

The Wedding of Workfare and Prisonfare Revisited

Loïc Wacquant*

Interviewed by Volker Eick and Karen J. Winkler¹

Volker Eick (VE): *Your book Punishing the Poor: The Neoliberal Government of Social Insecurity is the second volume in a trilogy that unravels what you call “the tangled triangular connections between class restructuring, ethnoracial division and state crafting in the era of neoliberal ascendancy” (Wacquant, 2009a: 315). Can you situate it in this broader problematic linking urban marginality, welfare policy, and punishment?*

Loïc Wacquant (LW): Think of a triangle with the two-way relationship between class and race forming the base and the state providing the top. The first book, *Urban Outcasts: A Comparative Sociology of Advanced Marginality* (Wacquant, 2008), explores the base: it takes up the class/race nexus in the dualizing metropolis through a comparison of the sudden collapse of the black American ghetto with the slow disintegration of working-class territories in the Western European city after deindustrialization. I make three main arguments: I disprove the fashionable thesis of the transatlantic convergence of districts of dispossession on the model of the dark ghetto; I trace the making of the African-American “hyperghetto” and of the “anti-ghettos” of Europe in the post-Fordist age to shifts in public policy, arguing that both formations are economically underdetermined and politically overdetermined; and I diagnose the onset of a new regime of urban marginality fueled by the fragmentation of wage labor, the curtailment of the social state, and territorial stigmatization.

The next two books mine the two sides of that triangle. *Punishing the Poor* takes up the class/state nexus on both the social and penal fronts. It charts how public officials have responded to this emerging marginality through punitive containment. It also reveals that the new politics and policy of poverty coupling disciplinary workfare and the neutralizing prison, invented in America over the past three decades,

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partake of the crafting of the neoliberal state, properly reconceptualized. The third volume, *Deadly Symbiosis: Race and the Rise of the Penal State* (Wacquant, in press), dissects the race/state nexus: it shows how ethnoracial division intensifies class decomposition at the bottom, facilitates the shift to workfare, and escalates the rolling out of the penal state; and, conversely, how penalization refurbishes the meaning and workings of race. It sketches a historical and theoretical model of the meshing of the bare hyperghetto, in which lower-class blacks become trapped after the 1960s, with the overgrown prison in America; it moves across the Atlantic to cover the overincarceration of postcolonial immigrants in the European Union; and it concludes by plumbing the militarization of marginality in the Brazilian metropolis as revelator of the deep logic of penalization. A central argument is that the prison and race are tied together by permutations of dishonor.

A fourth book, *Prisons of Poverty*, which I first wrote a decade ago as an exercise in “civic sociology” (Wacquant, 2009b), tracks the international travels and travails of “zero tolerance” policing and other made-in-the-USA penal notions and nostrums (the “broken-windows” theory, youth curfews, mandatory minimum sentences, plea bargaining, etc.), as part of the worldwide spread of neoliberalism. I demonstrate how the “Washington consensus” on economic deregulation and welfare retrenchment was extended to punitive crime control through the agency of think tanks, politicians seduced by the new religion of the market, a new globe-trotting breed of “consultants” in “urban security,” and local academics eager to smuggle U.S. techniques of penalization into their countries by dressing them up in scholarly garb.

Karen J. Winkler (KJW): *You write in Punishing the Poor that public agitation over law and order has ramped up over the past quarter century in the United States and is now spreading to Europe. Why did it come up first in America?*

LW: In the three decades after the peaking of the Civil Rights Movement, the United States went from being a leader in progressive justice poised to show humanity the way to “a nation without prisons”—to recall the title of a book by U.S. penal experts published in 1975 (Dodge, 1975)—through the development of alternatives to confinement, to apostle of “zero tolerance” policing, architect of “Three Strikes and You’re Out,” and world champion in incarceration with 2.3 million behind bars and over seven million under justice supervision. Why? The conventional answer is that this stupendous expansion of punishment was driven by the rise in crime. *Mais voilà*, victimization first stagnated and then decreased during this entire period. Consider this simple statistic: the United States held 21 prisoners for every 10,000 “index crimes” in 1975; 30 years later, it locked up 125 prisoners for every 10,000 crimes. This means that the country has become six times more punitive, holding crime constant.

To explain this unforeseen and unprecedented upsurge, we need to *break out of the crime-and-punishment box* and pay attention to the extra-penological functions of

penal institutions. Then we discover that, in the wake of the race riots of the 1960s, the police, courts, and prison have been deployed to contain the urban dislocations wrought by economic deregulation and the implosion of the ghetto as ethnoracial container, and to impose the discipline of insecure employment at the bottom of the polarizing class structure. The punitive turn in penal policy responds not to *criminal* insecurity but to the *social* insecurity caused by the casualization of wage labor and the disruption of ethnoracial hierarchy—and not the “diffuse anxieties” generated by the coming of “the risk society” or the age of “late modernity” (Ericson and Haggerty, 1997; Garland, 2001).

