

The Militarization of Urban Marginality: Lessons from the Brazilian Metropolis

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This article examines the workings and effects of the penalization of poverty in urban Brazil at century's turn to uncover the deep logic of *punitive containment* as state strategy for the management of dispossessed and dishonored populations in the polarizing city in the age of triumphant neoliberalism. It shows how ramifying criminal violence (fed by extreme inequality and mass poverty), class and color discrimination in judicial processing, unchecked police brutality, and the catastrophic condition and chaotic operation of the carceral system combine to make the aggressive deployment of the penal apparatus in Brazil a surefire recipe for further disorder and disrespect for the law at the bottom of the urban hierarchy and steers the country into an institutional impasse. The policy of punitive containment pursued by political elites as a complement to the deregulation of the economy in the 1990s leads from the *penalization to the militarization* of urban marginality, under which residents of the declining *favelas* are treated as virtual enemies of the nation, tenuous trust in public institutions is undermined, and the spiral of violence accelerated. Brazil thus serves as a historical revelator of the full consequences of the penal disposal of the human detritus of a society swamped by social and physical insecurity. Drawing parallels between penal activity in the Brazilian and the U.S. metropolis further reveals that the neighborhoods of urban relegation wherein the marginal and stigmatized fractions of the postindustrial working class concentrate are the prime targets and proving ground upon which the neoliberal penal state is concretely being assembled, tried, and tested. Their study is therefore of urgent interest to analysts of international politics and state power at the dawn of the twenty-first century.

Neoliberal penalty is paradoxical in that it purports to deploy “more state” in the realm of the police, criminal courts, and prisons to remedy the generalized rise of objective and subjective insecurity which is *itself caused by* “less state” on the economic and social front in the leading countries of the First World. It reaffirms the omnipotence of Leviathan in the restricted domain of public-order maintenance, symbolized by the running battle against street delinquency and clandestine immigration that has everywhere surged to the forefront of the civic stage, just when the state claims and proves to be incapable of stemming the fragmentation of wage labor and of bridling the hypermobility of capital that converge to destabilize the entire social edifice. And, as I showed elsewhere (Wacquant 1999, 2001a), this is no mere coincidence: it is precisely *because* the governing elites, having converted to the new ruling ideology of the all-mighty market radiating from the United States, relinquish the state's prerogatives

in socioeconomic matters that they must everywhere enhance and reinforce its mission in matters of domestic “security,”¹ after having abruptly reduced the latter to its sole criminal dimension, and furthermore to festering lower-class crime in the streets as opposed to mounting upper-class lawbreaking in corporate suites. Expanding the penal state enables state managers, first, to curb and contain the urban disorders generated in the lower reaches of the social structure by the concurrent deregulation of the labor market and unraveling of the social safety net. Next, it allows elected officials to shore up their deficit of political legitimacy by reasserting state authority in the restricted realm of action they henceforth assign to it at a time when they have little else to deliver to core constituencies (Wacquant 2008). More significantly yet, neoliberal penalty is more seductive as well as noxious when it seeps into countries traversed by deep inequalities of social condition and life chances, shorn of democratic traditions, and devoid of the public institutions capable of cushioning the shocks unleashed by the concurrent transformations of work, social bond, and self on the threshold of the new century.

This is to say that the alternative between the *social treatment* of poverty, its causes and correlates, anchored in a long-term vision guided by values of civic justice and solidarity, and its *penal treatment*, trained on the most disruptive fractions of the (sub)proletariat and focused on the short term of electoral cycles and moral panics orchestrated by a commercial media machine eager to cash in on the moral dramaturgy of crime, before which Europe presently finds itself in the wake of the United States, poses itself in particularly dramatic terms in the newly industrialized and formerly authoritarian countries of South America, such as Brazil and its main neighbors, Argentina, Colombia, and Venezuela. These nations have been among the leading importers of U.S.-style penal categories and policies around the world. From Brasília to Caracas to Buenos Aires, public officials have raced to adopt measures mimicking those showcased by then-Mayor Rudolph Giuliani in New York City; and politicians have run head over heels to be photographed alongside the living incarnation of penal rigor, William Bratton, latter-day prophet of the virile religion of “zero tolerance” and pricey globe-trotting “consultant in urban policing” after he was fired from his position as head of the New York City Police Department in 1994. Not because these policies are particularly efficient—indeed, we now know that they have proven remarkably ineffectual, even in some ways counterproductive, in the very setting wherefrom they originate²—but because they are ideally suited to publicly *dramatizing* the new-found commitment of political elites to slay the monster of urban crime and because they readily fit the negative stereotypes of the poor fed by overlapping prejudices of class and ethnicity. But, aside from its symbolic profits, the deployment of made-in-the-USA penal rhetoric and the implementation of the proactive policies of penalization of urban marginality that it commands promise to have far-reaching consequences for the social fabric of the city as well as for the shape of the post-Keynesian state emerging out of the neoliberal revolution. This is particularly true in Brazil, which has figured among the most enthusiastic champions of anti-crime platforms patterned after Giuliani’s New York and which supplies in this regard a propitious experimental

¹After September 11, 2001, this imperative found a new terrain of expression on the foreign front in the so-called war on terrorism. But the commitment to elevating “law and order” to the frontline of government priorities and the ritualized staging of their enforcement were already well-established on the domestic front before Al Qaeda’s attack (see Dal Lago 2001; Tonry 2004 and Bonelli 2008, respectively on Italy, England, and France).

²A comprehensive review of research on the topic concludes that “there is little evidence that generic changes in policing are responsible for reducing violent crime” in the 1990s, and it singles out New-York-style measures of “zero tolerance” as “the least plausible candidates for contributing” to the recent decline in offenses against persons in the U.S. metropolis (Eck and Maguire 2000:245–246).

terrain for tracing out the impact of neoliberal penalty in Second-World countries.

This article analyzes the institutional workings and social effects of extreme forms of penalization of marginality implemented by Brazilian authorities in the dualizing metropolis since the closing decade of the twentieth century. It partakes of a broader inquiry into the “fateful triangle” formed by economic deregulation, ethnoracial division, and state restructuring in the age of triumphant neoliberalism, leading to the restrictive revamping of the state’s welfare wing and the expansive deployment of its penal wing in and around neighborhoods of relegation (Wacquant 2007, 2008). Methodologically speaking, it uses Brazil as a living laboratory to uncover the deep logic of *punitive containment* as political strategy for managing dispossessed and dishonored populations in the polarizing city, a strategy first applied to the residents of the imploding black ghetto in the aftermath of the Civil Rights revolution in the United States and then to postcolonial migrants and their descendants in the deindustrializing urban periphery of Europe, as attested by their stupendous over-incarceration, relative to whites on the one side of the Atlantic and to nationals on the other (Wacquant 2001b, 2006). Unnoticed features of punitive containment emerge fully into view as it travels from the First to the Second World, for there it can unfold without the strictures usually entailed by a bureaucratic state operating according to minimal legal standards and by the institutionalization of bourgeois conceptions of physical integrity and personal rights.

