“First World Justice Requires First World Resources”:

Debt, Austerity, and Justice in post-2008 Jamaica

by

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Hilary Term 2025

Thesis submitted in fulfilment of the requirements for the Degree of Doctor of Philosophy in Geography

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ACKNOWLEDGMENTS

Thank you to the public officials across the Government of Jamaica, who facilitated data access and served as interlocutors.

Thank you to the Rhodes Trust for funding my postgraduate studies in Oxford, and equally, for providing me with peers and administrators who served as an immense source of care and community. I am also grateful for the financial and administrative support received from Lincoln College, Oxford. I also express my sincere gratitude to my supervisor, Professor Patricia Daley, for her guidance and patience throughout my D.Phil. journey.

Finally, I am so wonderfully grateful to my friends and family (especially my twin) for their unwavering support and encouragement. I thank you briefly now but shall do so in much greater length later.

Home, always for you.

ABSTRACT

This thesis examines experiences of austerity across the Jamaican state, justice system, and society during the post-2008 conjuncture. In the wake of the 2008 global financial crisis, Jamaica experienced a multiyear recession that, combined with successive prior fiscal deficits and limited access to credit in the global credit markets, led to a devolving debt situation. In response to the emergent debt crisis, the Jamaican government engaged the IMF for emergency loans and undertook an intensive decade-long austerity programme characterised by public sector rationalisation, significant fiscal consolidation, and revenue enhancement.

Pursued as a corrective response to debt crisis, austerity has profound impacts on all areas of government—including the provision of legal justice. This study deploys the justice system in two ways: first, as an area of state service provision; and second, as a site of encounter in which structural and everyday challenges within the society surface. Through a combination of conjunctural analysis and grounded theory approaches, this thesis analyses contemporary experiences defined by debt, crisis, and austerity. It explores the multiscalar morphology of austerity: as economic policy, a dynamic contested mode of governance involving multiple state and non-state actors, and individual and institutional affective-material experiences in everyday lives and livelihoods.

The study reveals a governance landscape in Jamaica marked by related but distinct forms of crisis—a 'crisis of debt' and a 'crisis of justice'—to which institutions have dialectical proximity and distance, which shapes their response to austerity governance. Given disciplining conditionality of multilateral debt arrangements, central fiscal allocations for public service provision is limited, which in turn leads to piecemeal, projectivised

development financing to partially fill the gap. Moreover, neoliberal state retrenchment has produced protracted experiences of constraint in the lives and livelihoods of public officials and citizens alike. In turn, they reflect the neoliberal logics of individualisation as a corollary form of retrenchment, and shift from collective to individual modes of understanding and navigating their experiences of chronic resource constraint.

The thesis argues that austerity is best understood as a multiscalar affective-material phenomenon in which constraint serves as a conceptual joinder for experiences of lack and want across extended temporalities—which are internalised as a *de facto* reality across pasts, presents, and futures. It proposes systemic indebtedness as the enveloping frame in which multiscalar experiences of constraint are understood across state-citizen relationalities, which propagates a continued search for elusive justice across endured presents and pessimistic futures.

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LIST OF KEY ABBREVIATIONS

AccGen - Accountant-General's Department

AdminGen - Administrator-General's Department

BOJ - Bank of Jamaica

CAD - Court Administration Division

CARICOM - Caribbean Community

CARIMAC - Caribbean Institute of Media and Communication

CCJ - Caribbean Court of Justice

CMS - Court Management Services

DBJ - Development Bank of Jamaica

DFID - UK Department for International Development

EFF - IMF Extended Fund Facility

EPOC - Economic Programme Oversight Committee of Jamaica

FINSAC - Financial Sector Adjustment Company

FPU - Fiscal Policy Unit, Ministry of Finance of Jamaica

GOJ - Government of Jamaica

IDB - Inter-American Development Bank

IFI - International Financial Institution

IMF - International Monetary Fund

IMPACT - Improved Access To Justice In The Caribbean

JIS - Jamaica Information Service

JJSRPAF - Jamaica Justice System Reform Policy Agenda Framework

JJSRTF - Jamaican Justice System Reform Task Force

JLP- Jamaica Labour Party

JURIST Project - Judicial Reform and Institutional Strengthening Project

JUST Programme - Justice Undertakings for Social Transformation (JUST)

LLDCs- Landlocked Developing Countries

LOSA - Legal Officers Staff Association

MDA - Ministry, Department, or Agency

MOF - Ministry of Finance and the Public Service *or* Ministry of Finance and Planning

MOJ - Ministry of Justice

MNS - Ministry of National Security

NHT - National Housing Trust

NLA - National Land Agency

PAYE - Pay-As-You-Earn

PNP - People's National Party

SBA - IMF Stand-By Agreement

SIDS - Small Island Developing State

So-JUST - Social Justice Project

TAJ - Tax Administration Jamaica

UNDP - United Nations Development Programme

Jamrock is a precious stone: still, it's far from a diamond.

- Chronixx (Reggae Artiste)

CHAPTER 1: Introduction

I am looking for justice! Di people dem a bawl: 'We no get none!' - Keznamdi, 2021[1]

I have driven on this road before. But it has been quite some time. It leads from my home but I do not truly know it. Some potholes are new. The winding car ride might send me into a tailspin. But good breeze and conversation are the antidotes.

Such an idyllic courthouse. A beachside country colonial construction, freshly refurbished. *This ain't Kingston.* The courtroom is pandemic-stricken, with skeleton staff and attendees entering only when summoned by court officers. Everyone is struggling to hear the other. Unlike in Kingston, it is not because the corridors are too full; instead, the sparsely populated room lulls one into an intimacy that the space cannot actually accommodate.

Some matters are routine progress updates—or non-progress updates of a delayed report from a government agency. Some matters are depressing. A mother appears to have mental health challenges and struggles to maintain employment as a house helper; she blames her daughter for unsolicited advances from seasonal stepfathers. A courteous, high-achieving young man was attacked in a taxi on his way from school by unremorseful male peers for being concerningly 'soft'.

[1]Excerpt from *Justice* by Keznamdi (2021), Jamaican reggae artiste.

Some matters are arresting. A young man, accompanied by his exasperated working-class mother, is accused of a serious violent offence at school. Soon-to-age-out, he dismisses the judge who intends to order social intervention rather than jail time. The judge is coaxing.

What do you want to be in ten years?

His eyes focus inward; the question is a first.

I want to be a dancehall singer.

Suddenly, I am a DJ providing a hastily retrieved riddim for the recalcitrant defendant-turned-shy teen's debut performance. Voice shaky but clear, he gives a one-minute meditation on his guarded dreams of making it big to give an easier life to his mother. He commits to taking the intervention programme seriously.

I hear and observe stories across courts that make my head and heart take turns in tailspinning tango. The systems, structures, and circumstances at play are vast and complex. Yet, justice might just be possible.

How did we get here?

How do we manage?

What is possible?

It is time to take the long, winding, breezy, beautiful, potholed journey back. Home.

From Independence to Crisis

"Independence had to be followed by material improvement for that majority which had never known it" (Manley, 1982, p. 11).

In its first decade post-independence, the Jamaican state pursued modernisation through mining, internally-focused manufacturing, and seasonal tourism (Clarke & Howard, 2006), which accompanied modest public debt and maintained relative macroeconomic stability. Like in other postcolonial states, this modernisation agenda was incentivised as 'high-order business' by International Financial Institutions such as the World Bank and International Monetary Fund (IMF) (Rostow, 1990). However, in the early 1970s the newly elected Jamaican government undertook an ambitious agenda for human development and social justice—which included programs for literacy, land redistribution, access to affordable housing, and universal education and healthcare (Manley, 1982; Mullings, 2007; Weis, 2005). By the 1970s, many Third World[2] states sought to counter a core-periphery global political economy through centrally planned industrial policy, import substitution trade policy, and state-owned enterprises in high-growth industries (Bulmer-Thomas, 2014; Dos Santos, 1970). These efforts were largely financed through IFI development loans, bilateral credit, and foreign direct investment (Thorp, 1998; Bértola & Ocampo, 2012).

[2] The classification of the Three Worlds include the 'First World' comprising the United States and its Western allies; a 'Second World' of the Soviet Union and its satellites in Eastern Europe; and a 'Third World' consisting of "developing" and often nonaligned recently independent countries (Dirlik, 2007). The term also indicated both a sequence of history and a statement of intent from recently independent states to chart new economic futures (Manley, 1982). However, the term fell out of use due to problematic associations with underdevelopment and backwardness.
The concept of the Three Worlds was succeeded by 'Global North' and the 'Global South'. In particular, the use of 'Third World' has been replaced by the concept of The "Global South" refers to a group of approximately 134 developing countries in pursuit of sustainable growth and economic development. Still, the use of the term 'Global South' is also contested, as some argue that the term flattens political and economic variance across the worlds it seeks to describe (Patrick & Huggins, 2023).

However, by the mid 1970s Jamaica was confronted with a rapid decline in government outlays and economic productivity due to the OPEC energy crisis of 1973, which hampered mining and agricultural outlays, increased government welfare spending without sufficient government revenue to ensure fiscal sustainability, and capital flight under a transition to democratic socialism (Armstrong, 1986). These factors converged in the debt as a fraction of GDP more than doubling between 1973 and 1977 alone. Faced with deteriorating economic conditions, Jamaica entered its first formal loan agreement with the IMF in 1977 (Girvan, Bernal & Hughes, 1980). The agreement included a series of cost-reduction economic measures promoted by the World Bank and the IMF, collectively known as Structural Adjustment Programmes. However, this structural adjustment loan agreement soon broke down, as the democratic socialist government deemed the IMF-induced austerity and its broader policy agenda of liberalisation onerous (Huber & Stephens, 1986; Manley, 1982). This breakdown occurred in a context of geopolitical pressure from the United States to ensure that Jamaica did not further enter the emerging axis of Soviet influence in the Western hemisphere (Ransford, 2009; Reynolds, 1982).

In 1980, the democratic socialist party was succeeded by its right-leaning opposition, with the economy facing high unemployment, high interest rates, 20 per cent loss in GDP and a 17.5 per cent fiscal deficit (Spaulding, 2013b). By 1981, Jamaica resumed its borrowing relationship with the IMF, which led to a wave of liberal economic reforms (International Monetary Fund, 1999) and accompanied significant American bilateral support (Palmer, 2009). However, as market liberalisation increased under logics that prioritised local production for global export rather than local consumption (Henke, 1999), Jamaica became increasingly vulnerable to downturns in foreign credit markets, which in 1985, led to a stark rise in the country's debt-to-GDP ratio to 181 per cent, the highest in Jamaica's

post-independence history. Undoubtedly, Jamaica was firmly on the treadmill of debt (Weis, 2005).

In Jamaica, and indeed across the Global South, the efficacy of Structural Adjustment policies during the "the lost decade" of the 1980s has been widely criticised due to net negative real economic growth (Easterly, 2005) and a social debt-crisis characterised by reduced social welfare provisions due to debt repayment (Gasparini & Lustig, 2011) that had outsized impact on the poor (Jolly, 2012). In Jamaica, the period also marked drastic shifts in costs for social reproduction from state to citizen in a process of neoliberal self-responsibilisation—with significant attendant impact on poverty, inequality, and urban survival (Mullings, 2007; Clarke & Howard, 2006; Handa & King, 2003). Additionally, public sector layoffs resulted in massive public sector strikes, and the strategy of fiscal consolidation, further price increases and reduced public sector employment in return for more multinational foreign direct investment did not result in meaningful economic growth (Soracco & Shorrock, 1983). Noteworthy, too, is that informal street level armed regimes, which emerged in alliance with political parties during the ideological contestation of the 1970s, developed increasingly entrenched economic networks of violence during the retrenchment of the state under the austerity of the 1980s (Arias, 2017; Johnson, 2005; Rapley, 2003). The connection between neoliberalism and experiences of social and economic (poly) crisis has been well-documented (Weis, 2005; Mullings, 2007; Clarke & Howard, 2006).

By 1989, the previously democratic socialist government returned to power, now with a centre-left identity and acquiescing to a renewed borrowing relationship with the IMF. Between 1994 and 1997, this transitioned from a lending to a monitoring relationship, which was still deemed necessary for access to IFI development funding (IMF, 1997). During this

time, the IMF (1997) continued to express preference for Washington Consensus policies, particularly its criticism of government intervention in private financial market crises such as the Financial Sector Adjustment Company (FINSAC) bailout intended to strengthen the domestic financial system through mergers, capitalisation, and reorganisation of financial institutions but which marked the beginning of another period of significant increase in Jamaica's public debt. As growth and government inflows stagnated, governments have relied on debt to finance increasing pressures on public services, and human, infrastructural, and technological investments (King & Tennant, 2014). By 1999, Jamaica had approximately twenty adjustment loans and net negative real GDP growth, with the majority of that period including some IMF programme engagement (Easterly, 2005).

In the wake of the 2008 global financial crisis, Jamaica experienced a multiyear recession due to sharply decreased export, tourism, and remittance revenues, as well as increased inflation in food and fuel prices. Furthermore, regular storms plagued the country, costing approximately US$240 million in direct damage (Robinson, 2014).[3] Combined with successive years pre-2008 of fiscal deficits, public body borrowing, and off-balance sheet spending, these shocks led to a deteriorating debt management situation (Ministry of Finance, 2009c). In response to the emergent debt crisis, the Jamaican government engaged the IMF for emergency lending and undertook a wide-ranging austerity programme over approximately a decade between 2010 and 2019 characterised by austere microeconomic conditions, public sector rationalisation, including significant fiscal consolidation and revenue enhancement. By 2013, Jamaica's central government was among the most indebted in the world, with public debt totalling 147 per cent of GDP (IMF, 2019b), and real growth

[3] Jamaica's vulnerability to hurricane damage is well-documented. Most notably, in 1988 Hurricane Gilbert caused at least 45 deaths and approximately US$4 billion in property damage.

over two decades averaging negative 0.1 per cent (Johnston, 2013). Indeed, other than oil-rich gulf states, Jamaica found itself operating on the highest primary surplus in the world as one of its IMF structural adjustment conditionalities (Johnston, 2015).

"We want justice!" is a longstanding refrain in Jamaican popular protest, often associated with a dispute for which there is a demand for state intervention (JJSRTF, 2007). The calls for justice reflect a long suffering history—"a story of the ordinariness of crisis" (Scott-Lewis, 2020, p. 38). One judge, reflecting on the popular protest cry, stated that

> Justice is often based on the ideal of equality, but equality is a myth; I remember that even in Heaven, there are angels and then there are archangels; and in fact, God is really a dictator up there. Instead, we should aim for greater equity. If two of us are trying to watch a cricket match above a barrier and I am 6 inches below and you are 2 inches below, it makes no sense to give us both a box of 4 inches to stand on. Our needs are different, which means that equity requires differentiated treatment even in terms of the law. This is why justice is complicated: it means different things for different people ().

Indeed, multifaceted conceptions of justice are connected through the central construct of fairness as applied to material contexts that are presented to the court.[4] To be sure, the Jamaican state recognises justice as a societal ideal, highlighting it as one of four core goals outlined in the Vision 2030 Jamaica: National Development Plan (Planning Institute of Jamaica, 2009). Pursued as a mitigating policy approach, economic austerity has profound impacts on all areas of government—including legal systems—and challenges notions of delivery of legal justice and social equity (Owusu-Dapaa & Bediako, 2015). Legal justice, constructed as a public service with bureaucratic mandates for public management (Hedler,

[4] The Jamaica Justice System Reform Task Force (JJSRTF), which is referred to throughout this study, considers the justice system to constitute "the legal system ... and its qualitative character of attempting to achieve essential fairness and an appropriate balance between individuals and groups within society" (JJSRTF, 2007, p. 2).

2021), has remained the purview of the state—even under neoliberal refashioning—with little privatised substitutes for legislation and court adjudication.

Research Agenda

This thesis examines experiences of austerity across the Jamaican state and justice system during the post-2008 conjuncture. It combines literature on development, debt, austerity, neoliberalism, crisis, and public finance with literature on anthropology of the state, service delivery, bureaucratic field, and everydayness to explore the multiscalar morphology of austerity, from technical macro policy permeating the state and its bureaucracies, to affective-material experiences and outcomes of the legal justice system. The central question that this thesis aims to address is: *How do austerity and debt, as multiscalar phenomena, impact structural and everyday experiences within the post-2008 Jamaican legal justice system?* It also examines the following questions:

1. How does austerity governance impact institutional dynamics of resource allocation across the Jamaican executive state and justice system?
2. How do government officials within the Jamaican justice system experience, understand and navigate austerity in their everyday lives and livelihoods?
3. How are debts and constraints understood and negotiated in encounters within the Jamaican justice system?

This study deploys the justice system in two ways. First, it is an area of state service delivery under austerity: the Jamaican judiciary and related bureaucracies are funded primarily through executive fiscal allocations, alongside multilateral project funding. Second, it is a site of encounter in which broader structural and everyday challenges within the society alight on

the justice system for examination and adjudication. Ultimately, analysing experiences during a contemporary conjuncture defined by debt, crisis, and austerity is an opportunity to understand what obtains from above, within, and below: the dynamics of austerity governance, individual and institutional coping within justice bureaucracies, and impacts of judicial proceedings on affective-material experiences in everyday lives and livelihoods.

The thesis research agenda is undertaken through conjunctural (Peck, 2020) and grounded theory (Bryant & Charmaz, 2019) analysis of a mixed methods case study across the Jamaican state and justice system during the post-2008 conjuncture. It uses interviews, document analysis, descriptive statistics, and non-participant observation field notes collected between July 2019 and September 2022.[5] Observations were primarily conducted in Parish Courts[6], where Jamaicans are most likely to encounter the judiciary. Iterative systematic coding was conducted to identify, disentangle, suture, and analyse various themes emergent from the data. Additionally, where possible, I centre observations, anecdotes and legal case summaries in order to use everyday experiences and perceptions as launching points for broader empirical and theoretical discussions related to debt, crisis, austerity, and justice.

In studying the relationship between austerity and the legal justice system, I heed Sharma and Gupta's (2006) directive for "moving beyond macro-level institutional analyses of 'the state' to [look] at social and bureaucratic practices and encounters... [and] conducting institutional ethnographies of specific state bureaucracies, inquiring into the micro-politics and daily practices of such institutions, and seeking to understand their relation to the public (elite or subaltern) that they serve" (p. 27). It is, after all, "through encounters with

[5] The latter period of fieldwork was heavily impacted by the COVID-19 pandemic, which precluded access to many physical spaces and delayed clearances for researcher access.
[6] I observed Parish Court sessions in Surrey County, comprising the eastern parishes of the country: St. Mary, St. Thomas, and Portland (primarily rural parishes); and Kingston and St. Andrew (whose combined metropolitan area constitutes the country capital and largest city).

bureaucracies and bureaucrats that [the citizen] comes to know the state" (Zacka, 2017, p. 240).

Much of the discourse around structural adjustment is understood in macroeconomic terms: sovereign bonds, public debt exchange, inflation rates, government cash reserves, interest rates, capital accounts, and the like (King & Tennant, 2014). Literature focused on an interdisciplinary political economy approach still focuses on the macropolitical dynamics of structural adjustment (Abouharb & Cingranelli, 2007; Alexander, 2006). This study is motivated by scholarship on actually existing austerity, which views austerity not only as macroeconomic or macropolitical, but also as local, contextual, and variegated (Hayes, 2018; Hitchen, 2016; Strong, 2020).

An outgrowth of the 'social debt' critique of structural adjustment and austerity, scholarship on actually existing austerity has renewed efforts to understand the localised, everyday, and material impacts of debt, crisis, and austerity levels on the poor, public services and welfare (Heltberg, Hossain & Reva, 2012; Etherington, 2021). Within public health, austerity has been studied within the OECD and within the Global South, and characterised as a significant public health threat due to the decimation of public health institutions during fiscal consolidation (Hiam *et al.*, 2017; Stuckler & Basu, 2013; Loopstra *et al.*, 2015).

There has been relatively less, but substantial, attention paid to the impact of austerity on legal justice systems. There is literature on 'judging austerity': that is, examining jurisprudence in adjudicating challenges to social spending cuts on human rights grounds (Tsakyrakis, 2017; Baraggia, Albert, & Roznai, 2020). There has also been work specific to esoteric legal reform during Britain's age of austerity (*The Economist*, 2016; Wong, Fox & Albertson, 2016). Perhaps the largest strand of focus has understandably been given to

'access to justice under austerity', which largely focuses on retrenchment of legal aid and other state-provided welfare services related to the judiciary—particularly in the United Kingdom[7] (Hynes, 2013; Yates, 2016; Bach Commission, 2017; Amnesty International 2017; Truxal, 2020).

However, there has been less focus on the relationship between fiscal retrenchment and the justice system—often not at the forefront of sociopolitical discourse. In the United States, there has been growing attention paid to fiscal under-allocation for state courts in the aftermath of the 2008 financial crisis (McGovern & Greenberg, 2014; Greenberg & Cherney, 2017). In the United Kingdom, one notable exception was an anonymous exposition on one barrister's experiences working in the English justice system, detailing significant and specific cuts to various dimensions of bureaucratic functioning and its interrelationality with everyday life (Secret Barrister, 2019). This work has found resonance with later academic scholarship. Newman and Dehaghani (2022), for example, explore access to justice, neoliberalism and austerity cuts to the police, the Crown Protection Service, the courts and criminal legal aid in England and Wales. Robins & Newman (2023) offer another important intervention in this area by mapping the structural discussions on cuts to legal aid in England onto ethnographic data from citizens navigating 'a system under crisis'.

There are far fewer similar contributions on the relationship between justice systems and austerity across the Global South. Owusu-Dapaa and Bediako (2015) discuss the implications of global austerity on the inflows of development donor support for the justice system in Ghana, and the implications of global post-2008 austerity on civil justice. While they discuss important austerity-inducing changes such as increased user fees and legal aid retrenchment, theirs is primarily a thematic exploration rather than an empirical analysis. Gidi

[7] Legal aid has been described as the 'most friendless wing of the welfare state [in England].' (Freedland, 2006)

and Zaneti (2021) examine the emerging discourse on austerity in the Brazilian judiciary in light of economic slowdown since 2014, but are focused on the model of user-fee funding for civil matters, and the lack of correlation between fiscal spending and judicial efficiency. Recently, Jamaican scholars have recognised the need to explore contemporary phenomena at the intersection of the legal justice system and broader economic realities. Wheatle and Campbell (2020) aptly argue that limited delivery of public security and justice have undermined public faith in state institutions and the constitution, which is predicated on state capacity to deliver important public goods. This case study is an intervention at this nexus of service delivery, economic realities and affective responses, offering a close examination of the relationship between protracted experiences of debt and constraint with declining faith in public institutions among bureaucrats and the broader public alike.

This project has thematic relevance with and distinctions from the literature discussed. Firstly, it is broadly interested in questions of access to justice and legal aid, but it is not its central aim—partly because it is not explicitly motivated by the progressive political currency of its findings. Similarly, it is broadly but not intensely interested in jurisprudential outcomes, or court performance. It is dually interested in the 'machinations' and 'matters' of the justice system as well as what alights on the justice system: the fiscal environment in which the justice system functions, and the issues that alight upon the justice system that can therefore be observed and examined both empirically and theoretically. Moreover, the study seeks to understand multiscalarity by unpacking how and why austerity cuts are made and contested; how they are experienced by officials within the system (which is a departure from the usual focus on citizen welfare outcomes); and contending with debt as problematic for chronic affective-material experiences of constraint.

This study contributes to this literature by offering a specific account of how actually existing austerity—expansively understood as multiscalar, material, *and* affective—permeates through the state and its bureaucracies into state-citizen encounters during service delivery. The study also focuses on actually existing austerity within the Global South rather than on post-2008 Europe, which has been the gravitational pull of the majority of such studies. It also uses personal and professional experiences within government bodies associated with the justice system to examine the experiences of austerity, which is a departure from the austerity literature's focus on end user experiences with social welfare and public health.

