposeful activities in which agents are engaged (Shammass and Sandberg 2016). It is precisely this aspect that the present paper intends to emphasize.

The prison field – to be detailed in subsequent chapters – is a social space that, as highlighted by previous scholars (cf. Benguigui *et al.* 1994, Sarzotti 2010), has attempted to elude legal controls while being significantly shaped by the normative intentions of the law. This results in the prison becoming a social space saturated with official norms (Sarzotti 2000). Acquiring knowledge of these norms and skilfully utilizing them to gain advantages within the field reflects a distinctive skill set, akin to a crucial form of cultural capital. This proficiency provides valuable insights into the specific legal culture of those engaged in the prison field (cf. Sarzotti 2000, Maculan and Sterchele 2022). In this contribution, I aim to extend and deepen the reflections presented in earlier works (cf. Maculan 2022, 2023). The focus will be on exploring the contribution that Bourdiesian thought can make to the study of the prison and in particular the strategic use (and non-use) of law and rules in the daily lives of those residing within this social context, namely the prison population.

The subsequent chapter will present the general theoretical framework underpinning my analysis, specifically, Bourdieu's field theory as applied to the prison context. Following that, I will explain how the law, rules, and regulations can be understood as objectified cultural capital. Finally, I will outline the field research conducted and present the findings of this study.

2. Towards a sociology of the prison field

2.1. *The prison field*

According to Pierre Bourdieu, a field is “a network, or a configuration, of objective relations between positions. These positions are objectively defined, in their existence and in the determinations they impose upon their occupants, agents or institutions, by their present and potential situation (*situs*) in the structure of the distribution of species of power (or capital) whose possession commands access to the specific profits that are at stake in the field, as well as by their objective relation to other positions (domination, subordination, homology, etc.)” (Bourdieu and Wacquant 1992, 97). It constitutes a social microcosm that is “endowed with its own laws, its own *nomos*, its own law of functioning, without being completely independent of the external laws” (Bourdieu 2005, 33). Within each field, diverse social agents engage in competitions which aim “either at conserving or transforming the structure of relations of forces that is constitutive of the field” (*ibid.* 30). Agents invest a certain amount of self-interest in the activities that unfold within the field, a concept Bourdieu refers to as “*illusio*” (see Bourdieu 1998). This is crucial because stating that individuals are “inscribed in a field is to say that the stakes for which they strive, the motivations that drive them, have their principle in the microcosm and not directly in the macrocosm” (Bourdieu 2005, 33).

Following this prospective we can outline a distinct microcosm constructed around the intricacies of everyday prison life, referring to it as the *prison field*. This conceptual framework serves as an analytical tool, facilitating a deeper understanding of the social dynamics that define the penitentiary context. The construction of the prison field is viable because the practices shaping the prison institution are inscribed in a field of meanings, values, and cultural representations that maintain their own relative autonomy. Simultaneously, these cultural elements are dialectically conditioned by the practices that have contributed to their formation (Sarzotti 2000). In other words, within the prison context it is possible to identify a space of social action, a network of relations, which is characterized by a distinctive logic of functioning, a specific *nomos* (Bourdieu 2005).

The prison field adheres to its own set of formal and informal rules. Within it, social groups interact, each possessing distinct dispositions (*habitus*), interests (*illusio*), goals (or stakes), and forms of power and authority established by the capital in their possession that define the positions each agent and social group will occupy in this space. It emerges from the intricate activities that characterize the prison world, involving all those with a particular interest in it, albeit with distinct motivations. This field take shape from an agreement (the *doxa*), a shared belief in its games and stakes. This belief, as Bourdieu and Wacquant (1992, 98) suggested, “escapes questioning” because it draws on a genesis amnesia inherent in the prison itself.

It would be a mistake to envision the prison field as solely forming within the physical confines defined by the walls of a penal institution. While this space undeniably plays a crucial role, many of these activities often extend beyond the physical boundaries of prisons. The boundaries of the prison field, much like those of any social field, are not always sharply and clearly delineated; instead, they are often blurred and indistinct (Shammas and Sandberg 2016). These boundaries can also serve as a battleground where

agents, possessing the requisite forms of capital, engage in establishing the governing logics of the field. Furthermore, the boundaries of fields may exhibit varying degrees of permeability, determining the ease with which agents can cross the field's boundaries, both in terms of input and output directions (Shammas and Sandberg 2016).

Participants in prison field activities represent a diverse multitude of social groups with distinct dispositions (*habitus*) and resources (capital). These elements contribute to shaping the positions they will assume within the field itself. First, the prison population: the only participants in the prison field who did not voluntarily decide to take part. Then, the Ministry of Justice and its departments that, to a lesser or greater extent, deal with the prison environment. Finally, the people who work in the prison, not only those who are employed by the prison administration, but also those who work there on behalf of other public services (for example, in the case of Italy, health staff, court officials, social workers etc.) or external private companies. It is important to note that unlike the latter, employees of the prison administration work exclusively within the prison field and potentially for their entire professional career – that is, until retirement – unless they opt to resign. This inevitably has a substantial impact on the formation and structuring of dispositions that give rise to representations and practices (*habitus*), as well as personal commitment to the prison field (*illusio*). Moreover, many other groups and individuals also act within this field, and with differing aims. Individuals who are interested in protecting the rights of those who work and live in prison (prison staff unions, prisoners' lawyers etc.), those who wish to alleviate the suffering of imprisoned persons and contribute to their well-being (volunteers), relatives of detained people, political representatives, local government representatives, journalists, researchers etc.

In this context, drawing on the metaphor of the penitentiary archipelago (cf. Sbraccia and Vianello 2016), it becomes evident that a unique prison field will develop around each penitentiary facility. While these prison fields will inevitably exhibit numerous similarities, distinctions will simultaneously emerge. These differences will be influenced by the diverse configurations of relationships and positions among agents within the field, the varied distribution of forms of capital, and the incorporation of dispositions.

2.2. *The carceral habitus*

If the field influences individuals' actions from the outside, the habitus does so from within (Page 2012). Habitus is a system of "durable, transposable dispositions, structured structures predisposed to function as structuring structures, that is, as principles which generate and organize practices and representations that can be objectively adapted to their outcomes without presupposing a conscious aiming at ends or an express mastery of the operations necessary in order to attain them" (Bourdieu 1990b, 53). Particularly useful for the purposes of this essay is the distinction between primary and secondary habitus. If the primary habitus is acquired during childhood as an effect of the social conditions within which the individual is immersed, the secondary habitus is grafted on through the specialized pedagogical work of specific institutions (cf. Wacquant 2016), such as the penitentiary.

