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Caleb Smith

Yale University, caleb.smith@yale.edu

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SPACES OF PUNITIVE VIOLENCE

Caleb Smith

Prisons of Poverty by Loïc Wacquant, expanded edition. Minneapolis: University of Minnesota Press, 2009. Pp. 232. \$60.00 cloth, \$20.00 paper.

The United States now operates the largest, most expensive, and arguably most harshly punitive prison system on earth. In a series of articles and books, notably *Punishing the Poor* and the recently expanded and reissued *Prisons of Poverty*, the sociologist Loïc Wacquant places this vast machinery of human dispossession at the center of his account of our political present.¹ The decades since the Richard Nixon presidency, Wacquant argues, have been defined by “the transition from the social state to the penal state” (1): As an ascendant neoliberalism dismantled the twentieth century’s institutions of welfare and public health, and as the industrial economy gave way to a postindustrial order characterized by a heightened instability and the erosion of workers’ rights, governments at all levels began using prisons to manage a whole range of social problems—mental illness, drug addiction, vagrancy, and, above all, poverty itself. “Incarceration,” Wacquant writes, “has de facto become America’s largest government program for the poor” (69). It is only one of the ironies of his story, and not the most devastating one, that the politicians who came into office on promises of smaller government have, in reality, eagerly created this monster.

Wacquant sets out to expose the propaganda and the policy decisions that inform what he calls America’s “penal common sense”

(7). What is at stake, beyond the panic over urban violence and the spectacle of a tough-on-crime crackdown, is actually “the redefinition of the missions of the state, which is everywhere . . . asserting the necessity to reduce its social role and to enlarge, as well as harden, its penal intervention” (8). Wacquant’s project is to subject the falsehoods disseminated by speechwriters, journalists, and hired experts and think tanks to the more rigorous analytic methods of academic sociology. According to the evidence he marshals, mass incarceration functions neither to reduce crime nor to cope, in any sensible way, with the social instability generated by economic transformation. He hopes to contribute to research and activist programs that might open the way for the consideration of political alternatives.

At the same time, though, Wacquant is concerned with the imaginative aspects of life under the penal state. He wishes to combine a Marxian, “materialist” analysis with a “symbolic” one adapted from Émile Durkheim and from Wacquant’s own teacher, Pierre Bourdieu: “The prison,” Wacquant writes in *Punishing the Poor*; “symbolizes material divisions and materializes relations of symbolic power; its operation ties together inequality and identity, fuses domination and signification, and welds the passions and interests that traverse and roil society.”² Thus, his

work offers provocations not only for policy makers but also for critics of culture.

From the mid-1970s until very recently—that is, during the decades under investigation in *Prisons of Poverty*—the study of incarceration in the critical humanities was dominated by Michel Foucault’s *Discipline and Punish* (1975).³ Foucault set aside the question of justice to describe the prison as a site where new regimes of power and knowledge were manifest in concrete. He also turned away from the ideals of many reformers, past and present, by suggesting that incarceration works most insidiously not when it deprives inmates of freedom and humanity but when it cultivates them as peculiarly disciplined subjects. With its critique of penological discourse and its attention to the interior life of the prisoner, Foucault’s work was a gift to literary critics. It enabled the reconsideration of such major concepts as character, confession, and self-expression, and some of the studies that drew from Foucault became scholarly classics in their own right. Even as *Discipline and Punish* was being enshrined as a masterpiece of theory, though, the American prison system was changing in ways that Foucault could not have foreseen.

Foucault’s suspicion was that the penitentiary’s modes of surveillance and training had become so normalized, so diffused, so integrated into

the institutions of everyday life, that imprisonment itself would dwindle into obsolescence. Instead, the era of Foucault's preeminence in the academy was the era of a world-historical prison boom. Hardly a vestige, the prison became the defining institution of Wacquant's *penal state*:

From its low point in 1973, the curve of the incarcerated population made an abrupt about-face and then took off: a dozen years later, the number of persons behind bars had doubled to 740,000 on its way to passing 1.5 million in 1995 and breaking the 2-million mark in 2000, thanks to an astounding average annual growth of nearly 8 percent through the 1990s, bringing in a net increment of 1,500 inmates every week. The carceral system of the United States has now ballooned to proportions such that if it were a city it would be the country's fourth-largest metropolis. (60)

For these reasons, among others, critical prison studies began to move in new directions. Two lines of thought, in particular, led away from Foucault's critique of subjection.

The first, returning in some ways to an earlier generation's protest, described the prison as a scene of abjection, dehumanization, and

living death. Drawing especially from the genre now known as prison literature, critics emphasized that America's increasingly vengeful prison regime stripped away the rights and mortified the bodies of its captives. Many drew connections to the history of slavery, emphasizing that American institutions of captivity have always been scenes of racialization; others invoked the ideas of *civil death* and *bare life* to make sense of the torture and indefinite detention on display in the war prisons of the second Bush's administration. Here, the figure of the prisoner appeared less as a disciplined subject than as a dispossessed, almost gothic other.⁴

Wacquant recognizes that the hyperexpansion of the prison system has been accompanied by "a new cultural industry of the fear and loathing of (lower-class and dark-skinned) offenders" (5). Like several other scholars of imprisonment in America, he sees the continuities between the mass incarceration of the present and the Jim Crow order of the past: from one point of view, he observes, "incarceration is only the paroxysmic manifestation of the logic of ethnoracial exclusion of which the ghetto has been the instrument and product since its historical inception" (81). As his attention to the sites of exclusion already suggests, however, Wacquant's most original insights belong to another

movement in post-Foucauldian prison studies, a kind of spatial turn.