Background on the Jamaican Justice System

The legal justice system is an area of government dedicated to fair and balanced resolution of disputes, often using legislation as a tool for quasi-particular, quasi-consistent resolution of disputes among individuals, groups, and the society-at-large. In probing ideas of justice among stakeholders across the Jamaican legal justice system, ideals of 'fairness', 'balance', and 'just desert' across individuals, groups, and the society were surfaced. There were also assertions that the justice system "restore the victim or society on one hand, and on the other hand, hold the accused to account where they are guilty or set them free where they are innocent" (). Delivering justice, then, is "the ability of the system to identify and isolate the issues in a particular case, and to apply the necessary measures to see to its timely resolution and disposition" (). Another noted that in public discourse, demands for justice often refer to "water, food, electricity [and not legal justice] … But ultimately, it is not an empty cry, because people come into the courts and describe their experiences of discrimination on

multiple fronts" (). Ultimately, popular notions of justice in Jamaica advance the need for an active role for the state and its judiciary in restoring or redressing is given credence by legal scholars on Caribbean constitutionalism. Wheatle (2020) proposes a framework for public empowerment, which demands a "realistic approach to both economic and status-based disempowerment and exclusion as well as positive obligations on the state to redress limitations on access to justice" (p. 50).

This section discusses the historical social, political, and economic factors that impacted the design and efficacy of institutions at various periods of pre- and post-independence Jamaican history. Indeed, the contested histories of justice within Jamaica and the Commonwealth Caribbean, in which the evolution (and retention) of colonial legal institutions, methodologies, values, and jurisprudence over this historical period. Belle Antoine (2008) discusses the "important immoral function the law played in much of the history of the Commonwealth Caribbean" (p. 18). The institutional discussion in this section is largely informed by Watkins' (1968) work on the evolution of the Jamaican justice system from the commencement of British colonial rule through to the turn of the twentieth century, and further supported by Belle Antoine's (2008) work on the court system in the Caribbean.

Jamaica became a colony of Britain *de facto* in 1655 when it was wrested from Spain as part of Oliver Cromwell's "Western Design" to eliminate Spanish dominance in the Americas. From this time until 1834, when chattel slavery was abolished in Jamaica, the vast majority of Jamaicans were African-born or descended and enslaved. As chattels, they were not recognised as human beings under the Law of England; therefore, the issues of rights or justice did not substantively arise. In fact, the legal codes were explicitly designed to protect public order and protect a white planter class by reifying the status of enslaved peoples as wholly and solely property (Goveia, 1965). During most of the period 1834 to 1865, Jamaica

had a Legislature and a loosely structured judicial system, in which Magistrates were generally in charge of dispensing "local" justice, which was eventually funded by taxation from the locals with support from Britain. In 1855, the entire system of justice was comprehensively overhauled via the Judicial Amendment Act.

I. At the lowest level was the Court of the Justices of the Peace. This was administered by unpaid Justices of the Peace. The concept originated in medieval England when Richard I appointed 'keepers of the peace' in 1195. The term was introduced in the United Kingdom by the Justice of the Peace Act, 1361, when Justices of the Peace were appointed for "the better keeping and maintenance of the peace". The seminal Justices of the Peace Jurisdiction Act of 1850, was passed to "protect Justices of the Peace from vexatious actions for acts done by them in the execution of their office". They handled petty matters and appeals from their decisions were to the Circuit Court. Initially, fees were attached to some of their services; however, the system became rife with corruption, as Justices gave priority to those cases which entitled them to fees, while other cases were left to languish. This led to the passage in 1858 of "An Act for the Abolition of Fees to Justices of the Peace".

II. Then there were the Magistrates, who had an extremely important role, particularly as Stipendiary Magistrates who heard matters during Apprenticeship (1834-1838) involving disputes between formerly enslaved people and their erstwhile owners.

III. The next level was the Court of Chancery, which heard all matters either as a court of law or a court of equity[8]. Here, the new structure merged the positions of Chief Justice

[8] Principles of equity are invoked in instances where legal statutes might lead to an unjust outcome for the specific matter at hand, and therefore focus on principles of fairness and justice rather than strict application of the law.

and Vice Chancellor. Appeals from this court were made directly to the Judicial Committee of the Privy Council.

IV. The next level in the hierarchy was the Supreme Court, which met triannually in St. Jago de la Vega, the then-country capital. Judges were appointed by the Governor and had to be Solicitors practicing at the bar in Britain or Ireland for at least five years in order to qualify.

   A. The Circuit Court was afforded Supreme Court jurisdiction outside the capital. For the purpose of this court, the island was divided into four (4) circuits, namely, Home Circuit (located in the capital), and the Cornwall Circuit, Middlesex Circuit, and Surrey Circuit—so named for the parishes in that county.

V. The Final Court of Appeal was the Privy Council, the members of which were appointed by the Governor for the purpose of advising the Governor.

The Magistracy and the Supreme Court are deserving of special mention in the historical context of austerity and justice delivery. By 1954, there were economic challenges: revenues from sugar had declined steadily, given that the abolition of the slave trade in 1807 meant that labour costs incurred by Planters increased significantly. In addition, the British Government's financial assistance was limited. To aggravate matters, the British Government withdrew a loan of Fifty Thousand Pounds sterling (£50,000.00) after Jamaica had delayed implementing the conditions precedent for the disbursement of the loan. One major effect of the lack of fiscal space was that it was virtually impossible to attract qualified Solicitors from England or Ireland at the salaries which were offered in Jamaica to fill the positions in the Supreme Court. The effect was not just that the quality of the Court's decisions was doubtful,

but that the average Jamaican did not trust the system. The position was so dire that a Bill was introduced in the Assembly to permit the entry of Solicitors from Barbados, Trinidad and Guiana as Judges in Jamaica in order to supplement the dwindling complement. However, those efforts were rejected. One other impact was that Magistrates ceased to be funded by the British Government, almost immediately cutting off that avenue for resolution of just disputes.

Most members of the society experienced justice through either the unpaid Justices of the Peace or underpaid Stipendiary Magistrates, both of whom were financially unmotivated, so recruitment and therefore the system of justice suffered.[9] Inadequate funding of the justice system was accompanied by a justice system whose structure favoured a minority that constituted less than 20 *per cent* of the total population. Ultimately, this led to what became known as the Morant Bay Rebellion of 1865, which was led by Paul Bogle and a member of the local Legislature named George William Gordon. Both Bogle and Gordon were eventually executed for their leadership of the rebellion. Hundreds of other Black Jamaicans were killed and many of their homes destroyed. In response, the British Government set up a commission to investigate the events. The result was the establishment of the system of Crown Colony Government in Jamaica, in 1866.

Crown Colony government differed from the way in which the island was previously governed in that Jamaica transitioned from having its own legislature to one which fell under the direct rule of the British Crown, through a Governor appointed by the Crown and a local Legislative Council which was nominated by the Governor. The Legislature had six official and three non-official members, all appointed by the Crown. The twenty-two parishes were

[9] According to Watkins (1968, p. 453), "From 1856 therefore to 1866, no paid Magistrate was appointed for any parish, save Kingston. By deaths, resignations, transfers and other causes, the Stipendiary Magistracy dwindled to eleven (11) in 1860. Two years later there were twelve parishes without the services of these men."

reduced to fourteen for the better administration of justice. The District Courts were abolished and replaced by Resident Magistrates Courts. Judges were officers of the Crown. Augier *et al.* (1998) provide an excellent summary of the operation of the justice system during this period:

> The administration of justice during Crown Colony Government restored the confidence of the poor as a place where they might expect a fair trial in a dispute between unequal contenders. They preferred to use the District Courts presided over by Foreigners rather than go before the native justices in courts of Petty Session. However the weaknesses of Crown Colony Government are apparent. There were not enough trained Justices. Those in office were overworked. The consequent delay in hearing cases increased the cost of seeking justice. Moreover, there was no sustained examination of the substance of the law administered, nor of the extent of the punishment inflicted on the guilty. From time to time administrators in the Colonial Office had good intentions, but … these remained on paper.

Crown Colony Government did not solve the justice related problems which had culminated in the Morant Bay Rebellion. In fact, this change in government contributed to the increased political influence of elites in Jamaica (Byron, 2016). Belle Antoine (2008) also notes the reports from a Chief Justice in the 1880s decrying the economic threats to judicial independence: "The present system of weak magistrates on small salaries with large powers is the very worst which could be devised" (p. 303). Notwithstanding, Crown Colony Government and its attendant justice system challenges, survived with limited modifications until Jamaica's independence in 1962.

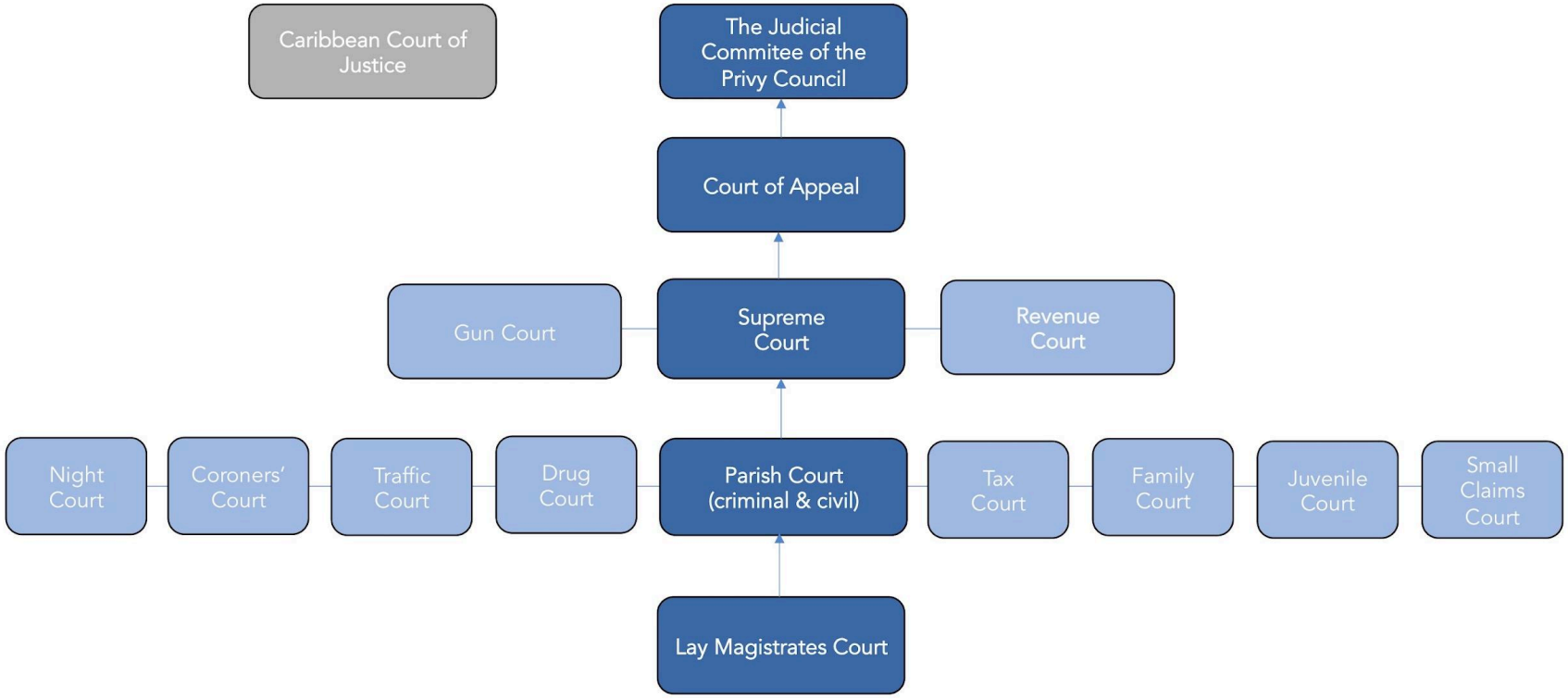

Figure 1.1: Contemporary Structure of Jamaica's Court System
Source: *Supreme Court of Jamaica (n.d.)*

Independence brought with it constitutional changes and resultant impacts on the justice system, though much of its structural organisation reflects its colonial antecedence. As the "nucleus of the justice system" (Supreme Court, n.d.), Jamaica's courts today are organised within five tiers of a common law system that are demarcated according to the type and severity of dispute, or the sequence in which appeals can be heard:

1. **LOWEST:** The lowest tier is the Lay Magistrates' Courts—so renamed for the former Courts of Petty Session in 2018. In addition, Stipendiary Magistrates were renamed Lay Magistrates. The Lay Magistrates' Courts are presided over by Justices of the Peace. The Justices of the Peace Act, 2018, made comprehensive provisions for the eligibility[10], appointment, jurisdiction, and conduct of Justices of the Peace and gave them broader geographical remit to deliver services[11]. Their duties include:
    a. Hear cases involving minor offences such as common assault, disorderly behaviour, and use of indecent language (Slowe & Solomon, n.d.);
    b. Attend identification parades and consider applications for bail. Similar to the equivalent system post-abolition, two Justices of the Peace sitting together shall have and exercise summary jurisdiction in relation to certain minor criminal offences.[12]
    c. Serving on any licensing authority constituted under the Spirit Licences Act;
    d. Attest or authenticate documents for members of the public in the parish;
    e. Discharge functions assigned to justices under law.

[10] According to section 4(2), a person is eligible for appointment as a Justice of the Peace if the individual is literate and able to read and write in the English Language and the Governor-General is satisfied that the individual is of unquestionable character, commands the respect and confidence of their community and has given and has the potential to continue to give good service to their community or the wider Jamaica.
[11] The Justice of the Peace is empowered to exercise his or her judicial functions in the parish in which the justice resides or has his or her principal place of work. However, in respect of all other functions, the jurisdiction of the justice extends to the entire Jamaica.
[12] Justices of the Peace Jurisdiction Act 2018, Section 5A

2. **LOW:** The Parish Courts are the second lowest Courts in the hierarchy of Courts. In 2016, Resident Magistrate's Courts were renamed as Parish Courts, and Resident Magistrates renamed Parish Judges.[13] Parish courts oversee approximately 85 to 90 per cent of the cases in the judicial system. Judges of the Parish Court preside over a range of courts with criminal jurisdiction and a range of specialist civil areas—including Family, Tax, Coroner's, and Drug, among others (see Figure 1.1). The majority of Parish Court cases are tried summarily (meaning that cases are heard, and judgment handed down directly and immediately); however, some might go to trial where submissions can be made ahead of time by parties to the case. Parish Courts have 'limited jurisdiction', in that the level of sanction (in terms of fines and imprisonment), civil claims, and value of assets is mostly lower in the Parish Courts than in the courts of superior jurisdiction. In certain instances, Parish Courts can try or prepare certain criminal offences on indictment, though such cases are usually heard by the Supreme Court of Jamaica (discussed subsequently).[14]
3. **HIGH:** The Supreme Court, the highest court of first instance, oversees both criminal and civil law.[15] It is a superior court of record with inherent jurisdiction.[16]

   More recent restatements emphasise the power of the Supreme Court to 'fill a lacuna in the law' and "'control its own procedure so as to prevent its being used to achieve injustice'—in which respect, it might try cases that might follow precedent or set

[13] The Judicature (Resident Magistrates) (Amendment and Change of Name) Act
[14] See section 268(1)(b) of the Judicature (Parish Courts) Act.
[15] The Supreme Court of Jamaica, the Court of Appeal, and the Judicial Committee of the Privy Council, are the Senior Courts of Jamaica.
[16] The concept of the inherent jurisdiction of the court dates back to 1840 when Baron Alderson opined in Cocker v. Tempest (Cocker v. Tempest (1841) 7 M & W 501) that "the power of each court over its own processes is unlimited; it is a power incident to all courts, inferior as well as superior; were it not so, the court would be obliged to sit still and see its own process abused for the purpose of injustice".

precedent. Like the Parish Courts, the Supreme Court has a range of specialised courts under its portfolio: the High and Circuit Court divisions of the Gun Court and the Revenue Court. The Supreme Court consists of several divisions, namely civil, criminal, family, commercial, probate and administration and admiralty cases. There are also specialised courts which also exercise superior jurisdiction which are presided over by Supreme Court Judges. These are the High and Circuit Court Divisions of the Gun Court and the Revenue Court. Criminal cases are tried by Circuit Courts after committal by Judges of the Parish Court. The Supreme Court adjudicates civil matters such as negligence, breach of contract, slander, trespass, divorce, equity, guardianship of minors, and estates of individuals deemed incapable. It also issues writs and summonses.

4. **APPELLATE:** Appeals from all first instance courts are made to the Court of Appeal. Its procedure is governed by statute, primarily the Judicature (Appellate Jurisdiction) Act. The Court of Appeal does not itself conduct new trials or sit with a jury; however, it may confirm, overturn or clarify judgments in any case brought before it based on matters of law.
5. **FINAL:** The Judicial Committee of Her Majesty's Privy Council (called the "Privy Council") is the final court within the Jamaican justice system[17], and may hear appeals from the Court of Appeal of Jamaica, typically for cases of high public importance. Under section 110 of the Constitution of Jamaica[18], an appeal lies from decisions of the Court of Appeal to His Majesty in Council as of right where the matter in dispute

[17] For cases related to the Caribbean Community, the Caribbean Court of Justice is the final appellate court.
[18] The provisions of Section 110 are subject to the provisions of section 44(1) of the Constitution. A decision of the Court of Appeal means a decision of that Court on appeal from a Court of Jamaica.

> on the appeal is of the value of five hundred pounds or upwards or where the appeal involves directly or indirectly a claim to or question respecting property or a right of the value of five hundred pounds or upwards, and on final decisions in any civil proceedings; on final decisions in proceedings for dissolution or nullity of marriage; on final decisions in any civil, criminal or other proceedings on questions as to the interpretation of this Constitution; and on such other cases as may be prescribed by Parliament.

Debates persist around the design and outcomes of justice in Jamaica and the wider Caribbean, with calls for constitutional and institutional transformations around further incomplete decolonisation and the need for greater Jamaicanisation, Caribbeanisation, and creolisation (Wheatle & Campbell, 2020; O'Brien & Wheatle, 2012; Elliot-Williams, 2019). The Caribbean, a diasporic site of colonial displacement, reflects a jurisprudence historically designed for both economic and social subjugation—for example, the use of Obeah Acts to limit spread of African spiritual practices—which endures within the plural societies of the Caribbean (Belle Antoine, 2008; Campbell & Wheatle, 2020). In the context of advancing Jamaican (or, for its part, Caribbean) notions of justice juxtaposes the need to satisfactorily isolate problems within particular contexts, while also maintaining the consistency demanded in a precedent-based common law system.

These debates have congealed most vividly regarding whether the appellate role of the UK-based Privy Council should be abolished without replacement, or be replaced by the Caribbean Court of Justice (CCJ)[19]. While Jamaica was among the first to advocate for the

[19] The CCJ was formed in 2001 by the Treaty of Chaguaramas. It has final appellate jurisdiction for both civil and criminal cases in member states that no longer allow appeals to the Privy Council, including Barbados, Belize, Dominica, Guyana, and St. Lucia. It has original jurisdiction for a range of matters directly related to treaties within the Caribbean Community (CARICOM) (Caribbean Court of Justice, n.d.).

CCJ as its final appellate court, no permanent change has been made in that respect, save for an initial attempt that was overturned by the Privy Council itself (Jones & Ononaiwu, 2010). Many argue that this change would be the most significant step in removing the most consequential remnant of the colonial justice system. Sir Dennis Byron (2013) notes that as far back as 1901, the *Jamaica Gleaner* newspaper argued in an editorial that the Privy Council "was, even then, out of step with the contemporary times, and that serious consideration should be given to establishing a final court for the Caribbean region". He, and others, argues that benefits would include greater constitutional sovereignty, regional identity and cooperation, adoption of local values, and developed Caribbean jurisprudence. In fact, it has been noted in practice, 'transnational constitutionalism' already characterised much of contemporary Caribbean jurisprudence is already underway due to judges serving across multiple national courts of other CARICOM member states (Robinson, 2023). At the time of writing, Jamaica has been undergoing another constitutional reform process with purview to consider proposals to change the final appellate court (Ministry of Legal and Constitutional Affairs of Jamaica, 2024).

This introductory discussion on institutional and conceptual notions of justice within Jamaica and the Caribbean foregrounds research methodology related to the Jamaican justice system. The research utilises fieldwork observation data collected from several Parish Courts, with a particular focus on Family Court and Tax Court sessions across Eastern Jamaica (including the country capital, Kingston metropolitan area). It also included key informant interview data from officials across Parish Courts, Supreme Court, and Court of Appeal, as well as non-judicial officials engaged in the broader justice system, such as the Ministry of Justice, Ministry of National Security, and Jamaica

Constabulary Force (police)[20]. It also examines a range of textual sources including court statistics, annual reports, and judicial reform reports that focus on all levels of the Jamaican judiciary. Notable also is that the individual officials engaged within the system often have crosscutting exposure to various areas of the justice system through prior employment, committee engagement, or inter-bureaucratic requirements of their current office.

Roadmap

This chapter began with an exposition on Jamaica's relationship to debt crisis and its experience of the post-2008 global financial crisis that precipitated debt crises around the world. It then juxtaposed these experiences with continual calls for justice in Jamaican popular protest. It sutured these concurrent realities as motivation for the thesis research questions, focused on the relationship between austerity and legal justice, and the related relationship between citizens, government officials, and the state. It then provided an overview of the Jamaican justice system to ground the subsequent chapter discussions. The remainder of the thesis progresses as follows:

Chapter Two moves sequentially through the conceptual framework for this study. It begins by situating the 2008 financial crisis as a conjunctural crisis linked to the global turn towards neoliberalism over the last century. It then explores the proliferation of literature on crisis across different spheres of life, examines the polycrisis as a conceptual framework for the convergence of crises across multiple spheres, and discusses the temporal variances of experiences of crisis. Following this, the chapter explores debt as both cause and response to crisis, and examines indebtedness across various scales of contemporary life. It then

[20] See Chapter 3: Methodology for more detailed discussion on sources.

conceptualises austerity as economic policies aimed at restoring competitiveness, but also as 'actually existing' as a set of localised, material, and affective experiences. Finally, establishes a disaggregated, pluralised state as an analytical frame for the thesis' examination of state institutions and officials. Ultimately, this chapter provides conceptual support for the case study examination of debt, austerity, and crisis during the post-2008 conjuncture.

Chapter Three outlines the methodology employed to explore the thesis' research agenda. It begins with a discussion on the research motivation, evolution, and design. Then, it explores the practical and conceptual approach for establishing 'the bounded system of cases' selected to explore dynamics of austerity and service delivery vis-a-vis the justice system. It then discusses researcher positionality and access specific to this research. It then discusses the methods of data collection, which include key informant interviews, textual analysis, non-participant observation, and descriptive statistics. It also discusses important considerations and limitations of this study, as well as opportunities for further research. Finally, it provides background context on the sampled government bureaucracies examined in the subsequent empirical chapters.

Chapter Four examines austerity governance across various state and non-state institutions by analysing the dynamics of disciplinary fiscal restraint during the post-2008 conjuncture. First, it discusses the Jamaican state's acquiescence to strict conditionality from International Financial Institutions (IFIs) in order to navigate continual experiences of debt crisis. Second, it analyses the state's lateral coalition building to support its austerity governance agenda across the private sector, unions, and interest groups. Third, it examines the fiscal centre of the state's disciplinary approach to fiscal allocation and autonomy across state bureaucracies and ministries. Then, it discusses the deprioritisation of the justice system in absolute and relative terms vis-a-vis fiscal allocation. Finally, it discusses the contested

responses from the justice system with respect to its fiscal under-allocation, and its attempts to advance judicial transformation efforts through fiscal support from international development agencies. Ultimately, the chapter demonstrates that the institutional landscape of austerity governance is characterised by dialectical proximity and distance from related and distinct forms of crisis, where collisions of crisis highlight varied positionalities and pressures within and beyond the state that shape the nature of austerity governance.

Chapter Five examines how austerity is materialised and understood by officials within the Jamaican justice system. First, it explores the impact of austerity and constraint on professional trajectories and livelihoods of government officials in the justice system. Second, it discusses the infrastructural, technological, and human resource constraints which government officials report in their professional work within the justice system. Third, it examines how government officials relate to austerity and navigate protracted experiences of constraint. Ultimately, this chapter argues that state retrenchment at the level of public service provision has restricted both opportunities for and conditions during employment within the justice system. The result has been a simultaneous retreat by government officials, who, reflecting the individualisation embedded in neoliberal state logics, shift from collective to individual modes of understanding and navigating their professional and everyday experiences of chronic resource constraint.