According to Page and Goodman (2020, 228), the carceral habitus is "a unique set of dispositions that shape conscious and preconscious practice within and beyond carceral

institutions". Following prolonged immersion within the prison field, detained people and prison staff "come to feel, think, and act appropriately (...), develop a "feel for the game", anticipating the moves of others, intuitively grasping norms, and feeling relative comfort as they master their field of social action" (*ibid.*). As Shammas (2018) emphasizes, carceral habitus is not universal. In fact, it can present very particular traits depending on the role and positioning that each agent occupies in the field. For this reason, we can talk about a habitus of detained individuals as well as a habitus of prison staff (cf. Haggerty and Bucerius 2021, Maculan 2022). Its non-universality, however, must also be interpreted within these same groups because "there may be a specific carceral habitus that obtains (...) in particular wings or units, correctional facilities, state prison systems, and nationally-bounded political economies of punishment" (Shammas 2018, 11), without forgetting the role that gender, social class, places of origin, age, religious faith, etc. plays in the development of the carceral habitus for each individual. Finally, it is durable: it lasts over time, and break freeing from it is not easy (Caputo-Levine 2013). Just because it is durable, however, does not mean that it is immutable. It must always adapt to the field that generated it and, therefore, to its possible changes (Bourdieu 2000).

2.3. *Forms of capital in the prison field*

Finally, the forms of capital, that is, the set of properties, tools and resources perceived as legitimate in the prison field that allow social agents to move and take a position within this microcosm. As Bourdieu and Wacquant (1992, 98) underlined, the forms of capital can be used "both as a weapon and as a stake of struggle, that which allows its possessors to wield a power, an influence, and thus to exist, in the field under consideration, instead of being considered a negligible quantity". The forms of capital identified by the French sociologist are different and well known – economic, social, cultural and symbolic capital – and for an in-depth analysis of them in the prison field see Maculan (2023). In this contribution I will focus on cultural capital because it plays a central role in the framework of this essay.

As stated by Bourdieu (1986a, 244) "[c]ultural capital can exist in three forms: in the embodied state, i.e., in the form of long-lasting dispositions of the mind and body; in the objectified state, in the form of cultural goods (...); and in the institutionalized state", namely the qualifications that people own. Within the prison field, institutionalized cultural capital, if understood in the strict sense – that is, with reference to the qualifications held – does not seem to hold great value. In fact, they seem to play an important role mainly due to the positions they allow them to hold in the field (and therefore for the power that derives from them). If, however, we understand cultural capital as the institutionalization of a title that takes on a particular value in the prison field, we can then consider, for example, the prison officers' ranks but also the crimes for which detained individuals have been convicted (see Shammas and Sandberg 2016) as particular forms of institutionalized cultural capital. Institutionalized cultural capital, however, must find a counterpart in the embodied cultural capital that derives directly from the experience of social agents in the prison field after a work of acquisition, "an effort that presupposes a personal cost (*on paie de sa personne*, as we say in French), an investment, above all of time, but also of that socially constituted form of libido, libido

sciendi, with all the privation, renunciation, and sacrifice that it may entail” (Bourdieu 1986a, 245).

In a similar way to the institutionalized one, the objectified cultural capital also takes on value only in relation to the embodied one: owning some objects does not entail any value (except in an economic sense) if one is not able to use them according to the logic of the field or if one cannot access a person who knows how to do it (*ibid.*). The objectified forms of prison cultural capital can be different, depending on the individuals or groups referred to. For the prison population, for example, they may correspond to handcrafted weapons produced in prison or equipment to produce alcoholic beverages or to create tattoos. These forms of capital can, moreover, also be inscribed on people’s bodies in the form of scars or tattoos (see Shammas and Sandberg 2016), acquiring value only if they are linked back to the ability and willingness to enact self-injurious practices, in the former case, or if they symbolize membership in some sub-culture, in the latter. Following this prospective, the law, rules, and regulations that characterize the prison field can also be seen as forms of objectified cultural capital: weapons (Bourdieu and Wacquant 1992, 98) needed to obtain power and authority, to claim rights, and to survive in the prison field.

3. Law, rules, and regulations as objectified cultural capital

As Brindisi (2010, 13) points out, “rules are never innocently constructed, but rather they are subject to appropriation by the agents, resources that must be mobilized, or rather, asserted”. In other words, rules are tools that those involved in their application or observance may try to shape or interpret in a way that favours their own interests and objectives. Despite the prison world having traditionally been resistant to legal regulation, it has simultaneously experienced a significant influx of formal positive law (Sarzotti 2010). The social agents that act within the prison field, to grasp some benefits according to its logics, need to know them – or at least have the ability to navigate them – and know how (and when) to use them by taking into account the formal and informal functioning logic of the prison (cf. Haggerty and Bucarius 2021). This is especially true for the prison officers. On a daily basis, officers (especially lower-ranking ones) “negotiate, repress, favour, exploit, punish, and reward detained people in order to minimise disorder in prison” (Salle and Chantraine 2009, 110; see also Sparks *et al.* 1996, Sarzotti 2000). For this reason, discretion in the use of the law assumes a crucial role (cf. Liebling 2000, Kolind 2015, Haggerty and Bucarius 2021) because it enables specific objectives to be achieved if closely linked to a well-developed carceral habitus (Bourdieu 1990).

However, it should not be forgotten that the discretion of officers is deeply tied to the power they hold. This power is defined by the position they occupy within the prison field (see Maculan 2022), but it is not limited to that. As Bourdieu emphasized, “the law does not go without favouritism, derogation, dispensation, exemption, namely without all the special authorizations to transgress the regulation which, paradoxically, can only be granted by the authority responsible for enforcing it” (Bourdieu 1990a, 91). In other words, as underlined by Brindisi (2010, 12), “the law would autonomously organize the conditions of its own transgression”. Moreover, the French sociologist goes on to emphasize that “the monopoly of enforcing the regulation can thus provide those who hold it with the benefits and satisfactions associated with compliance and the material

or symbolic profits associated with legitimate transgression” (Bourdieu 1990a, 91). This means that “the choice to open the possibility of an exception to the rule is one of the most common and effective means of acquiring a ‘personal power’, that is, a particular form of bureaucratic charisma obtained by distancing oneself from the bureaucratic definition of the function (*ibid.* 89). Thus, “It is in connection with the strict application of the regulation that the unofficial exemption can become a service rendered, thus entering the circuit of symbolic exchanges.” (Brindisi 2010, 12). The possibility of applying or not applying the law is, therefore, always connected to the power of the authority entrusted with implementing it, as well as to the interests it intends to pursue and what this choice enables it to achieve.