Although Foucault analyzed architectural models like the panopticon and the development of a far-ranging (though informal) archipelago of carceral apparatuses, his most generative arguments, for literary critics at least, concerned a disciplinary soul that was thought to supervise, manage, and restrain the unruly energies of the deviant body. Now, confronting the rapid expansion of the prison system itself, critics of the penal state have begun to think in geographic terms. One recent collection of activist writings, for example, claims that the function of incarceration has become the mere “warehousing” of the poor.⁵ Also reintegrating economic history and prison studies, Ruth Wilson Gilmore charts the relations between collapsing urban centers and the rural penal institutions of California’s “golden gulag.”⁶ Wacquant, too, redraws the map to connect the city, the nation-state, and neoliberalism’s globe (particularly Britain and Europe). He does so by reconstructing the conception and implementation of a single program of crisis management across these three zones.

In the first chapter of *Prisons of Poverty*, Wacquant recollects the recent past, telling a story that begins with Rudolph Giuliani’s New York City in the 1990s. Wacquant’s target is the myth that Giuliani and

his once-celebrated police chief, William Bratton, salvaged the city from crime by instituting “zero tolerance” or “broken windows” policies that aggressively punished such minor offenses as vandalism and trespassing. Giuliani and Bratton made their names by going after “petty drug retailers, prostitutes, beggars, the homeless, drifters, and perpetrators of graffiti and other urban depredations” (16). The poor, especially poor people of color, experienced zero tolerance as an intensifying harassment, intimidation, or worse. But, for affluent whites, the city under Giuliani began to feel like a safer place to work and shop. “In short,” Wacquant explains, “the enemy is the subproletariat that mars the scenery and menaces or annoys the consumers of urban space” (16).

From the hyperpolicing of the city center, Wacquant broadens his view to examine how New York City’s policies were transmitted across the United States, as the fear of urban violence animated a hardening of police practices and criminal codes. The spread of zero tolerance, according to *Prisons of Poverty*, was helped along by the false premise that the strategy had wrought a miracle of crime reduction in New York City. In fact, the crime rates in most American cities, including those with very different policing strategies, were declining at a similar pace in the mid-1990s. But New York, unlike most other

cities, produced a propaganda campaign that linked the new security of its urban spaces to its distinctively aggressive law-enforcement policies. Leading the way was the think tank known as the Manhattan Institute. In the Ronald Reagan era, the Manhattan Institute had funded the work of such New Right intellectuals as Charles Murray, providing the framework for zero tolerance; a decade later, it was ready to popularize the myth of the Giuliani miracle.

Meanwhile, the rapid growth of the prison population supplemented the transition from welfare to *workfare*, a model designed to force the poor into the kind of low-wage, precarious employment that characterizes the postindustrial American city. This point is central to Wacquant's analysis. Unlike some other activist scholars, he does not describe mass incarceration in terms of a prison-industrial complex designed to generate profits out of inmates' labor. Indeed, Wacquant dismisses the idea of the prison-industrial complex as a paranoid thesis "anchored in a conspiratorial vision of history" (84):

[T]he ritual denunciation of the superexploitation of inmates under conditions evocative of penal slavery cannot hide the fact that only a minuscule and stagnant fraction of the U.S. carceral population works for outside

firms (under 1 percent by the most generous counts) and that no economic sector relies even marginally on convict laborers. As for the prisoners toiling for state or federal industries behind bars, their output is negligible and they are "employed" at a net loss to the government, even though their activity is massively subsidized and heavily protected. (85)

Wacquant argues that the new era of mass incarceration is best understood not according to an outmoded logic of industrial exploitation but in relation to neoliberalism's reorganization of the economy and of the character of government. For Wacquant, then, the subject of investigation is "not so much crime and punishment as the *reengineering of the state* to promote, then respond to, the economic and sociomoral conditions coalescing under hegemonic neoliberalism" (162). The benefits to capitalism, such as they are, come through shutting down alternatives to low-wage, low-stability employment for the poor: on one hand, the destruction of welfare programs; on the other, the harsh criminalization of the illegitimate economy, even of joblessness itself. In the end, Wacquant's notion of "hegemonic neoliberalism" may be no less conspiratorial than others' visions of a vast, exploitative

“complex,” but the distinction is a meaningful one.