Chapter Six examines judicial encounters between state and citizens, as conflicts and constraints are navigated, contested, and negotiated in the delivery of justice—with a particular focus on the Family Court and the Tax Court. In the process, it explores the transformation of resource constraints into forms of debts within everyday lives and livelihoods, which are managed and adjudicated by/within a state of/under austerity. Regarding the Family Court, it identifies a range of affective responses to structural resource

constraints and intimate child maintenance debts. It argues that these affective responses reflect self-responsibilisation that becomes increasingly necessary (though not sufficient) to navigate systems under constraint and to secure satisfactory outcomes. Regarding the Tax Court, the chapter discusses the muted affective responses to Tax Court debts, which stands in contrast to visceral negative attitudes expressed towards taxation itself. It argues that this phenomenon emerges due to the perceived distance of Tax Court from everyday experiences of taxation. Finally, the chapter contends with the problematic of debt across both the Family Court and Tax Court, proposing a juxtaposed framework of debts of kin and debts to the state respectively that carry distinct moral logics and legitimacy, but shared (in)capacities for repayment.

Chapter Seven concludes the thesis. First, it offers an overview of the research approach, and discusses the empirical findings from the preceding three chapters in relation to the research agenda. It subsequently discusses the contributions of this project to a range of scholarship with which it engages. It then returns to debt as a conceptual tool for understanding the deficit of justice that obtains under a protracted temporality of constraint. It argues that experiences of constraint are situated within a protracted history of constraint and are best understood through an enveloping frame of systemic indebtedness and elusive justice.

CHAPTER 2: Conceptual Framework

The world presents itself in the chaos of appearances, and the only way in which one can understand, break down, analyze, grasp, in order to do something about the present conjuncture that confronts one, is to break into that series of congealed and opaque appearances with the only tools you have: concepts, ideas, and thoughts. To break into it and to come back to the surface of a situation or conjuncture one is trying to explain, having made "the detour through theory." (Stuart Hall, 2007)

Hall (2007) asserts that the chaos of appearances in the world demands theoretical examination; yet, equally important is to confront that which appears certain. In a context in which austerity policy has extended for over a decade, a conjuncture that seems to be well-examined, and home country researcher positionality, it felt necessary to re-examine what seemed to be known and sure. In that spirit, this conceptual framework surveys literature on debt, austerity, and crisis to leave openings for the possibilities of how they might be differently or more substantively understood. The framework is not so much a detour as it is a pathway to examining, through empirical engagement with the Jamaican justice system, contemporary experiences with debt, crisis, and austerity—which in turn reveal insights on relationalities and temporalities across the Jamaican state and society.

The chapter proceeds as follows. First, it situates the 2008 financial crisis and precipitant austerity as a conjunctural crisis within an extended genealogy of paradigmatic shifts towards neoliberalism within the global political economy over the last century. Then, it discusses the polycrisis as an emergent conceptual framework for the convergence of crises across multiple spheres and scales of contemporary life. Following this, the thesis outlines the evolution of debt as both cause and response to crisis—particularly within the context of low-

and middle- income states. It then conceptualises austerity as a set of economic policies aimed at restoring competitiveness, but also as 'actually existing' as a set of localised, varied practices and experiences that produce affective and perceptive responses at the individual and collective levels. It then uses literature on the bureaucratic field and the anthropology of the state to advance a disarticulated conception of the state. Ultimately, this chapter combines literature on development, debt, crisis, austerity, and neoliberalism with literature on anthropology of the state, service delivery, bureaucratic field, and everydayness. This combination of literature across multiple scales of theoretical focus makes legible the multiscalar impacts of austerity on service delivery and everyday life vis-a-vis the Jamaican legal justice system.

Contextualising the Post-2008 Conjuncture

Instructively, geographers have sought to understand contemporary phenomena—and in particular, crises—through conjunctural geographical analysis that consider historical and multiscalar relations across economic systems, cultural ideologies, state dynamics, and everyday life (Hall & Massey, 2010; Leitner & Sheppard, 2020; Peck, 2024). Hall and Massey (2010) aptly define a conjuncture as "a period during which the different social, political, economic and ideological contradictions that are at work in society come together to give it a specific and distinctive shape" (p. 57). During the conjuncture, a particular set of logics as well as social and institutional assemblages become embedded (or reflective of a common consensus) and define the structural and individual experiences of the moment. For their part, crises may represent their own conjunctures. For example, Hall and Massey argue that the post-War welfare-state of the 1950s reflected a conjuncture that was ruptured by

social, political, and economic crises of the 1970s (itself a conjuncture), which was 'resolved' by the emergence of the neoliberal Washington Consensus conjuncture of the 1980s. In line with conjunctural analysis, I offer a periodised overview of conjunctural shifts within the global political economy to alight on the neoliberal turn of the late twentieth century and the subsequent conjunctural crisis of the 2008 financial crisis from which this thesis launches.

In the mid-twentieth century after a cascading wave of political independence across colonial (and in particular, British) outposts of the Global South, nascent post-colonial states sought to realise ambitious visions for independent states premised on equity, justice, and nation building. They pursued modernisation agendas largely encouraged and funded by International Financial Institutions (IFIs) (mainly the World Bank and IMF) development aid and credit, which used industrial development to spur 'catch-up growth'. This agenda required a "build-up of social overhead capital and a surge of technological development in industry and agriculture, but also the emergence of political will towards modernisation of the economy as serious, high-order political business" (Rostow, 1990, p. 8). Indeed, post-colonial states considered economic modernity a high order priority, implementing a wave of state-led industrial projects backed primarily by American bilateral, and multilateral credit (Thorp, 1998). Yet, due to repeat commodity price shocks and an emergent view that market-led modernisation did not sufficiently advance long-term economic development or material improvement in standard of living within the Third World, structuralism—and its progeny, dependency theory—emerged as countervailing paradigms within Latin America and the Caribbean.

Structuralism hypothesised that the undisturbed long-term trajectory of the free market would lock Third World countries into long-term commodity production and constrain export industries from evolving supply chains that could yield final goods (Bulmer-Thomas,

2014). Such constraints, it was argued, would produce economic dependency on commodity goods produced in the Third World for export to the First World, but whose prices would decline over time relative to industrial goods.[21] This dependency would perpetuate a neocolonial 'core-periphery' global political economy within which "the economy of certain countries is conditioned by the development and expansion of another economy to which the former is subjected" (Dos Santos, 1970, p. 231). Combatting dependency, it was argued, required a structural reorientation of the Third World economy towards centrally planned industrial policy, import substitution trade policy, and state-owned enterprises in high-growth industries. In the case, for example, of Latin America and the Caribbean, this 'inward-looking development' sought to reduce the region's economic volatility to global boom-bust cycles subject to heavy exposure to primary commodity demand cycles. By strengthening domestic production of later-stage manufactured goods, and protecting these goods against foreign imports, these development policies aimed to smooth economic cycles for developing Latin American economies. It is crucial to note that the paradigmatic shift towards inward development did not correspond with 'inward financing': development loans through IFIs, bilateral credit arrangements with the United States, and foreign direct investment through multinational partnerships remained central to counter-dependency projects (Bértola & Ocampo, 2012).

However, by the 1970s, the substantial gains in economic growth made under state-led industrialisation had given way to greater levels of inefficiency, state capture, political mismanagement, and an inability to convert domestic protection for industries into viable international competition (Gallagher, 2016). Moreover, continued susceptibility to

[21] See Prebisch (1950) for an extensive critical analysis of the commodity good dependency that would later give rise to structuralism and a shift toward domestic import substitution across much of Latin America and the Caribbean.

commodity shocks in foreign markets, and reliance on energy and other imports, meant that crises such as the 1973 OPEC oil crisis had debilitating impacts on the economies of many post-colonial developing states. Ultimately, the acute inability to repay sovereign debt which financed state-led projects led to a debt crisis across much of the Third World during the late 1970s (Fishlow, 1985), which resulted in minimal access to international creditors nervous about exposure to bad debt, high rates of interest where credit was available, and domestic capital flight from the South to the North (Bulmer-Thomas, 2014).

To rectify the debt crisis, IFIs—and the IMF in particular—advanced neoliberal economic policies through Structural Adjustment Programs (SAPs) that were sustained for much of the next decade. Structural Adjustment was a policy tool and articulation of what later came to be termed the "Washington Consensus": an economic agenda rooted in market-based growth, privatisation of state enterprises, exchange rate stabilisation, and significant reduction of the size and functional scope of the state (Williamson, 2008). Structural Adjustment was not first implemented in the 1980s; in fact, the 1957 Paraguayan IMF Stand-By Arrangement (SBA) was the first to introduce policy conditionality as part of the Fund's new 'monetary approach' to debt management (Helleiner, 2014). However, the debt crises of the 1970s created a context for structural adjustment as a necessary conditionality for emergency credit of unprecedented breadth and depth during the 1980s—a conjunctural shift towards neoliberalism within the global political economy.

The end of the twentieth century saw a complementary focus on not just the economic structure of the state, but also on the strength of its institutions: their design, organisation and functions (Brinkerhoff & Goldsmith, 2005). This institutional capacity was captured within governance discourse, reflecting the distribution of power, design, measures for accountability, efficiency across state institutions and officials, and the delivery of public

goods and services[22] (Grindle, 2004). Indeed, governance became a frame for an expansive understanding of the role and nature of the state; it also gave credence to an expansive IFI funding and technical support agenda (World Bank 1989; IMF 2005).

Still, if the focus on governance represents a post-neoliberal shift that 'brought the state back in' after its retrenchment during the structural adjustment of the 1980, it does so through a technical management of politics (Chandhoke, 2003)—that is, to offer 'apolitical' solutions to 'practical' dilemmas (Grindle, 2008). This techno-apolitical tendency reflected in development finance and multilateral project agendas (Ferguson, 1990) positioned state governance less as post-neoliberalism, but an extension of the logic of neoliberalism: a complementary Weberian neoliberal remodelling of the state and its bureaucracies, orienting their focus towards performance monitoring, accountability routes, efficient fiscal expenditure, limited and decentralised state-administration, and minimal red tape for the private sector (Brinkerhoff & Goldsmith, 2005). However, as Leftwich (1995) points out in relation to the developmentalist agenda, lauded outcomes for particular states are not only due to (or in spite of) governance principles, but also political dimensions. And, as Andrews (2008) points out, desired outcomes in relation to the economy or governance are not just outcomes of transformation but contested processes of change based on normative (and problematically isomorphic) choices about 'ideal' model states.[23]

By 2008, an American-cum-global financial crisis renewed debates regarding neoliberalism as both cause and response to crisis. Knipper (2011) offers an important structural analysis of the underpinnings of the financial crisis, arguing that financialisation,

[22] 'Public services' refers to state funded, regulated, and managed services—normally related to health, education, housing, utilities, social welfare, emergency relief, and administrative services (Grindle, 2008).
[23] For example, Singapore and the 'East Asian Tiger states' are often regarded as developmentalist models for the Global South, with Denmark and other Nordic countries often positioned as models for good governance. Also see Section on "Global Solutions to Global Problems" for related discussion.

expansion of credit markets, and deregulation of economic and non-economic sectors emerged from a liberalisation agenda intended to 'solve' the dilemma of increased social demands and scarce public resources. Boyer *et al.* (2012) support this notion and assert that

> High interest rates … happened to suck in foreign capital, which flooded the American economy with purchasing power. Regained monetary stability then brought interest rates down, allowing for an unprecedented increase in public borrowing; enabling banks to extend ever more credit to households and consumers; generating enormous profits in the financial sector … and, most importantly, ultimately relieving the pressure on American politics to address distributional conflicts and the country's underlying economic weaknesses. (p. 408-409)

The unintended consequence, she asserts, was an environment in which proliferating access to private credit (largely including domestic debt that was supported by private financial institutions) was facilitated by public deregulation, which ultimately led to excess credit beyond the ability to repay. The threat of default carried severe contagion risk as credit was being used to finance other areas of the economy—including social services, pensions, and everyday employment. In turn, the common exposure of multinational credit institutions to American debt markets, and the relationship between national economies and public budgets to credit markets, remittance income from large diaspora populations in the US, and the interconnected economic activity particularly in service economies focus on tourism—meant that the debt crisis quickly became a global, national, and everyday political, economic, and social concern within countries such as Jamaica.

The post-2008 conjunctural period of debt, crisis, and austerity reflects a paradigmatic context of neoliberal market-led economics and integration of global markets (Helleiner, 2024), alongside increased focus on the neoliberal state in relation to both fiscal governance and more expansively into bureaucratic efficiency and service delivery. It is critical to note that the two do not reflect disparate modalities of 'governing government': the primacy of

efficient government is also intimately related to notions of fiscal discipline—which in turn begets and responds to normative questions about the role and scope of the state, and the level of state welfare and public service delivery. Put another way, the conjunctural progression from the debt crises of the 1970s, the pre-eminence of neoliberal logics in the 1980s, and the multilateral focus on a/techno-political state bureaucracy in the 1990s are fundamental to the conjunctural debt crisis of 2008 and the need to examine public service delivery under austerity during the 2010s. It is within this context that the thesis examines the case study of fiscal governance, everyday bureaucracy, and state-citizen encounters within the Jamaican legal justice system.

Conceptualising Crisis

Crisis is everywhere: from healthcare, opioid (mis)use (Dasgupta *et al.*, 2018; Alpert *et al.*, 2022), the arts (Meyrick & Barnett, 2020), education (Waghid, 2022), climate (Bigger & Millington, 2020; Perry, 2021), prisons (Gilmore in Norton *et al.*, 2024), housing (Madu, 2021), refugee (Trilling, 2018), food insecurity and starvation (Fakhri, 2024), energy (Gajdzik *et al.*, 2024), water (Ranganathan, 2016), to justice (Robins & Newman, 2023). Lawrence *et al.* (2024) note the convergence of crises in the current historical moment as including

> the lingering health, social, and economic effects of the COVID-19 pandemic; stagflation…; volatility in global food and energy markets; geopolitical conflict, especially between assertive authoritarian regimes (including China and Russia) and the democratic West...; political instability and civil unrest in countries both rich and poor arising from economic insecurity, ideological extremism, political polarization, and declining institutional legitimacy; and increasingly frequent and devastating weather events generated by climate heating. These crises are destroying livelihoods and lives around the globe and are undoubtedly diminishing humanity's prospects. (p. 5)

The ubiquity of crisis across spheres of life and scales signals a multidimensional experience of lack and want—often a direct consequence of economic crises of resource under allocation, lack of access to services, and an insufficient purchase into alternative visions from the status quo required to change circumstances in those spheres of life. In other words—and characteristic of 'conjunctural crisis'—crisis is individual and experiential, while also structural and pervasive.

The 'polycrisis', first introduced by Morin and Kern (1993) and popularised after an assessment of the contemporary state of the European Union (Juncker, 2016), offers a useful conceptual frame for understanding and problematising the post-2008 proliferation of crisis (Tooze, 2022). Helleiner (2024) defines the polycrisis as "a cluster of distinct crises that interact in ways that they and/or their effects tend to reinforce each other" (p. 3). He offers a multidimensional framework for understanding how the polycrisis might be deployed as a conceptual phenomenon with distinct spatiality (what I consider to mean the 'reach' or 'extent of impact'), temporality (what I consider the duration over which the crises in question extend), generality (the level of social analysis), and constitution (what I use to refer to the 'cluster of distinct crises').

On one hand, the term is not without conceptual limits: the term can be used more to demonstrate imminent catastrophe as *Everything Everywhere All at Once* (Walt, 2022). Indeed, the bounds of the individual crisis within the cluster as well as the cluster of crises can be quite imprecise—across a plethora of "economic and non-economic shocks entangled all the way down" (Tooze, 2022), or as Morin (1999) asserts, "the contemporary world is not a global system but an ever-changing turmoil" (p. 149). The polycrisis refers not just to concurrent crises that impact a similar generality, but crises that might precipitate or intensify

further crises—both due to their inherent nature and externalities resulting from efforts to address one crisis within the constitution of the polycrisis (Lawrence, 2024).

Yet, the term's increased popularity in recent academic and popular literature affirms what geographers have offered disciplinarily for decades: that contemporary or historical experiences and phenomena are often best theorised and captured through spatiotemporal analyses that emphasise the relationship across and between phenomena.[24] I find this understanding apt for the ultimate objective of this thesis to move from and between the global and local to better understand the totality of experience within and outside the state across over a decade of austerity. Furthermore, the multivalent nature of the polycrisis disrupts the tidiness and primacy given to causality as the objective of social science analysis, given the inherent dialectical relationship between distinct but related factors that affect a given social phenomenon.

I argue that the polycrisis is conceptually consistent with the conjectural crisis, which occurs when "'relatively autonomous' site—which have different origins, are driven by different contradictions, and develop according to their own temporalities—are nevertheless 'convened' or condensed in the same" (Hall & Massey, 2010, p. 59). Both the polycrisis and conjunctural crisis are deployed to examine and unpack the constitution and temporal convergence of material crises that are at once distinctive but mutually constitutive and reinforcing. Moreover, both the polycrisis and conjunctural crisis are concerned with openings for broader philosophical and structural alternatives for social and economic relations—for example, Morin's (1999) assertion that the polycrisis resulting from unabated capitalistic globalisation will only be resolved through the second wave of humanistic globalisation that leads to mutually beneficial planetary governance, or Hall and Massey's

[24] See Brennan's (2024) reference to the 'matrix of crises' framework.

(2010) assertion that the 2008 conjunctural crisis offers an opening for challenging insidious and pervasive 'common sense' of market-based logics.

Having discussed the polycrisis as a conceptual framework for the convergence of continual crisis in the post-2008 conjuncture, I want to interrogate the conceptualisation of crisis itself. Brennan (2024) makes a strong offer on the need to rigorously theorise the 'fact' of crisis that has emerged across the literature. He frames crisis in two parts to implicitly address two related questions: what is crisis—the objective conditions (or material experience), and subjective conditions—the evaluative critique used to render the conditions crisis. Yet, I would argue that the subjective nature of crisis is not merely in the adjudication of what constitutes crisis, but *who* and *how* one experiences and navigates crisis.

Stuart Hall's seminal work on *Policing the Crisis* (1978) offers an excellent example of how the multiple dimensions of crisis manifest within a specific spatiotemporal context. Hall deploys conjunctural analysis to contend with the rise of Thatcherism in the 1970s and the resulting crisis within working class and Black communities that ensued—using as "the triggering event – the sentencing of three young men to long custodial sentences for a 'mugging'" (Clarke, 2008, p. 124). At one level, Hall's work demonstrated that crisis was 'objective': the purported increase in crime and violence, and constructed: a decay in urban life was framed as an assault on the 'British way of life'. The result of the constructed nature of supposedly objective realities was an aperture for 'governance by crisis': where crisis was a political discursive construction by the Thatcher regime to justify a set of economically and carcerally punitive actions, and foreclose contestation via alternatives to neoliberal social and economic logics.

At another level, it demonstrated that crisis was indeed a lived experience: via both brutal over policing violence, and dislocation within everyday life in Black and working class communities, but also through forms of everyday hustling or extra-legal activity (Brennan, 2024) or political organisation to resist their condition. On yet another level, Hall demonstrated that crisis was subjective, and consequently *subjectifying*: the purported crisis of criminality unto British way of life rendered Black and working class people as racialised subjects who become the objects of state policing—or warfare rather than welfare. In this way, the site of crisis to be solved for is the body or 'community', which have material, affective, subjective, subjectifying, and socially contingent responses to crisis and counter-crisis actions.

In fact, returning for a moment to 'governing by crisis', the 'common sense' of the conjunctural moment is directly reflective of logics, norms, and values that might dialectically serve as cause and consequence of crisis. For example, in Hall's work, the 'British way of life' was a cultural value deemed necessary of preservation, which became the evaluative criterion for determining a crisis in relation to that social desire as well as a rationale for 'governing by crisis', which then precipitated 'living crisis' within Black communities experiencing increased state policing. In another example relating to the US drug crisis, convenience, instantaneity, individual bodily autonomy, and self-regulation were used as justification for opioid oversubscriptions and subsequent psycho-physical, social, and economic dimensions of crisis. Finally, access to the American dream of home ownership and the political pressures to maintain solvency of that dream were also related to the subprime mortgage loans which precipitated a debt crisis.

What is also of note is that while many of these crises are discussed at a 'national' scale, they often depend on and advance transnational logics—which are embedded in "the

entanglement of crises" (Lawrence *et al.*, 2024, p. 2) observed around the world. For example, the 'law and order' techniques of 'governing through crisis' have been adapted vis-a-vis contemporary immigration crises (Clarke, 2008) and produce transnational consequences—for example, the devastating financial consequences of subprime mortgage debt crises within and beyond the United States. Guided by scholars who have made these manoeuvres legible to unpack the genealogy of crisis and its causal and concomitant logics and norms (Hall, 1978; Cavallero & Gago, 2021; Jefferson, 2008), I interrogate the 'fact of crisis' by surfacing its subjective and normative constitutive elements.

Moreover, the temporal and durational dimensions of crisis—along spectrums of acute and chronic, macro and micro—reveal the need to contend with *when* and *how long* as dimensions of crisis. Berlant's important work on Cruel Optimism (2011) surfaces this precise point:

> If the present is not at first an object but a mediated affect, it is also a thing that is sensed and under constant revision, a temporal genre whose conventions emerge from the personal and public filtering of the situations and events that are happening in an extended now whose very parameters (when did "the present" begin?) are also always there for debate. (p. 3)

Consequent to this, it becomes necessary to contend with the temporal genre of crisis—or put differently, the 'presence of a present crisis'. Brennan (2024) asks a related question: "How does one articulate the relationship between crisis as tendency, intrinsic to the development of capitalism, and crisis as event, where those tendencies break out into a more generalised situation of tumult and instability?" (p. 3). Tooze (2022) posits that challenge becomes crisis when our ability to cope with a set of realities is overwhelmed. Yet, as Berlant (2011) argues through her work on crisis ordinariness, the events that perpetuate crisis can be extended such that they become perceived as a 'stretched-out present', whose temporal quality is elongated because of its unchangingness, and because the 'event' of crisis is no longer perceived to be

exceptional but ordinary. The ordinariness does not diminish the material affective strain of living under crisis, but might mean that coping is not perceived as sharply overwhelming. In this sense, crisis is both a continual and continuous experience for various marginalised peoples (Mbembe, 2017; Scott Lewis, 2020), whose capacity to live crisis both extends the experience of crisis while rendering it invisible or unremarkable at the same time.

In fact, I would argue that the extended durational quality of crisis is inherent in the concept of the conjunctural crisis. Clark (2008) identifies the propensity for extended durations of crisis, noting both the "sense of the enlarged crisis – across both time and space" (p. 128) and that the conjunctural crisis of which Hall (1978) wrote "has never quite been resolved" (p. 127). The 'unresolved crisis', and more broadly the potential for extended, unbounded temporalities of crisis, complicates causal narratives of nefarious institutional actors or specific events as deterministic of observable phenomena constituting crisis. As Clark (2008) observes, "The problem [is] how to recognise the multiplicity of currents that make up a conjuncture; how to treat their simultaneity and interconnectedness without collapsing their specificity as forces shaping the present and as possible routes to the future" (p. 129).

In review, I have deployed the conjunctural crisis as a conceptual frame for the 2008 global crisis as a triggering event (of events) that had defining and multidirectional consequences on relations across state and society. As Clark (2008) asserts, the conjuncture as a frame of study is powerful "because it combines two critical things: first, the concern that a sign [or event] condenses and articulates many meanings and puts them to work in a specific setting; and second, that conjunctures are always in process. As a result, their character and direction cannot be known in advance or specified theoretically: conjunctural

analysis requires analytic work" (p. 125). I then connected the polycrisis with the conjunctural crisis to allow for the "multiplicity of currents that make up a conjuncture" (p. 129) with attention to the contemporary characteristics of globality and interconnectedness wherein crisis (crises) is (are) constituted both within and beyond national boundaries.