However, rules and regulations can also serve as crucial resources for prisoners. They not only define the duties, obligations, deprivations, and sufferings they endure but, in various circumstances, can be transformed into instruments to assert rights, limiting the arbitrariness of those in positions of dominance within the prison field. It must be said, however, that “the specific effects of the prison structure – atomisation, promiscuity, surveillance, etc. – are by definition the first obstacle to prisoners exercising their rights. The social uses of the law are determined by the relationship of domination, which derive from the asymmetry of the actors’ resources within a rigid framework” (Salle and Chantraine 2009, 107), but not only. Mastering this type of resource requires skills that many prisoners often do not possess. Illiteracy, low educational level, lack of language skills, but also other problems related to mental health or addictions are all factors that can contribute to making this resource inaccessible to many prisoners. In fact, “the use of legal resources requires other skills, which are regulated or even codified: mastery of a language that is difficult to access, understanding of complicated procedures, the ability to fit into the “polished” forms of the law, etc. The legalisation of social relations in prison, which presupposes the acquisition, or rather the conquest in non-standard circumstances, of dispositions and skills that take a long time to acquire and are difficult to update, tends to work to the disadvantage of some prisoners” (Salle and Chantraine 2009, 108). There is, however, an additional layer that deserves serious consideration in the context of prison dynamics. Even among prisoners equipped with the requisite skills to engage with legal resources, their utilization must align with the prison fields’ logics of functioning. For instance, lodging a complaint against either fellow prisoners or staff members may yield unforeseen detrimental consequences, such as violence, reprisal, ostracism, or exclusion (cf. Calavita and Jenness 2013). This is particularly pertinent for individuals lacking a well-defined carceral habitus, impeding their ability to foresee the repercussions of their actions and navigate the social terrain of the prison environment adeptly. Hence, successful interaction within the prison field necessitates a profound understanding of its underlying informal mechanisms and power dynamics.

The upcoming pages will specifically delve into this aspect, which has received limited scholarly exploration: the strategic choice for incarcerated individuals to either utilize or refrain from using the law, particularly the tool of lodging formal complaints. This choice serves as a response to specific needs within the dynamics of the prison field.

4. Method

This contribution draws on qualitative data collected during two studies, both carried out in a medium-sized prison for men located in a region of Northern Italy. The prison

has a maximum capacity of just over 400 but, as with most Italian correctional facilities (cf. Associazione Antigone 2023), has been in a state of overcrowding for many years (in some periods prison capacity was at 200%). This prison was (informally) considered a correctional facility with a rehabilitative function¹ given the various occupational, educational, and cultural activities that were present and that involved a number of detained people, to a greater extent than in most other Italian prisons. The prison is known as a *Casa di Reclusione*, namely a prison that hosts people condemned with a final sentence higher than five years, with nearly half of the detainees being foreign-born. Just over 300 prison officers were employed, a lower number than the law requires (cf. Maculan 2019). Since it was a male prison, only 10% of officers are female and do not work closely with detained individuals, as required by law 395/1990.

The research (1) consisted of an ethnography on prison officers (see Maculan 2022) conducted through participant observation and 15 semi-structured interviews between 2012 and 2014. The aim of this study was to explore the working experience of the officers with reference to the characteristics of their daily work and the interpersonal relationships that take shape in prison, both between colleagues and between officers and prisoners. The observation lasted about 3 months, during which I went to the prison 5 days a week for about 5-6 hours. Throughout this period, I spent a lot of time with officers in the various areas of the prison: the detention wings, the areas dedicated to work and educational activities, the various staff offices, and the outside area of the prison. Once the observation was completed, interviews were conducted. The interviewees were selected by the chief officer based both on research needs (quota sampling stratified by rank, gender, age, and working areas) and officers' availability. However, in this contribution I will refer only to the material collected during the observation, namely my ethnographic diary notes.

The research (2) consisted of a qualitative study conducted through semi-structured interviews with a sample of 26 imprisoned individuals, during the summer of 2021. The interviewees had participated in a course organized within the prison whose purpose was to strengthen individual and community resources to cope with the problems inherent in incarceration that had been further exacerbated by the pandemic. Of these 26 people, 18 were Italian nationals (12 came from the Northern Italy regions and 6 from the South and the islands) and 8 were foreigners (4 from North Africa, 2 from Centre Africa, 2 from the Middle East and 1 from Latin America). The age of the participants varied: from 25 years old to 64 years old. In this study, the objective was to explore the prison experiences of the interviewees with reference to interpersonal relationships in prison, the difficulties they encounter daily and the resources they deploy to address them. The length of the interviews varied from 30 minutes to almost 3 hours. Each interview, once concluded, was transcribed verbatim and analysed thematically (Strauss and Corbin 1998).

5. Findings

¹ Italian prison law does not mention this category that is nonetheless well known to prisoners and prison staff. In this regard, see Torrente's (2018) reflections regarding the informal ways in which Italian prisons are categorized within the framework of a reward logic.

As previously emphasized, in order to maximize benefits and mitigate unintended effects, the law has to be employed within the prison field while taking into consideration its informal logic of functioning. Consider Carmelo's account:

Some weeks ago, a prisoner kicked an officer during a fight and the officer, who is a human person, instinctively reacted... However, officers also have duties, because it is not twenty years ago, we are in 2021! Officers have rules to follow. They must immobilize the prisoner and based on the seriousness of what happened they report it, they make a complaint... and it must end there. Instead, 5-6 prison officers immobilized him, all caught on camera, and they beat him up. I decided to report this incident, and for this reason officers started to retaliate against me daily. I reported the incident because they reported me, two weeks before, when I assaulted another prisoner. In that case the officers told me: 'The CCTVs work, we had to write it down.' When these officers assaulted the prisoner, then I also said, 'The CCTVs work'. The same thing I repeated to him and reported the fact. I wanted to make him understand that if we can't raise a hand, you can't do it either. Who the hell do you think you are? So, they started to spite me. While I was on the phone with my mum... it happened 30-40 times... they disconnected the line. (...) They were waiting, knowing me... They were saying: you disconnect the line today, you disconnect it tomorrow, a few days he breaks out, or he attacks us, we report him! Instead, I told them, 'I'm not an idiot, I don't fall for your provocations. You do me this wrong, once I forgive you, twice, the third time I get tired of it, I take statements, I send them to the command office, if the command office does nothing, I send them to the supervisory magistrate, or the prosecutor's office, etc... because you abuse power and you're stalking me'. (...) I can defend myself very well, both in illegality and legality. However, in illegality I pay the criminal consequences, then I use legality. However, some prisoners said, 'But you reported them, it's *infamia*'.² (Interview, Carmelo)