The first section of the article shows how the combination of ramifying criminal violence, fed by extreme inequality and mass poverty, class and color discrimination in judicial processing, and unchecked police ferocity, rooted in the failure to minimally rationalize law-enforcement agencies, make the aggressive deployment of the penal apparatus in Brazil a perfect recipe for further disorder and disrespect for the law at the bottom of the urban hierarchy. The second section considers the catastrophic condition and chaotic operation of the Brazilian carceral system: extreme overcrowding, the utter dilapidation of custodial facilities, the gross indigence of services, the routine denial of access to elementary legal services and medical care, and pandemic violence among inmates as well as the murderous brutality of correctional staff conspire to make imprisonment akin to the disposal of social trash, thereby steering the country into a punitive cul-de-sac. In the third and concluding section, I draw the lessons from this South American excursus by pointing to five parallels between penal activity in defamed neighborhoods of urban dereliction in Brazil and the United States. In particular, I stress how aggressive policing, severe judicial sanction, and routine incarceration constitute self-standing sources of added urban dislocation, such that the penal state contributes directly to entrenching the very marginality it claims to resorb.

By failing to develop a formally bureaucratic apparatus, to institute the rule of law after the return to democracy, and to stem the growth of the criminal sector of the urban economy, the Brazilian state has turned into a major fount of escalating violence feeding a climate of rampant fear and intolerance in the city. In that country as in similar Second-World societies, the strategy of punitive containment favored by political elites as a complement to the deregulation of the economy in the 1990s leads *from the penalization to the militarization of urban marginality*, under which residents of declining *favelas* are treated as virtual enemies of the nation, the police supplanted by the army, tenuous trust in public institutions undermined, and the spiral of violence accelerated. The neighborhoods of urban relegation wherein the marginal and stigmatized fractions of the postindustrial working class now concentrate—the declining *favelas* of the Brazilian metropolis, the hyperghetto of the United States, the defamed *banlieues* of France (Wacquant 2007)—emerge as both the prime targets and the proving

ground whereupon the neoliberal penal state is being erected and experimented. Their study is therefore of urgent interest, not only to comparative urban sociologists, but also to analysts of international politics and state power at the dawn of the twenty-first century.

Inequality, Poverty and the Color of Violence

For reasons having to do with its long colonial history and subordinate position in the structure of international economic relations, and despite the collective enrichment brought by decades of industrialization, Brazilian society remains characterized by vertiginous social inequalities and widespread poverty. After the “lost decade” of the 1980s marked by economic stagnation and a steady deterioration of the main social indicators, Brazil implemented a host of economic and social reforms that drastically reduced the role of the state and opened the economy wide to overseas trade and capital (see Baumann 2002:8–21; for a concise overview and assessment). Together, abysmal social disparities, deficient or non-existent public services, and rampant un(der)employment in the context of a polarizing urban economy and a corrupt justice system fed the inexorable growth of criminal violence that has become the scourge of the big cities in Brazil as in most countries of Latin America. Thus, it is estimated that about 140,000 die violently every year in the urban centers of the continent, where one of every three residents is a direct or an indirect victim of interpersonal aggression (Rotker 2002).

Since 1989 lethal crime has been Brazil’s leading cause of mortality, with homicide earning the title of “great villain of public health” for the 1980s, during which decade the national rate doubled to pass 20 per 100,000—twice the U.S. peak of the early 1990s and about 15 times the level of the societies of Western Europe (Souza 1994; on the steep rise of murderous violence in cities throughout the continent, see Neapolitan 1994). The incidence of murders in Rio de Janeiro, São Paulo, and Recife now exceeds 60 per 100,000 people, a rate approaching those for the most violent metropolises in the Americas in recent years (New Orleans, Detroit, and Washington in the North and Caracas, Lima, and Medellín in the South sported rates above 80 in the early 1990s), and far higher than anything Brazilian urbanites had previously experienced.

Physical dread and insecurity have diffused throughout the metropolis as the running battles among gangs and crossfire between the police and the heavily armed *bandidos* spill into adjacent districts, due to the close spatial propinquity of rich and poor in the Brazilian city (as in the upscale areas of Zona Sul and Barra da Tijuca in Rio de Janeiro), and as armed robberies in buses, hold-ups in commercial centers, and kidnappings of well-to-do residents become more common. Middle-class streets and upper-class residences have been turned into fortified enclaves secured by iron grates, intercoms, attack dogs, armed guards in watchbooths or manning roadblocks after dark, while “gated communities” cordoned off from the city by high walls and advanced surveillance technologies have mushroomed and become a coveted ingredient of elite status (Caldeira 1996). A huge private security industry has grown to provide proximate protection to apartment buildings, businesses, and social clubs as well as wealthy individuals and their families.

As a result of the omnipresence of violence on the streets and in schools, at popular weekend parties and soccer games, as well as on television, two-thirds of adolescents find it justified as a means of self-defense and four in ten would resort to it to protect a friend or respond to an affront to their dignity (Abramovay et al. 1998:60). At the same time, virtually all agree that violence must be reduced. Yet, in the absence of a viable social safety net, the youth of the popular neighborhoods crushed by the weight of chronic unemployment and

underemployment are certain to continue to look to the “booty capitalism” of the streets (as Max Weber would say) for the means to survive, to obtain desirable consumer goods, and to realize the values of the masculine ethos of honor, if not to escape from the grind of day-to-day destitution.