If crisis is everywhere, it also threatens to become an unwieldy concept for empirical study. Brennan (2024) presents crisis as an alternative theoretical explanation to neoliberalism for understanding the current conjunctural moment. Yet, this precludes rigorous assessment of the interconnectedness between crises and broader structural, transnational logics that govern various 'spheres' of society (Jefferson, 2008). Indeed, the conceptual utility of crisis becomes muddy because it simultaneously becomes the 'object of study', 'method of study', and explanatory theory resulting from empirical study. But as Brennan himself calls for in prescribing a research agenda for crisis, crisis is possibility: as much a beginning as an end—not just for alternate forms of social, economic or political formations, but also for how we understand crises and the personal and structural experiences that constitute material and affective crisis.

Ultimately, a conceptualisation of crisis as spatiotemporally multispheric—across sectors, territories and scales—offers important analytical opportunities regarding the local implications of (global) crisis and alternative articulations of relations across distinct spheres of state, society, and economy. Moreover, positioning crisis as a dynamic reality which is also lived and potentially triggered from experiences in the everyday—as Hall (1978) demonstrated in moving from the personal and everyday to the systemic and conjunctural—permits crisis to be material and affective, subjective and subjectifying, which produced varied responses, experiences and understandings at both individual and structural levels. This is, after all, the ultimate work of this case study thesis: to examine structural and

personal, material and subjective, immediate and enduring experiences, proximities, and responses to crisis.

Conceptualising Debt

Debt is everywhere: the use of credit, and therefore debt[25], has become merely a normal but a *necessary* part of the functioning of every modern economy, and especially so in the Global South (Graeber, 2011; Roos, 2019). Lazzarato (2011) goes as far as to assert that debt "surpasses the divisions between employment and unemployment, working and non-working, productive and assisted, precarious and non-precarious" (p. 162). Within contemporary neoliberal contexts, relations of debt and credit exist within complex networks and are mediated by transnational institutional power, multilateral power, uneven geographies of capital and development, state institutions with varied political-economic formations, and speculative parties within capital markets. Debt and credit have also become part of everyday life so thoroughly, as Deville and Seigworth (2015), "that they have become part of the atmosphere of the present" (p. 618). In this section, I discuss the concept of debt (and relatedly, credit) through the analytical lenses of both the state/structural and the individual/personal and pay attention in the process to their temporal and relational consequences.

In its simplest form, debt reflects an act and relation of exchange: Party A provides something to Party B (credit), and in exchange Party B will provide Party A with something in the future (debt). The exchange is often considered mutually intertemporally beneficial: Party B receives something more desirable in the present than future, and Party B defers

[25] Anderson *et al.*, (2020), for example, use the compound term 'credit-debt' to recognise the intimate entanglements of the concepts.

benefits that it would prefer to receive in the future than in the present. And at another level, Party B also gains an *affective* security in the present due to expected benefits in the future that Additionally, Person B usually agrees to provide Party A with something greater than the value of the credit received in the present (the difference is called 'interest'), and might also offer something else of value to guarantee repayment in the future (which is termed 'asset security' or 'collateral'). Indeed, the relations of exchange reflect an intertemporal relationship between parties, where credit-debt projects in the present are used for future-making projects which offer anticipatory potential or benefit and guardrails.

In practice, credit-debt relations are far more complex: they are repeated over time with reputational effects, involve varying but often large amounts of capital, concern projects with distinct specifications and contexts and uncertainties, involve coalitions of debtors and creditors with uneven benefits and liabilities, involve third parties seeking benefit from both debt and default, and who beneficiaries can be quite be concentrated or diffuse. Furthermore debt relations are complicated temporally by risk and uncertainty, which in contexts of widespread precarity, often mean that futures cannot predictably be more resource-full than precarious presents in order to guarantee repayment. This complexity is often quite fundamental to the language used vis-a-vis debt and credit. The terms are often juxtaposed on a temporal or affective continuum from relief and possibility (credit) to burden and drag (debt). Put differently, credit might refer to the life-making potential of a resource (liberating) and debt to the life-breaking potential of a resource (burdensome)—usually associated with positive and negative affects respectively (Aitken, 2015; Ramprasad, 2019; Anderson *et al.* 2020). In fact, the transformation of credit to debt—of the "giving way to its twin" (Halawa, 2015)—itself represents the foreclosing of potential futures.

Graeber (2011) offers an extensive analysis of the complexity of debt, raising a number of fundamental questions for the role of debt within the global political economy. Which debts are legitimate? Does the social impact of debt justify financial repayment? Who bears liability for debt borne by elites in the name of publics who actually receive very little direct benefit from the credit due to corruption? What if the uneven access to fundamental resources is wielded to extract credit beyond the capacity to repay financially, which then makes it possible to claim desirable assets in return? Graeber's work on the anthropology of debt affirms that debt is not just an economic exchange but an array of social relations mediated by power, moral logics, and history. More simply, debt is political.

Contemporary states, which largely operate upon the logics of market-based economies—themselves necessarily upheld by state intervention (Peck, 2020)—routinely adopt debt and *de facto* operate on the basis of deficit financing (Graeber, 2011). At the level of sovereign debt, where credit is typically raised among domestic economic elites as well as international credit markets, funds are used for the regular functions of the state and its bureaucracies, as well as provision of social and infrastructural services. Within this context, the number of parties directly or indirectly affected by the relations of exchange that constitute debt and credit are vast—though not consistently perceptible or legible across spatio-temporal contexts. In fact, because of the diffuse nature of debt relations, parties to credit agreements are often representational, but funds from credit lines are often diverted for benefits of the few with repayment responsibility for the masses. The multiscalar and fitful flow of debt-credit often leads to graduated and positionally specific attitudes about whether the debt is legitimate.

For the state: How much debt is right? How much is too much? To be clear, sovereign debt relationalities are only sustained on the basis of anticipated economic growth—that

"borrowers will have more money in the future to pay back the loans only if there is a likelihood of economic growth' (Ross, 2013, p. 820). Examining the relationship between debt and economic growth, Tennant (2014) argues through a technical summary of several studies that "reasonable levels of borrowing by a developing country are likely to enhance its economic growth, but large levels of accumulated debt lead to lower growth" (p. 14). In support of this, the literature refers to a 'debt overhang': a level of debt that, once exceeded, is followed by a cycle of low economic growth and increasing debt that catalyses further deterioration in both variables (Nguyen, Bhattacharya & Clements, 2003). Pettis (2013) argues that this debt overhang is not just empirical, but also driven by market perceptions of when 'too much debt is too much debt'.

The low-growth, high-debt cycle has long afflicted countries in the Global South, and tends to run as follows. Low GDP growth reduces government revenue for capital investment, as well as the capacity to finance government activity. This situation leads to deficit spending: where the government pursues domestic or international credit. However, as public debt increases over time, balance-of-payment challenges escalate, 'credit ratings' worsen and interest rates increase. At once, the need for debt and the cost of debt increase. Balance-of-payments difficulties become more acute, further crowding out fiscal space for public services or growth-inducing capital investment (Nguyen, Bhattacharya & Clements, 2003). Ultimately, this negative spiral, which does not even yet account for other economic or environmental shocks to the business cycle, manifests in debt traps and crises (King & Tennant, 2014).

In the management of debt crises, the importance of the IMF cannot be overstated. Fundamentally, the IMF is central to international credit markets, particularly after "the

global financial cum economic crisis" (Bernal, 2015, p. 231).[26] The IMF is positioned as a creditor of last resort, providing technical support, important market signals for improved interest rates in private credit markets, as well as emergency credit conditional on structural reforms, fiscal consolidation, and revenue enhancement. It is also embedded within country governments through technical staff that often run departments within Global South Ministries of Finance (Alexander, 2006). The IMF agenda in relation to debt crises usually involves a liberal-capitalist reorientation of indebted economies to manage sovereign debt through structural adjustment and austerity (to be discussed later), which others contest as constraining viable alternatives for low and middle income countries.

Potts (2023) provides insight into the nature of constrained options in low and middle income countries with regard to sovereign debt governance, wherein constrained fiscal spending remained the primary approach to managing the crisis rather than the stimulus spending made available in places such as the US. Though she does not specifically root the study in the tradition of the conjunctural crisis, she recognises the COVID-19 pandemic as a trigger event for crises in sovereign debt solvency, while then arguing that the structural underpinnings of the debt crisis lie in the privileging of creditor power that has precluded meaningful debt relief and, albeit to a slightly greater extent, debt restructuring even amidst "the biggest economic and humanitarian disaster in modern history" (p. 128). She calls attention to the absence of a robust, binding legal framework, and the insufficiency of jurisdictional case law within the United States and United Kingdom for establishing

[26] It should be noted that the IMF is not the sole major actor in large-scale development financing. The Inter-American Development Bank (IDB) is the largest holder of Jamaican multilateral debt (IMF Western Hemisphere Department, 2013b); the World Bank has also remained quite active in Jamaica. Additionally, over the last two decades, China has formidably leveraged its development lending in Jamaica as part of its 'going out strategy' (Gallagher, 2016).

precedent to compel private commercial institutions to participate in debt relief or restructuring.

Roos' (2019) study on the long arc of sovereign debt crises—tracing the origins of contemporary sovereign debt to the early-modern European city-states—uses findings from case studies of recent crises in Argentina, Turkey, and Greece to support Potts' finding on uneven power relations. Because states are viewed as singularly culpable for debt default and crisis, they often bear consequences individually with minimal relief or burden sharing from above. In other words, creditor power—consolidated within large creditor economies of the West through lobbying, increased dependency, and interlinkages across areas of state and society—works to enforce debt discipline to ensure repayment. This, of course, cannot be extricated from the logics of neoliberal capitalism, where the purported separation of the political from the economic at the level of the state discourages 'interventions' that might disadvantage private financial interests. As a result, "the outcomes of international crisis management have become much friendlier to private creditors in recent decades, leaving the debtors to shoulder the bulk of the burden of adjustment for recurring international debt crises" (Roos, 2019, p. 299).

Yet, who exactly bears the consequences of adjustment in order to facilitate state debt repayment? While the discussion on debt thus far has focused on the level of the state, scholarship on 'social debt' since the 1980s have documented the relationship between economic debt management strategies on social outcomes. Since its introduction in the 1980s, the material efficacy of austerity-focused Structural Adjustment policies were widely disputed, with scholars often referring to the 1980s as "the lost decade" within Latin America and the Caribbean not merely due to net negative economic growth, but also due to the gutting of social welfare programs in the fiscal prioritisation of debt repayment (Gasparini &

Lustig, 2011). Similar critics have emerged in light of devastating generational consequences of structural adjustment and austerity on poverty alleviation and human capital investment across Sub-Saharan Africa (Kifle *et al.*, 1998) and Southeast Asia (Ghosh, 2010). Critics have argued that structural adjustment produced 'social debt' that seemed to "multiply the impact on the poor and vulnerable" (Jolly, 2012, p. 174). Structural Adjustment became famously characterised by Former Tanzanian President Julius Nyerere in 1986 as the choice between "repaying one's debt or starving one's children" (Jolly, 2012, p. 183).

Debt has a significant impact not only *on* everyday life, but has become embedded *in* it—which, as Cavallero and Gago (2021) put it, now operates on the basis of the 'invisible hand of debt'. Indeed, debt and the subjective quality of indebtedness has proliferated during the post-2008 conjunctural crisis. At one level, debt has become important in everyday livelihood through the ways in which it aligns with state-led agendas for entrepreneurship through grants and microlending schemes (Gerber, 2013; Ramprasad, 2019). Yet, at another level debt has become important in everyday life as necessary for living; as neoliberal individualism in the postwar retreat of the state and the prevalence of state-backed austerity has set in (Hall, 2012), the culture of indebtedness has extended to the financialisation of everyday life (Montgomerie *et al.*, 2020). Brickell *et al.* (2023) argue that debt at the individual and household debt is fundamentally ambivalent: "a foremost zone of the ordinary and a vector of indistinguishability between life-building and attrition." (p. 603). Contrastingly, Cavallero and Gago (2021) argue that the prevalence of debt in the contemporary conjuncture is insidiously pervasive, where debt in practice is not ambivalent but decidedly pernicious: it has become necessary for life-*survival*, but precludes life-*building*. In their words, "debt is a way of managing the crisis: nothing explodes, but everything implodes" (p. 15). Brickell *et al.* (2023) detail pernicious impacts of indebtedness

on forms of survival during the pandemic, noting parallels the tradeoff noted by the former Tanzanian President: “Eating, and its denial, in the service of debt repayments” (p. 615).

If Anderson *et al.* (2020) assert that “"it is now widely accepted that the economic worlds of contemporary capitalisms are riven by affective forces, conditions, and scenes” (p. 421), they align with Berlant’s (2011) view that crisis—adverse structural conditions that produce unmet desire—are first experienced affectively in everyday life. It would be instructive, then, to consider the range of affective responses implicit in everyday indebtedness. Anderson *et al.* (2020) suggest a range of intersecting affective responses: relief, through the temporary deferral of the urgent; separation, as obligations for a good life are increasingly self-responsibilised; and pressure, as ever-looming repayment seems unattainable due to ongoing precarity.

In this context, a range of debt-financed strategies for social reproduction (Berlant, 2011; Brickell *et al.*, 2023) have emerged. These include payday loans, housing mortgages, car loans, student loans, credit cards, and bank overdrafts (Anderson *et al.*, 2020). Much of these forms of indebtedness have emerged due to a broader agenda of privatisation and financialisation broadly, and more specifically, financial inclusion in the name of development and poverty alleviation goals (Barnards, 2022). Moreover, increased marketing and cultural embeddedness for forms of indebted leisure, such as gambling. On the other hand, there has been a focus on communitarian social reproduction as a mode of resistance to personal over indebtedness and scarce access to credit. For example, credit collectives and rotating savings institutions operate with debt relations across communal networks that prioritise an ethic of shared commitment to repayment but also with compassion for unpredictable exigencies, and without usurious interest rates (Purcell, 2000).[27] Mutual aid and

[27] In the Caribbean, common cultural savings arrangements include *pardna* in Jamaica, *sou sou* in Trinidad and *meeting* in Barbados.

peer to peer lending have also surfaced as forms of generative alternative to commercially driven debt as the fuel for everyday life (Aitken, 2015). Others have suggested, at another scale, a return to social ownership of large commercial credit institutions (Ghosh, 2010).

Ultimately, a lack of inter-national politically coordinated efforts, creditor proliferation (which stifles collective negotiation with private commercials interests), and an adherence to absolute creditor choice has shaped outcomes that have tended to privilege private creditors at the expense of 'ordinary citizens' in burden sharing during crisis (Potts, 2023). In response to this protracted situation of 'odious debt', Roos (2019) warned in his closing salvo that:

> Without a determined international pushback against the structural power of finance, building on mass social mobilizations and active popular participation in both the creditor and the debtor countries, working people everywhere—North and South alike—are likely to continue to foot the bill for repeated financial boom-and-bust cycles. Only through a transformative political project that resolves to overcome humanity's collective dependence on highly concentrated international credit markets, and only with an emancipatory and strategic political vision that transcends national boundaries and brings together what the Burkinabé revolutionary Thomas Sankara once called a "united front against debt," can we begin to make serious inroads against the ascendancy of finance and the turbulent world it has created in its image.

Alternative calls for coordinated debt relief have emerged over the past quarter century, and if not groundbreaking, significant. Recent examples of such efforts include the Jubilee 2000 coalition (Dent & Peters, 1999), as well as Occupy Wall Street and Rolling Jubilee (Aitken,

2015). Notably for this research, as early as 2005, Small Island Developing States[28] were collectively calling for "international institutions, including financial institutions, to pay appropriate attention to their structural disadvantages and vulnerabilities" (United Nations, 2005, p. 3).[29] The calls went further in 2014, with the aftermath of the global recession and rising attention to climate disasters motivating efforts to promote resilience within SIDS. The United Nations Small Island Developing States Accelerated Modalities of Action (SAMOA Pathway) called for debt sustainability as a necessary outcome for SIDS, with member states affirming that due to "the way in which debt servicing limits the fiscal space of highly indebted small island developing states, we support the consideration of traditional and innovative approaches to promote the debt sustainability of highly indebted SIDS, including their continued eligibility for concessionary financing from international financial institutions, as appropriate" (United Nations, 2014, p. 7). Finally, calls for relief have come in light of the COVID-19 pandemic—which constituted its own 'multiplicity of crises' due to immense structural and everyday impacts on political, economic, and social life (Brickell *et al.* 2023)—from diverse stakeholders such as activists, academics, as well as national and multinational actors (Cavallero & Gago, 2021).

In review, debt is an economic exchange as a social relation mediated by power, moral logics, and history. Credit-debt exists across a temporal arc that enables and constrains life. Debt serves as a joinder for structural and everyday life in the conjuncture as it fluctuates "within and across familial, local, national and international contexts" (Deville & Seigworth,

[28] A global category comprising approximately twenty-eight island countries that face particular challenges due to their physical (and regional) geographies and resultant vulnerability to economic and environmental shocks. These challenges include excessive dependence on international trade and hence vulnerability to global economic shocks; costly public administration and infrastructure, including transportation and communication; limited institutional capacities; domestic markets too small to facilitate significant scale economies; limited export volumes; high freight costs and reduced competitiveness (UN, 1994).

[29] The Caribbean Community (CARICOM) has led organising efforts to represent SIDS within an organised transnational framework, having chaired the first UN conference aimed at SIDS in 1994 in Barbados (United Nations, 1994).

2015, p. 621). In the process, indebtedness moves from across a range of economic processes and policies to become experiences and relations that have affective components that become not just individual outlooks but also collective atmospheres and moods. Throughout the case study (and particularly in Chapters 6 and 7), I spend considerable time discussing the centrality of debt as a fact of and frame for experiences of constraint in the Jamaican justice system. In the subsequent section, I treat with austerity, a highly related and relevant concept—itself a response (and cause) for indebtedness across various scales and spatialities.

Conceptualising Austerity

What is austerity? Bramall *et al.* (2016), in their paper by the same name, offer an initial salvo that austerity, within public discourse, is largely understood to mean severe cuts in public spending[30]. Relatedly, Blyth (2013) offers a useful definition of austerity as policy: "a form of voluntary deflation in which the economy adjusts through the reduction of wages, prices, and public spending to restore competitiveness, which is … best achieved by cutting the state's budgets, debts, and deficits" (p. 2). This aligns with the notion that structural adjustment is a 'golden straightjacket', which restrains government fiscal excess or monetary policy manipulations in order to increase liquidity at the expense of inflation (Friedman, 2000). This restoration of competitiveness in order to stabilise the economy emerges in the wake of exogenous economic shocks such as the global economic recession of 2008, which

[30] The Oxford dictionary defines austerity as "difficult economic conditions created by government measures to reduce public expenditure". The earliest known use of the word austere is in the Middle English period (1150—1500). The term *austerity* is derived from the Old French word *austère* which means 'strict, severe, harsh, or cruel'. Its etymology relates to the Latin word *austerus* meaning 'dry, harsh, sour, tart'; and the Greek word *austeros* meaning 'bitter, harsh (especially in the context of making the tongue dry when used in relation to fruits and wines)'.

follows a historical trend of 'austerity in the wake of crisis' (Konzelmann, 2014; Bramall *et al.*, 2016).

The strategic decision to undertake a policy of austerity differs in relation to the anticipated or current crisis—where austerity can be framed as anticipatory or disciplinary (Stanley, 2016). For example, 'Austerity Britain' (Atkinson, 2014; Mueller, 2019), or 'Eurocrisis Spain' (Berglund, 2018) and 'Eurocrisis Greece' (Hellwig, 2011) respectively. Yet it is also noteworthy that disciplinary austerity due to the threat of nonpayment is often a signal to other countries to 'discipline themselves before the market inevitably disciplines them'. For example, it has been argued that the disciplinary austerity imposed in Greece was a harbinger of contagious crisis across Europe, which was used as a rationale for anticipatory austerity in Britain (Bramall *et al.*, 2016).

Austerity is not the sole response to debt crisis—though it is perhaps the most common. In the wake of the 2008 financial crisis, there was large-scale public stimulus spending adopted by states to drive personal and household consumption in order to generate 'growth' and greater economic activity in the wake of recession. Austerity might also conceptually exist alongside stimulus. For example, stimulus spending may be directed towards private financial/corporate interests—or even household consumption—alongside severe cuts to public service or social welfare spending. In fact, stimulus might even be a harbinger of austerity, where stimulus maintains social practices around consumption but is followed by austerity in public services (to 'rebalance' expenses). Indeed, public spending may be affected differently given the context in which austerity measures are introduced, particularly because of the debates about whom, when and what nature of cuts might be tolerated or contested at a given point in time. This is particularly true of the tradeoffs

between social safety net spending and public investment spending due to different institutional and political constraints (Breunig & Busemeyer, 2012).

The discursive logics and rationale for austerity shift depending on the evolution of the origin story of the crisis to which it is intended to respond—for example, Clarke and Newman (2012) discuss the transformation of the 2008 crisis from financial (centred on commercial finance) to fiscal (focused on sovereign debt), which then motivates austerity as a justified response by the British government. And at yet another level, significant public spending cuts are not always (or without lag) labelled austerity, and the language of austerity can extend beyond the period of significant spending cuts (Bramall *et al.*, 2016). Yet, 'austerity' continues to hold discursive power around which institutions and publics organise. These variations and configurations around the nature of public spending cuts, its attendant logics, and how it is situated within broader political-economic assemblages make austerity a curiously shapeshifting empirical phenomenon across space-times.

Indeed, the conceptual centrality of austerity to the neoliberal turn in the global political economy has placed it among the most heavily contested concepts. Austerity is used to refer both to policy formulations of significant reduction in fiscal spending, as well as broad, generalising attitudes related to the global neoliberal project defined by self-reliant citizenship, the lean state, and supply-side economics (Blyth, 2013). Given the contestation regarding austerity policy and discourse, austerity is a political term in practice (Bramall *et al.*, 2016), and must be conceptualised within political, temporal, and social contexts (Konzelmann, 2014). By conceptualising austerity beyond fiscal consolidation, austerity can make conceptual space for interrelated institutionalised governing practices and normative assumptions—which have fiscal, ideological, political, and civic characteristics (Hayes, 2018).

Austerity has been associated with a number of multidirectional impacts on the politics of the state and its legitimacy. The process of IFI-enforced austerity negotiations have been associated with decreased policy debate and participation (Alexander, 2006). On the other hand, other scholars argue that it can initiate increased participation among civil society and the citizenry at large (Ethier, 2003), which is supported by the increased prevalence of cross-sectoral fiscal councils (IMF, 2013). The contested impacts of austerity extend not just to participation but the sense of prioritisation and control of resource flow during periods of constraint. On the one hand, austerity has been associated with decreased distribution of public funds for political patronage and corruption, which support a more stable political and economic environment (Abouharb & Cingranelli, 2007). However, this is disputed by scholars who find destabilising social and political impact of austerity policy (Alexander, 2006; Brown, 2009; Ponticelli & Voth, 2012), which is often quelled through non-productive off-budget expenditures—particularly around elections (Peters, 2010)—or by repression (Poe & Tate, 1994). The effects of austerity-induced political instability can also extend to the remaking of transnational affiliations—for example, the correlation between experiences of austerity and support for Brexit (Fetzer, 2019).

Much of the literature on austerity centres on the Global North, where IFI policy discussions begin from the presumption that these economies are too big to fail (Monastiriotis *et al.*, 2013). This is quite different from the limited political leverage within the Global South, which reduces the policy space for national government relative to IFIs. In short, IFI-supported disciplinary austerity is the *de facto* mode of austerity within the Global South. This difference in leverage has been at the root of claims that the IMF has acted in the interest of its largest funding member states and their financial institutions who are heavily exposed in the sovereign credit market, and reduced national sovereignty to determine appropriate

macroeconomic and microeconomic policy responses across the Global South (Dreher & Jensen, 2007). Critiques extend beyond reduced sovereignty to place blame on the 'alchemy of austerity' as an idea that has not only been efficacious in economic crisis recovery but has produced staggering negative consequences (Clarke & Newman 2012; Krugman, 2011).