The ascent of the penal state was especially swift and abrupt in the United States because advanced marginality is particularly prevalent, entrenched and concentrated in that country (Wacquant, 2008: 3–7, 89–91, 119–132). This, in turn, is due to the uniquely rigid ethnoracial cleavage that isolates African Americans in physical, social, and symbolic space, and to a host of related features of the national institutions: the generalized degradation of labor and the depth of social inequality, the bureaucratic splintering and rampant commodification of public goods, the unusually high levels of both class and ethnic segregation in the metropolis, the hold of a religiously inflected moral individualism, and the categorical and castigating character of state programs aimed at the poor, who are suspected by definition of being “undeserving” (Katz, 1989). All these factors, which fostered the organized atrophy of welfare in reaction to the racial crisis of the 1960s and the economic turmoil of the 1970s, also facilitated the runaway hypertrophy of punishment aimed at the same precarious and stigmatized population.

VE: *Has penalization been manifested differently in Western Europe? In Prisons of Poverty, you seem to propose that Europe lags behind the United States, whereas in Punishing the Poor you stress functional similarities and structural differences across the Atlantic.*

LW: Some analysts of the European penal scene, such as Nicola Lacey (2008), are impressed by the chasm between the Old and the New World and underscore that, with 750 inmates per 100,000 the United States is in a class by itself (with Russia and Rwanda right behind, it is rather inglorious company indeed). It is true that Western European countries sport comparatively modest rates of confinement, ranging from one-sixth to one-tenth that of the United States (in the 70s per 100,000 across Scandinavia to just over 150 per 100,000 for England, Scotland, and Spain). But this must not hide two crucial facts. First, *penalization takes many different forms and is not reducible to incarceration*. Second, *incarceration has shown steady and sturdy growth across Western Europe* since the early 1980s: it has increased by more than one-half in France, Italy, and Belgium; it has nearly doubled in England and Wales, Sweden, Portugal, and Greece; it has quadrupled in Spain and in the Netherlands, long held up as model of humane penalty for the other countries to follow (Downes, 1993).

In reality, a drift toward the penalization of urban marginality has swept through Western Europe with a lag of two decades, albeit on a smaller scale (commensurate with the makeup of the state and social space in these societies) and with three distinctive twists. First, the embrace of law and order by European governments has been more virulent at the level of rhetoric than policy delivery: the new penal laws typically “bark” louder than they “bite” because the texture of social and economic citizenship is more robust, human rights standards thwart excessive criminalization, and judicial professionals have been able to resist penal extension from within the state apparatus (Snacken, 2010). But hyping “insecurity” and promoting crime-fighting in and around districts of dereliction to the rank of government priority, ahead of fighting unemployment in these same “sink estates,” has definitely shifted government resources in favor of penal posturing and action.

Second, European societies endowed with a strong statist tradition are using the front end of the penal chain, the police, rather than the back end, the prison, to curb social disorders and despair in low-income districts. One example: in France, the inmate population has risen by one-third over the past decade, from 51,000 in 2000 to 67,000 in 2010, but during that same period the number of persons arrested and held overnight for a “*garde à vue*” in a police lockup (a procedure deemed in violation of European law and recently declared unconstitutional by the French courts) nearly tripled to approach the extravagant figure of one million. And the vast majority of these arrestees are residents of the neighborhoods of relegation where the insecure fractions of the emerging urban proletariat concentrate, both native and immigrant (Jobard, 2006).

Third, instead of a brutal swing from the social to the penal management of poverty as in the United States, continental countries have intensified both, expanding welfare protection and police intervention simultaneously in a contradictory thrust that has both stimulated and limited the extension of the punitive mesh. The recent evolution of Belgium offers an exemplary illustration of this joint stretching of the social safety net and of the penal dragnet. Van Campenhoudt et al. (2001) trace how the formation of this “social law-and-order compromise” has fostered the development of a large third sector of state-sponsored interventions aimed at “pacifying” derelict urban zones where poverty and postcolonial migrants cluster.

These three features define a “Western European road” to the penalization of poverty (which differentiates further into distinct national paths in accordance with each country’s state structure and conception of citizenship), which is not that of the United States. Joining the “Washington consensus” on proactive penalty definitely does *not* imply the slavish imitation or mechanical replication of American policies and patterns. But, from a longer macropolitical perspective, the dominant trend is similar: a punitive revamping of public policy that weds the “invisible hand” of the market to the “iron fist” of the penal state. As a result, the resurging prison has come to serve three missions that have little to do with crime control: to bend the fractions of the postindustrial working class to precarious wage work; to warehouse

their most disruptive or superfluous elements; and to patrol the boundaries of the deserving citizenry while reasserting the authority of the state in the restricted domain it now assigns itself. What is notable about these three functions is that they correspond closely to the role shouldered by the prison at its historical inception in the late sixteenth century, as shown by the Dutch historian Pieter Spierenburg (1991): to act as a “street sweeper” and disciplining device for the mounting wave of the urban poor as well as to project the fortitude of the ruler.