The spectacular increase in police repression in the closing decade of the century, symbolized by the military occupation of Rio’s *favelas* as a means of preempting incidents during the May 1992 International Earth Summit sponsored by the United Nations, or again in March of 2003, when the army was called out to patrol the city’s major highways with tanks to protect the celebrations of Carnival against raids by drug-running gangs, has been without effect because repression supplies no traction on the engines of this criminality that aims, through predation, to create an economy where the official economy no longer exists as well as to ward off aggression by the deployment of violent deterrence.³ And because the police are not an agency exterior to, and a remedy for, the malign vortex of violent strife, drugs, and private vengeance that corrodes the fabric of the lower-class districts and fuels their castigation in public discourse, but an integral element of what their residents gloomily call “the devil’s condominium” (Zaluar 1994; esp.13–35). They are themselves deeply involved in drug trafficking, arms selling, kidnapping, extortion, and assorted illegal activities from which they extract payoffs in exchange for toleration or protection. The police are just as feared and scorned by the residents of the poor neighborhoods as are the bandits they are supposed to subdue. A 1996 survey revealed that four Brazilians in ten have “no confidence at all in the police” and another three only “some confidence.” Inhabitants of Rio view their police precinct as a dangerous place where their rights, honor, and physical integrity are more likely to be violated than upheld, with the result that only one in five carioca victims of a robbery dares go to the authorities to file a complaint (Pinheiro 2000).⁴

Indeed, criminal insecurity in urban Brazil is distinctive in that it is not attenuated but *aggravated* by the intervention of the law-enforcement forces. The routine use of lethal violence by the military police, in charge of order maintenance, and the habitual recourse of the civilian police, entrusted with judicial investigations, to torture by means of the *pimentinha* (electrical shocks) and the *pau de arara* (hanging cross) to make suspects “confess,” the sequestering and extortion of bribes from defendants, their witnesses and kin, as well as summary executions and unexplained “disappearances,” all maintain a climate of terror among the lower class that is their prime target and banalize brutality at the heart of the state. One statistic: in 1992 the São Paulo military police shot dead 1,470 civilians—as against 24 killed by the New York City police and 25 by that of Los Angeles—representing fully one-quarter of the victims of violent death in the metropolis that year. This is by far the absolute record in the Americas (Chevigny 1995:148).⁵ This police violence partakes of a centuries-old national tradition of control of the dispossessed by force, issued from colonial slavery and agrarian conflicts, that was reinforced by the authoritarian regime of Getúlio Vargas (1937–1945) and by two decades of military dictatorship (1964–1985) supported by the United States, during which the fight against “internal subversion” disguised itself as the repression of delinquency. And it is backed up by a hierarchical, paternalistic conception of citizenship based on the cultural

³See, among many converging accounts, da Silva (1995), Zaluar and Isidoro (1995), and Batista (1998); for an extension of this argument to Venezuela, read Márquez (1999); and, for a comparison with Europe and the United States, Wacquant (1994).

⁴The results of this survey are in Pinheiro (2000). The routine involvement of the police in the criminal economy is openly acknowledged by the late chief of police of the state of Rio de Janeiro, Carlos Magno Nazareth Cerqueira (1997).

⁵This figure has declined every year since to reach about 700 in 2000, owing to the concerted efforts to rein in police killings by the federal government and successive gubernatorial administrations.

opposition between “*feras e doutores*,” the “savages” and the “cultivated,” that tends to assimilate *marginais* (low-lives), workers, and criminals, so that the enforcement of the class order and the enforcement of public order are effectively merged (Da Matta 1991 [1978]; Pinheiro 1983).

Another factor further complicates matters: the close alignment between class hierarchy and racial stratification and the *color discrimination* endemic to the Brazilian police and judicial bureaucracies. Although Brazil has evolved a flexible system of ethnoracial relations based on phenotype, admitting a multiplicity of ambiguous categories and allowing for intra- and intergenerational mobility along a skin-tone continuum, very different from the dualistic ancestry-based, dichotomous pattern of the United States, that has translated into the absence of rigid segregation and ghettoization, there exists a long-standing association between blackness and dangerousness going back to the struggles over slavery and the widespread fear of the *libertos* in the aftermath of Emancipation (Andrews 1991:46–50; Gizlene 1995). Persons of African appearance have historically been perceived as physically and culturally inclined towards lawlessness, depravity, and immorality, and blacks have been widely presumed to be chiefly responsible for disorder in cities, making them the priority targets of penal repression. So much so that “the early role of the police as a disciplinary agent directed against slaves left a persistent legacy in police techniques and in the mutually hostile attitudes between police and those sectors of society that felt the brunt of their action” for decades after abolition (Holloway 1993:283; see also Marinho de Azevedo 1987:chapters 3 and 4). At the beginning of the twentieth century, Raimundo Nina Rodrigues, a professor of legal medicine at the University of Bahia, elaborated an influential racial typology differentiating between whites, mulattos, and blacks, and attributing to the latter a natural proclivity toward criminal offending such that it would justify establishing different standards of penal responsibility and thus separate legal codes for each group (Fry 2000:87). Later, in the interwar years, Brazilian criminologists joined in the worried national debate over racial mixing by discussing whether miscegenation was responsible for the high rate of “social delinquency” among the masses, with Recife professor Laurindo Leão famously asserting in lament: “A mestizo nation is a nation invaded by criminals” (cited by Schwarcz 1999 [1993]:200).

Today the negative perception of persons of darker skin infects and inflects the operation of the gamut of institutions entrusted with crime management, from police surveillance and apprehension, to the conduct of investigations and the filing of charges, to conviction, sentencing, and the administration of punishment. This is readily recognized by the residents of big cities, three-fourths of whom agree with the view that blacks and mulattos are “more targeted than whites” by the police. Statistical studies have shown that, in São Paulo as in the other big cities, darker-skinned detainees “benefit” from special vigilance on the part of the police, that they have more difficulty getting access to legal aid, and that, for the same crimes, they receive heavier sentences than their white compatriots (Adorno 1995).⁶

The result is that, much like their counterparts of the United States, Brazilian establishments of detention are predominantly black and brown: in the mid-1980s, seven in ten inmates in the jails and prisons of Rio de Janeiro were *pretos* or *pardos*, nearly double the share of these two Afro-Brazilian categories in the city’s population. Similarly, Afro-Brazilians composed 52% of the incarcerated in São Paulo, for more than twice their weight in the demography of the metropolis (22%) at the time (Teixeira 1994). And, once they are put behind bars,

⁶Unfortunately, the design of Sérgio Adorno (1995:46) study does not allow him to control for criminal record and to disentangle the effects of class and color. Thus it cannot indicate just how “powerful” the latter is as an “instrument of discrimination in the provision of justice.”

dark-skinned convicts are subjected to the harshest conditions of detention and suffer the most serious carceral violence, if only for the fact that they come from the most destitute and vulnerable fractions of the working class. Penalizing poverty amounts here to “invisibilizing” the color question and bolsters ethnorracial domination by granting it the imprimatur of the state (Bodê de Moraes and Garcia de Souza 1999; da Silva 2000).