Carmelo, a former member of organized crime with extensive prison experience and a lengthy sentence ahead, possesses a deep understanding of both the official regulations and the informal dynamics within the prison field. He chooses to report officers for their excessive use of force against another prisoner. Carmelo is fully cognizant of the potential consequences of his actions, viewing it partly as a form of retaliation for a recent disciplinary report he received. Utilizing the same justification provided by the officers for his own report – namely, evidence captured by CCTV cameras – he prepares himself for possible retaliation (cf. Calavita and Jenness 2013), drawing upon the resources he possesses, namely, courage, strategic thinking, patience, clarity, and legal expertise (cf. Salle and Chantraine 2009). Furthermore, Carmelo's decision to report the officers also serves to challenge the power dynamics within the prison, particularly the perceived impunity with which officers wield force. It is noteworthy that Carmelo's choice to report the officers is not universally accepted among fellow prisoners. Some view making complaints as a reprehensible act, particularly those affiliated with some particular mafia-like criminal organizations, for whom loyalty and opposition to State institutions are paramount. This illustrates how cultural norms and subcultural affiliations shape prisoners' perceptions of the legal system and its potential utility as a form of objectified cultural capital. Carmelo once shared this vision, but his evolving

² In prison jargon, the term "*infame*" refers to those who are "accused or convicted of rape and those who by their reports to the police, the judges or the prison management threaten to shatter the unity of those groups and of the entire prisoner community" (De Vito 2009).

perspective underscores the changes that affected the prison field over the years (see De Vito 2009, Salle and Chantraine 2009, Ronco 2016) and the consequent redefinition of the way of being in the field and the goals to be achieved. Moreover, his evolving perspective also recounts the fluidity of carceral habitus. Long or indefinite sentences can compel individuals to reassess their allegiance to subcultural norms, prompting shifts in their attitudes and actions within the prison field.

In the following narrative, Giulio recounts an episode in which he was involved. His storytelling highlights his ability to navigate the border area between the potential utilization and non-utilization of the law, demonstrating awareness of the consequences and the stakes that hold significance for him:

In my cell there were tiles coming off the floor. They come off because there is damp, prisons are rife with damp. So, I take off one tile, and then little by little the others... Today one, tomorrow another, the day after, and so on. One day I got angry because they wouldn't fix them, 'Oh! I asked you when it was one and you didn't come, now the tiles have become 4-5, if you don't fix them, we'll end up without a floor!' And so, I made them find all the tiles that had come off outside the cell. I'm smart, because I have reported to the officer the first tile that came loose, 'It came loose, I was falling...,' then I report the second one, so I cover my backside, because if they find them all outside the cell, I get reports and complaints and I have to compensate them as well. Then, one day the inspector comes with the surveillance magistrates, who were doing a visit. And when the magistrate comes to me, she says, 'Ah, nice cell but, why doesn't it have tiles?' I slyly, in order not to antagonize the prison administration, I say, 'There was a water leak, and they assured me that by tomorrow they would fix me'. And then the inspector came in and says, 'Ah. He's without a floor because he was hiding his cell phones under the floor,' and leaves. With this sentence he leaves! Then I get nice and quiet and write a letter to the president of the court, who in turn writes to the contact person of the court, of the surveillance magistrates, who immediately call me... if this is not abuse, what is abuse? He slandered me out of pure revenge for something I can't even imagine. They never found me with a phone here, and you, to justify your negligence, you leverage the fact that you know I won't report you, you dare to make me look bad to my reference magistrate who when he has to go to evaluate me for leave, he thinks of the phone hidden under the floor that you told him about! (Interview, Giulio)

How did this story end?

So, I went to the director and said: 'Doctor, look, the inspector said this and this and did this and this. I don't report out of delicacy, but these things cannot be done, because it will damage me.' And he says: 'Come on, he was joking! Do not get angry!'. What the fuck are you talking about? You didn't tell it to a volunteer! You told my magistrate! So, I had a video-interview with the magistrate. I had the inspector at my side, in the interview room. The magistrate said to me: 'Do you want to explain to me what happened?'. I replied: 'So doctor, I can also explain myself but it's not like I'm free to talk, to say everything that happened.' She said to me: 'Why? Is there anyone there with the room with her?'. 'Yes doctor, I can't talk to a magistrate alone because I'm always followed, I don't know why but I'm always followed!'. He heard it and said: 'Yes, yes, I'm here, chief inspector' and she: 'Do me a favour, you can sit outside the room because I have to confer with the prisoner in private'. Fuck! This guy went blue, red, purple, of all colours... (Interview, Giulio)

As numerous reports on detention conditions have underscored, many Italian prisons suffer from dilapidation and require ongoing maintenance (see, for instance,

Associazione Antigone 2023). The issue outlined by the protagonist in this narrative is a commonplace occurrence within prison settings. Frequently, in response to such incidents, complaints, and requests for maintenance by prisoners are met with assurances of intervention, which often fail to materialize or are executed after significant delays. This situation is attributable, in part, to the lack of financial resources earmarked for the continuous upkeep of facilities, which are subject to progressive deterioration due to prison overcrowding. Additionally, it is intertwined with informal prison practices, where delays in addressing the requests of incarcerated individuals may function as sanctions against those perceived as lacking discipline (see Maculan 2022).