For its part, the IMF contests the notion that it reduces leverage in its engagement with the Global South, asserting that it acts in partnership and mutual interest. Former IMF Managing Director, Christine Lagarde, said: "[The IMF] provides lending, [but] structural adjustments? That was before my time. I have no idea what it is. We do not do that anymore. … The way in which we offer our financial support [is] really on the basis of a [country] partnership" (IMF, 2014). The IMF willingly references 'structural reforms' and 'upfront reforms' in its rhetoric (IMF, 2013b), but has altogether departed from identifying its contemporary practices with austerity or structural adjustment. Yet, scholars reject Lagarde's claim, stating that not only have conditionality requirements been at the heart of the IMF responses to debt crises post-2008, but that its "iterative layers of rhetoric and ceremonial reforms are in part attempts to maintain the myth of a fundamentally reformed institution" (Kentikelenis *et al.*, 2016, p. 25).

While the discussion on austerity thus far has focused on the level of the state, there is expanding scholarship on actually existing austerity that aims to map out the relationship between austerity and everyday life. 'Actually existing austerity' is an analytical endeavour to assess the variegation in how austerity is experienced, negotiated, and contested spatially across the society. Indeed, it builds on theorisations of 'actually existing neoliberalism' and is considered part of global neoliberal policy projects, but with increased focus on space and place (Davies & Blanco, 2017; Meegan *et al.*, 2014). For Wacquant, 'actually existing

neoliberalism' is a critique on neoliberalism's differentiated modalities: a tool for elite state capture and a tool for subjugation of the subaltern: "'laissez faire et laissez passer' for the dominant, but … paternalist and intrusive for the subaltern" (2012, p. 74). For others, actually existing neoliberalism is even more expansive: "the tangle of meanings attached to 'neoliberalism' [that are] both somewhat ambiguous and situationally specific, spanning as they do a rash of promiscuously 'global' applications and a constellation of quite particular local translations" (Peck, Brenner, & Theodore, 2018, p. 4).

Actually existing austerity "contest[s] the non-local lenses through which austerity is typically viewed. … [The] privileging of broader, non-local scales in the analysis of austerity serves to reproduce readings of place as passive, apolitical and submissive to the 'downloading' of austerity from national to local government, and onto communities and individuals" (Strong, 2020, p. 217). By conceptualising austerity beyond fiscal consolidation, austerity is reframed as a set of interrelated institutionalised governing practices and normative assumptions, which have fiscal, ideological, political, and civic characteristics (Hayes, 2018). By zooming into the experience of austerity at the community and individual level, 'actually existing austerity' offers possibilities for multiple relations to austerity: "anticipating austerity, adapting to austerity, 'getting on with life' and accepting austerity" (Hitchen, 2016, p. 102).

'Actually existing', then, is prefixed to austerity—as with neoliberalism—to permit conceptual plurality, where particular meaning is both contextual and contingent. This variation is itself reflected in the way the prefix is used by different scholars. On one level, Wacquant (2012) uses 'actually existing' to imply a critique wherein an ideology is differentiated according to class rather than applied universally and consistently. On another level, Kentikelenis *et al*. (2016) suggest that 'actually existing' refers to concrete policies

rather than ideology altogether. On yet another level, Strong (2020) asserts that 'actually existing' refers to local, lived experiences rather than policy.

Conceptually, I elide the literature on actually existing austerity with the literature on affective dimensions of austerity. In attending to actually existing austerity, I am interested not solely in actually existing material experiences, but the ways in which austerity exists as affective dimensions of economic life and social reproduction—or as Coleman (2016) puts it, how "austerity is experienced and lived affectively" (p. 84). Implicit in my earlier assertion, that austerity exists not just as policy but also as politics and discourse, is that the sense of austerity lives beyond the technical. That is, there are prevailing and pervasive attitudes and feelings about economic conditions—both at the level of inter-national political economies concerned about austerity presents and futures in neighbouring economic states, and at the level of everyday life as people navigate conditions of constraint. In this way, the literature on the affective lives of/under austerity is aligned with the previously discussed affective dimensions of crisis.

Austerity, insofar as it relates to anticipated or present crisis, navigates the present (which was once a future, in particular concerning the repayment of securitised debt) through some claim on the future. At an affective level, there exists a disjuncture between the futures implied by predictable, legible securitised debt and the precarious realities imagined by debt-burdened individuals. The temporal incongruities at the disjuncture produce various affective responses: for example anxiety, worry, or alertness. In light of this, there has been greater attention to austerity "a sort of structure of feeling: a kind of mood, and affective assemblage" (James in Bramall *et al.*, 2016, p. 132); "an orchestration of affects, feelings and emotions" (Coleman, 2016, p. 90). Hall (2019) goes further by asserting that austerity is not just economics or politics (or as I have added, mood): it also has come to constitute a set of

values around simplicity and restraint in the way people live their lives—which has its own political currency (Clarke & Newman, 2012). From this lens, a range of work has emerged on everyday austerities and the relationship between state retrenchment and the shift to individual responsibility on everyday affective-material experiences under austerity (Hall, 2019; Raynor, 2017).

Ultimately, this study conceptualises austerity as 'actually existing' as operating expansively in *multiple ways* and across *multiple levels*: an array of conceptual intersections across space-times and actors across multiple levels of the state and the society, which have attendant material-affective dimensions. It is precisely because of its profoundly consequential impact on everyday life that it holds such political, economic, and social significance—which in turn generates a degree of contestation around the concept itself, and its efficacy. The enlivened conceptual potential of austerity is utilised throughout the thesis to discuss histories, paradoxes, impacts, and attitudes related to fiscal constraints at various levels of the Jamaican state and society.

Analytical Lens: The Multi-Layered State

Understanding the state at multiple levels is necessary to understand specifically how austerity is experienced, negotiated, and contested by those who encounter it. A multidimensional conception of austerity requires a similar expansive view of the state: "a multilayered, contradictory, translocal ensemble of institutions, practices, and people in a globalised context" (Sharma & Gupta, 2006, p. 6), or according to Chandhoke, the contemporary pluralised state. Instructively, Sharma and Gupta (2006) make the case for the study of the 'anthropology of the state', they further argue that how people experience the

state involves “moving beyond macro-level institutional analyses of ‘the state’ to [look] at social and bureaucratic practices and encounters... [and] conducting institutional ethnographies of specific state bureaucracies, inquiring into the micro-politics and daily practices of such institutions, and seeking to understand their relation to the public (elite or subaltern) that they serve” (p. 27). It is, after all, “through encounters with bureaucracies and bureaucrats that [the citizen] comes to know the state” (Zacka, 2017, p. 240)—a point underscored by Lipsky (1980), in his discussion on ‘street-level’ bureaucrats who “cope with uncertainties and work pressures, effectively *become* the public policies they carry out” (p: xii, emphasis in original).

Following Serin & Irak (2022), who study the interaction between everyday life and institutional politics, I examine everydayness within justice bureaucracies and, importantly, their officials—who are not merely “a kind of person [but] persons who sometimes engage in a kind of activity” (Bernstein & Mertz, 2011, p. 7). Everyday life has been theorised in the context of a dialectical relationship between lived space and conceived space in which urban life, politics, and economic relations can be understood (Lefebvre, 1991). Yet, the everyday is not merely an appendage to macro analyses of politics, power and variegated capitalism; indeed, everyday life itself comprises material, normative, active, and affective qualities (Skelton, 2017; Hall, 2019).

The specific relations between bureaucrats and the public produce multiple ‘sightings of the state’: by citizens, government officers in different line departments, people at different levels of authority within the political system, and members of the wider multilateral community (Corbridge, 2005). ‘Sightings of the state’ centre on the interaction between citizen and state as a critical site for analysis; however, this framing privileges the perspective of citizens' perceptions, which has been a necessary inversion within the literature on the

anthropology of the state to use the subaltern as an epistemological source. A focus on the 'site of encounter' allows the *interaction itself* to be studied as mutually constitutive, interactive, and perhaps contested by all parties to the encounter. Furthermore, 'encounter' rather than 'sight' allows for a more expansive way of understanding the entire experience of citizens and bureaucrats during service delivery—for example, as passive, active, manipulative, subversive, cooperative, dismissive, powerful, or beholden actors.

Moreover, the 'site of encounter' recognises that any state-citizen encounter is the result of a confluence of influences with distinct ontologies: persons, policies, customs, temporalities, spaces, institutions, ideologies, and systems. For my research, the confluence requires understanding the interactions of the 'sub-parts' of the state at multiple levels to understand how austerity, initially conceived as high-level executive policy, has multi-scalar and multidirectional effects on service delivery. Within these interactions, officials and government bodies positioned at multiple levels of the state must negotiate changing policies and mandates, which allows one to view actually existing austerity within the concrete dilemmas typically faced by government officials and bureaucracies: mutually exclusive mandates, ambiguous trade-offs between autonomy and surveillance or between customisation and standardisation, and limited resources (Fukuyama, 2013). These concrete dilemmas can constrain moral sensibilities and prevent government bodies from successfully fulfilling policy mandates (Zacka, 2017).

Ultimately, this thesis employs the variegation across the 'anthropology of the state' as sites for analysis. Where most studies on actually existing austerity have focused on the experiences of communities *outside* the state, this study focuses on the experiences of public officials *within* the state as the epistemological basis for understanding service delivery in resource deficient environments. Moreover, this analysis expands scholarly understanding of

actually existing austerity by shifting from a predominantly European focus to the Global South, which have particular political, economic, and geographic constellations that particularise debt management, resource allocations, and experiences of constraint.

Conclusion

The conceptual framework clarifies individually and interrelatedly the notions of debt, (poly)crisis, and austerity—all fundamental to the contemporary conjuncture—in order to analyse multiscalar relationalities and futurities across state-society interactions within the Jamaican justice system. The 2008 conjunctural crisis, a financial crisis that precipitated multiscalar experiences of indebtedness, is a culmination of neoliberal logics that prevailed over multiple decades, and is instructive in how this research assesses its continuities or afterlives in the context of multiscalar experiences across the Jamaican state and society. This study extends the conceptualisation of austerity beyond its macro political economy framing into 'actually existing' material-affective variations, situated within a multilayered, disarticulated state in order to understand the dynamics of austerity through public service delivery.

This conceptual framework—with its cross-cutting conceptual focus on debt, crisis, and austerity, and analytical focus on relationalities, temporalities, and multiscalarity—provides theoretical support for the empirical tracing of debt and crisis which follows. Chapter Four focuses on austerity governance within and beyond the Jamaican state. Using the pluralised state as a frame for fiscal governance under debt crisis, it examines how sovereign debt repayment imperatives under IMF-backed austerity motivate internal state disciplining which alights on a resistant Jamaican justice system whose leadership variously

contest, make do, and find alternatives to address fiscal underallocation. Chapter Five focuses on the intertemporal experiences of constraint that characterise everyday austerity within lives and livelihoods for justice officials, which in turn produce affective-material responses that reflect an internalisation of neoliberal individualism. Chapter Six discusses the ways in which debt becomes operable both within the structural limitations of the justice system, as well as the nature of the problems that alight on the system from everyday lives and livelihoods, which reveal the ways in which indebtedness shapes relationalities across state-citizen encounters. Finally, the thesis discusses how austerity begets protracted experiences of constraint and crisis ordinariness, which foments pessimistic moods about the future, and offers systemic indebtedness as an enveloping frame for Jamaican state-citizen relationalities. It also discusses the ways in which neoliberal logics of retrenchment and individualisation are also systemic—from the structural to the individual.

CHAPTER 3: Methodology

This thesis uses a grounded theory framework as the basis for a mixed methods case study analysis of recent austerity in Jamaica vis-a-vis its legal justice system. Data collection took place primarily in 2019, 2021, and 2022, and includes interviews, document analysis, descriptive statistics, and non-participant observation. The methods are used to achieve the following research objectives: to trace the evolution of austere fiscal policy in Jamaica and the dynamics of fiscal allocation within the legal justice system; evaluate affective-material experiences of officials in the justice system navigating constraint in their lives and livelihoods; and analyse the impact of multidimensional experiences of constraint on matters in the justice system—as a route to examining relationalities across state and society in relation to austerity, constraint, indebtedness, and justice.

This chapter proceeds as follows. First, it discusses the evolution of the motivation to conduct home country research, and the consequent design undertaken to study experiences of austerity vis-a-vis the delivery of legal justice. It discusses the overarching grounded theory framework and scalar tracing approach that underpin the research design. Then, it continues into a discussion on researcher positionality and its implications for access in the context of home country academic research. Then, it outlines the data collection methods, and discusses further considerations for methodological design, the impact of COVID-19 on the research agenda, and opportunities for further related research. Finally, it provides background context on the sampled government bureaucracies examined in the subsequent empirical chapters.

Research Design

Glaser and Strauss (1967) first proposed grounded theory as a practical methodological alternative to positivism within the social sciences, in order to conduct research that pragmatically focused on "the actual production of meanings and concepts used by social actors in real settings" (Gephart, 2004, p. 457). Inherent in their conception of the methodology was a constant iteration in the analysis of the data, which then informed the theoretical and methodological next steps. In other words, data collection and analysis happen in iterative phases. On a practical (or pragmatic) level, this approach accorded well with the fact that researcher interests and access do not necessarily align, and where researchers may have hypotheses about the nature of the data that might emerge, it allows the data itself to inform what further data is needed to triangulate or complement data which has already been collected in order to glean appropriate theoretical and empirical insights about the context of interest.

Moreover, as Suddaby (2006) notes, grounded theory is not equivalent to a 'blank mind': rather, it is necessarily informed by contextual, conceptual, and empirical knowledge which then inform initial and subsequent approaches of what is gleaned from the data under examination. This approach is particularly appropriate for 'home country research', where the researcher is familiar with the context in question, but also endeavouring to interrogate assumptions, narratives, or 'colloquial facts'. This contextual familiarity proved to be an important pragmatic tool for iterating across methodological decisions as constraints and possibilities emerged in the field. To go further, I would argue that a grounded theory approach allows the researcher to refine fundamental aspects of the research agenda—including the research questions and focus, which become informed by what the

data can and does 'say'. The continual iterative interplay between agenda, data, conceptual framework, and methods allowed the data representative of various areas of Jamaican state and society to be appropriately situated spatiotemporally, interrelationally, and transconceptually.

Using this grounded theory approach, I conduct iterative systematic coding of documents, observation field notes, and interview transcripts to identify, disentangle, suture, and analyse various themes emergent from the data (Bryant & Charmaz, 2019). I centre interview data, observations, anecdotes and legal case summaries in order to use everyday experiences and perceptions as the launching point for the broader empirical and theoretical discussions and arguments offered in this thesis—without falling into the trap of having the stories be an analytical end in and of themselves (Suddaby, 2006). This approach to grounded theory permitted thick description within a home country case study approach (Knigge, 2017), which complements one of the study's aims—to study austerity within affective, material, structural, local, and everyday contexts.

To complement this grounded theory approach, the thesis adopted a multiscalar approach to trace relationships between phenomena and variables at different scales of focus. Importantly, this research is not intended to determine quantifiable causal impact of austerity on an area of the economy or society, particularly because tracing from the macro systems level to micro unit level introduces observable and unobservable intervening variables (Goertz & Mahoney, 2012). Instead, it allows for the intervening factors and the complex relationalities and temporalities to be revealed as one manoeuvres across various scales and positionalities within the state, society, and global political economy.

This 'scalar tracing' approach took place within the context of a case study—or a 'case of cases'—within the Jamaican national context and its legal justice system as a sectoral

focus in and of itself and a site for observing broader phenomena within the society. Gerring (2007) notes that case studies facilitate the identification of interactions between intermediate processes and factors. As George and Bennett (2005, p. 30) argue, it is the "insistence on providing [a] continuous and theoretically based historical explanation of a case, in which each significant step toward the outcome is explained by reference to a theory". They go further to affirm the importance of narrative in making sense of phenomena of interest within a given case.

The case of Jamaica provides an opportunity to explore multiscalar dynamics and experiences of austerity during the post-2008 conjuncture within a Global South context. Thereafter, a 'bounded system of cases' facilitates more specific location of phenomena of interest (Mills, Durepos, & Wiebe, 2010). The justice system represents a 'bounded system' of state institutions with interrelated mandates for service delivery, and subject to centralised executive fiscal and administrative control, thereby facilitating a close analysis of actually existing austerity. The experiences of individual officials are also used as an important epistemological source both for the dynamics of interest within the institutions to which they are attached, but also in their own lives and livelihoods wherein processes and policies constituting austerity work upon their everyday lives and livelihoods.

Researcher Positionality and Access

As Kaushik and Walsh (2019) rightly point out, "it is the researcher who […] decides which question is important and what methodology is appropriate, and [that] those choices are certainly influenced by the aspects of sociopolitical location of the researcher, [their] personal history, and [their] belief system" (p. 6). This thesis is the product of 'home country

research': where the researcher has shared identity, experience, and familiarity with the population of interest. This positionality is tied to a range of interpersonal and social dynamics that inform the breadth, depth, and nature of researcher and data access. Conducting home country social science research requires deep reflection on the ways in which personal positionality is bound up with methodology, conceptual framework, and interpretative lenses in order to produce 'situated knowledge'.[31]

Jamaica's legal justice system emerged as the main site of analysis after a period of iteration on the basis of positionality and access. Born and raised in Jamaica, I have used academic research to understand 'how things have come to be': that is, to pursue research that deploys and interrogates my lived experiences in order to better understand contemporary conversations, aspirations, dynamics, and lived realities in Jamaica. Moreover, as an artist, I was deeply inspired by Jamaican and wider Caribbean musicology and its emphasis on social and economic justice. I entered young adulthood in Jamaica at a moment of intensification of global financial crisis, as well as policy and political conversations about the IMF and the 'bitter medicine' of 'austerity'. With this particular personal and temporal positionality, my previous academic research focused on the politics of austerity and its electoral viability: I sought to bring politics into a discussion on a phenomenon often discussed in technical and economic terms. Yet, flowing out of that research was the sense that lived experiences, attitudes, affects, and outcomes tended to differ vastly across Jamaican society and deserved more attention. Weary of simple answers to embedded and longstanding problems, I pursued postgraduate research on how austerity might transform from esoteric economic policy into

[31] Sarah Marie Hall, one of the leading geographers working on everyday and intimate geographies of austerity, has highlighted the importance of situated knowledge on research methodologies seeking to understand everyday experiences. Related to home country research and questions insider/outsider-ness is her use of 'doorstep ethnographies' which further localises the contextual specificity of home country research. She notes that "doorstep ethnographies add an unusual ingredient to traditional ethnography, because the researcher does not leave the field in ways typical of early anthropological work. Nor are they always entirely unfamiliar with the culture of the group with whom they research" (2019, p. 16).

varied affective and material experiences of constraint within and across the state and society—keeping in mind the continual flux in temporalities and relationalities.

To that end, I sought to ground my research on the impact of austerity within public service delivery where citizens encountered the state directly and daily. My initial research design explored a cross-sectoral sample of government bodies related to health, infrastructure, and education. However, gaining access to relevant sites for observation—such as hospitals and clinics, construction sites, and schools and universities—was challenging: government and ethical clearances were difficult to obtain due to issues related to confidentiality, working with or on minors, occupational hazards, and other political considerations. Practical considerations required that I re-examine my frames of reference and scales of primacy for public services. On reflection, my conception of sites of encounter and service delivery was narrow: I considered sites of encounters as places where citizens touch the state either through administrative services or on 'essential' services and sites. These encounters are often inevitable, frequent, and involuntary. However, service delivery occurs on a continuum between opt-in and opt-out. Where I readily thought of registration via passport offices, health via hospitals, education via schools, or security via police stations, I also considered legal justice via courts.

The provision of legal justice is an essential service to the sustainability of the nation-state. The state has a monopoly on the provision of legal justice due *inter alia* to its singular ability to declare binding judgments and laws over a wide range of disputes. The state also imposes duties required of its citizens and sanctions which it may pursue within the courts where there is citizen noncompliance. Moreover, at the Parish Court level, where the majority of cases within the justice system are heard, citizens from a range of socioeconomic loci present disputes relating to their private everyday lives into the public sphere for just

resolution. Ultimately, both conceptual and practical reflexivity surfaced the justice system as an important case for analysing experiences and perceptions of state institutions and citizens in a context of actually existing austerity.

Here, I wish to shift the discussion to the nuances and unique challenges and opportunities presented by 'belonging' or 'insider status' in conducting home country research. Floyd and Arthur (2012) make an important contribution by surveying other methodological literature to add nuance to the discussions on possibilities and constraints that emerge from insider status:

> Being an insider means being embedded in a shared setting (Smyth and Holian 2008), emotionally connected to the research participants (Sikes 2008), with a 'feel for the game and the hidden rules' (Bourdieu 1988, 27). Insider status may confer privileged access and information, but the researcher's position in an organization may also act as a constraint, limiting who is willing to participate and what is revealed (Smyth and Holian 2008)" (p. 173).

To be clear, researching a country with which one is experientially familiar is not equivalent to being an insider to a system.[32] My familiarity with the Jamaican context offered vital instincts for the importance of this specific project, and provided me with working connections and identification of potential routes of entry into the institutions of interest for this research. However, to whatever extent that I am an 'insider' in Jamaica—a status that is itself a multivariable function of race, class, gender, urban/rural, religiosity, alma mater affiliations, and other considerations—I was not perceived as an insider to the Jamaican state

[32] Anyidoho (2008) offers a useful discussion on the complexities of insiderness, which challenges simplistic notions of belonging through ethnicity, race, national citizenship within a cosmopolitan or globalised cultural environment where other factors might be more relevant in conferring 'belonging'.

institutions that I was interested in researching. In this context, my positionality seemed to vacillate between proximate outsider and temporary insider.

Home country affiliation was beneficial for access in some respects. I was often rendered by mid to late career participants within the subjectivity of 'promising youth'. Many participants identified me with their children who sought graduate education, or their own experiences in academia as adjunct lecturers, policy consultants, public affairs commentators, or former students. Additionally, many informants viewed me as an investment in 'the future of the country'. One judge stated: 'I wouldn't want to hear that in twenty years' time you become a Judge or Prime Minister and then you tell people that when you were coming up the senior judges wouldn't help you out with an interview.' This sentiment was echoed to me across high level public servants—many of whom were in their mid to late career and were willing to offer long-arc reflections on their career and lives—who referred to me as a 'son of the soil' of whom they were 'very proud' and 'happy to support'. In other instances, this sentiment was expressed by persons who viewed themselves as agents of change who saw the research as related to their own desire for disruption or transformation within areas of the justice system or the society.

The subjectivity of 'promising youth' was also important for what kind of data I received. For example, interview responses were sometimes framed in the context of long arc career reflections or lessons—even where I was more interested in probing descriptive direct experience. Additionally, there would be instances in which I would have to demonstrate prior expertise in order to access more subtle or 'backstage' insights from respondents. In a few instances, I was perhaps not taken seriously or engaged in a timely manner due to perceived youth. In such cases, behavioural deference—being highly logistically flexible, demonstrating respect for titles, for example—was a useful practice for access. More

significantly, affiliations with elite academic institutions and postgraduate scholarships meant that if I were 'young', I was perhaps a 'worthy' kind of young.

Other contextually specific factors influenced my degree of access. For example, I became increasingly identifiable as a Black male researcher 'with the afro', which is relatively uncommon within male Jamaican professional norms. Given specific cultural and sociopolitical ideas around hair, this aesthetic increased my insiderness in some instances—where particular interviewees perceived it as a challenge to cultural norms, embodied opposition to neocolonialism, or a reflection of unusual degree of professional autonomy—versus in other instances where it may have curtailed access due to perceptions of potential disruptiveness or not being 'serious'.[33] Here, access is not merely about public officials' willingness to give an interview, but also about what they are willing to say or share as data, willingness to facilitate introductions, grant permissions, exercise discretion positively, or offer extended forms of mentorship.

Yet, insider status can itself be the basis for withheld access. Home country researchers—and in particular, those with foreign institutional affiliations—may find their academic interests construed as attempts to disrupt structures, power dynamics, and resource flows within officials' work. In fact, many home country researchers have told me in scoping conversations that they feel that they are less accommodated than foreign outsider colleagues who benefit from greater research access due to social values of hospitality (at best), perceptions of superiority, or hierarchies of power and knowledge that motivate greater support for their research needs.