Furthermore, along with deep-seated urban inequality and marginality, urban violence in Brazil finds a potent second root in a political culture that remains stamped by the experience of virulent state repression of agrarian battles and working-class struggles as well as by the scars of military rule (Paoli et al. 1982; Méndez, O’Donnell, and Pinheiro 1999). Under such conditions, rolling out the penal state to respond to disorders spawned by the deregulation of the economy, the desocialization of wage labor, and the relative and absolute immiseration of sections of the urban proletariat by enlarging the means, scope, and intensity of the intervention of the police and judicial apparatus amounts to (re-)establishing a veritable *dictatorship over the poor*. Now, who can say, once the legitimacy of this authoritarian management of the social order, this policy of “*limpeza da rua*” by the systematic use of state force at the bottom of the class and ethnic structure has been affirmed, where the perimeter of its utilization will stop? And how can one fail to see that, in the absence of the minimal juridical guarantees that only a rational bureaucracy (conforming roughly to the Weberian schema) charged with the administration of justice can provide, recourse to punitive law-and-order techniques and policies “made in the USA” is fundamentally antithetical to the establishment of a pacified and democratic society, whose basis must be the equality of all before the law and its agencies of enforcement? The present functioning of the Brazilian police and courts is so inefficient, deficient, and chaotic from a strictly juridical standpoint that they would need to be reorganized from top to bottom in order to be brought up to the minimal norms stipulated by international conventions, let alone to ensure basic standards of uniformity and fairness across class and color lines (Pinheiro 1997; Cerqueira 1999; Adorno 1999).

Carceral Catastrophe and the Punitive Cul-de-Sac

A final consideration strongly militates against increased reliance on the carceral apparatus to check the sequelae of mounting urban marginality and disorder in Brazil in the wake of neoliberal deregulation: the appalling state of the country’s lockups, jails, and prisons, which are more akin to *concentration camps for the dispossessed*, or public enterprises for the industrial recycling of social refuse, than to judicial institutions serving any identifiable penological purpose—be it deterrence, neutralization, or retribution, leaving aside rehabilitation. The Brazilian penitentiary system in effect sports the defects of the worst gaols of the Third World but carried to a scale worthy of the First World owing to its sheer size, its urban rooting, and the studious indifference of politicians and the public, nay the latter’s knowing acceptance and even support of rampant correctional abuse.

With 126,000 under lock in 1993, Brazil boasted a confined population about three times that of France, for an incarceration rate of 81 inmates per 100,000 inhabitants comparable to the rates of the major Western European countries. This national figure concealed pronounced regional disparities: the incidence of penal custody reached 175 per 100,000 in the state of São Paulo, 164 in Mato Grosso do Sul, and about 130 in Rondônia, Rio de Janeiro, and the Federal District of Brasília. In the ensuing decade, the state responded to deepening inequality and marginality in the big cities with increased penal repression, and the population behind bars more than doubled to top 284,000 in 2003, including 71,000 detainees held in police lockups and 12,500 women (Departamento

Penitenciário Nacional 2003). The national incarceration rate then reached 170, far ahead of the most punitive countries of the European Union and well to the fore of its continental neighbors (with the exception of Chile), with peaks at 320 in São Paulo and the Federal District of Brasília, 292 in Mato Grosso do Sul, and 213 in Mato Grosso.⁷ As in the rest of Latin America, the confined population of Brazil is overwhelmingly composed of young men (one-half are under 30), devoid of formal education (two-thirds did not reach the eighth grade), and economically dispossessed (95% are categorized as poor by the census of prisoners). Most inmates are in custody for theft and robbery (about 35% and 15% of the total, respectively), with homicide (18%), drugs (16%), and public-order offenses the next most prevalent violations (Conselho Nacional de Política Criminal e Penitenciária 1998). Over 86,000 are awaiting trial or judicial disposition, a wait which can last years.

By contemporary Western standards, the carceral establishments of Brazil suffer from ills redolent of feudal dungeons. Their plant is typically decrepit and insalubrious, plagued with crumbling concrete, peeling paint, deficient plumbing and faulty electrical wiring, with sewage water routinely running on the floor or seeping down the walls—the stench of refuse was so strong in the “model” jail of Lemos de Brito in Rio de Janeiro in Fall of 2001 that among the goods most prized by convicts there was scented disinfectant to splash around their cells to combat the suffocating pestilence. Rampant physical disrepair combines with grotesque overcrowding to create abominable living conditions and catastrophic hygiene, characterized by acute lack of space, air, light, water, and sometimes food. In 1987, the country’s penal authorities estimated that they faced a deficit of some 50,000 beds; by 2003, the gap between capacity and inmate stock had ballooned to 104,000, notwithstanding the fact that nearly half of the country’s penal convicts are on the lam: the federal Ministry of Justice estimates that cases of “*mandados não cumpridos*,” unserved sentenced because the culprits cannot be located or have absconded, exceed the population behind bars! Despite steady prison construction, which quickened after a national wave of riots in 1997, it is not rare for Brazilian penal facilities to hold four to six times the number of inmates for which they were built. In urban police lockups, detainees, the majority of whom have not been charged and tried, are crammed in for months and even years on end, in complete illegality, as many as eight to a cell designed *for one*. At the Casa de Detenção in the Carandiru prison complex of São Paulo, the packed residents of the disciplinary block saw sunlight so rarely in the late 1990s that their sickly appearance and jaundiced complexions had earned them the nickname “*os amarelos*,” “the yellow ones” (Mariner and Cavallaro 1998:17). Most Brazilian convicts sleep crammed against each other on the ground, on a blanket or a thin foam mattress supplied by family or purchased from other inmates, but many are forced to slumber suspended to their cell bars or flung on hammocks due to insufficient floor space. Overcrowding is exacerbated by bureaucratic ineptitude that causes thousands of inmates each year to remain in custody after the term of their sentence and the relentless humiliation it occasions is the primary motive of the furious riots that periodically rock the Brazilian carceral system (Jocenir 2001:56–82).