KJW: *How do you see the law-and-order campaign linked to other changes in welfare policy and to how we treat the poor?*

LW: It is essential not to isolate shifts in criminal justice from correlative changes on the various policy fronts that interface with the same dispossessed populations and districts. For the sudden growth and glorification of punishment partakes of a broader reengineering of the state, which also entails the replacement of the right to welfare by the obligation of workfare (that is, forced participation in subpar employment as a condition of public support). The downsizing of public aid and the upsizing of the prison are the two sides of the same coin of political restructuring at the foot of the social and urban order. Better yet, the same resentful and racialized vision of the poor has informed the punitive turn in both welfare and justice policy: after the revolts of the 1960s, public aid recipients and criminals were “painted black,” which activated racial animus, and came to be seen not as *deprived* but as *depraved*, social parasites in need of stern tutelage instead of support.

In 1971, Frances Fox Piven and Richard Cloward ([1971] 1993) published a classic of social science entitled *Regulating the Poor* in which they proposed that poor relief expands and contracts along with the cycles of the labor market. That model worked for the half-century opened by the New Deal. But, in the age of hypermobile capital and flexible work, this cyclical alternation has been replaced by the continual contraction of welfare, leading to its replacement by supervisory programs aimed at pushing recipients into low-wage labor slots (Peck, 2001), and the unleashing of a diligent and belligerent penal bureaucracy. The single oversight of the poor by the maternalist arm of the social state has been superseded by the *double regulation of poverty* through the paternalist action of restrictive “workfare” and expansive “prisonfare.”

I use Pierre Bourdieu’s (1998 [1994]: 35–63) concept of *bureaucratic field* (that is, the set of organizations that define and distribute public goods) to bring these developments in social policy and penal policy into a single analytic framework. This concept proposes that the very shape, perimeter, and priorities of the state are at once an outcome, a terrain, and a stake of struggles; and it invites us to reconnect the many “hands” of the state involved in the political production of inequality and marginality. It allows me to reveal that welfare revamped as workfare and the prison stripped of its rehabilitative pretension now form a single organizational mesh flung at the poor according to a gendered division of control: workfare handles the

women and the children, and prisonfare handles their men—that is, the husbands, brothers, and sons of these same women.

My contention here is that *welfare and criminal justice are two modalities of public policy toward the poor*, and so they must imperatively be analyzed—and reformed—together. Recall, first, that poor relief and the penal prison have a shared historical origin: both were invented in the “long sixteenth century” to corral vagrants detached from their social moorings by the passage from feudalism to capitalism and to teach them the ethics of wage work (Gieremek, 1991). Second, the social profile of public aid recipients and inmates (in terms of class, ethnicity, education, housing, family and medical history, exposure to violence, etc.) is nearly identical, save for the gender inversion, as both are recruited from the same marginalized sectors of the unskilled working class—indeed, they belong to the same households trapped in the selfsame urban neighborhoods that are the primary targets of the new policy of “double disciplining.”

Third, supervisory workfare and the neutralizing prison are guided by the same philosophy of moral behaviorism and employ the same techniques of control, including stigma, surveillance, punitive restrictions, and graduated sanctions to “correct” the conduct of their clients. Workfare is run like a labor probation program in which recipients must fulfill certain behavioral mandates to prove their will to work—even if there are no jobs or the available jobs do not allow them to support their families (Collins and Mayer, 2010). In some states, recipients of TANF (Temporary Assistance to Needy Families) stand in line together with parolees to undergo their monthly drug tests to maintain eligibility for support. In others, parolees who fall into homelessness because they cannot find a job are returned to prison for failure to maintain a stable residence.

VE: *Can you clarify what you mean by “prisonfare” and its alternatives?*

LW: As the bureaucratic arm of the nation, the state can seek to remedy undesirable conditions and behaviors in three ways. It can “socialize” them by tackling their roots in the collective organization of society. It can “medicalize” them by treating them as individual pathologies. Or it can “penalize” them by ramping up its law-enforcement agencies and directing them at problem populations. Think of the three ways of responding to homelessness: build low-income housing, offer mental health services, or throw street derelicts in jail. Over the past three decades, as the homeless have become a fixture in big cities across the advanced societies, we have witnessed everywhere a drift from the social to the penal treatment of that question, with low-grade medicalization and “authoritarian therapeutism” acting as a buffer or way station between the two (Bourgois and Schoenberg, 2009, Gowan, 2010).

I developed the concept of *prisonfare* by analogy with welfare, to designate the policy stream—encompassing categories, programs, and discourses—that confronts urban ills by rolling out the police, the courts, jails and prisons, and their extensions. These include probation and parole, which today supervise five

million individuals in the United States, in addition to the two million-plus under lock, but also the computerized diffusion of criminal data bases, which cover some 30 million, and the schemes for profiling and surveillance they undergird (such as “background checks” by employers and realtors, which have become prevalent and extend judicial sanctions far beyond prison walls and long after sentences have been served). Prisonfare also encompasses the tropes of justification and the whirling images of criminals diffused by scholars and politicians as well as by the cultural industries that trade on the fear of crime and feed a public culture of vituperation of felons (the urban crime segment on the nightly news, “reality shows” like “Cops” and “America’s Most Wanted,” and the round-the-clock ranting of Nancy Grace on CNN).