[33] Mullings (1999) discusses aspects of race in her doctoral research, and how it engendered positive feeling among respondents as she explored tense class-race mediated dynamics within firms. Of her experience, she writes: "My positionality as a black doctoral candidate, appeared to invoke some degree of support among local managers, though this was neither a representation that I sought to promote nor one whose value I was even aware of" (p. 345).

Another important consideration is the inversion of typical relations of power between researcher and subject or interlocutor. Mullings (1999) correctly notes that qualitative research in economic geography often differs from other modes of qualitative research, since key informants and interlocutors often have elite status and hold data that have few alternate routes of access. This was true of my research within the Jamaican legal justice system and broader public sector, where data is often not systematically collected or archived, hierarchies are strictly maintained, key informants are often positioned as quasi-exclusive holders of data, and relevant data on experiences, perceptions, and motivations are often exclusively accessible through individual engagement. Research participants and interlocutors mediate researcher access based their participation on perceived implications of the research for policy, business, public interest, and their own personal or professional interests. In this context, my positionality proved highly important for the degree of research access that I was extended, and therefore the kinds of data I could obtain and the direction of the descriptive narratives and analytical arguments that emerged from the research.

These dynamics produced mixed responses to my research requests. One response was referral to a supervisor: often, even among senior officials with autonomy over their engagement with stakeholders, potential participants would state the need for clearance from a superior. Some officials indicated that protocols and a broader culture of centralised authority had been introduced to mandate clearance from the Chief Justice. In fact, after various attempts to reach the Chief Justice—whom I had been advised during scoping efforts would strongly welcome research and transparency within the justice system—he responded by e-mail to my request for access stating:

> Thank you for you *(sic)* letter. I am not inclined to grant the permission you are seeking. It seems to be too disruptive and at present that *(sic)* are significant activities going on in the court that require the undivided attention of the judiciary and court officials.

This reply, which seemed unusual, was in contrast to the encouragement of his predecessor and colleagues on the judicial bench. Still, it offers a sobering reminder of the challenges of researcher access, and the importance of rapport in identifying multiple points of access to a system of interest. Given the challenges in getting access to observational spaces beyond public courtrooms, ethnographic observation of internal workings of the Jamaican state and legal justice system was limited.

Data Collection

Primary data were collected through in-person fieldwork in Jamaica during August to September 2019, April to September 2021, and September 2022—interspersed with brief waves of additional virtual fieldwork. The data were collected through a range of methods. First, I conducted non-participant observation of courtroom sites across the Eastern region of Jamaica. Second, I conducted formal semi-structured interviews with key informants within various entities related to the justice system, the Ministry of Finance, as well as the media. I also used a range of secondary sources. First, I used strategic reports, corporate plans, and government websites to understand the functions of each government body attached to my sample of interviewees. Second, I used a range of primary legislation and internal memoranda made publicly available that were relevant to the operations of all the agencies within the sampled network. As Knigge (2017) asserts, "mixed methods allow for diverse research techniques that cannot only triangulate or confirm results, but may also contradict findings, confirming that knowledge is situated, partial, and contextual."

Impact of COVID-19 Pandemic

While the initial fieldwork in 2019 predated the COVID-19 pandemic, subsequent fieldwork occurred in 2021 during the pandemic (after a three-week trip to Jamaica that was extended indefinitely due to pandemic travel restrictions). The Covid-19 pandemic remade the nature of ethnographic data collection due to the disruption to traditional modes of gathering or doing business. Techniques for building rapport, identifying personnel for permissions or *de facto* access, snowball sampling, and for gathering thick and rich description were often precluded. Moreover, in an institutional context where information on personnel was often not stored systematically, it was often difficult to know where to begin. Ethically, there were limits to the appropriateness of conducting in-person ethnographic methods in order to advance a research agenda at the expense of public health—particularly true among senior judicial officials, many of whom were considered at risk due to age and comorbidities. I also had to consider increased ethical and care responsibilities for family, which impacted the flexibility and mobility for data collection. As Delyser (2001) notes, "In home fieldwork, multiple axes of commitment must be integrated with one's research agenda" (p. 444).

My fieldwork was affected by limited physical entry into spaces, periods of lockdown, staffing uncertainty, and extended closure of government facilities. This led to spasmodic rhythms in the pace of the fieldwork: waiting for periods of lockdowns to ease or for court rotas to be confirmed, seizing openings for access that could be fleeting, contending with the enthusiasm for being in the field and the disappointment of unrealised dreams for ethnographic immersion. Within the judiciary, most offices and courthouses were closed to non-participant parties and researcher access required special permissions from clerks whose contact information was hard to ascertain virtually. Researcher access had to largely be negotiated virtually and with higher degrees of formality. In some instances, a more general

approach to a research request would either go unfulfilled or redirected. In other instances, highly detailed research requests were met with intense caution or suspicion, or directing me to superiors. Academic research was often deprioritised due to personnel and other resource constraints, particularly due to the COVID-19 pandemic. Finally, in the process of trying to specify the research scope during a dynamic iterative grounded theory approach, I was continually negotiating emerging constraints or opportunities for data collection alongside evolving research interests.

Observations

Non-participant observation provided insights into everyday citizen experiences and perspectives, since no non-state employed citizens were interviewed. Observations were primarily conducted at the Parish Court level, where most Jamaicans are most likely to encounter the justice system. I began by seeking access to courts within Jamaica more generally, and particularly within Parish Courts who generally had public access. However, I was able to get focused access to the Family Court and Tax Court, which proved to be vital to surfacing indebtedness as a frame for examining experiences within and outside the Jamaican state during austerity.

Parish Courts are vital to the Jamaican justice system—where "ordinary Jamaicans are most likely to encounter the civil and criminal justice system, as witnesses, accused persons, litigants in civil disputes or simply in support of their friends or members of their families who are involved in litigation" (JJSRTF, 2007, p. 95). Consequently, the Family Court and the Tax Court were juxtaposed across rural-urban contexts: the Family Court offered a view into the personal and familial socioeconomic dynamics of life under everyday austerity, while the Tax Court offered a view of interactions between small and medium-sized businesses and the state under periods of revenue enhancement. Together, these

non-participant observation sessions provided insight into the state-citizen encounters in the delivery of justice, as well as the constraints under which the justice system operated.

Given that I was based out of Kingston, which is a part of the Eastern circuit for court management, I used that as the basis for my access. I shadowed court officials and observed court sessions across urban and rural areas within eastern Jamaica. In 2019, I observed full sessions in the Kingston Tax Court, the St. Thomas Family Court, and at the Court Administration Division office in Downtown, Kingston. In 2021, I expanded my observations to include Parish Court sessions across other eastern parishes, namely Portland and St. Mary. The Kingston metropolitan area holds 25 per cent of the national population on 4 per cent of the national land area (Statistical Institute of Jamaica, 2011), and is the nominal, political and business capital of the country. On the other hand, the neighbouring parishes of St. Mary, St. Thomas, and Portland are primarily rural, holding 3.5 per cent of the national population and over 6.8 per cent of the national land area.

Once the courts resumed operations in September 2019 after a recess, the number of cases to be heard in the month of September was unusually high. Compounded by the fact that courtrooms had limited capacity, this meant that there were many persons waiting outside the rooms and the building. After being able to enter the courthouse premises but not the courtrooms, I was able to gain priority access to the courthouses' public gallery on the request of attorneys-at-law who had matters to be heard that day.

The observations were largely non-participant: in other words, I would sit in the public seating areas and observe proceedings in the courts. I could observe frontstage proceedings for the given case that was being heard by the judge, as well as the conversations in the courtroom and hallways between court administrative staff and citizens. In busier court sessions, I was largely anonymous to others in attendance, but this was less the case for

sessions observed when there were few cases to be heard on a given day, or due to pandemic restrictions. In such instances, my presence was largely neutral to the proceedings since most matters do not comprise only parties to the matter. On the odd occasion, I was asked to offer a phone call, or on a memorable occasion, to facilitate an impromptu social intervention for a teen defendant hoping to become a dancehall artiste—having developed greater rapport with that particular judge. Because justice was being made not just in delivering judgments, verdict, and summary orders, but also in the live experience with stakeholders—for example, children, guardians, and others in Family or Children's Court—my own positionality as a 'promising youth' was called upon.

Interviews

Interviews constitute the core of my data for understanding the mechanisms through which justice-related services are delivered, as well as contextualising austerity policy documents. Interviews are particularly important to the study of high-level political topics, particularly where the main research objective is to ascertain human impact on policy proposals and outcomes (Gardini, 2012). I conducted approximately thirty interviews across the street level, mid management and senior management levels of approximately fifteen government bodies.

Key informants were identified within relevant justice-related government bodies in order to provide more information and a deeper insight into what is going on in their particular unit due to their cumulative experience in the public sector, or level within organisational leadership and the kinds of vantage points from which they observe and participate in operations (Marshall, 1996). Informants were also sourced through snowball sampling. Non-random sampling is appropriate in such case studies, because as Tansey (2007) argues, its objective is not to draw a random and broad representative sample of all

actors, but rather, to identify a sample of highly involved actors as a basis to understand the processes being studied.

As is often the case, there was a significant difference between the pool of potential and actual informants; for each interview secured, at least one interview was pursued to no avail. Given the unstable nature of business days, *ad hoc* crisis management, and transport delays, completing interviews required flexibility in time, which meant that attempting to complete more than two interviews in a given day proved difficult. I also had trouble collecting data from street-level workers because most felt initially that they were not well-suited to contribute to academic research, and were keen to 'put me in touch with someone even better'. This occurred with lower-level court staff whisking me away to their bosses' offices, or their mid-management bosses suggesting that I interview 'people at the Ministry [of Justice]'. Where I could assuage those concerns, secondary concerns about need for clearance from supervisors would emerge. Where formal clearance was sought, bureaucratic procedure precluded timely receipt of permissions. Still, I was able to wade through these to a respectable extent, and the key informants whom I interviewed spoke descriptively and powerfully about their realities, and provided the basis for much of the arguments made in this study.

All interviews were conducted using an open-ended schedule of questions that allowed the interviewee to guide the flow of the conversation based on what and how they felt best positioned to respond. Each interview involved extensive preparation on the specific agency to which the interviewee belonged, since key informants often offer brief interviews and negotiate the information they provide, as well as whether they extend the length of the interview according to the standing ascribed to the interviewer (Thompson, 2000). Furthermore, to minimise wariness that many public officials often feel about being

recorded—even when they are prepared to be on record, I opted against using audio or visual recording equipment, except where interviewees opted to provide follow up information through voice notes on social media applications. This was also important to reduce reticence, which would decrease the validity of the data that informants provided. All interview notes were made by hand during the interview, then paraphrased shortly after completing the interview in order to maintain as high a degree of accuracy as possible under these circumstances. Where possible, I have opted to use these paraphrased quotes from interviewees to allow officials to speak for themselves, and to offer descriptive empirical power in understanding the sample of the justice system that I construct. I also used interview tagging to identify, disentangle, and put in conversation the various themes expressed by informants across various government bodies.

I received explicit written or oral consent for each interviewee prior to conducting interviews and reminded them that their participation was voluntary and their information retractable up and until completion of the research project (Miller & Bell, 2002). All participants were above eighteen years of age. I remained alert to safety concerns for participants by conducting all in-person interviews in neutral spaces reminding participants of their right to abstain from any question. I also did not sense from interviewees any sense of research fatigue (Clark, 2008), particularly because the experiences of bureaucrats in Jamaica have been understudied. Discussing matters related to service provision can be particularly polarising, particularly for government elites and bureaucrats who might feel that their professional career depends on promulgating a particular view of austere economic policies or service delivery, or are sensitive that certain characterisations of their work are an indictment of their own performance. I made known explicitly that the independent academic pursuit of knowledge was the primary and sufficient objective of this project. I also leaned

into the malleability of a semi-structured interview to permit sensitive reframings of lines of inquiry as necessary. In some instances, I agreed to interlocutor requests for questions to be shared ahead of time; or in one instance, to conduct the interview by email (due to precautions against being misquoted); and in one other instance, that the interviewee and I separately record the full interview. I also avoided scenarios where compromising information from previous interviewees was revealed to subsequent interviewees. To improve anonymity, I refer to each interviewee by title, rather than by name. On the one hand, the respondent's title was often important to validate the specific nature of the information being shared, and was itself of importance to the analysis. On the other hand, the nature of the data given and the title together, along with other methodological details, may make certain respondents' identities readily deducibility. This will likely limit the dispensation of aspects of this thesis in its current form.[34] All interview notes and transcripts are maintained in encrypted digital storage.

Valentine (2005) notes the importance of conversational interviews for eliciting important data that might otherwise not be disclosed if full formality is maintained. In the context of key informant interviews, it was often not possible to have entirely conversational style interviews; however, important elements of that approach proved useful in certain instances. Developing rapport with interviewees often required that our interactions be conversational rather than formal. And in the process, particularly because cultural norms around 'reasoning' require immediate reciprocity in the exchange of perspectives and ideas, interviews operated more like discussions. One benefit of this approach was that it opened up new terrain for interviewees to express interests and to understand how and why their experiences—and not just their 'work', strictly defined—would be of interest to my academic

[34] See Floyd & Arthur (2012) for an extensive discussion on related confidentiality issues.

question. This proved particularly useful for my attempts to tease out connections between the structural and the everyday, which is not always immediately understood by interviewees. However, this approach also meant that it was often not possible to have 'no views'; in fact, having no views on current affairs often seemed to signal to the interviewee that you were either unprepared or not a 'serious researcher': *the academic must have something to say*. In multiple instances, as interviewees would request a preamble on my interests—to which they then would give extensive riffed reactions, rather than have me lead with questions at the outset. In such instances, the challenge is that researcher views might introduce bias into the research by motivating participants to modify their responses via omission, withdrawal, selective contribution, or even subconscious alteration of their contributions. Yet, it could also motivate greater depth, comfort, and candour in the primary data obtained.

Table 3.1: Key Informants by Institutional Affiliation

Key informants provided knowledge in their primary domain; that is to say, outside the Ministry of Finance, interviews were framed around personal work experiences at the individual and organisational levels.[35] Inevitably, those experiences would elicit commentary at the systemic and societal levels, which was important because the informants are public officials who move between and perform consequential functions within or across various government bodies. In this way, the key informants function as the fundamental epistemological unit of this research: moving from public officials to government bodies to systems. The dynamism reflected by the key informants in their interview responses allows

[35] There may be time lags in the observed effects of austerity or recency bias within key informant data. In future study, one might adopt a qualitative time-series methodological approach, capturing current views of informants periodically over an extended period of time.

for the government bureaucracies in which they work to be reconceptualised as actually existing entities rather than abstract institutions.

Documents

Textual analysis on documents served as the basis for identifying policy requirements of the economic reform programs since 2010. Documents were also used to identify the rules upon which public sector officials based their actions and decisions; to generate relevant descriptive statistics; and ultimately, to help construct process mappings for resource directives from the central executive to ministries, departments, and agencies (MDAs). Documents on judicial reform projects, public sector transformation, and service reforms such as health and education were used to provide additional context, facilitate triangulation, and identify points of convergence or contention among various institutional interests across the Jamaican state. Fiscal budget documents were used to generate descriptive statistics (along with contextual details included in appendices) using Excel in order to motivate analysis about the dynamics of fiscal allocations across Jamaica's executive cabinet ministries and within the justice system more specifically.

Table 3.2: *Key Documents used in Research*

JUDICIARY	A range of reports related to justice sector reform were used to supplement and triangulate interview data on the state of the justice system. These reports include: the Jamaican Justice System Reform Task Force Report (2007), the Justice Undertakings for Social Transformation Report (2012), Strategic Plan for the Jamaican Judiciary (2019). Supreme Court Statistical Reports were also reviewed where available.

LEGISLATION	The Constitution of Jamaica, the Executive Agencies Act, the Public Bodies Management and Accountability Act, and the Financial Administration and Audit Act and the Staff Orders. Each piece of legislation was used to identify the context, rules and mandates under which various government bodies and public officers operate.

MINISTRY OF FINANCE	Annual Budget Memoranda (from 2006 until its discontinuation in 2013) and Fiscal Policy Papers (from its 2011 IMF-mandated launch to 2019). These documents are delivered as part of the annual budget approval process, and provide a robust overview of the current and projected fiscal conditions, budgetary priorities, and macroeconomic environment. They were sourced from the Ministry of Finance's digital archive. Annual Estimates of Revenues and Expenditures and quarterly Supplementary Estimates of Revenue and Expenditure[36]. These documents provide data at the Ministry and Department levels to generate descriptive statistics on budgetary allocation to the justice system since 2008. They were sourced from the Ministry of Finance's digital archive, as well as the Jamaica Open Data archive.

IMF	IMF Reviews of SBAs and EFFs, as well as dockets concerning IMF credit facilities, the formal docket which outline the Request and Response from the Government of Jamaica and the IMF respectively. These documents were used to evaluate the extent of conditionalities and their bearing on fiscal policy. They were sourced from the IMF digital archive. IMF policy papers concerning global trends in sovereign debt and fiscal management were also utilised.

Fieldwork was important for accessing documents since digital, widely available archives of reports, minutes, and other such secondary data are few (this was less true of documents related to projects run by international bodies—for example the IMF database of country-specific material). In some instances, identifying authors of reports or contact

[36] Supplementary Estimates are provided at each quarter into the government's financial year (which commences on April 1 of each year) in order to approve budgetary changes after the initial approval of Estimates of Expenditure. In effect, they are a hybrid of 'estimated and actual expenses' and provide useful context for the nature of the expenses in previous Estimates of Expenditure, and forthcoming Estimates of Expenditure.

information listed in appendices directed me to appropriate personnel to provide copies of documents. In some instances, I submitted Access to Information requests for documents. However, access to information requests for certain secondary data was limited by statutory exemptions for executive and judicial bureaucracies, which manifested in a high degree of variability in the responsiveness and interpretation of scope of requests.

Documents themselves are not necessarily neutral sources of data; what is collected, documented, and made accessible is often political. For example, during my scoping exercise, one cabinet official told me that my research interests were quite important, but that much of the financial data needed to trace flow of funds 'I would never know', since it was designed for people outside the system to never know. This, they explained, was not only due to efforts to obscure use of funds for corruption, but also as a technique of governance in an environment that required flexibility and adaptability to get things done.

Yet, while secondary data is often gate kept within the public sector, it is often the case that relevant data does not exist because it is not collected or documented. For example, one senior official in the Ministry of Finance noted that until very recently, most intra-governmental budget data was entirely collected in an 'analog environment'; they also noted that government bodied might not hold details to the level of granularity necessary to support a full 'follow the money' approach because it would be 'too much to manage'. The limitations of secondary data collection reflect limitations on public sector capacity and consequently may offer the researcher an autoethnographic experience in navigating public bureaucracy and public service delivery. Challenges accessing documents and other secondary data also reinforce reliance on primary data collected through ethnographic interviews and observation in much of the research on the Global South.

Special Considerations

The research utilises variation across multiple agencies and sites of encounter within the legal justice system but did not opt for a comparative approach across other public service sectors. Similarly, this thesis examines the case of Jamaica quite closely, rather than opting for a similar approach across multiple national contexts—for example, comparative approaches within the Caribbean or across other regions (e.g. Africa, Latin America, or Pacific Island states).

The thesis also contends with time and temporality in the scope of my research. I was interested in an extended period of time—the 'decade of austerity'—but was committed to use of ethnographic methods within the mixed methods approach. I also began my fieldwork towards the tail end of that period of IMF loan agreements (though, as discussed previously, the conjuncture is not defined simply at the stroke and elapsing of policy cycles, since logics and modes of governance persist beyond the policy instrument). As a result, I used secondary data to offer insights into the 'previous present', and used 'current present' experiences that I could observe as part of the extant and after-lives of that period of austerity. This less sharply bounded approach to temporality seemed instructive for research on the public sector, where there are often time lags and unbounded temporalities vis-a-vis policy, experience, perception, memory, and change. It also acknowledges challenges that can arise from interviews regarding reconstruction and recall of given events (Hookway, 2017). More importantly, it takes after geographical traditions that explores presents, continuities, and afterlives within policies, logics, and experience that have enduring affective or material currency.

Additionally, I considered methodological and epistemological factors regarding analytical units and foci for the research. Starting with courtrooms which I could observe, as well as particular government officials who were important not just for their instrumental data on structures but also on their personal data on experiences and perceptions, I built out a 'bounded system of cases' to comprise a sample of government bodies within the justice system (discussed later in the chapter). I then iteratively used secondary data to develop my understanding of the processes and dynamics under investigation.

Yet, this decision proved challenging in the degree to which citizen voices were represented in the data collection methods. While I collected ethnographic primary data on citizen experiences through courthouse observations and key informant interviews of government officials sharing anecdotes of citizens they encounter in their work, I have limited data obtained from citizens themselves. Initially, I observed citizens journeying through the justice system. For example, I shadowed a transport operator seeking to regain possession of his public transport motor bus confiscated by police (the operator diverted from his licensed route to avoid traffic delays due to road repair). This took me through various institutions: a commercial bank, the Traffic Court, two Transport Authority administrative offices, and a government lot for towed vehicles. We discussed his frustrations moving through bureaucracy and his long-standing conflict with police, and how that shaped his views of politics, the state, and citizenship. This shadowing experience motivated important questions about the workings of the Jamaican state and its bureaucracies, and surfaced the possibilities for empirical insights through ethnographies of the everyday. However, I did not adopt this approach more frequently: sufficiently understanding the dynamics encircling the experiences would have required extensive contextualisation through extended observations

and rapport building that was not feasible for this project—in large part due to COVID-19 limitations discussed previously.

The methodological design offers opportunities for further research. First, since this study focuses on intra-sectoral specificity within the justice system, there could be comparative analysis of bureaucracies associated with other public services in Jamaica. Second, because fieldwork took place in the period shortly after the formal end of IMF loan facilities (though not necessarily a precise end to austere economic policy), there could be further analysis and ethnographies of the executive state at earlier phases of austerity policy cycles. Third, to the extent that it focuses on citizen encounters, future research might undertake ethnographies of citizens using particular systems of courts—consider, for example, tracing from the moment of emergence of challenges from the citizen into encounters with judicial and other public services, and then into structural analyses of the factors that shape both the nature of the citizen's problem as well as the state-citizen encounter in the provision of services. This could more greatly incorporate ethically designed recurrent interviews of citizen users of the justice system. Fourth, comparative study across public services—such as health, education, or public infrastructure—might reveal different resource deficiencies, and preexisting dynamics of personal or collective experiences of austerity. There are opportunities for comparative analysis across various groupings within the Global South—for example, Caribbean SIDS versus Pacific SIDS, or SIDS versus Landlocked Developing Countries (LLDCs) to understand global political economies shape efforts at debt relief and attendant national and subnational consequences for service delivery. Finally, at a time where greater focus is being given within the Jamaican public sector to the availability of appropriate budgetary data, if access can be secured, this research could be

richly extended by ‘follow the money’ methodology[37] to try to get a better sense of how macro changes in the executive budget impact micro allocations within specific government bureaucracies and sites of frontline service delivery. Ultimately, as Peck (2024) notes, theorising about a conjunctural moment also involves comparative work that motivates a broad, collective research agenda “across cases and contexts, sites and situations” (p. 506).

Research Sample of Jamaican Public Institutions

This section constructs a framework to demonstrate relationships between government institutions within the ‘bounded system of institutions’ selected either due to key informant affiliation, document access or non-participant observation in this research.