Next comes the mass denial of access to legal assistance and basic health care, resulting in the accelerating spread of tuberculosis, AIDS, and other contagious diseases among the urban working class. Studies have documented that upwards

⁷For comparison, in 1999 Argentina held 39,000 inmates for an incarceration rate of 107 per 100,000; Peru had 27,000 for a rate of 105; Venezuela 25,000 for 106; Bolivia 8,300 for 102; and Colombia 54,000 for 126 in 2001. Only Chile stands out from the continental pattern with a carceral stock of 27,000 for 204 inmates per 100,000 in 2002 (these data are from the November 2003 “Prison Brief” of the International Center for Prison Studies, King’s College of London, available on line at: http://www.kcl.ac.uk/depsta/rel/icps/worldbrief/world_brief.htm).

of one-fifth of the carceral population of Brazil is HIV-positive while untold numbers suffer from serious respiratory infections, bacterial maladies, and skin ailments worsened by unsanitary conditions of detention (Bastos and Szwarcwald 2000). Despite the deplorable sanitary state of their occupants, few establishments enjoy the services of a full-time physician; nearly all run their infirmary with nurses and inmate volunteers; the only medications inmates receive are those furnished by their family (except in the state of Rio de Janeiro, which recently improved its pharmaceutical support of convicts), as are their clothing, bedding, and toiletries. Gravely sick inmates are rarely transferred for out-patient treatment and frequently die inside facilities both unequipped and unwilling to treat them. As a detainee afflicted with full-blown AIDS who was receiving no medication in a São Paulo lockup explains: “When we ask the police to take us to the PS [first-aid station], they just tell us thieves deserve to die” (Mariner and Cavallaro 1998:29). This is in flagrant violation of official correctional policy, but lawyers are beyond the means of most inmates, public defenders are far and few, and human-rights monitors are overwhelmed and helpless to provide remedy.

Yet defective medical care and delinquent legal services pale before the pandemic violence among inmates in the form of mistreatment, extortion, beatings, rapes, and murders fuelled by severe overpopulation, the lack of segregation of different categories of convicts, enforced idleness (even though the penal code stipulates that all prisoners must participate in education or job training programs), and the failings of supervision. Lethal brutality is a banal feature of Brazilian houses of detention, with cycles of abuse, assault, and revenge setting the tempo of everyday life behind bars in most facilities (Campos 1987; Alcides da Silva 1997). In 1994, the national prison census reported 131 inmate-on-inmate killings and 45 suicides, but lethal incidents were acknowledged to be significantly underreported. At São Paulo’s Casa de Detenção, an average of ten inmates were murdered by knifing alone every year in the mid-1990s, with most stabbings taking place on Mondays as it is “collection day,” when debts accrued must be paid up following the Sunday visitation by family. Others were hung, smothered, fatally beaten, poisoned, or injected with massive doses of drugs to disguise their murders as suicides.⁸ Internecine slayings and death threats on inmates meet with the indifference if not the acquiescence of the prison authorities—in some cases, they are rewarded with favors by the guards who use them as an adjunct instrument of order maintenance.

Murderous violence among prisoners is fostered by the gross understaffing of facilities as well as by the insufficient training and pay of guards, who can easily be bribed to let in not only food, cell phones, and visitors, but also drugs and weapons. In 2001, the Casa de Detenção of São Paulo deployed only a dozen guards at any one time to oversee some 1,700 inmates—it had even fewer on duty on Mondays when absenteeism spiked—and the situation is worse today in the police lockups of big cities, where it is common for a single guard to oversee some two hundred detainees. In most facilities the staff stays studiously clear of the *galeries* where inmates are housed for fear of being assaulted. This creates a power vacuum that criminal groups and ruthless strongmen are swift to fill. Gangs and fierce prisoners called “sheriffs” thus exercise de facto control over access to food, jobs, educational programs, visiting, drugs, and other goods that enter the contraband economy. In many prisons of São Paulo, the relative safety of closed cells must be purchased or rented out from the local “sheriffs” for several hundred dollars, leaving poor and weak inmates to sleep in corridors where they are game for molestation. In the gaols of Rio de Janeiro, the gangs or “factions” that

⁸For accounts of the chaos of life in Brazil’s most infamous prison (which was closed down in 2002), read the narrative of Drauzio Varella (2000), *Estação Carandiru*. The Carandiru complex was the single largest penal establishment of Latin America with 6,500 inmates in 1998.

dominate the criminal economy implanted in the city's *favelas* also impose their rule behind bars. During an extended visit to the medium-security unit of the infamous jail complex of Bangu in October 2001, all my moves and requests (to speak with inmates, take pictures, venture into a particular wing of the building, or enter a cell) had to be authorized not only by the warden but also by the resident leader of the Comando Vermelho who accompanied us everywhere.

But the worst of custodial life in Brazil, yet again, is the suffusive violence of the authorities, ranging from everyday brutality to institutionalized torture, summary executions, and mass killings during and after the rebellions that periodically erupt in reaction to inhuman conditions of detention, whose high point remains the massacre at Carandiru prison in 1992, during which the military police slayed 111 prisoners in an orgy of state savagery out of another era. In some penitentiaries incoming convicts are systematically beaten as a welcoming rite to teach them local standards of discipline, and the sacking of cells and looting of personal belongings of inmates are part of the ordinary round of carceral life. Escape attempts and hostage takings are repressed with special cruelty, with guards inflicting indiscriminate bodily harm that regularly shocks even the most seasoned autopsy experts.⁹ As with other forms of violence from above, the abuse of carceral force typically meets with the calculated indifference of the authorities, including the *juiz da vara de execução* penal, the specialized judge entrusted with overseeing the serving of sentences, and it is unleashed with practically total impunity even in cases that draw extensive media coverage, sustained pressure from human rights groups, and international attention. "Only killings of inmates—whose dead bodies are difficult to ignore—appear to merit investigation and prosecution, and even then the conviction and subsequent incarceration of the guilty parties are exceedingly rare," as cases drag on for years before the military courts to no avail when they are tried at all (Mariner and Cavallaro 1998:61–65).¹⁰ Carceral ferocity is publicly tolerated if not approved because of the generalized sense that convicts are unworthy of concern and protection, being *marginais* whose rights have long been abrogated by virtue of their lowly social provenance, skin color, and contemptible cultural status. This is readily acknowledged by the operators of the penal system themselves, as the chief of São Paulo's Third police precinct makes clear when he warns the investigators of Human Rights Watch about what awaits them with these candid words: "You'll see, it's like a trash receptacle: the prisoners here have been thrown away like trash. The conditions are subhuman. Go ahead, write that down: *subhuman*" (Mariner and Cavallaro 1998:54–55; see also Leal 1999).