Another of Wacquant’s central arguments is that the neoliberal development of a penal state has not been confined to the United States: “From New York, the doctrine of ‘zero tolerance’ as instrument of legitimation of the penal management of troublesome poverty, that is, visible poverty that causes disruptions and annoyance in public space . . . has propagated itself across the globe with lighting speed” (19). *Prisons of Poverty* documents the international celebrity of Giuliani, Bratton, and Murray; it explores the implementation of American policies in Latin America, in the United Kingdom, and especially in France, the author’s home country. Indeed, the activist edge of Wacquant’s project is here, in his effort to

circumvent the dominant policy and media discourse fostering the diffusion of this new punitive *doxa* and to alert European scholars, civic leaders, and the interested citizenry to the shady springs of this diffusion, as well as to the dire social consequences and political dangers of the growth and glorification of the penal wing of the state. (161)

His aim, in short, is to intervene in a conversation among the credentialed

experts who inform the decisions of governing bureaucrats and, more broadly, in the public sphere.

Wacquant writes in a lively, pug-nacious style, and with a polemical intensity, but he addresses himself to a public whose deliberations are presumed to conform to the norms of rational-critical discourse. For a work of academic sociology, *Prisons of Poverty* has certainly found a wide readership. Since the first French edition in 1999, Wacquant notes, his book has been translated into a dozen languages and become a key text for anti-incarceration movements on three continents. Its actual effects on policy would be difficult to measure, but the book has certainly made a mark.

What, meanwhile, of its consequences for the study of literature, the arts, and culture at the margins of a policy-oriented public sphere? Most obviously, *Prisons of Poverty* might enable the critique of mass-media texts that demonize the subproletariat, above all impoverished black and brown men, as so many predators stalking the streets. There are echoes of the Frankfurt school in Wacquant’s invocation of a mystifying, fear-mongering “cultural industry” that does the ideological work of the penal state in the field of mass culture. In *Punishing the Poor*, he goes so far as to compare this industry’s media spectacles to the redundant titillations of pornography:

[T]he law-and-order merry-go-round is to criminality what pornography is to amorous relations: a mirror deforming reality to the point of the grotesque that artificially extracts delinquent behaviors from the fabric of social relations in which they take root and make sense, deliberately ignores their causes and their meanings, and reduces their treatment to a series of conspicuous position-takings, often acrobatic, sometimes properly unreal, pertaining to the cult of ideal performance rather than to the pragmatic attention to the real.⁷

As I reflected on *Prisons of Poverty*, though, I found myself more intrigued by Wacquant's account of public space, especially the space of the metropolitan center. An important implication of his book, and of the spatial turn in critical prison studies, is that the penal state is operative in sites where we might not be accustomed to looking for it: not only within the prison interior—nor quite, as Foucault suggested, in the interior life of every modern subject—but also, peculiarly, in cities that seem to have been emptied of their “troublesome poverty” and transformed into smooth, clean zones for the enjoyment of “consumers of urban space.”

To take the readiest example, it becomes possible to think of the shops, museums, and parks of Manhattan in the early-twenty-first century as sites violently carved out of the urban landscape by the penal state. A connection might be drawn to art and architecture critic Hal Foster's account of the postmodern spectacle city, where the psychic experience of urban space, once one of the richest fields of sociological theory, has itself been commodified.⁸ Here, the arts participate in neoliberalism's reordering of the world not by transmitting its ideology in any representative sense, but in the material forms and scenes of their presence. Here, too, the *occupation* of urban space by an emergent social movement against the neoliberal order might forge a bond between its economic demands and the critical resistance to mass incarceration.

Caleb Smith is professor of English and American Studies at Yale University. He is the author of The Prison and the American Imagination (Yale University Press, 2009), and he edits the website Imagined Prisons (<http://www.imaginedprisons.org>).

NOTES

1. Loïc Wacquant, *Punishing the Poor: The Neoliberal Government of Social Instability* (Durham, NC: Duke University Press, 2009), and *Prisons of Poverty*. Unless otherwise noted, quotations cited parenthetically in the text are from this edition of *Prisons of Poverty*.

2. Wacquant, *Punishing the Poor*, xvi.
3. Michel Foucault, *Discipline and Punish: The Birth of the Prison*, trans. Alan Sheridan (New York: Vintage, 1977).
4. See, for example, Colin Dayan, *The Story of Cruel and Unusual* (Boston: Boston Review/MIT, 2007), and *The Law Is a White Dog: How Legal Rituals Make and Unmake Persons* (Princeton, NJ: Princeton University Press, 2011). In my own first book, *The Prison and the American Imagination* (Yale Studies in English [New Haven, CT: Yale University Press, 2009]), I suggested that these two ways of representing carceral life might not be as irreconcilable as they appear. For an overview of recent trends in the interdisciplinary field of prison studies, see Peter Monaghan, "Field Report: Prison Studies," *Chronicle of Higher Education Review*, 1 November 2009.
5. Tara Herivel and Paul Wright, eds., *Prison Nation: The Warehousing of the Poor* (New York: Routledge, 2003).
6. Ruth Wilson Gilmore, *Golden Gulag: Prisons, Surplus, Crisis, and Opposition in Globalizing California*, American Crossroads (Berkeley: University of California Press, 2007).
7. Wacquant, *Punishing the Poor*, xii–xiii.
8. See Hal Foster, *Design and Crime (and Other Diatribes)* (London: Verso, 2003), and *The Art-Architecture Complex* (London: Verso, 2011).