Giulio, a lifer residing in a single cell due to his lengthy incarceration, is deeply invested in maintaining the quality of his private “prison home life” (Faccio and Costa 2013). When faced with issues like deteriorating conditions, he is reluctant to ignore them. He initially reports the problem to prison management, but upon receiving no response, he resorts to a visible act of protest: removing tiles from his cell and placing them outside, signalling his discontent with the structural neglect. However, when the surveillance magistrate visits and notices the absence of tiles, Giulio strategically chooses not to disclose the true reason behind his actions. Instead, he fabricates an alternative explanation to avoid casting the prison management in a negative light. This strategic decision aims to demonstrate to the prison management his willingness to handle internal conflicts autonomously, without involving external authorities (the surveillance magistrate),³ particularly those associated with the legal system that sentenced him. On the one hand, this approach showcases Giulio’s strength and independence (Vianello 2018), signalling his capability to confront challenges without seeking assistance from institutional figures like magistrates. On the other hand, it serves as a form of symbolic exchange with the prison administration: by refraining from “snitching” to the magistrate, Giulio may strengthen his bargaining position to demand repairs to the floor. However, the situation takes a serious turn when Giulio is falsely accused, a serious allegation that could impact his eligibility for benefits or alternative measures to prison (Vianello and Grezzani 2021). Faced with this threat, Giulio initially reports the incident to the prison warden, who minimizes its significance. Subsequently, he turns to the surveillance magistrate, revealing the slander he has endured and seeking legal recourse to defend himself against defamation. In this complex interplay of power dynamics and strategic manoeuvring, Giulio’s actions underscore the challenges faced by incarcerated individuals in asserting their rights using the instrument of the law within the prison system while navigating the delicate balance between autonomy and dependence on institutional support.

Now consider the next excerpt from the ethnographic diary. In this scene, where a prisoner initially threatens to report an officer and subsequently, instead, decides to withdraw it:

³ The surveillance magistrate has an important role in the prison system, as underlined in the article 69 of the Italian Prison Law n. 354 of the 1975. The surveillance magistrate monitors the organisation of the correctional facilities and reports to the Minister the needs of the various services, with particular regard to the implementation of rehabilitative treatment, in accordance with laws and regulations.

Shortly after my arrival in the wing the officers began to manage a complex situation as a prisoner was complaining a lot (even offending them) about the search that had been done in his cell a few hours earlier. During this extraordinary search, the prisoner said the officers had broken a bottle of oil and for this reason he intended to report them for abuse of power. An inspector had been called due to this problem. So, both the staff members present, and the inspector began to tell me what had happened. That morning they got a 'tip', information from one of their 'informers' in the wing who had said that a prisoner had a USB stick in a cell, hidden inside an apple. The inspector had told the officers that during the round of beating the bars, they would have to search the cell to verify the presence of this flash drive. During the search they had moved the cell furniture, and this apparently bothered the prisoner a lot. The officers told me that he was annoyed because he had a guilty conscience and was afraid, they would find the USB stick (which, however, was not found by the end of the search). According to my interlocutors, the officers, however, did not break anything belonging to the prisoner. They told me that he made it up because he was annoyed by the search. The inspector demonstrated great trust in the officers since, at least in my presence, he never questioned the good faith of those who carried out the search. The selected officer who had carried out the search was a little nervous because if the prisoner had decided to make a report it would have been against him. He was worried about the possibility of receiving a complaint for something he claimed he didn't do, and he referred to these prisoners several times (even alongside the inspector) as 'rubbish'. The inspector, therefore, left the office and met the prisoner (...). After about a quarter of an hour the inspector returned to the office and said that everything was fine. In fact, he allegedly told him that the search was not the officers' idea but his order and that if he wanted to report someone, he had to report him, since the officers had only followed the order. The prisoner then minimized the incident by saying that he had no intention of reporting anyone and that he didn't know exactly what had broken, in short, he retracted everything and subsequently apologized to the inspector for what had happened. (Ethnographic note)

In this narrative, the incarcerated individual initially threatens to report the officer, utilizing this tool as a means to forcefully respond to what he perceives as an intrusion: the search conducted by the officers into their precarious private space, represented by his cell. Through this decision, he demonstrates a refusal to accept this specific exercise of power by the uniformed personnel and signals his readiness to challenge it, beginning with the instruments at his disposal: the law, viewed as a means to delineate the boundaries of the authority's arbitrariness (Bourdieu 1990a). The officer's evident concern suggests that the tool the prisoner threatens to employ carries potential efficacy (see Salle and Chantraine 2009). However, the use of this tool must be contextualized within the specific dynamics of the prison field. The officer's appeal for support to the inspector and the latter's willingness to intervene speak to the significant social capital wielded by prison officers within this particular domain (Maculan 2022). Conversely, the inspector's interaction with the prisoner highlights the symbolic capital at his disposal. As Bourdieu (2009) noted, symbolic capital derives from recognition, and the prisoner, evidently possessing a well-developed carceral habitus, swiftly recognizes this, downplaying the incident and opting to retract the threat of reporting. Confronting a mere officer might have seemed a worthwhile act, possibly fuelled by the heat of the moment. However, facing an inspector was deemed an action to be avoided, indicating the prisoner's astute awareness of power dynamics within the prison field.

As has been pointed out by numerous scholars (see for example: Sykes 1958, Sims 1994, Bottoms 1999, Edgar *et al.* 2003), the prison environment is one where, among prisoners, violence and domination are endemic and pervasive. As underlined by Caputo-Levine (2013, 169), for prisoners “the primary necessities involve ensuring the safety and integrity of the individual” since “the body in the prison is easily violated by prison staff and other incarcerated individuals”.

Things didn't go well when I got three slaps in the face. For a little thing. A stupid thing. We usually hang out in the common room, play cards, play foosball to pass the time. We were playing cards, four of us... burraco... classic women's game... You play, you joke, you laugh... 'Hey, you can't do it to win!', the others, 'Rest assured we win!' but it's a joke, isn't it? A joke that if you do it at the bar, it's not like you get two slaps. Instead, this guy was offended and shortly after came to my cell and gave me two slaps. What was I supposed to do? Report him because he slapped me twice? God said turn the other cheek... I said, 'If you want to give me the third one then give me the third one too'. When I told him so he left. It was the worst day here, it's not good to get a slap while playing cards. (Interview, Mario)

In this excerpt, Mario opts not to report the prisoner who slapped him. Unlike Carmelo, in the first excerpt, Mario lacks the resources to withstand the potential consequences of denouncing a younger prisoner who has demonstrated both the ability and willingness to use force against him – another form of objectified cultural capital. Mario, no longer young and in poor physical health, recognizes that denouncing the perpetrator would likely result in further harm to himself. His decision not to report the incident is not rooted in a principle of avoiding *infamia*, as it is not inherent to his background. Unlike Carmelo, Mario does not belong to subcultures that prioritize such values. Mario's experience, shaped by his past as a cook with a conviction for domestic violence, informs his understanding that denunciation is not the appropriate tool to address this situation, given the potential consequences he would face. Thus, Carmelo and Mario both possess carceral habitus shaped by their individual biographical experiences (Page and Goodman 2020) and the forms of capital they bring to bear. These differences in habitus lead Carmelo to utilize the instrument of the law (in the former case) while prompting Mario to refrain from doing so (in the latter), as each endeavour to achieve their respective goals within the confines of the prison field.