In its present state of chronic crisis and calamity, then, the Brazilian carceral apparatus only serves to concentrate violence and to feed criminality by its manifest disregard for the law, mass violation of fundamental rights, and the virulent culture of distrust of the state and defiance of authority it fosters. The adoption of U.S.-style measures of street-sweeping and mass incarceration of the marginal, the useless, and those resistant to the rule of the deregulated market would extend a veritable "penal law of terror" (Dotti 2003:425) onto those shorn of the economic and cultural capital needed to protect themselves from the built-in lawlessness of the Brazilian penal state. And it is guaranteed to aggravate the evils from which Brazil already suffers in its rocky journey towards the establishment of a democracy that is more than mere façade, namely, "the delegitimation of many institutions of law and justice, the escalation of both violent criminality and police abuse, the

⁹Read the meticulous accounts of gruesome official violence in the aftermath of riots and escape attempts in seven states collected by Mariner and Cavallaro (1998: chapter 8).

¹⁰Penal brutality can even be politically profitable: the military commander of the shock troops responsible for the great Carandiru prison massacre of 1992 was subsequently elected to the São Paulo State Legislative Assembly, which earned him parliamentary immunity from prosecution (Mariner and Cavallaro 1998:61–65).

criminalization of the poor, a significant increase in support for illegal measures of control, the pervasive obstruction of the principle of legality, and the unequal and uneven distribution of citizen rights” (Caldeira and Holston 1999:692).

In an earlier era of social dislocation in South American history during which the penitentiary was portrayed as an efficient solution to rising crime and urban disorder, it turns out that “the adoption of European and North American innovations resulted from the elite’s general fascination with them, regardless of their feasibility,” and the importation of penal discourses and policies from the more advanced countries that symbolized “civilization” then revealed more about the obsessions and delusions of the Latin American dominant class than it did about the state of their society (Salvatore and Aguirre 1996:xii). The same holds true today and point to the need to re-connect the penal question and the social question, the physical insecurity of which street violence is the vector and the social insecurity generated everywhere by the desocialization of wage labor, the retrenchment of social protection, and the all-out commodification of human relations, over and against the frantic media exploitation and political fantasies of rigid law-and-order enforcement now shared around the globe by the Right and the governmental Left.

Toward the Militarization of Urban Cleavages

Several structural similarities and parallel policy spirals emerge in the knitting of acute poverty, everyday violence, and punitive containment in the metropolis of the United States and Brazil, notwithstanding the yawning economic, bureaucratic, and technological gaps between them. They are worth highlighting as they suggest that the analytical model initially elaborated to account for African-American hyper-incarceration and extended to illumine the disproportionate presence of postcolonial migrants in the prisons of the European Union (Wacquant 2001b, 2006) can be further refined to help us capture the variegated figures assumed by the penalization of urban marginality and its consequences in the range of Second-World and post-Soviet societies caught in the throes of the global neoliberal revolution before they could reap the benefits of Fordist consolidation.

First, stigmatized neighborhoods of relegation in both countries have become the prime targets of virulent police action and pivotal *sites for innovations in and exhibitions of aggressive law-enforcement* through which the state ritually reaffirms its capacity for action. As a result, penal penetration in them has attained a war-like intensity and destructiveness that is unprecedented in each society as well as unimaginable in any other urban district today, especially as police work has become more disciplined and decorous overall. In the Brazilian city, the *polícia militar* routinely intrude into shanty-towns with “*blitzes*,” during which low-flying helicopters knock off tin rooftops and troops break down doors and windows, ransack houses and bully their occupants, fire weapons indiscriminately, close down stores and schools, and carry out mass arrests for “vagrancy” (apprehending *favelados* who do not bear identity card on them as required by the law) leading to indefinite custody with its string of torments, that are indistinguishable from a military incursion into an occupied territory in their tactics and effects.¹¹ Similarly, in the American “inner city,” federal, state, and municipal law-enforcement agencies conduct stings, sweeps, and raids centered on public housing projects and street corners that engulf their segregated surroundings; they routinely

¹¹Read the carioca “war tales” recounted by Juliana Resende (1995) in *Operação Rio. Relato de uma guerra brasileira*, which are evocative of the raids periodically carried out by the Israeli army into the Gaza Strip or the cities of the occupied West Bank, or the “capture and hold” campaigns waged by the U.S. army into towns controlled by nationalist rebels in Iraq after 2004.

restrict free circulation and congregation, invade the private sphere, and trample over family space without scruples; they subject passers-by to humiliating “search and frisk” campaigns and abusive arrests; and they curtail legal safeguards in ways that void basic constitutional rights and effectively treat residents as denizens of a foreign country.

The saturation tactics, multisided surveillance, and discretionary coercion unleashed by the state in the remnants of the ghetto and *favela*, so as to “restore order” for the ulterior benefit of their dwellers according to the authorities, would be deemed intolerable if not downright dictatorial if they were applied to middle- or upper-class neighborhoods. (The police killing by 41 gunshots of an unarmed resident standing in the lobby of a luxury building is unimaginable on Manhattan’s Upper East Side or in Tribeca; it occurred to Amadou Diallo in his run-down building of the South Bronx in 1999 and the courts eventually judged the killing to be lawful and fully conforming to police rules). Yet, despite their built-in discriminatory and arbitrary character, they have found vocal advocates across the political spectrum, including among politicians of the Left, and they have received the energetic backing of legal scholars presenting themselves as “progressives.”¹²

A second similarity resides in the fact that the shift from Fordist industry to business services as the main economic motor of the metropolis has shattered the material basis of the black American ghetto and the Brazilian *favela* alike and, in the process, eviscerated their social structure and forced a drastic reorganization of the local system of life strategies. The contraction and deregulation of the employment market have combined with social retrenchment and urban disinvestment by the state to plunge these neighborhoods into a vortex of social insecurity and to push their residents deep(er) into the informal economy. But the makeup and tenor of street commerce itself has changed as criminal activities and networks came to diffuse in and dominate the outcast community. Much as the subterranean sector of America’s hyperghetto has been taken over by corporate gangs vying to monopolize illicit trades via physical intimidation and confrontation, with large-scale drug distribution displacing the “policy” and other “protected business” as the main generator of cash and status, trafficking in cocaine and weapons by the *comandos*, the coordinated outfits that control criminal dealings in the carioca shanty-towns, have superseded the folk lottery of the *jogo do bicho* (Brazil’s “number games”) as the pace-setter of street life and commerce in the *favela* (Leeds 1996; Zaluar and Ribeiro 1995; and Ventura 1994, on the prevalence of drug-related criminal violence in Rio’s Vigário Geral).