Note that, just as penalization is not limited to incarceration, it similarly extends beyond prisonfare proper to include the deployment of social, educational, medical, and other agencies of the welfare state, to the extent that they operate in a panoptic and punitive mode, with the goal of exerting disciplinary supervision over trouble categories and territories, rather than serving their needs. This is the case, for instance, when inner-city public schools are turned into fortresses that prioritize enforcing behavioral standards, fighting truancy and curbing youth delinquency, at the expense of their educational mission (Lyons and Drew, 2006).

KJW: *You note that scholars of criminal justice and welfare policy have not paid much attention to each other’s work. Why is that so and why does it matter?*

LW: This mutual ignorance reflects the fact that most scholars accept their object of study as it is preconstructed in reality and prescribed by the concerns of state officials. But it is also an effect of institutional inertia and intellectual lag. The late nineteenth century witnessed the disjunction of the social question from the penal question, with the rise of trade unions and social work, on the one side, and the development of criminal courts and the correctional prison, on the other. As these two problems came to be treated by separate institutions, they were also studied by different academic disciplines, represented at the two technical poles by social service administration and criminology. But, with the breakup of the Fordist-Keynesian compact anchored by stable factory work and protective welfare, the end of the twentieth century saw the renewed fusion and confusion of the social and the penal questions.

In short, the established definitions of “social welfare” and “criminal justice” are the products of a political and scholarly common sense that has been overtaken by historical reality. Nowadays, you cannot track penal policy without reckoning with social policy, and vice versa. You cannot understand trends in offending without factoring in the sea changes in welfare provision, public housing, foster care, and related state programs, including the oversight of irregular migration (Brion et al., 2000), which set the life options of the populations most susceptible to street crime (as both perpetrators and victims). One illustration: due to changes in welfare laws,

upon release, drug convicts are barred from living with their family if the latter rents an apartment in public housing or through “Section 8” vouchers—interestingly, the same restriction does not apply to upper-class drug criminals returning to mansions subsidized by federal tax deductions for mortgage interest payments. Conversely, you cannot chart the peregrinations of welfare recipients if you ignore the fact that they are embedded in households and neighborhoods involved by necessity in illicit activities and destabilized by the continual intrusion of the police and the prison (Black, 2009). How can inner-city residents achieve a modicum of social stability when half of the local young men are exiled behind bars and the other half cannot find jobs because of the prevalence of criminal background checks (Clear, 2007)?

In short, the penal state has become a major engine of stratification, a continuing fount of social instability, and a powerful cultural machine that decisively impacts the shape of the city and the fate of the poor. It truncates the options and twists the system of strategies of sustenance and mobility of the marginal fractions of the postindustrial working class like never before. No serious scholar of poverty and inequality can afford to overlook it. So I say, students of welfare and criminal justice, unite, you have nothing to lose but your conceptual chains!

KJW: *You argue that the meshing of workfare and prisonfare is part of the making of the neoliberal state. Can you define the neoliberal state?*

LW: Economists have propounded a conception of neoliberalism that equates it with the rule of the “free market” and the coming of “small government” and, by and large, other social scientists have adopted that conception (Steger and Roy, 2010). The problem is that it captures the ideology of neoliberalism, not its reality. The comparative sociology of actually existing neoliberalism reveals that it involves everywhere the building of a *Centaur-state*, liberal at the top and paternalistic at the bottom. The neoliberal Leviathan practices *laissez faire et laissez passer* toward corporations and the upper class, at the level of the causes of inequality. But it is fiercely interventionist and authoritarian when it comes to dealing with the destructive consequences of economic deregulation for those at the lower end of the class and status spectrum. This is because the imposition of market discipline is not a smooth, self-propelling process: it meets with recalcitrance and triggers resistance; it translates into diffusing social instability and turbulence among the lower class; and it practically undermines the authority of the state. So it requires institutional contraptions that will anchor and support it, among them an enlarged and energetic penal institution (Wacquant, 2010a).

Against the “thin” conception of economists, I propose a “thick” sociological characterization of neoliberalism that adds three components to market rule: supervisory workfare, an invasive police and prison apparatus, and the cultural trope of “personal responsibility” to glue them all together. *Punishing the Poor* shows that, like supervisory workfare, the hypertrophic and hyperactive penal state erected by America to contain the reverberations of social insecurity and to

project sovereignty is not a deviation from neoliberalism but one of its constituent ingredients. Moreover, the causal link between economic neoliberalization and penal expansion is obvious as soon as you go international (Cavadino and Dignan, 2006; Wacquant, 2009b): it is not by chance that England vaulted to the rank of incarceration leader in Western Europe under Tony Blair while Chile, the initial real-life “laboratory” of neoliberalism, claimed the title for South America.

KJW: *Are the policy changes that produced this Centaur-state deliberate?*

LW: That is a tricky question. All public policies result from a mix of leadership intention, bureaucratic groping, organizational slippage, practical trial-and-error, and electoral profiteering. So there is political intent operating at multiple levels, but the overall shape of the neoliberal state is not subject to rational design. Least of all in America, due to the extreme fragmentation of its bureaucratic field.