Consider the next excerpts where Raul, like many other interviewees, talk about prisoners being assaulted and subjugated by other detained individuals:

There are people who can't say no, they are afraid... maybe they are weak physically and psychologically. They are forced to wash other people's clothes, to make coffee while they are playing cards... and they bring them coffee. They take the beating... and they keep silent. Because in the end they should be the ones to tell the officers what's going on, but they don't tell them because... First of all, even the officers don't move you to wing right away, and some people don't honestly care. And you still stay in the wing and if they find out you've been *infame* you get even more. (Interview, Raul)

This excerpt shows how some incarcerated individuals possess a distinct form of objectified cultural capital, characterized by their ability to instil fear in others. This capacity can manifest through various means, such as showcasing physical attributes like weight and musculature (cf. Caputo-Levine 2013), or through visible body markings like scars and tattoos (cf. Shammass and Sandberg 2015).

Additionally, it entails the readiness to engage in physical aggression regardless of the potential consequences, as well as the proficiency in executing such actions with the intent to harm. These skills hold significant value within environments marked by violence, such as prisons, where they serve dual purposes. They can be leveraged to assert dominance over fellow prisoners, as evidenced in Raul's testimonial, and to mitigate the risk of victimization. However, Raul's accounts also underscore the perils associated with using the law against violence. Resorting to it may lead to stigmatization and subsequent repercussions, including heightened exposure to further violence or, at best, social exclusion, and ostracism.

Consider Lino's account:

I was in the school, and then I went back to the cell and sat in the bathroom studying, because there was a cellmate with other people talking. And I was using earplugs in my ears. These other people beat the shit out of him. The next day the warden calls me down... He says: 'What happened?'. I replied: 'I don't know...'. He said that six, seven people had come into the cell and beat my cellmate to death. 'And how should I know?', I replied. 'How don't you know?' he said. I saw that they took him away... that he was swollen, but I don't know. For what reason should I say who they were? Except that there were cameras so they saw who came in, but for what reason should I go and tell them who they were? As it happened to him it could happen to me. I don't think so because I minded my own business. For what reason would I have to talk... that's their business. And they said that I am the old prisoner, the one who knows things but minds his own business... It's a label they put on you... and that's not right. What do I have to do? I have to live here! They go out... Officers and educators... In the evening, they go home! I'm here 24 hours a day. You don't need a knife to kill, even a finger is enough... I have to think about my own skin. (Interview, Lino)

Lino's narrative aligns with preceding accounts. In this instance, he assisted in the assault of his cellmate, prompting prison authorities to summon him as a witness to recount what he witnessed. His stance is unequivocal: "I did not witness or overhear anything." Lino, a seasoned prisoner, is well-versed in the prison's rules and its informal operational dynamics. He comprehends the potential repercussions of testifying about the incident, which would brand him as a "snitcher" in the eyes of his peers. This results in him being characterized by the prison management as the archetypal inmate who keeps to himself, often labelled as an adherent to the code of silence, or "omertà." However, his emphasis during the interview carries significant weight: he spends every hour of the day within the confines of the prison, necessitating a constant focus on survival. In his view, resorting to legal means as objectified cultural capital is not the suitable approach, particularly given the circumstances at hand.

Consider now this last excerpt where the possibility of using the legal instrument is described in relation to prison management:

Today we distributed apples [he worked in the prison kitchen], by regulation they are 400 gr per prisoner. Two apples make 300 gr, three apples make 450 gr, but you don't have to put three apples, because they would weigh more than you have to receive. You

have to put only two apples, so... 100 g less (...) Although I had to give you 400 grams, you can be sure and certain that I give you 300, but not 450! And the prisoner is afraid to denounce this thing here, because if he reports it, you can be sure and certain that he, at that job, will not go there anymore... (Interview, Gianni)

Gianni's account sheds light on a breach of prison food regulations, wherein prisoners receive less than the stipulated amount. While theoretically, reporting this negligence is feasible, it carries the risk of retaliation from prison authorities. Such retaliation could entail limiting or even revoking privileges, such as access to work opportunities, for those who dare to speak up. The widespread acceptance of this situation among many prisoners, albeit often expressed discreetly, underscores their submissive position within the prison hierarchy. These dynamics highlight the limited effectiveness of legal recourse in rectifying abuses or negligence within the prison system. Efforts to address these issues through legal means frequently lead to a worsening of detainees' conditions, without achieving substantial redress – unless, for instance, they are bolstered by other forms of capital, such as social capital in the case of a protest involving a significant number of prisoners.

6. Conclusions

Using Pierre Bourdieu's field theory and drawing from qualitative data, this contribution examined the law as objectified cultural capital within the prison context, a tool and a weapon wielded by prisoners to achieve specific objectives. Emphasis is placed not only on instances where the law is used but also when it is not used. Indeed, the law permeates penitentiary relationships, serving as a constant backdrop against which interactions unfold. Depending on the circumstances, social agents invoke and use it to gain specific stakes. As we have seen, skilled players (Shammas and Sandberg 2016), endowed with a well-developed carceral habitus, do so while trying to mitigate unintended consequences and optimize benefits. The analysis conducted regarding its use or non-use has provided insights into the dynamics of the prison field. It has illuminated the diverse positions held by various social actors within this context, as well as the types of capital they wield and the embedded knowledge that generate representations and practices within this social microcosm.

Pierre Bourdieu's field theory has allowed us to move beyond a naive conception of law that seems to overlook the existence of a relatively independent social universe (the prison field) within which laws, rules, and regulations can be mobilized (or not) – depending on the positioning of social agents – to achieve specific goals that make sense only within this field (see Brindisi 2010). In this way, the practical meaning of the law “is really only determined in the confrontation between different bodies (...) moved by divergent specific interests” (Bourdieu 1986b, 821), in the “billiard game of structured interactions” (Bourdieu 1990, 88) that takes shape from time to time in the wide and complex prison field.