[37] See Hughes-McLure (2022) for an extensive discussion on follow the money methodology. While this was extensively explored for this research project it was methodologically infeasible due to the lack of available data at the necessary level of granularity, and the need for extensive insider contextual knowledge to control for a highly dynamic political and governance structure (related factors include but are not limited to: changes in Cabinet compositions, ministers and civil servants, project purview, donor participation)

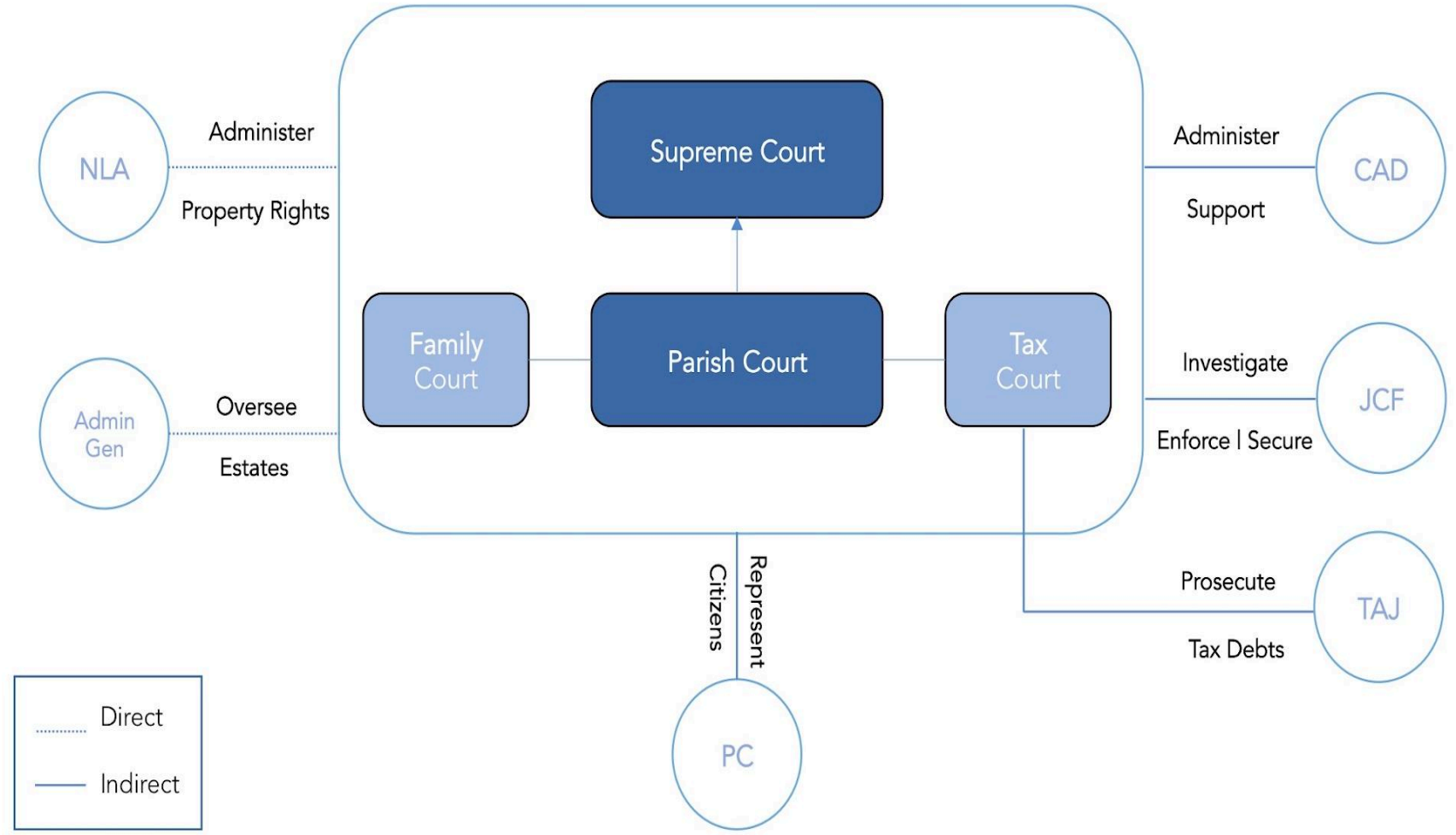

Figure 3.1: *Thesis Sample of Government Bodies within the Jamaican Justice System*
Source: *Author, using various government sources*

Taking each organisation in Figure 3.1 from the centre then moving clockwise, below is a brief introduction to each organisation:

1. **Family Court:** A specialist Parish Court, the Family Court hears matters related to child maintenance, custody, declaration of paternity (contested or post- death), international enforcement of maintenance, juvenile criminal matters, and domestic violence ().
2. **Tax Court:** A specialist Parish Court (see 'Low' above), Tax Court hears TAJ-initiated matters (see 'TAJ' below) related to noncompliance of full and timely payment of all domestic tax debts ().
3. **Court Administration Division** (CAD): The Court Administration Division was established in 2009 to separate the administrative functions of the judicial and executive branches of Government as required by the Constitution of Jamaica. Its functions include human resources, information communication and technology, internal audit, buildings and property management, client services, and court support services (Court Administration Division, n.d.).
4. **Jamaica Constabulary Force** (JCF): The civilian police arm and largest single institution within the public sector, the JCF investigates criminal matters on behalf of the state and provides a plethora of essential public services for civil matters. For example: police reports for cases in the Parish Court (Traffic Court); protective services for all court hearings and all senior court officials; operational support for court order compliance, including bailiff orders ().
5. **Tax Administration of Jamaica** (TAJ): Established in 2011 as the outcome of major public sector rationalisation, which consolidated several revenue agencies (TAJ, n.d.).Within the courts, TAJ attorneys-at-law act as "Tax Prosecutors" against persons

and companies (). More broadly, the TAJ is a semi-autonomous revenue authority under the Ministry of Finance and the primary collector of "domestic taxes, duties, rates, and fees" (TAJ, n.d.).

6. **Private Counsel** (PC): Except where a citizen is self-representing, private attorneys-at-law represent citizens in judicial cases, and so are routinely—and often mandatorily—involved in matters related to the Family Court, Tax Court, Criminal Court, Supreme Court, and conveyance matters related to the National Land Agency and Administrator-General's Department.
7. **Administrator-General's Department** (AdminGen): Since 2001, AdminGen has been an executive agency[38] overseen by the Ministry of Justice (Government of Jamaica, 2019). It protects the legal interests of minors, beneficiaries and creditors of intestate estates—that is, the estates of persons who died leaving no Will (Administrator-General's Department, n.d.-a), and relies heavily on court orders (or 'grants') in the process (Administrator-General's, n.d.-a).
8. **National Land Agency** (NLA): An executive agency established in 2001 to consolidate various dispersed land-related departments (). NLA plays an important role in the legal exchange of property, and provides services related to property titles, land valuation, estate management, and spatial mapping. (National Land Agency of Jamaica, n.d.-b).

The Jamaican Justice System in the Context of Fiscal Allocation

[38] Executive Agencies are semi-autonomous bodies that collect user fees for their services. They maintain varying degrees of fiscal control over revenue generated in exchange for performance targets. Though subject to Ministerial oversight, they operate with a semi-private corporate structure (Government of Jamaica, 2005).

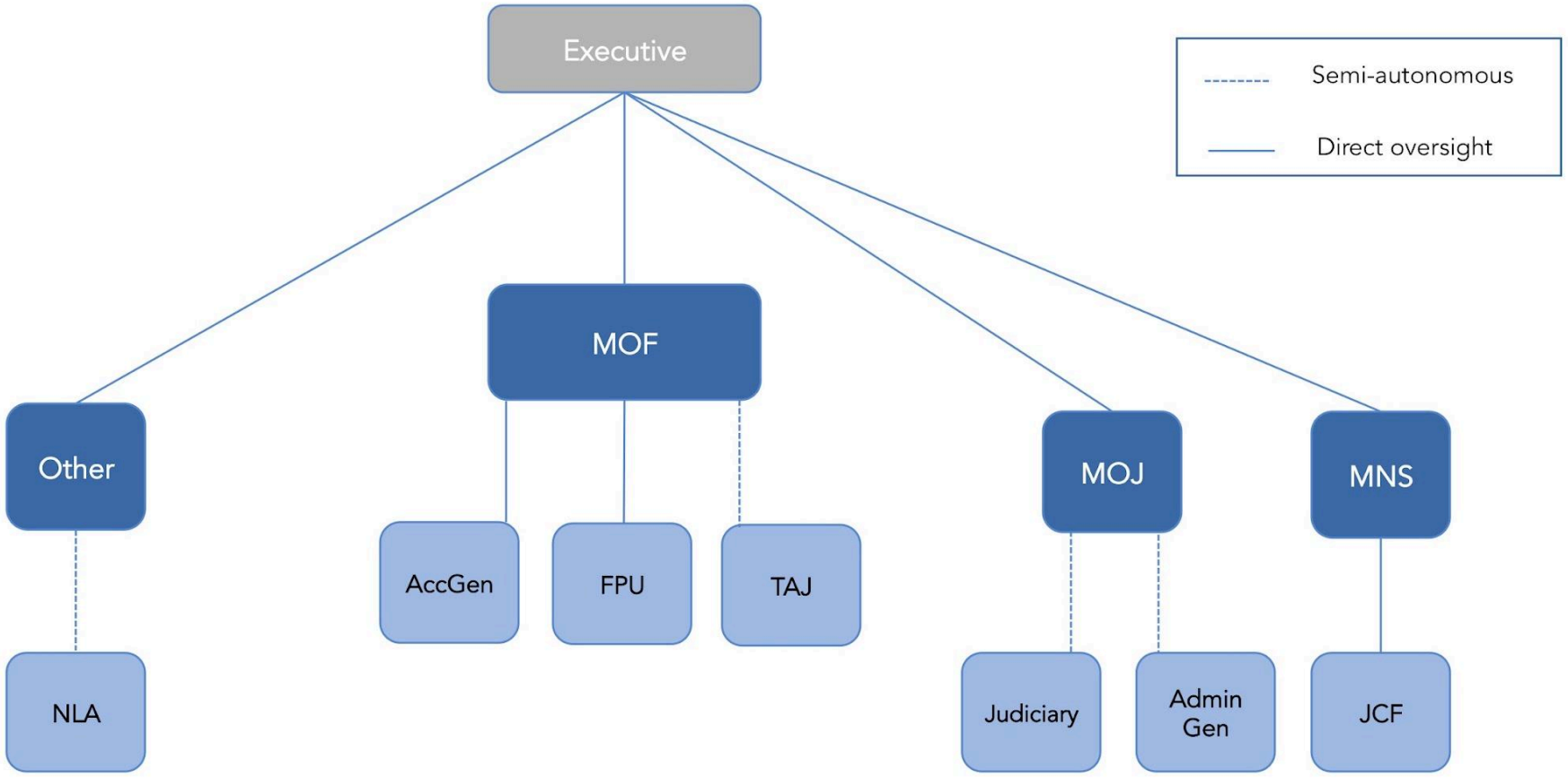

Figure 3.2: *Research Sample of Jamaican Government Bodies*
Source: *Author using various government sources*

The government bodies in Figure 3.2 exist within a complicated landscape of executive administrative management. The judiciary is prescribed as an independent branch of government, co-equal to the Legislature and Executive (Great Britain, 1962). However, the *modus operandi* of managing the state involves central executive control of resources, which it distributes to the justice system (Chuck, 2019). The *de facto* paradigm, then, is that the judiciary is a "department of the Ministry of Justice" (JJSRTF, 2007, p. 56) rather than a "co-equal branch of government" (). For its part, the JCF is overseen directly by the Ministry of National Security rather than the Ministry of Justice.

However, the judiciary and JCF both fall under central executive fiscal management, which is the prerogative of the Ministry of Finance. In addition to the TAJ, several units under the purview of the Ministry of Finance are important for fiscal allocation and management:

1. **Fiscal Policy Unit**: The core Ministry of Finance unit with direct oversight of fiscal allocations across the central government;
2. **Accountant-General's Department** (AccGen): The government's treasury, AccGen facilitates the proper flow of funds within the public sector by overseeing several government funds, and in particular the Consolidated Fund, the principal account through which government credits and debits flow (Jamaica Information Service, n.d.). It also oversees records and payment of salaries and pensions to all Ministries and their departments and agencies (Accountant-General's Department, n.d.).

Conclusion

This chapter outlined the practical and conceptual reflexivity that led to the justice system being selected as a 'bounded system of cases' to explore the dynamics of austerity and

service delivery in Jamaica. The chapter also discussed the nuanced research positionality, access, and research design elements faced in undertaking this research. It also outlined the case study and grounded theory methodological approaches that guide the use of key informant interviews, document analysis, and non-participant observation as methods. Finally, the chapter offered background information on the justice-related and economic-related government bodies sampled within the research.

The approaches and methods inform the three empirical chapters which follow. In Chapter Four, background literature and archival documents are used to outline Jamaica's history with IMF structural adjustment and austerity. Following this, documents, descriptive statistics, and primary interview data are used to discuss dynamics of fiscal allocation. Chapter Five uses interview, document, and observation data to assess how government officials understand, experience, and negotiate actually existing austerity within their professional and personal lives. Similar methods are deployed in Chapter Six to analyse experiences of justice and debt across the Jamaican Family and Tax Courts.

CHAPTER 7: Conclusion

First world justice requires first world resources. First world justice cannot be delivered with third world resources. The Executive starves the justice system of resources, and yet has extremely high expectations for our system. I don't know how we cope, but we are coping. Barely.

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Born and raised in Jamaica, I came of age during a (conjunctural) moment of global financial crisis, and policy and political conversations in Jamaica about the imminent 'bitter medicine' of 'austerity'. No government seemed to be able to win consecutive elections, people decried the loss of value in the Jamaican dollar, and the people continued to complain about crime, taxes, low pay, wage freezes, and the price of gas. But the youth were still the future. Weary of simple answers to embedded and longstanding problems, this project attempts to make sense of the present via the past, the individual via the structural, the personal via the political. I have sought to explore 'how things have come to be, what they are or seem to be, and what things can be': that is, to pursue home country research that interrogates lived experiences, aspirations, and dynamics across various levels of the state and society.

Thesis Overview

This thesis uses a conjunctural (Peck, 2020) and grounded theory (Bryant & Charmaz, 2019; Suddaby, 2006) approaches to trace the transformation of austerity—its antecedents, continuities, and afterlives—from economic policy into a mode of governance, and subsequently into varied material and affective experiences across state institutions, officials,

and citizens vis-a-vis the Jamaican legal justice system. Research methods for this case study include interviews, document analysis, descriptive statistics, and non-participant observation field notes collected between July 2019 and September 2022. Where appropriate, observations, anecdotes and legal case summaries serve as launching points for broader empirical and theoretical discussions related to debt, crisis, austerity, and justice. Ultimately, it argues that these experiences are situated within a protracted history of constraint and an enveloping frame of systemic indebtedness and elusive justice.

The legal justice system proved ideal for the analysis of austerity-related phenomena: it is a container for the convergence of a multiplicity of phenomena and encounters across the state and society to be observed and analysed. Moreover, the system is predicated on legal rights and responsibilities of citizens, and precipitant sanctions and remedies which reveal spatial and temporal analysis of active participants who 'see' and experience other individual and institutional actors in pursuit of desires, ambitions, and satisfactory outcomes. Indeed, legal justice is also characterised by centralised state responsibility, authority, and jurisdiction to adjudicate disputes at all levels of the society. As a result, it is ripe for analysis as to how the state manages this responsibility fiscally and how citizens engaging in the system experience the state working in/on their everyday lives and livelihoods. On a practical level, the research focuses on the Parish Court level, where the majority of cases within the justice system are heard and where citizens from a range of socioeconomic loci present disputes in their private everyday lives into the public sphere for just resolution. Indeed, both conceptual and practical reflexivity surfaced the justice system as an important case for analysing experiences and perceptions of state institutions and citizens in a context of austerity.

The analytical framework for this study proceeds as follows. First, it situates the 2008 global financial crisis and precipitant austerity as a conjunctural crisis (Hall & Massey, 2010;

Leitner & Sheppard; 2020) within an extended genealogy of paradigmatic shifts within the global political economy towards neoliberalism since the debt crises of the 1970s (Williamson, 2008; Helleiner, 2014). Then, it deploys conceptualisation of crisis (Hall, 1978; Clarke, 2008; Jefferson, 2008; Berlant, 2011; Brennan, 2024) alongside more recent theoretical scholarship on the polycrisis as an emergent conceptual framework for the convergence of crises across multiple spheres and scales of contemporary life (Morin, 1999; Tooze, 2022; Helleiner, 2024; Lawrence, 2024)—a manoeuvre important for subsequent discussion on the experience of constraint and crisis as multifactorial.

Following this, it outlines the evolution of debt as both cause and response to crisis, its pervasiveness in global political economy (Graeber, 2011; Roos, 2019) as well as in everyday life (Lazzarato, 2011; Deville & Seigworth, 2015; Cavallero & Gago, 2021; Lefebvre, 1991); its consequential intertemporality (Aitken, 2015; Ramprasad, 2019; Anderson *et al.*, 2020; Halawa, 2015; Ross, 2013), the propensity for debt traps and crises (Nguyen, Bhattacharya & Clements, 2003; Tennant, 2014; Potts, 2023; Roos, 2019); the attendant social costs of sovereign debt crises (Cavallero & Gago, 2021; Jolly, 2012; Ghosh, 2010; Kifle *et al.*, 1998); and its affective dimensions (Anderson *et al.*, 2020; Berlant, 2011; Brickell *et al.*, 2023).

It then conceptualises austerity as a set of economic policies aimed at restoring competitiveness (Blyth, 2013) in the wake of the debt crisis (Konzelmann, 2014), but also as a politically contested idea (Breunig & Busemeyer, 2012; Bramall *et al.*, 2016; Clarke & Newman 2012; Krugman, 2011; Skelton, 2017), as well as ‘actually existing’ (Wacquant, 2012) as a set of localised, varied practices and experiences (Davies & Blanco, 2017; Meegan *et al.*, 2014; Strong, 2020) that produce affective responses and moods (Hall, 2019; Coleman, 2016; Hitchen, 2016; Hayes, 2018; Raynor, 2017).

In parallel, the thesis uses literature on the bureaucratic field (Zacka, 2017) and the anthropology of the state (Sharma & Gupta, 2006; Serin & Irak, 2022) to support a disarticulated conception of the state in order to explore its internal contestation and dynamism, and relationality with the publics that they encounter. It also positions officials as not just informants on macro-state dynamics, but also as full epistemological sites upon which and through which the state functions daily (Bernstein & Mertz, 2011). Ultimately, the analytical framework supports the thesis methodology undertaken to make legible the multiscalar impacts of debt, constraint, and austerity on service delivery and everyday life via and vis-a-vis the Jamaican legal justice system.

Ultimately, this thesis argues that actually existing austerity is best understood as both multiscalar material experiences, but also as a long-lived affective mood of pessimism that pervades both the state and society. I propose systemic indebtedness as an enveloping frame, or joinder, for understanding intertemporal and multiscalar experiences of constraint. I argue that indebtedness is not just financial but also affective, where experiences of constraint take on distinct logics that systemically shape understandings, interrelationalities, and futurities across the state and society.

Broader Contributions

This thesis examines experiences of austerity across the Jamaican state and justice system during the post-2008 conjuncture. It combines literature on development, debt, austerity, neoliberalism, crisis, and public finance with literature on anthropology of the state, service delivery, bureaucratic field, and everydayness to explore the multiscalar morphology of

austerity, from technical macro policy permeating the state and its bureaucracies, to affective-material experiences or constraint.

This thesis makes important contributions across various disciplines. First, it contributes to a still growing discipline by expanding the bounds of literature on actually existing austerity to incorporate work on everyday austerities and austerity moods and affects. Beyond this, its expansive multiscalar approach allows for affective-material experiences of austerity to be traced to structure antecedence of austerity governance within policy spheres of the state. In this way, it neither takes for granted that austerity is a macroeconomic (or macropolitical) matter, nor eschews this problematic in order to focus solely on adverse welfare outcomes. And relatedly, it sits with but does not settle for empirical explanations of outcomes of austerity as a product of 'nefarious neoliberalism'. Instead, it shows how the multiscalar components of actually existing austerity reveal something greater than their individual parts: how shared logics of retrenchment and individualisation foster pessimistic moods and state-society relationalities defined by intertemporal experiences of constraint and indebtedness.

It also makes an important contribution to the lacuna of scholarship on the administration of justice within Global South contexts. This thesis departs from related but distinct academic focus on 'adjudicating legal challenges to austerity' (Tsakyrakis, 2017; Baraggia, Albert, & Roznai, 2020) or 'access to justice under austerity' (Hynes, 2013; Yates, 2016; Truxal, 2020). Instead, the thesis contributes to growing scholarship on 'administering justice under austerity' in the Global North (McGovern & Greenberg, 2014; Newman & Dehaghani, 2022; Robins & Newman; 2023) and Global South (Owusu-Dapaa & Bediako, 2015; Gidi & Zaneti, 2021). Its novel approach to studying the relationship between austerity on the justice system itself and on the matters that alight on it permits vivid documentation

and robust analysis of the dynamics of austerity governance, individual and institutional coping within justice bureaucracies, and impacts of judicial proceedings on affective-material experiences in everyday lives and livelihoods.

The thesis also contributes to scholarship on the anthropology of the state scholarship by demonstrating its utility in providing an analytical framing tool that does not take 'the state' as a given, but disaggregates it in order to reveal a dynamic and diverse array of institutional and individual relationalities within it. It also permits the state to be used not just as an object of study but a vessel too, in the way that project both studies the constraints within the justice system and the constraints that alight upon the justice system. It also positions state officials as not only a vessel for key informant data, but themselves an epistemological source on affective-material experiences of constraint.

Not least, the thesis contributes to scholarship on the affective lives of crisis (Hall, 2019), and on crisis ordinariness. As experiences of state retrenchment in the post-2008 conjuncture have lingered within the Global North, the emergence of rigorous scholarship that is theoretically concerned with normalised experiences of crisis and restraint has also grown (Berlant, 2011; Anderson et al., 2020). They offer useful theoretical tools for understanding Global South contexts in which many of these experiences have lingered across far more extended temporalities and with greater embeddedness (Thomas, 2016; Scott-Lewis, 2020).

Having provided an overview of the research motivation, approach, main argument, and broader contributions to scholarship, the remainder of this chapter proceeds as follows. First, it responds to the main research questions of each empirical chapter in order to tell a more fulsome story about the case study itself. Then, it contends with the overarching

research question—which leads to a discussion on constraint as an appropriate conceptual frame for the intertemporal and multiscalar material and affective experiences under austerity. It then proposes systemic indebtedness as an enveloping frame for the endured present and pessimistic futures imagined across institutions and individuals experiencing constraint and crisis. Finally, this chapter offers brief remarks on possibilities for the future of the Jamaican justice system.

Empirical Findings

How does austerity governance impact dynamics of resource allocation across the Jamaican executive state and justice system? During an interview, one senior official offered a provocation: that the subtleties of government and governing and governance offer a more comprehensive—and inherently geographical—understanding of the who, how, and why of economic matters and state functioning. In the iterative process of a grounded theory analysis, it became clear that disentangling various institutions within and proximate to the state—in other words, to pluralise rather than totalise—was a necessary prerequisite to map the related but distinct interests engaged in dynamic processes of contestation, coalition, negotiation around resource allocation.

Throughout my research, officials used the term ‘government’ variously: first, the state as a manifestation of legitimate representative power; second, the executive or fiscal centre of power to which they felt distant or subordinate; third, the collection of the executive, legislature, and judiciary as branches of government. At different points, government officials implied that they might govern or be governed—often by other government institutions, or international or local non-state institutions. More simply, they

might be distinguished as: govern*ment* (who does), govern*ing* (what they do), govern*ance* (how and why they do). I argue that different arms of the state have related but distinct objectives, positionalities and degrees of autonomy and power, which in turn involves coalition, contestation, and negotiation in the arena of fiscal governance. In mapping out an institutional geography of austerity governance vis-a-vis the Jamaican justice system, I position the Ministry of Finance as the central actor within the fiscal allocation environment, and discuss its relationship with multilateral actors (managing upwards), non-state Jamaican stakeholders (managing laterally), and the executive Cabinet and semi-autonomous government (*de facto* managing downwards). Then, I turn the focus a level down, exploring the allocative dynamics between the Ministry of Finance and the justice system—with specific distinction between the judiciary and the Ministry of Justice—in order to surface the contestations, fractures, and tenuous coalitions in negotiating a tense environment of disciplinary austerity.