Now, I emphatically reject the conspiratorial view of history that assigns the punitive turn to a deliberate “plan” pursued by omniscient rulers, or derives it from the systemic necessities of some grand structure, whether it be capitalism, racism, or panopticism. Against the demonic myth of the “prison-industrial complex” (Davis, 2001), I demonstrate that the prison boom is not driven by the search for profit (private interests are a sideshow to punishment) and even less so by the exploitation of convict labor (how could that be with under 0.5% of inmates employed by firms?), but partakes instead of a political project of state-crafting. Against the tentacular vision of punishment inspired by Foucault ([1975] 1977), I show that the deployment of the penal state is not ramifying throughout the social body capillary-style, but is finely targeted on the stigmatized populations ensnared at the foot of the hierarchy of classes and places. Today, America’s urban subproletariat lives in a “punitive society,” but its middle and upper classes certainly do not—and that applies to the black bourgeoisie, which, remarkably, has *benefited* from penal expansion (Wacquant, 2010b).

One of the great virtues of Bourdieu’s concept of bureaucratic field here is that it forces us to drop the lazy notion that “the state” is a coherent entity that acts as such and instead to construe it as a splintered space of struggles over the selection, definition, and treatment of “social problems.” It is there to stress that the meshing of workfare and prisonfare is not the spawn of a malevolent design, but the result of the gradual and partial convergence of battles, waged toward as well as within the bureaucratic field, over three streams of government action relating to the low-wage labor market, public aid, and criminal justice. Each of these arenas of contest has its own protagonists and stakes, but after the mid-1970s they became interlinked by virtue of the fact that they concern the same despised clientele; that they are viewed through the same prism of moral behaviorism and racial stigma; and that the political institutions and civic culture of the country offer immense rewards for adopting similarly punitive attitudes towards welfare recipients and criminals, who are also prime recruits for degraded labor as well as living antonyms of the good

citizen. But, like neoliberalism, the voracious penal Moloch grown by America is not a preordained necessity. Other historical paths out of the turmoil of the 1960s were open, and remain open, but to locate them we must first elucidate the overall architecture of the institutional maze that contains them.

KJW: *Is that why you see the campaign for law and order as a symbolic exhibition comparable to pornography? What do you mean by that?*

LW: One of the challenges of *Punishing the Poor* is to overcome the ritual opposition between materialist approaches, descended from Karl Marx (and Friedrich Engels, who never gets his rightful due as a social analyst of marginality and the law), and symbolic approaches, inspired by Émile Durkheim. The former, exemplified by Rusche and Kirschheimer's (2003 [1939]) *Punishment and Social Structure*, see welfare and criminal justice as instruments for class control, while the latter, well represented by Kai Erikson's (1966) *Wayward Puritans*, construe them as vehicles for sending messages, communicating norms, and binding communities. In fact, the penal state is multilayered and complex enough an institution to operate in both registers simultaneously or sequentially, so we must put an end to the hereditary hostility between these two visions and combine them as needed. The *forte* of Bourdieu's theories ([1980] 1990) on this front is precisely that they compel us to weave material and symbolic factors into an integrated analysis.

It is essential to heed the symbolic dimensions of punishment at a time when penal policy is increasingly driven by expressive considerations running amok and biased toward the lurid display of punitive action. Here I draw on the work of Linda Williams (1999) on "the frenzy of the visible" in hardcore pornography to point out how policing and punishment have been recast into ritualized, repetitive, and predictable figures arranged into a titillating *spectacle*. Crime fighting has mutated everywhere into a grotesque theater of civic morality which elected officials use to stage their masculine fortitude and vituperate the "undeserving" poor so as to shore up the deficit of legitimacy they suffer when they abandon the protective mission of the state on the social and economic front. Politicians advocate measures—like youth curfews, automatic life sentences for recidivists, or chain gangs in striped uniforms—that are utterly worthless from the practical standpoint of crime reduction, so long as they are well suited to venting vengeful sentiments and to dramatizing the boundary between "us," the law-abiding working families, and "them," the loathsome underclass.

The feverish campaign to blacklist and banish sex offenders that I dissect in Chapter 7 of *Punishing the Poor* is a sort of test case in that regard. It is incomprehensible from the standpoint of rational crime control adopted by mainstream criminology or in a logic of class control emphasized by the political economy of punishment. The diffusion of statutes like "Megan's Law" (requiring the registration and public notification of the whereabouts of former sex offenders) just when the incidence of sexual crimes is dropping makes no sense in terms of

instrumental rationality: it wastes the scarce resource of criminal justice and it subjects ex-sex offenders to repeated humiliation, pushes them into clandestinity, and thus increases their likelihood of reoffending. But it makes good sense if you consider the emotional and cultural dimensions of such measures: treating sexual criminals like social trash to be incinerated displaces collective anxiety from jobs, the family and sexuality towards heinous lawbreakers, and it figuratively cements the moral unity of those who define themselves by contraposition to them. So there is a material underpinning to the symbolic game of sex-offender castigation; but this semiotic safari, in turn, has concrete material consequences for government action; and both are interlaced into the remaking of the state.

VE: *What do the rhetoric and policy of law and order hide? You say that it is not a matter of repression, but a question of “production.”*

LW: The pornographic theater of law and order partakes of what Kenneth Burke (1966) calls a “terministic screen”: a ritualized cultural performance that deflects attention from the new social question of the early twenty-first century, namely, the generalization of precarious labor and its manifold impacts on the life chances and life strategies of the postindustrial proletariat—what we might call the everyday predicament of the precariat in the polarizing city.