The question remains open as to whether the law serves as an effective weapon for incarcerated individuals, a useful tool for achieving specific objectives within the prison field. This study tells us that the law can only function as an effective instrument to the extent that it is supported by a wide range of other resources. The activation of these resources is crucial to helping achieve the desired results. Among these resources, and besides the cultural capital necessary to know and understand one's own rights (Salle

and Chantraine 2009), the development of a carceral habitus plays an important role in causing prisoners “to feel, think, and act appropriately –that is, in ways seen as appropriate given their particular environment or situation” (Caputo-Levine 2013, Page and Goodman 2020, 228), but not only. The empirical material collected indicates that factors such as strategic manoeuvring, patience, toughness, and lucidity also play a pivotal role in employing the law within the prison field. This underscores the distinctiveness of this field. While these resources are crucial for adeptly navigating legal processes within the confines of this social space, they may not necessarily hold the same degree of importance outside of it in achieving the purposes that individuals intend to pursue using the law.

This study suggests that, within a field characterized by pronounced power imbalances, employing the law as a means for detained individuals to curb the arbitrariness of those in power and assert their rights often proves to be an ineffective tool, a kind of blunt instrument incapable of guaranteeing the full preservation of their dignity. By situating this tool within the prison context, it becomes evident how social actors occupy distinct positions, thereby highlighting the pervasive forms of power and dominance that define the field itself. Despite the diversity among incarcerated individuals in terms of the capital they possess, and notwithstanding their capacity to resist and challenge authority in different ways (cf. Bosworth and Carrabine 2001, Ugelvik 2014), they ultimately find themselves in a position of considerable vulnerability. As we have observed, practices aimed at challenging or counterbalancing asymmetrical power relations (like the use of the law) can often result in consequences that further worsen their living conditions (cf. Rubin 2017).

While this study was conducted within a specific prison environment, its findings resonate with dynamics that can be observed in other contexts, especially in the Global North’s prison systems. Future research endeavours should explore the utilization of the law by incarcerated individuals, leveraging qualitative research methodologies across different prison settings and national jurisdictions. Such investigations would contribute to a deeper understanding of this crucial yet still underexplored aspect of prison life.

References

- Associazione Antigone, 2023. *È vietata la tortura. XIX rapporto di Antigone sulle condizioni di detenzione* [online]. Antigone. Available at: <https://www.rapportoantigone.it/diciannovesimo-rapporto-sulle-condizioni-di-detenzione/>
- Benguigui, G., Chauvenet, A., and Orlic, F., 1994. Les surveillants de prison et la règle. *Deviance et Société* [online], 18(3), 275-295. Available at: <https://doi.org/10.3406/ds.1994.1346>
- Borghini, A., 2020. Tornare a studiare lo Stato. Alcune riflessioni sociologiche. *Rivista Trimestrale di Scienze dell’Amministrazione* [online], 1, 1-17. Available at: <https://doi.org/10.32049/RTSA.2020.1.03>
- Bosworth, M., and Carrabine, E., 2001. Reassessing resistance: Race, gender and sexuality in prison. *Punishment & Society* [online], 3(4), 501-515. Available at: <https://doi.org/10.1177/14624740122228393>

-
- Bottoms, A.E., 1999. Interpersonal violence and social order in prisons. *Crime and Justice* [online], 26, 205-281. Available at: <https://doi.org/10.1086/449298>
- Bourdieu, P. 1986a. Forms of capital. In: J. Richardson, ed., *Handbook of Theory and Research for the Sociology of Education*. Westport: Greenwood, 241-58.
- Bourdieu, P., 1986b. The force of law: Toward a sociology of the juridical field. *Hastings Law Journal*, 38(5), 814-853.
- Bourdieu, P., 1990a. Droit et passe-droit. *Actes de la recherche en sciences sociales* [online], 81(1), 86-96. Available at: <https://doi.org/10.3406/arss.1990.2928>
- Bourdieu, P., 1990b. *The logic of practice*. Redwood City: Stanford University Press.
- Bourdieu, P., 2000. *Pascalian meditations*. Redwood City: Stanford University Press.
- Bourdieu, P., 2005. The Political Field, Social Science Field and the Journalistic Field. In: R. Benson and E. Neveu, eds., *Bourdieu and the Journalistic Field*. Cambridge: Polity Press, 29-47.
- Bourdieu, P., 2009. *Ragioni Pratiche*. Bologna: Il Mulino.
- Bourdieu, P., 2015. *On the State: Lectures at the Collège de France 1989-1992*. Cambridge: Polity Press.
- Bourdieu, P., and Wacquant, L.J.D., 1992. *An invitation to reflexive sociology*. Cambridge: Polity Press.
- Brindisi, G., 2010. La sociologia del campo giuridico di Pierre Bourdieu. *Sotto giudizio, Annuario Kainos V*. Milan: Punto Rosso, 9-33.
- Calavita, K., and Jenness, V., 2013. Inside the pyramid of disputes: Naming problems and filing grievances in California prisons. *Social Problems* [online], 60(1), 50-80. Available at: <https://doi.org/10.1525/sp.2013.60.1.50>
- Caputo-Levine, D.D., 2013. The yard face: The contributions of inmate interpersonal violence to the carceral habitus. *Ethnography* [online], 14(2), 165-185. Available at: <https://doi.org/10.1177/1466138112457299>
- De Vito, C.G., 2009. *Camosci e girachiaivi: Storia del carcere in Italia*. Rome: Laterza.
- Dezalay, Y., and Madsen, M.R., 2012. The force of law and lawyers: Pierre Bourdieu and the reflexive sociology of law. *Annual Review of Law and Social Science* [online], 8, 433-452. Available at: <https://doi.org/10.1146/annurev-lawsocsci-102811-173817>
- Drake, D., 2011. The "Dangerous Other" in Maximum-Security Prisons. *Criminology & Criminal Justice* [online], 11(4), 367-382. Available at: <https://doi.org/10.1177/1748895811408836>
- Edgar, K., O'Donnell, I., and Martin, C., 2003. *Prison violence: The dynamics of conflict, fear and power*. Cullompton: Willan.
- Faccio, E., and Costa, N., 2013. The presentation of self in everyday prison life: Reading interactions in prison from a dramaturgic point of view. *Global Crime* [online], 14(4), 386-403. Available at: <https://doi.org/10.1080/17440572.2013.831761>
-