In both places, then, the *violence of the official economy of desocialized wage labor feeds the unofficial economy of violence* that justifies the rolling out of the penal dragnet, but with an unforeseen twist that simultaneously stimulates and restrains the activism of law-enforcement agencies. The expansion and rationalization of the criminal economy invites increased state intrusion and brutality and it terrorizes local residents; yet, at the same time, it supplies them with an indispensable ballast for material sustenance. For a great many destitute families at the heart of Chicago’s South Side and Rio de Janeiro’s Vigário Geral, Rocinha, Jacarezinho, or Mangueira would be even more deprived and dispirited if not for the regular work and reliable income flows brought in by drug trafficking, stolen-goods peddling, gambling, and related illicit activities. In the face of the conjoined

¹²In Brazil, governors and big-city mayors of the Partido dos Trabalhadores (such as José Genoíno for the state of Rio and Marta Suplicy for the city of São Paulo) have embraced brutal law-enforcement tactics as a necessary means to check escalating criminal violence. In the United States, legal scholars known as the “New Chicago School” of social norms have provided juridical cover for the police abridgement of the rights of ghetto residents with the doctrine of “community-burden sharing and guided discretion” (Meares and Kahan 1999), a doctrine whose validity is self-evidently limited solely to those “communities.”

insufficiencies of the labor market and welfare transfers, participation in unlawful commerce and crafts has grown into an essential component of the strategies of household reproduction and neighborhood support. So that even as the state periodically engages in conspicuous actions aimed at curtailing the criminal economy and containing its spillovers, in the Brazilian as in the American metropolis it has acquired a vested interest in tolerating its operation within the boundaries of the outcast district.¹³

Third, ethnoracial divisions originating in the era of African slavery have played a decisive yet different role in the noxious coupling of the penal state with the imploding U.S. urban core and the decaying Brazilian shanty-town. In the former, a clear-cut categorical cleavage rooted in hypodescent and the one-drop rule has created an inflexible and impassable “color line” that has warped the gamut of public policies in a constrictive direction, concentrated and intensified urban poverty, and triggered the rolling out and targeting of the repressive apparatus onto a uniquely isolated, visible, and tainted group, black urban (sub)proletarians (Wacquant 2001b). In Brazil’s big city, a blurry “color continuum” declined by phenotype (weighing skin tone, texture of hair, and facial features) and qualified by secondary social properties (wealth, education, and residence) has conjugated with and accentuated the spectrum of inequalities to help intensify state violence toward those situated at the bottom of overlapping ladders of deprivation.

In both societies *multisecular caste or color divisions haunt the configuration of urban space* and continue to impinge upon the *functioning of the chain of institutions of law enforcement*, from the police and the courts to the correctional administrations and their extensions. In both nations, the penalization of urban marginality relies on and reactivates symbolic associations between blackness and dangerousness, vice, and violence forged during and immediately after bondage. But the way “race” interacts with the market and the penal state in the two countries is nonetheless divergent. In the Brazilian metropolis invidious distinctions of color exacerbate state repression that would be unleashed onto stigmatized lower-class areas and their occupants absent such distinctions; skin pigmentation accelerates the velocity of penal strikes but it does not trigger or aim them by itself. In the United States, by contrast, neither the gradual dismantling of the atrophied welfare state inherited from the New Deal nor the swift erection of a hypertrophic carceral state in the wake of the Civil Rights movement would have taken place as they did if it were not for the African-American uprising that sought to overturn the established institutions of caste containment in the 1960s and for the collective indifference toward the penal suffocation of the black subproletariat that the rigid ethnoracial segmentation of social, physical, and mental space has generated among the citizenry.

A final point of convergence between the black American hyperghetto and the Brazilian *favela* at century’s close is that both have become coupled with their country’s carceral system via the agency of aggressive policing and repressive courts, on the side of the state, and the accelerating “prisonization” of their social fabric and organizational ecology, on the side of the city. This coupling is tight and tightening to the point of nearly forming a single institutional mesh in the racialized urban core of the United States; it remains comparatively looser and less enveloping in the Brazilian city, due to the

¹³The same symbiotic relation between wage-work insecurity and extreme physical insecurity obtains in the South African townships, where the post-apartheid state must at once repress and accommodate the booming criminal economy (Western 1996; Shaw 2002), and in the big cities of Venezuela and its neighbors (Pedrazzini and Sánchez 1992). This connection is present but in a considerably attenuated form in France’s declining working-class *banlieues*, due to the higher standards of living of the urban poor, the stronger local presence of the social state and the greater capacity for collective organization of their residents (Kokoreff 2003; Wacquant 2007).

chaotic functioning of local penal bureaucracies and to the greater social fluidity, internal differentiation, and collective capacity of the *favelados* to derail or blunt their action, through the device of clientelism in particular (Rivito 1998; Robert 1994). Yet in both countries *corporate-style gangs have assumed the lead role* in solidifying the increasingly dense cultural and social ties now joining the urban dumpsters and the carceral warehouses filled to the brim with the categories rendered materially and symbolically worthless by the neoliberal restructuring of the metropolis, but from opposite directions. In the big cities of the United States, street gangs rooted in abiding racial and class exclusion were imported from the ghetto into carceral establishments, wherein they grew more fierce, cohesive, and business-oriented before being exported back out into the hollowed-out neighborhoods from which they issued (Jacobs 1997; Shakur 1993). In the sprawling urban centers of Brazil, *quadrilhas* (also called *comandos*) incubated in detention facilities during the decades of military rule and then extended their activities and reach outward into the lower-class community when Brazil moved into the era of democratic reconstruction and regressive deindustrialization (da Silva Lima 2001). Thus, even as they worked to stitch together neighborhoods of relegation and the prison from opposite sides, in both countries gangs were similarly elevated to the rank of key joining agency between them by the state.

In both countries, Brazil and United States, the withering away or absence of the social state and the concurrent deployment of the penal state in defamed enclaves of concentrated marginality where it lacks legitimacy turn out to perpetuate and even aggravate the very problems that this deployment is supposed to remedy. Belligerent policing, sweeping judicial repression, and mass deportation to a far-flung string of suburban or rural prisons are *major sources of added urban dislocation*. They contribute to entrenching marginality inasmuch as they derail the life trajectories of their targets, hamper household stability, weaken the local social structure and its capacity for informal social control, and fuel unlawful conduct and interpersonal violence by and against the forces of order. They supply little sustainable traction on street-level crime as they fail to slow down its main engine, viz., the small-scale capitalism of peddling and predation that fills the gaping void left by the ebbing of the wage-labor economy. And they conspire to maintain a suffocating climate of fear and distrust of the authorities in the outcast districts. By encasing them inside a tight net of heightened attention and diligent action by its law-enforcement arm, the state thus contributes directly to deepening the social and symbolic chasm that separates their residents from the surrounding urban society.