To say that we must forsake the idiom of “repression” to elucidate the contemporary permutations of penalty is not a rhetorical turn of phrase. The tale of repression is part of the discursive fog that enshrouds the makeover of the means, ends and justifications of government action. Building the penal state is not about suppressing something that is already there. It is about producing new realities: new social types like the ghetto “gang banger” and the roaming “pedophile”; new bodies of knowledge as with the legend of “broken-windows theory” and the consultants in urban security that peddle it around the world; new government programs, bureaucracies, and rhetorics targeted on certain zones of the city and their inhabitants; and ultimately a different kind of state. The leftist militants who decry the “punishment machine” on both sides of the Atlantic—denouncing the chimera of the “prison-industrial complex” in America and castigating a diabolical “*programme sécuritaire*” in France—fail to realize that crime-fighting is but a convenient pretext and propitious platform for a broader redrawing of the perimeter of responsibility of the state, which operates simultaneously on the economic, social welfare, and penal fronts.

VE: *The present financial crisis is placing enormous downward pressure on “prisonfare.” Many states have made drastic cuts in penal outlays. New Mexico and Connecticut have abolished the death penalty; Arizona is seeking to privatize its entire prison system; California is ramping up the export of convicts to for-profit establishments in other states. Do you see these developments as the prelude to a curtailment of the penal state or as part of the further commodification of “prisonfare”?*

LW: There have been 12 recessions and nearly as many financial contractions in the United States since 1945. But the budgetary crisis faced by the states, counties, and cities following the financial meltdown of fall 2008 is without precedent for its breadth and depth since the Great Depression. Collectively, 44 of the 50 members of the union are in the red to the tune of \$120 billion dollars. Populous states with overflowing prisons like California, Texas, New Jersey and Illinois face a shortfall exceeding 20% of their 2011 budgets. This is forcing a wholesale, if haphazard, revamping of public priorities and a mad scramble to reduce expenditures, including those on police, justice, and corrections. This opens a *window of opportunity* for rolling back the penal state, as attested by the fact that two dozen states reduced their prison appropriations last year, but it does not automatically hamstring it or guarantee its durable retreat.

First, as Marie Gottschalk (2010) aptly reminds us, previous episodes of financial crunch have not resulted in carceral reduction, on the contrary. Thus, to stem the Great Depression, Roosevelt's New Deal spurred an unprecedented expansion of law enforcement and of the Federal Bureau of Prisons as a form of political patronage and economic subvention. This was repeated in 2009 with President Obama's federal stimulus package, which pumped additional billions of dollars for policing and low-level drug sweeps on the pretext that these programs were "shovel ready." Second, while it is true that prison expenditures have been growing rapidly and constitute the fourth largest category of state spending, in the aggregate they account for only 3.5% of total outlays, far behind education (32%), Medicaid (21%), and transportation (8%). So they do not constitute a major potential source of savings at the national level. In many respects, it is more expedient to cut health services to the poor, eliminate bus lines (which also cater primarily to the urban poor), and even to layoff teachers than to close down prisons. For all the talk of going "smart on crime," reducing prison terms for nonviolent offenders and technical violators of parole, relying on "problem-solving" courts and extending community sanctions, only four states shrank their correctional budgets by more than five percent in 2010 (Vera Institute, 2010: 8). And the carceral stock has not diminished nationwide despite the continued decline in crime rates: the Pew Center report celebrating the "first state decline in 38 years" in the prison population in 2010 did not properly stress that the drop of 4,777 state convicts—an invisible drop of 0.3%—was more than offset by a jump of 6,838 in the federal prison count (Pew, 2010).

So far, I have been impressed by the resiliency of the penal state and its extraordinary ability to withstand severe economic shock, more so than by the limited cutbacks caused by budget pressure and punctual releases triggered by court orders (such as presently visited on California), which, in any case, are a far cry from an organized and sustained policy of decarceration. In fact, as I show in Chapter 5 of *Punishing the Poor*, efforts to curtail the carceral bill have been coextensive with the drive to hyperincarceration, and they are likely to intensify, even as they have proven highly ineffective. There are five techniques a government can use to

try and curb its outlays on jails and prisons, and all five turn out to provide very limited relief (see also Wacquant, 2002). The first is to reduce the level of services and living standards inside custodial facilities by cutting back on educational, vocational and rehabilitation programs, as well as by curtailing drug treatment, food, and assorted “privileges,” such as sports, visitation, and access to legal aid. But rehabilitation typically comes to about five percent of annual correctional expenses; school activities were already eviscerated in the 1990s; and some programs (such as law libraries) are mandated by the courts. So there is little budgetary “fat” to trim on that front (Petersilia, 2008). The second technique is to deploy technological innovation, particularly computerized systems, electronics, and video geared to identification, communication and surveillance, so as to confine more convicts with fewer guards—the latest buzz in that category concerns telemedicine and “energy efficiency.” But this option is also sharply limited because technological investments are costly; the social and ecological structures of prison are rigid; and organizational and labor routines in custodial institutions are highly resistant to external change.