- Haggerty, K.D., and Bucerius, S.M., 2021. Picking Battles: Correctional Officers, Rules and Discretion in Prison. *Criminology* [online], 59(1), 137-157. Available at: <https://doi.org/10.1111/1745-9125.12263>
- Kolind, T., 2015. Drugs and discretionary power in prisons: The officer's perspective. *International Journal of Drug Policy* [online], 26(9), 799-807. Available at: <https://doi.org/10.1016/j.drugpo.2015.04.014>
- Liebling, A., 2000. Prison officers, policing and the use of discretion. *Theoretical Criminology* [online], 4(3), 333-357. Available at: <https://doi.org/10.1177/1362480600004003005>
- Maculan, A., 2019. Non Solo Detenuti: Chi Lavora nelle Nostre Carceri? In: Associazione Antigone, ed., *Il Carcere Secondo la Costituzione. XV Rapporto di Antigone Sulle Condizioni di Detenzione* Rome.
- Maculan, A., 2022. *La galera incorporata. Etnografia della polizia penitenziaria*. Santarcangelo di Romagna: Maggioli.
- Maculan, A., 2023. Bourdieu in carcere. Appunti per una sociologia del campo penitenziario. *Sociologia del Diritto* [online], 1, 89-114. Available at: <https://doi.org/10.54103/1972-5760/20943>
- Maculan, A., and Sterchele, L. 2022. The "left" and "right" arm of the prison: Prison work and the local legal culture of the penitentiary. *Oñati Socio-Legal Series* [online], 12(6), 1492-1517. Available at: <https://doi.org/10.35295/osls.iisl/0000-0000-0000-1310>
- McCahill, M., and Finn, R.L., 2013. The Surveillance of 'Prolific Offenders: Beyond 'Docile Bodies''. *Punishment & Society* [online], 15(1), 23-42. Available at: <https://doi.org/10.1177/1462474512466198>
- Page, J., 2012. Punishment and the Penal Field. In: J. Simon and R. Sparks, eds., *The SAGE Handbook of Punishment and Society* [online]. London: Sage, 152-166. Available at: <https://doi.org/10.4135/9781446247624.n8>
- Page, J., and Goodman, P., 2020. Creative Disruption: Edward Bunker, Carceral Habitus and the Criminological Value of Fiction. *Theoretical Criminology* [online], 24(2), 222-240. Available at: <https://doi.org/10.1177/1362480618769866>
- Quinn, K., 2023. Dispositions that matter: Investigating criminalized women's resettlement through their (trans) carceral habitus. *Criminology & Criminal Justice* [online], 23(1), 20-38. Available at: <https://doi.org/10.1177/17488958211017371>
- Rinaldi, C., 2017. Una sociologia delle imposture legittimate. La costruzione del campo giuridico. In: C. Rinaldi, ed., *La forza del diritto. Elementi per una sociologia del campo giuridico*. Rome: Armando.
- Ronco, D., 2016. La competizione tra i reclusi. L'impatto della scarsità di risorse e della logica del beneficio sulla comunità carceraria. *Etnografia e ricerca qualitativa*, 9(2), 211-226.
- Rubin, A.T., 2017. The consequences of prisoners' micro-resistance. *Law & Social Inquiry* [online], 42(1), 138-162. Available at: <https://doi.org/10.1111/lsi.12158>

-
- Salento, A., 2002. Diritto e campo giuridico nella sociologia di Pierre Bourdieu. *Sociologia del Diritto*, 38(1), 37-74.
- Salle, G., and Chantraine, G., 2009. Le droit emprisonné? Sociologie des usages sociaux du droit en prison. *Politix* [online], 87(3), 93-117. Available at: <https://doi.org/10.3917/pox.087.0093>
- Sandberg, S., 2008. Street Capital: Ethnicity and Violence on the Streets of Oslo. *Theoretical Criminology* [online], 12(2), 153-171. Available at: <https://doi.org/10.1177/1362480608089238>
- Sarzotti, C., 2000. Carcere e cultura giuridica: L'ambivalenza dell'istituzione totale. *Dei delitti e delle pene*, 1(2), 77-126.
- Sarzotti, C., 2010. Il campo giuridico del penitenziario: appunti per una ricostruzione. In: E. Santoro, ed., *Diritto come questione sociale*. Turin: Giappichelli.
- Sbraccia, A., and Vianello, F., 2016. Introduzione. Carcere, ricerca sociologica, etnografia. *Etnografia e ricerca qualitativa*, 9(2), 183-210.
- Schlosser, J.A., 2013. Bourdieu and Foucault: A Conceptual Integration Toward an Empirical Sociology of Prisons. *Critical Criminology* [online], 21(1), 31-46. Available at: <https://doi.org/10.1007/s10612-012-9164-1>
- Shammas, V., 2018. Bourdieu's Five Lessons for Criminology. *Law and Critique* [online], 29(2), 201-219. Available at: <https://doi.org/10.1007/s10978-017-9218-3>
- Shammas, V.L., and Sandberg, S., 2016. Habitus, capital, and conflict: Bringing Bourdieusian field theory to criminology. *Criminology & Criminal Justice* [online], 16(2), 195-213. Available at: <https://doi.org/10.1177/1748895815603774>
- Sims, J., 1994. Tougher than the rest? Men in prison. In: T. Newborn and E. Stanko, eds., *Just boys doing business? Men, masculinities and crime*. London: Routledge.
- Sparks, R., Bottoms, A.E., and Hay, W., 1996. *Prisons and the Problem of Order* [online]. Oxford/New York: Oxford University Press. Available at: <https://doi.org/10.1093/acprof:oso/9780198258186.001.0001>
- Strauss, A., and Corbin, J., 1998. *Basics of Qualitative Research: Techniques and Procedures for Developing Grounded Theory*. Los Angeles: Sage.
- Sykes, G.M., 1958. *The society of captives: A study of a maximum-security prison*. Princeton University Press.
- Torrente, G., 2018. *Le regole della galera. Pratiche penitenziarie, educatori e processi di criminalizzazione*. Turin: L'Harmattan Italia.
- Ugelvik, T., 2014. *Power and resistance in prison: Doing time, doing freedom* [online]. Cham: Springer. Available at: <https://doi.org/10.1057/9781137307866>
- Vianello F., 2018. Norme, codici e condotte: la cultura del penitenziario. Gli attori sociali di fronte alla criticità dell'ambiente carcerario, *Sociologia del Diritto* [online], 3, 67-85. Available at: <https://doi.org/10.3280/SD2018-003004>
-

Vianello, F., and Grezzani, L., 2021. La “revisione critica delle condotte antigiuridiche”: prima riflessione sugli aspetti pragmatici e simbolici di un artefatto normativo. *Studi Sulla Questione Criminale*, 17(3), 7-33.

Wacquant, L., 2016. A concise genealogy and anatomy of habitus. *The Sociological Review* [online], 64(1), 64-72. Available at: <https://doi.org/10.1111/1467-954X.12356>