In keeping with a well-worn pattern in the history of the prison, the iatrogenic nature of the penal treatment of marginality and stigma in the Brazilian metropolis, as in its U.S. and European counterparts, proves to be no hindrance to its continued administration. On the contrary, the very failure of penalization generates the social conditions, the political incentives, and the concrete and conspicuous targets needed for its continued and enlarged application (in keeping with a mechanism unhinged long ago by Michel Foucault 1997 [1975]:273–286). Moreover, punitive containment is not pursued solely for the sake of its instrumental effects upon the social refuse of the new metropolitan order through incapacitation or deterrence—and even less so for the economic side-benefits it provides to the state or to the commercial operators involved in carrying out judicial restraint, as the censors of the “prison industrial complex” would have it. It is implemented *inseparably* for its short-term capacity to hem in disorders within the expanded perimeter of the outcast neighborhood and its carceral appendages, *and* for its broader theatrical value in the eyes of middle- and upper-class audiences. To them the state offers thus a vivid public performance of “criminal policy as the shedding of the blood” of the loathsome and

despoiled poor (Batista 1998:77), the rootless, useless, and faceless “individuals” who stand as the living antonyms to the proper Brazilian incarnation of the respectable and recognized “person”—much as the “underclass” has been depicted in the US policy and scholarly debate as the collective condensation of all the moral defects and physical dangers with which the decaying inner city threatens the integrity of the United States as a nation essentially made of decent, law-abiding, suburban “working families.”¹⁴

The recursive and mutually reinforcing relationship between unfettered market rule, state reconstruction, and festering social instability and disruption at the bottom of the hierarchy of places in the neoliberalizing metropolis locks the authorities into a penal spiral that promotes, not just the internal barricading of lower-class zones, the external fortification of middle-class districts, and the civic secession of upper-class enclaves of power and privilege, but eventuates in the full-scale *militarization of urban cleavages*.¹⁵ Such is the special value and teaching of the Brazilian case: the evolution of the carioca *favela* in its contentious commerce with the local apparatus of law enforcement and criminal justice functions as a historical revelator of the subterranean tendencies and long-term consequences of the policy of penal disposal of the human detritus of a commodified society swamped by social and physical insecurity. Shorn of the buffering provided by bureaucratic rationality and bourgeois humanitarianism, the articulation of extreme inequality, street violence, and virulent penalty in the Brazilian city under the double “Washington consensus” on market economy and crime control fosters the practical *reductio ad absurdum* of the state to its repressive apparatus, and the merging of its civil and military forces for order maintenance. It turns public safety into a martial enterprise and crime fighting into a proving ground for virile political leadership turned towards immediate and tangible “results.” And it makes law enforcement in and around defamed lower-class neighborhoods over into a literal war on their residents, complete with gun battles and armored maneuvers, spying and executions, border checks and body counts, extensive “collateral damage” and the vile demonizing of the “enemy” by the media and the authorities, including the overt “repudiation of any reference to the rights of criminals” (Cerqueira 2001:60–61).

Thus, it is with the punitive containment of urban marginality and stigma as with the mixing of Western and non-Western populations and cultures: far from being a laggard, Brazil “may provide the North Americans and Europeans with a glimpse of their future” (Hess and Da Matta 1992:2) in this somber register, by revealing how unfettered penalization leads to assimilating the nether sociospatial boundaries inside the city to foreign borders. Under this approach, urban law-enforcement agencies operate in the manner of border patrols and forces of occupation in poor areas treated as domestic “war zones” harboring an alien population stripped of the normal protections and privileges of the law. And, just as “the escalation of policing” of sensitive international divides, such as those between the United States and Mexico or between the Southern rim of Europe and North Africa, “has been less about deterring than about image crafting” so as to bolster symbolically the state’s claim to territorial command and stewardship of a unified (post)national body at a time when it has effectively

¹⁴See Hess and Da Matta (1995) on the opposition between individual and person in Brazilian culture and Auletta (1982) for the journalistic portrait that set the vituperative tone for the United States debate of the 1980s, with its hodge-podge enumeration of offensive social types (including, most prominently, “the hostile street criminals”) purported to document that “the underclass usually operates outside the generally accepted boundaries of society.”

¹⁵In the case of Brazil, it is a “remilitarization” that perpetuates the worst abuses of the military dictatorship, as pointed out by Cerqueira (2001). This martial escalation of the authorities is in turn abetted and accelerated by the militarization of drug trafficking in the shanty-town.

forsaken both in the frenzied quest for expanded trade (Andreas 2000:143),¹⁶ the militarization of defamed districts of urban dispossession serves to shape and project the new visage of this peculiar “historical transcendental” that is the neoliberal state by dramatizing its capacity to rule over the problem populations and quarters of the big city and to restabilize through aggressive law enforcement the hierarchies that its official classifications enshrine (Bourdieu 2000 [1997]:175). This returns us to the central paradox of the neoliberal project with which we opened this article: that the promotion of the market as the optimal contraption for organizing all human activities requires not only a minimalist “small government” on the social and economic front, but also, and without contradiction, an enlarged and diligent penal state armed to intervene with force to maintain public order and draw out salient social and ethnic boundaries.

Far from receding into the societal backdrop, as some discourse on “exclusion” would have it, neighborhoods of urban relegation—the decaying *favela* in Brazil, the imploding hyperghetto in the United States, the declining *banlieue* in France, and the desolate inner city in Scotland or Holland—turn out to be the prime physical and social *space within which the neoliberal penal state is concretely being assembled, tried, and tested*. At the end of the nineteenth century, the poor amassing in the disgraced districts of the booming metropolis provided a willing labor force for the expansion of industry and a restive populace suited to the flexing of the nascent protective arm of the welfare state, with the invention of social work, the generalization of primary schooling, the introduction of retirement schemes, and public ventures in sanitation, housing, health, and human services. At the end of the twentieth century, they have been reduced to raw materials for the crafting of the protean and prolific penal institutions that compose the fierce face of the neoliberal state frowning down onto the rejects of the market society.

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¹⁶For another, more extreme and brutal use of militarized border control as a means of shoring up the fiction of the ethnorracial homogeneity of the national body, see Bonstein (2002) study of the Israeli state management of West Bank Palestinians.

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