The third technique consists in shifting part of the cost of penalization onto inmates and their kin. Starting in the mid-1990s, some 30 states and dozens of large urban counties moved to charge convicts fees for court proceedings and intake processing, room and board, uniform rental, laundry and electricity; they have also instituted copays for access to clinics and medication, and overbilled for telephone calls to outsiders. But all these efforts combined have generated paltry sums for the simple reason that inmates and their families are desperately poor (two-thirds of jail detainees come from households living under *half of the poverty line*) and efforts to collect the “carceral debt” of felons after release have proven to cost more than the monies to be recovered.

VE: *What is the role of privatization in this regard?*

LW: I am just coming to it. The fourth technique to check carceral spending is to reintroduce deskilled labor behind bars and the fifth is to privatize facilities. These are linked in that both call on the market to rescue the penal state (Wacquant, 2009a: 168–184). Here we enter an imaginary zone where the penal dream of the Right meets and feeds the penal nightmare of the Left: the former wishes to turn prisons over to commercial firms and to put convicts to work to earn their keep; the latter believes that this has already happened or is about to happen on a large scale. Both are trading in fantasy, not facing reality. In reality, employment under lock is a marginal phenomenon that cannot grow much. The federal Private Industry Enhancement (PIE) program designed to foster paid jobs inside prisons has been run at a loss for two decades and provides only “make-do” work subsidized by the state. Convict hiring by private contractors has never concerned but a minuscule minority of inmates (under one-half of one percent of the carceral count at its peak around 2000), and it will never be reinstated as mass policy due to a host of

inflexible practical, economic, political and legal constraints. For one, it suffices for the unemployment rate to go up to make the subsidized “theft of jobs” by felons intolerable to voters.

Similarly, the fortunes of prison privatization have waxed and waned without its role ever being more than ancillary. We are presently in an expansionary phase where going private is ballyhooed as the solution to staunch carceral costs. Three dozen states have turned to commercial operators and some, like Florida, Ohio and Arizona, are hastily planning to shift large volumes of convicts to private custody. But this will not go very far for two reasons. First, prison corporations do not want to handle masses of convicts because the only way they can stay profitable is by “cherry picking” their customers: they focus on low- to medium-security facilities; they reject felons with long disciplinary records; most importantly, they turn away older prisoners and convicts suffering from serious physical or mental ailments (in Arizona, they ship them back to public penitentiaries as soon as they exceed their contractually set “medical score”). They also avoid women, due to the higher cost of gynecology and reproductive health care.

The second reason why the prospects for privatizing the penal apparatus are limited is that, when all expenses are tallied up, including the tax breaks, depreciation benefits, and infrastructural subsidies they receive, for-profit incarcerators turn out to be marginally *more expensive* than the public sector. This has been demonstrated time and again, most recently in Arizona where a rigorous three-year study by Maximus (2009) commissioned by the governor to document public savings revealed that prison privatization actually cost the state nearly a half-million dollars annually. Factor in the fact that many states stipulate by law that contracting out imprisonment must guarantee savings (for instance, Florida mandates a savings of seven percent), the scandals that periodically erupt over escapees and abusive violations in the operation of private facilities, and a new raft of lawsuits to come on the medical front, and you can discern at once that there is a fairly rigid cap on the growth and size of commercial incarceration. Since 1996, the number of private prison beds has fluctuated without ever coming close to 10% of the carceral population (when its advocates were predicting that it would exceed one-third of the “market” inside a decade) and everything indicates that it will continue to hover below that low bar, as a limited adjunct to the penal state.

So, in response to your question, I do not expect “prisonfare” to be further commodified, to the point where firms would alter its basic architecture and functioning, because *the prison is at bottom a political institution, not an economic one*. Contrary to the mantric denunciations of the “prison-industrial complex,” incarceration is and remains the most public of all canonical government functions, the one signal exception to America’s “mixed economy” of government services (Wacquant, 2010c). Education, health care, housing, and welfare are all largely administered through a complement of interwoven public and private agencies.

Not so incarceration, because punishment is a core political capacity that no state can abdicate lest it undermines its ability to project—if not exercise—sovereignty on the domestic front.

KJW: *What will Deadly Symbiosis (Wacquant, in press), the third book in the trilogy, be about?*

LW: *Deadly Symbiosis* tracks the two-way relationship between racial division and the rise of the penal state in America to explain an apparent paradox: that prisons “blackened” rapidly after 1973 even as cohorts of violent criminals “whitened.” I say apparent because, as we saw earlier, from its historical inception, the prison has never been a tool to fight crime: it is an instrument to manage deprived and dishonored populations, which is quite a different task. And so, after the acme of the Civil Rights Movement, lower-class blacks in the crumbling ghetto became its privileged clients as they were made economically redundant by deindustrialization, politically expendable by the great White Migration to the suburbs, and afflicted by the triple stigma of race, poverty, and immorality.