As the primary actor within the context of austerity governance, the Ministry of Finance adopted a debt-first approach to fiscal governance. Outside the state, it managed upwards through acquiescence to multilateral loan agreements negotiated under crisis circumstances and low leverage, and managed laterally by developing a cross-sectoral consensus through the Economic Programme Oversight Committee (EPOC) that was underpinned by burden sharing and shared stewardship. Within the state, the Ministry of Finance sought to reverse the prevailing tendency towards devolution and decentralisation by reclaiming fiscal authority from other areas of the state and directing allocation according to programme priorities. It also used shared political ties across the executive cabinet and whip-like pressure to ensure compliance with fiscal consolidation objectives.

The extent to which government bodies experienced fiscal constraint austerity was mediated by their proximity to Executive fiscal priorities under structural adjustment, and the extent of their fiscal autonomy. The judiciary, for its part, has *de jure* independence from the central executive but has been *de facto* under executive control for the purpose of administration and fiscal allocation. In terms of fiscal allocations, the judiciary is deprioritised relative to other essential services such as health or education, and experienced significant (but not continual) fiscal containment in recurrent and investment expenditure over the decade of austerity that have stunted efforts for judicial transformation.

The Ministry of Justice, while sympathetic to the calls from the judiciary for additional resources for a 'justice system in crisis', contends that in the context of a competitive landscape for scarce resources within and across various arms of the state, allocations have been reasonable. This reflects its own intermediary positionality as both the *de facto* administrative representative for the judiciary, but also a member of the broader political coalition of the executive cabinet. In response, the judiciary has sought relative autonomy through greater operational and fiscal autonomy and alternative funding through international donor agencies. This creates a phenomenon increasingly prevalent in the relationality for Global South states within the global political economy: multilateral debt financing from above, bilateral development financing on the ground, and forms of conditionality on the governance agenda within the state accompanying both.

In a competitive institutional landscape for access to scarce resources, justice bureaucracies were distant from the fiscal centre of the state but proximate to the 'justice system in crisis', while the fiscal centre was proximate to the sovereign debt crisis but distant from the delivery of justice. In this landscape, institutional interests are dialectically proximate to and distanced from related and distinct forms of crisis that shape their

institutional needs and forms of advocacy. Such is the conundrum of austerity governance, where collisions of crisis highlight varied positionalities and pressures within and beyond the state that shape who governs, and to what extent or effect.

At another scale, the thesis contends with the question: *How do government officials within the Jamaican justice system experience, understand and navigate austerity in their everyday lives and livelihoods?* It moves beyond institutional analyses of the state to focus on individual experiences of constraint among officials, paying attention to their dialectical positionality within and outside the state. To be sure, key components of disciplinary austerity, including significant tax increases, multi-year wage freezes, and limits on capital expenditure for capital projects had a direct impact on pre-employment education, career trajectories, aspirations, and remuneration. Additionally, their working conditions were marked by infrastructural, technological, and human resource constraints. These constraints undermined productivity, particularly among administrative staff, who experienced stuckness because of the job security in an otherwise precarious labour market, or high turnover as they sought more attractive employment.

While officials had visceral responses to their experiences of constraint on their everyday life and livelihoods, they less readily engaged ideas of austerity as macroeconomic and fiscal policy due to perceived distance between service delivery sites and fiscal policy sites. Quite simply, it begged the question: *Did austerity matter?* I argue that the answer is a complicated yes. Austerity was not understood as a centralising discourse around which the public officials' attitudes about and realities of resource deficiencies converge. Instead, austerity was discursively understood as a technical policy domain beyond the scope of downstream bureaucracies, who felt distant from impenetrable fiscal allocation arms of the

state. Officials more readily identified with material, everyday constraints in the personal and professional spheres. Consequently, their response to austerity-induced experiences of constraints centred on material forms of self-determination. Individual multigenerational experiences under austerity reveal indeterminate temporalities of material constraint which are internalised as a *de facto* reality across past, present, and future. Perceived as a 'permanent reality', experiences of constraint are not periodised around changes in fiscal policy. Instead, they navigated through everyday, and personalised rather than collective, forms of coping: getting the job, getting the job done, and getting on with life.

Having examined institutional responses to constraints, and the responses of individuals internal to the state, the thesis explored material encounters of constraint that appeared in everyday life and alighted on the justice system. It contended with the question: *How are debts and constraints understood and negotiated in encounters within the Jamaican justice system?* First, the research identified varied affective responses prevalent within encounters in the justice system, including frustration, vigilance, despondence, and deceit. In a context of institutional constraints, individual vigilance as a form of self-responsibilisation emerged as a prerequisite for securing satisfactory outcomes; however, it has limited efficacy due to the limits of individual action in a multi-institutional environment, and has unsustainable affective costs over time. Second, it traced the transformation of resource constraints into debts in everyday lives and livelihoods, which are managed and adjudicated by/within a state of/under austerity. I propose that the juxtaposition of debts of kin and debts to the state carry distinct moral logics, where debts are legitimised and prioritised according to the extent to which they constrain contemporary everyday life. This explains why, for example, child maintenance debts and consumption or income taxes engendered visceral

responses, but tax debts at the level of the small business were addressed with less urgency. Yet, across both forms of debt, recurrent patterns of partial payment and forbearance were deployed as intertemporal shifting techniques to negotiate protracted constraints on individual capacity for repayment.

Debt, Crisis, and Austerity in the post-2008 Conjuncture

Having discussed empirical findings related to the macro state, its bureaucracies, and its encounters with citizens, I want to discuss the attendant implications on how one understands the conceptual relationship between debt, crisis, and austerity vis-a-vis the Jamaican justice system in the post-2008 conjuncture. Given that the case study adopts a multiscalar approach that moves from global political economy to everyday life and livelihood, it offers an opportunity for deeper theoretical insights about the ways that debt, crisis, austerity, and constraint—all terms which are intrinsically linked to the post-2008 conjuncture—can be used to make sense of the paradoxes and contradictions that emerge from the observations on the ground. This section proceeds as follows. First, it discusses the temporal blurriness of debt crisis and austerity governance, which limits the utility of austerity as a conceptual frame for structural and material protracted experiences of lack and want. It then proposes constraint as an appropriate affective frame for making sense of the disjuncture between negative material experiences by austerity governance and the distance from austerity discourse in everyday life and livelihood. As a corollary, it proposes systemic indebtedness as the enveloping frame in which multiscalar experiences of constraint are understood across state-citizen relationalities, which propagates a continued search for elusive justice within an endured present and pessimistic future.

To be direct, this research is concerned with the post-2008 conjuncture defined by the Great Recession, yet exploring contemporary experiences a decade or more after the defining event. Yet, even in positioning the Great Recession as a cataclysmic event with significant political, economic, and social consequences, the limits of the periodised view of austerity are apparent. Because of state retrenchment and leanness embedded in prevailing neoliberal logics, the post-2008 conjuncture is related to and often has blurred distinctions from its late-twentieth century Washington Consensus antecedence.[39] That is to say, 'austerity governance' post-Great Recession is not necessarily a radically new mode of governance. Austerity governance as a mode of fiscal allocation often predates and succeeds IMF structural adjustment programmes, which usually emerge in a context of heightened financial and fiscal concerns.

Furthermore, it is not automatic that all negative experiences during the post-2008 conjuncture are wholly and solely caused by austerity—to be clear, the absence of austerity is not a certain utopia. Austerity has rightly been criticised for its precipitation of significant social debts, unevenness in bearing the burden of constraint, and its privileging of institutional financial stability at the expense of decent lives and livelihoods. However, it is important to problematise simplistic notions that austerity is decidedly and totally deleterious, without considering its emancipatory potential from extractive global debt cycles, or its potential to create apertures for technical, technological improvements, or its righteous reexamination of accountability, corruption, special interest capture, and inefficiency within public expenditure.[40]

[39] Scott Lewis (2020) points out that policy convergence toward Washington Consensus neoliberal economic policy in successive Jamaican administrations since the 1990s.

[40] In the Jamaican context, there are indications of greater macroeconomic stability, which is a reminder that—although not the main purpose of the thesis—austerity was not an unequivocal failure deemed to wreak havoc on the trajectory of the country, as in often the narrative emerging from the 1970s.

Fundamentally, experiences are more than events: they are intertemporal, both material and affective, and constituted by a range of structural and personal factors. On both a theoretical and empirical level, constraint relates to post-2008 austere fiscal policy as well as realities of being a relatively poor (but nonetheless middle income globally) country, and inefficiencies in government bureaucracy. In order to better understand experiences under actually existing austerity, I argue that it is important to understand everyday experiences therein in terms of *constraint*: the deficit between what is optimal, necessary, or desired versus what is available. That fundamental deficit is operable at multiple scales of state and society: from the government that has insufficient revenue to pay its debts to the parent that has insufficient income to feed their child. Constraint is constitutive of lack and want, and manifests as a live phenomenon across micro and macro events within everyday life and livelihood. It engenders affective responses precisely because it is active and materially identifiable. As a result, constraint emerges as the most salient aspect of actually existing austerity in self-reported individual experiences of everyday life and livelihood under austerity.

Experiences of material constraint are multiscalar: they pertain to overall national and sectoral budgeting processes but also to the daily lives of officials and citizens within the justice system. These experiences are also intertemporal: that is to say, they are not merely temporary readjustments; they are constitutive of a simultaneity of present and past experiences, conjoined within longer genealogies of protracted constraint and crisis. In this way, protracted experiences of constraint are aligned with Thomas' (2016) work on violence in the Caribbean—where the apparently exceptional is actually continual; in other words, that the past and present become simultaneous because the contemporary experience is fully constitutive of its prior history.

To the extent that austerity discourse is as political as it is techno-economic, the affective dimensions of austerity must be understood in order to fully grasp its discursive possibilities and limitations. If one considers austerity as a period of intensified public resource tightening, then one must also acknowledge that its efficacy as a framework will be limited in understanding lived experiences, given that the structures and temporalities that work on or within everyday lives are vast and extend beyond periodised policy.

To be sure, the empirical findings of this thesis are strongly informed by the scholarship on austerity as mood (Anderson *et al.*, 2020; Coleman, 2016; Hall, 2019)—and importantly, I recall Anderson *et al.* (2020) stating that "austerity happens atmospherically as both a "shock from the outside" and a "background sense of abandonment"" (p. 423). In referencing austerity as mood, they rightfully refer to an ontological expansion of austerity beyond just austerity as policy to austerity as a mode for living or (survival) whose temporal qualities are dually jolting and dragging. Yet, I argue that this conceptual framing of austerity mood is still situated in the post-2008 events which emerge more as shock within the Western (and mostly British) contexts in which they are situated than the permanent reality (Tulumello, 2018) of the Jamaican context in which a deeply embedded affective experiences of constraint has been observed. It is for this reason that for them, the conceptual limits of austerity or austerity do not appear as apparent for explaining why the affective experiences of constraint seem to 'extend prior' to the post-2008 conjuncture.

Moving from the position that constraint is a more apt conceptual frame for the affective components of actually existing austerity within the Jamaican context, I now want to explore the logics that emerge around how and why the constraint exists, where culpability lies, and how it comes to constitute a debt. *I don't have what I want or need—and implicitly,*

others within the state and society do not provide what they should in order to live a good life or fulfill potential, desires, or mandates. In considering external culpability or responsibility for material constraint, the constraint is transformed into a debt—where debt is reframed as 'the failure to provide that which one should', or as Scott Lewis (2020) describes as a prevailing condition of disenfranchised peoples in the Jamaican post-2008 conjuncture, "the teasing of that life just beyond reach" (p. 34). In the process, there becomes a "fundamental relationship between austerity, debt, and mood, through a focus on temporality and the future" (Coleman, 2016, p. 83). I argue that this is constitutive of indebtedness: understood as "denied yearnings and unmet needs" (Brickell *et al.*, 2023, p. 602); and systemic: understood as "the lived variability of debt and credit – fluctuating within and across familial, local, national and international contexts" (Deville & Seigworth, 2015, p. 621).

I propose systemic indebtedness as an enveloping frame for normalised, protracted, and multiscalar experiences of constraint within the justice system. To be clear, I focus on the systemic quality of indebtedness precisely because I am not centrally concerned with the assignment of direct or quantifiable causality or culpability. In fact, I note quite seriously that even in spite of the significant resource constraints noted at various levels of the justice system (as has been discussed at length) for which officials blame the fiscal centre of the Jamaican state, officials also recognise shortcomings from other state bureaucracies[41] and, importantly, their own: that "we could do more with what we have" (); that "some staff will actually decline more resources because it might be that more resources means more work" (); that some staff are guilty of "unprofessional conduct" (). I am interested in the 'systemic' quality because I am interested in something deeper: the sense of systemic indebtedness

[41] For example, depending on the nature of the case, the Family Court might require a range of reports from other state agencies, including forensics report, police report, ballistics report, witness statements, witness protection approvals, records from the Ministry of Education, social worker evaluations, and psychological evaluations.

across state and society that as a frame through which constraint sutures present experiences under austerity to the past, and paints pessimistic renderings of the future.

Indeed, this thesis is centrally concerned with a debt problem: the potential insolvency for the Jamaican state that required austerity governance as a mode of securing necessary funds from local and international credit markets, and multilateral loans and partnerships. But as Ramprasad (2019) puts it, "indebtedness connects across space, time and scale" (p. 1289). Accordingly, the thesis is also concerned with the prevalence of discrete debts in everyday life and livelihoods that surface within the Jamaican justice system. These modes of indebtedness are legitimised and enforced by institutions with vested state power—for example, state judiciary or quasi/super-state power such as the IMF. Yet, I argue that indebtedness is not merely about named and discrete assignment of financial debts, but a pervasive affect of lack and constraint *as a result of* perceived neglect.

Across the multiple scales at which this research operates, indebtedness emerges at each level: Do sovereign credit markets enable sufficient fiscal provision for state services? Does the executive state provide sufficient fiscal allocation to the justice system? Does the executive state provide sufficient resources for justice officials to fulfill their mandates or lead desired everyday lives? Do parents provide sufficient resources for their dependant children? Do businesses provide sufficient tax resources to support public services? In this way, the experiences of constraint are situated within a longer history and multi-sited geography of indebtedness—which become material and legible as sovereign debt bonds, rejected fiscal budget requests, under-remuneration, outstanding child maintenance, and uncollected taxes.

Related to these points of reflection, I return to interview data from a few judges on the frequency with which street-level government officials such as police and teachers were

brought to court for child maintenance (which I did observe occasionally during fieldwork observation sessions). On the one hand, because of the dialectical relationship of the street-level officials as both inside and outside the state, they represent a particular node of analysis for how state-citizen forms of indebtedness might interplay. Here, the police officer who might be called upon to intervene in a matter involving non-compliance with the terms of custody arrangement—for example, a parent who does not honour visitation rights—or child abuse case might find himself before the court as a parent facing a claim for noncompliance. The focus here is the (in)capacity of street level officials, themselves as citizens existing within the broader enveloping frame of indebtedness, to comply with orders from the court vis-a-vis the provision of a full life for their dependant children. Here, the nature of their livelihoods as public officials interact with their personal lives interact within the broader economic environment of austerity to shape their incapacity to fulfill duties of care for dependant children. They are squeezed by austerity from both ends.

What, then, are the consequences for how these public officials perceive the state? The perceived dissociation from the fiscal centre leads public officials to routinely say that "the government doesn't pay us properly" or "the government doesn't care about what we need." Such encounters between the state and its own representatives deepen disengagement with their work and its outcomes—not least of which we might call 'justice'. Moreover, what are the consequences for the way citizens see the state? As the state officials and citizens encounter each other in the courtroom, each waiting for their turn at a summary hearing of their matter, they observe the state itself struggling to make its own ends meet. The entrepreneur and police officer meet each other in the courtroom and share similar realities within it: that their commitments are a debt that they cannot pay.

In this context, systemic retrenchment via individualisation becomes a strategic and affective response to systemic indebtedness. State retrenchment has come in the context of intense pressure in the global political economy for financial stability, which manifested fiscal decision where surplus to pay towards sovereign debt was amounting to over 80 per cent of the annual budget, which was at the expense of social and capital investments. And the substitution of projectivised development aid, as in the justice system where fiscal burden shifting from the central budget to aid project funding, does not address constraints at the core of the system. The retreat in the level of public service provision has accompanied a simultaneous retreat by government officials, who shift from collective to individual modes of understanding and navigating their professional and everyday experiences of chronic resource constraint. Likewise, citizens in the courtroom are not dissimilar from government officials in the justice system: they navigate experiences of constraint through either individualised responsibility for ensuring satisfactory outcomes, or resigned pessimistic responses to judicial processes, or by adopting self-serving—if not always lawful—strategies to avoid compliance with state-legitimised debts, or limited participation collectivist community and judicial projects. They, too, are 'getting on with life': "Many people will decide to take matters into their own hands or just live their own life, because when they think about solving a matter through public institutions, they simply say 'Nothing nah come outta dat'[42] (). Fundamentally, 'getting on with life' is the corollary mode of coping under crisis ordinariness (Berlant, 2011), or as Scott-Lewis (2020) puts it—the quality of sufferation, which

> rationalises current experiences as an archaeology of past moments of crisis and hardship. … [It also] produces scalar repercussions that present a protracted state of crisis that is not just a crisis of the state,

[42] Translation: Nothing will come of that.

> which it is, but also a multiplication of everyday crises experienced with such regularity that their discreteness becomes indiscernible from the normative functioning of society (p. 54).

Indeed, the continual exposure to constraint and crisis as an ordinary part of everyday life across the South is the basis for a range of affective phenomena, including resilience and resignation.

Curiously, within this enveloping frame of systemic indebtedness, there is no systemic default *per se*: the system does tick over, crisis is continually endured. At all levels—from the nation to the government body to the citizen, constraint is a defining characteristic in the dispensation of public services, propagating continual partial arrangements and renegotiation in a continuing cycle of debt. Yet, paradoxically, even as the system continues to chug along, it still seems as though it fails. Systemic indebtedness is experienced not just as austere fiscal policy, institutional deficiencies, or everyday constraints, but as an inability to deliver meaningful justice: characterised by judgments, interventions and policies on paper that are not delivered in practice, investigative or trial delays but hasty case disposition, and cynicism that becomes the anticipated basis on which parties engage within the justice system. These realities led one informant to reflect that

> I don't think anyone wishes failure…, but given the high rates of crime and the widespread disorder that exist in Jamaica and the limited resources to deal with them, failure is virtually assured. ()

I am interested in this quote not in its extreme sense—for example, whether failure would mean the collapse of the Jamaican state or justice system—but in its affective quality in relation to the future. It reflects a pessimistic futurity (Coleman, 2016), but one in which the failure is not a failure to foresee better, but to *attain* it (which, for Berlant (2011), is the cruelty of optimism). The failure relates to broader targets for success which are set but not attained. It returns to one of the central quotes for thesis' reflection:

> First world justice requires first world resources. First world justice cannot be delivered with third world resources. The Executive starves the justice system of resources, and yet has extremely high expectations for our system. I don't know how we cope, but we are coping. Barely. ()

At least at the level of directors or management within the justice system, targets and mandates for improved outcomes exist—but are perceived as unattainable because of the failure to provide resources and enabling conditions for legal justice. Moreover, it reflects the enveloping frame of systemic indebtedness, where officials perceive that their constraints and inability to achieve success—which is in many instances a reflection of their affective attachment to values and ideals in their work—is due to a debt owed by the executive state. It reflects the ambivalence in the pessimism of constraint: the potential for and unattainability of a better future, and the acute and chronic experience of constraint in the present.

An important consequence of this systemic indebtedness and the pessimism about the future is the individualised responses observed across various sites of study. The justice system saw itself as a 'deprioritised other' relative to other areas of the state; government officials saw themselves as detached from broader mandates, and policy and political discussions; and citizens found themselves narrowing their scope of focus to the individual life through heightened vigilance, resignation (especially where vigilance has been exhausted), and aversion to (or evasion of) collectivist projects. These, I would argue, are linked to findings from important work on contemporary life at the margins in Jamaica during the contemporary conjuncture. For example, Scott-Lewis (2020) discusses how scammers view their activity as a form of individual seizure as a response, I would argue, to the sense of indebtedness—the expectation of nonpayment due to a lifetime's experience of constraints becomes a justification for individual seizure in pursuit of the imagined and unattainable life. In fact, it is for this very reason that Scott-Lewis takes seriously this seizure as a form of

reparations, owing to the focus of an unpaid debt that ties British colonial exploitation to neocolonial exploitation from North America. While my examination here is focused to a greater degree on the relationalities of indebtedness that emerge within a Jamaican state-society spatiality, Scott-Lewis makes a separate but related spatiotemporal claim about the urgency for repayment of debt across transcontinental spatialities of blackness and exploitation. It is still founded on an affective-material experience of indebtedness that envelopes pasts, presents, and futures.

Yet, as Weis (2005) noted[43], 'aggressive individualism' (p. 138) and social atomisation that obtains under the "struggle for scarce benefits" (p. 134) is a harbinger of social implosion—often not against political and economic structures, but within intimate everyday social structures such as families and communities. These, of course, are directly consequential on the legal justice system which becomes a site upon which broader challenges congeal and alight. In this way, neoliberal logics of retrenchment of the state are instructive of a retrenchment-cum-individualisation across the society. In the process, systemic relationalities of indebtedness emerge to shape pessimistic futures.

Closing Remarks

There has been optimism for the Jamaican economy, considered a success story due to strong IMF programme adherence and positive movement in macroeconomic indicators[44]. However, this case study analysis serves to chasten the victory lap, given the depth of the public investment necessary to deliver meaningful legal justice. However, the difference between the current situation and high-quality justice is not simply the presence of IMF structural

[43] With reference to Caribbean economic historian, George Beckford, and Jamaican political economist, Michael Whitter.
[44]See IMF Press release No. 24/256

adjustment or not. Relief in structural adjustment conditionalities has not itself created enough fiscal space to offer the magnitude of fiscal resource needs necessary for ensuring consistent delivery of meaningful justice.

Yet, the justice system continues to imagine and pursue new realities for rendering justice. The most recent institutional transformation project is the Canadian-funded Social Justice Project (So-JUST), which aims to improve social justice and systemic change across the Jamaican justice system. The Jamaican Judiciary set itself a target to be "the best in the Caribbean within three years, and one of the best globally, within six years" (Court Administration Division, 2019, p. 16). In 2007, similarly bold expectations were established through another bilaterally funded project, and tamed by the global economic crisis which ushered in a decade of austerity—and whose recommendations remain as instructive nearly two decades later (and for which reason I do not attend to extensive policy recommendations in this thesis). Furthermore, the convergence of crises in the intervening period—from the COVID-19 pandemic to, at the time of submission, potential exposure to heavy tradewinds from global tariff wars—have deleterious potential for the Jamaican economy. Still, one hopes that the visions of transformation will be met with robust policy engagement from the central executive in order to reduce the distance and disconnect between economic policy experts and government officials within the justice system in order to safeguard existing transformational momentum and dispel cynicism.

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I am looking for justice! Di people dem a bawl: 'We nuh get none!'

The moral and psychic cries of elusive justice in Jamaica are constitutive of a debt: that people experience a lack of, and want for, justice in their material worlds, and more fundamentally, that they believe that they are owed it. On one level, it is a debt owed by the state: the state has purview for the adjudication of disputes and the allocation of resources. And yet, this is too simplistic, because the relations of indebtedness extend across a disaggregated state and society, and are not merely material but also moral. And if the indebtedness is systemic, so too is its payment. Might public officials both senior and junior view themselves as full participants in the state's governance and service delivery? Might taxes reflect inter-citizen contributions rather than unjust takings by the state from citizens? Might the state be a reflection of collective will and interests? Might citizens truly imagine themselves as part of a broader collective—or even better, community?

For the youth I encountered in the courtrooms who are now adults, having reached the age of majority since our encounter: *What might be possible for you?* That the legal justice system, and perhaps all state institutions, can compel us to contemplate dreams as legitimate and worthy of deliberate pursuit. That if the court is a container for problems, it can also be a tributary point for contextually appropriate interventions. That transformation is not just modern buildings and digital systems, but shifting the affective-material outcomes. That we are better for our engagement with public services and each other. That justice does not end with a sentence or a judgment, but with realised and transformed lives and livelihoods.

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