I demonstrate this by tracing the arc of racial domination in the United States from the colonial era to the present through the succession of the four “peculiar institutions” that have defined and confined African Americans: chattel slavery until 1865, the Jim Crow regime of racial terrorism in the agrarian South, the ghetto in the metropolis of the industrial North, and the novel device formed by the symbiotic joining of the bare hyperghetto and the neutralizing prison after the 1970s (see Wacquant, 2001, for a preview). I stress that the rise of the prison is a political response to the crumbling of the ghetto as a spatial device for ethnoracial closure and control—and not to the demise of some vaguely articulated and all-encompassing “Jim Crow” (which, in any case, never existed outside the South).

On the “input” side, I find that rigid racial separation accelerates and intensifies the turn to punitive policies by aiming them at a tainted and isolated population with which the rest of the citizenry does not identify. On the “output” side, I argue that the penalization of poverty fastened on the collapsing inner city has not only fractured the African-American community along class lines. It has also remade race by associating blackness with devious criminality (the “Willie Horton” syndrome) and by fostering the exclusion of convicts from education, social redistribution, and political participation, in effect perpetuating their marginality and thence justifying continued penal escalation. The prison turns out to be a *race-making institution* of the first order, but one that diverges from its predecessors in that it operates along a sharp class gradient that splinters and isolates of the black subproletariat like no other category in American society (Wacquant, 2005).

The thorny political question that arises now is: Will the “first black president” break this noxious nexus and help decouple blackness from dangerousness, not just on the political stage with his presence and performance, but in public policy? The obstacles to penal reform are daunting and, as W.E.B. Du Bois pointed out

long ago (Zuckerman, 2004), an African-American statesman is in a structurally weak position to carry out such reform, for his actions always risk inadvertently validating the symbolic connection between blackness and criminality. But, at least, the reassertion of the economic role of government in reaction to the financial meltdown of 2008 lessens the pressure on politicians to further stiffen punishment. And, no matter the impediments, it is urgent to roll back the penal state, not only to stem the devastation it wrings onto the black lower class, but also because it debases the ideal of justice for all citizens.

VE: *In a related article in an issue of Daedalus on “The Challenges of Mass Incarceration,” you go against the grain of that issue to question the very notion of “mass incarceration” (Wacquant, 2010b). Why this conceptual move and what practical difference does it make how we label the phenomenon?*

The move is both a self-critique and an analytic advance, since I employed the notion in earlier publications. You will note that it does not appear once in *Punishing the Poor*, and for good reason. After being used briefly to refer to the internment of Japanese Americans during World War II, the expression “mass incarceration” resurged in the national debate on the prison in the late 1990s. It was quickly adopted by scholars, journalists, and activists alike, not because of the absolute incidence of incarceration (at 0.75%, it hardly touches the “masses”), but because it conveys a sense of excess, exceptionalism and outrage. The expression serves well to dramatize a nefarious development calling for scholarly investigation, civic mobilization, and remedial action. Yet, for all its intuitive appeal and shock value, it is a mischaracterization of the justice regime fostered by the deployment of the penal state to stem mounting social insecurity and check racial revamping over the past three decades.

To start with, this deployment has been *highly selective*, first by class and only second by race, and then, most remarkably, by class inside of race, which can be obtained only through spatial bias. This confirms that the carceral mesh has been flung primarily in and around the hyperghetto after the mid-1970s, resulting in the *hyperincarceration* of (sub)proletarian black men—and not middle-class men, black or white, as spotlighted by Bruce Western (2006) in his agenda-setting book *Punishment and Inequality*. The national obsession with race has hidden the fact that *the stronger predictor of going to prison in America as elsewhere is class*, and that class inequality in incarceration trumps ethnic disparities for all groups. The same applies to the death penalty, by the way. Next and crucially, this triple selectivity is a constitutive feature of the phenomenon: had the penal state raked widely across social and physical space, ensnaring broad swaths of the citizenry, and devastating neighborhoods and families across the class spectrum, it would have been stopped dead in its track by a political counteraction. In other words, “mass incarceration” as racialized poverty policy was possible only insofar *it never reached the masses!* Indeed, that same selectivity explains why the vast majority of

American voters have either actively supported that policy or remained indifferent to it; and it suggests that they are unlikely to be moved by moral appeals in favor of a tainted population cast out of the national compact.

Last but not least, the conceptual shift to *hyper*-incarceration (of dispossessed and dishonored categories and territories) matters because, by encapsulating a different depiction of the prison boom, it points to a different causal model. This model, in turn, directs us to different policy remedies than “mass incarceration” would. Most importantly, it urges us to carefully calibrate and then figure out how to dismantle the tangled circuitry of class, race, and place that energizes the building of the penal state in the age of social insecurity.

NOTE

1. This essay expands on the text written in response to Karen J. Winkler, of which an abridged version appeared as “When Workfare Meets Prisonfare: A Q&A with Loïc Wacquant,” *The Chronicle of Higher Education Review* (August 5, 2009), available at <http://chronicle.com/article/When-Workfare-Meets/47034/>. We are thankful to the *Chronicle* for allowing us to use the full version, mixed with further responses to new questions added by Volker Eick in April 2011. Loïc Wacquant is grateful to Aaron Benavidez and Megan Comfort for their sharp comments on an earlier draft.

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