Dis-placing the Prison:

Carceral Space, Disposable Life, and Urban Struggle in Neoliberal America

by

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A thesis submitted in conformity with the requirements for the degree of Doctor of Philosophy

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Abstract

This dissertation contributes to the emerging field of carceral geography by demonstrating how carceral space produces and manages social disposability in late capitalist American life. In so doing, it posits that carceral space must be conceived as a complex geography, one that inscribes the production of racialized poverty, incarceration, and devalued life into its everyday socio-spatial relations. Carceral space encompasses the whole chain of relationships that make up the prison system: from the sites of criminalization, arrest and conviction to the landscapes of building construction; from edifices of captivity to the spaces deployed for the circulation and transfer of bodies. Carceral space also, I argue constitutes those social relations and geographic practices through which the state’s capacities of containment, displacement and dispossession are put to work for racial capitalism.

The dissertation examines several illustrative carceral spaces at different points along the continuum of penal coercion in order to answer the question: How does carceral space help
produce and manage social disposability? Using qualitative methods, including in-depth interviews, ethnographic participant observation, and textual analysis, my four case studies demonstrate that the production of disposability is an active process, spatialized in a range of places and forms that are politically mutable, highly contested, and differentially experienced. Throughout my case studies, geographies of spatial isolation and individuation function alongside the neoliberal logic of individual responsibility, to undermine black sociality and the forging of collective counter-power to racial capitalism and the carceral state.

I argue that the racialized production of the ‘criminal’ provides powerful legitimizing cover for the making and social differentiation of surplus populations. The criminal is a paradigmatic category of disposability in capitalist liberal democracies precisely because the project of neoliberalism makes it so hard to divest from the economy of individualized responsibility and accountability. Finally, the dissertation points to some of the ways in which the capacities of the carceral state are being retrofitted for the current political-economic conjuncture, producing new spatial fixes for managing surplus life under the pretext of penal reform. I conclude that so long as the actual social relations for which the carceral state is put to work remain unchallenged, the spatial organization of racialized unfreedom and surplus life remain a pressing and pernicious threat.
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Chapter 1

INTRODUCTION: SETTING THE SCENE OF SURPLUS LIFE

Research revealed the difficulty of distinguishing between a ‘criminal’ population of London and the poor population as a whole. That is why we can say of the hanged that they belonged to the poor. Furthermore, the hanged, like the labouring people in London as a whole, worked with their hands and expended their energies of their bodies to make the civilization of the eighteenth century. That is why we can say that they were of the labouring poor. Finally, the struggles of the hanged, like those of their class, inspired their rulers to initiatives of their own. It is from this pattern of struggle, initiative, and response that an historical dialectic was created. (Peter Linebaugh, The London Hanged)

The dully-lit municipal court of Ferguson, St. Louis County is nominally a site for paying off one's occasionally incurred traffic fines. Due to economic restructurings that have seen municipalities' tax revenues plummet over recent decades, Ferguson, like many other suburbs in the area, has turned to municipal fines in order to fulfill an increased share of the city budget, systematically incentivizing a widening net of police crackdowns on the most minor and anachronistic of offences (Balko 2014b). Finable infractions include driving with a suspended license, failing to provide proof of insurance, and being found in a residence without an "occupancy permit" on hand. Defense attorneys in the St. Louis area call these “poverty violations," and describe how it is the region's poor, black residents who bear the economic brunt of this system of municipal financing (Balko 2014a). Because indigent defendants are not provided with public defenders, many of those who don't have the resources to pay their fines avoid showing up in court at all, out of fear of the penal repercussions. Police are then legally able to issue an arrest warrant, setting off the chain of events that can lead to jail time. In Ferguson - a majority black municipality itself forged out of the redlining and other racist housing policies that produced the de facto segregated subdivisions of St. Louis County in the postwar period - the police hand out an average of three arrest warrants per household every year (Drum 2014).
Public attention and outrage became newly focused on Ferguson in the wake of the police killing of a young black man named Michael Brown in the summer of 2014. Ferguson serves to do more than just exemplify the national epidemic of state violence against black bodies, however; it also calls our attention to the complex racial geographies of carceral space along a whole chain of moments and events that include the site of incarceration. Recast as story about penal infrastructure rather than incidental police violence, the story of Ferguson’s urban landscape helps demystify the prison as a set of social and economic relationships; a carceral space that inscribes the production of racialized poverty, incarceration, and devalued life into its everyday socio-spatial relations.

This dissertation investigates how carceral space produces and manages social disposability in late capitalist American life. In so doing, it posits that carceral space must be conceived as a complex geography that includes but is not limited to the prison edifice. As Hallett writes, “As we have seen many times over in the history of punishment, the punitive turn in the United States has less to do with offenders per se than with large social dynamics in the economy and race relations.” (2012: 218) These dynamics and relations are always at once spatialized and spatializing. Accordingly, my dissertation argues that in order to understand the functions and future of the carceral state, we need to rigorously examine its spatial life across the penal system’s 'external' geographies, including those spaces and places on the ‘outside’ of prison walls whose built forms and social relations continue the work of the prison itself.

In the chapter-long case studies that follow, carceral space includes the whole continuum of relationships that make up the prison system: from the sites of criminalization, arrest and conviction to the landscapes of building construction; from edifices of captivity to the spaces deployed for the circulation and transfer of bodies. Yet it also encompasses something broader than these penal nodes. Carceral space constitutes those social relations and geographic practices through which the state’s capacities of containment, displacement and dispossession are put to work for racial capitalism.
Informed by the emergent critical literature on prison geographies (Gilmore 2007; Bonds 2009; Martin and Mitchelson 2009; Moran 2013), my dissertation identifies a series of illustrative carceral spaces at different points along the continuum of penal coercion in order to answer the question: How does carceral space help produce and manage social disposability?

To answer this question, I traverse a diverse set of spaces and places across the US in which carcerality is both a condition and consequence of contemporary social relations. The dissertation begins in the prison itself, specifically in the austere chambers of the solitary confinement cell. It next touches down in the urban neighborhood of a global city, a profoundly carceral space that is today being redrawn not only by continued gentrification strategies but, as I demonstrate, by the reformist cartography of the “million dollar block” and its attendant logics. Later I visit another kind of urban space, a city in “decline,” whose disinvestment via the see-saw of uneven development conditions a different set of accumulation strategies. The fourth chapter takes place in the long-distance prison bus, a gendered ‘in-between space’ of the lives segregated by the carceral practices of forced migration and rural prison siting. The impoverished landscape of prison building in turn figures as a site from which to interrogate the affective infrastructure of carcerality, from the point of view of those non-incarcerated subjects who themselves occupy the lower rungs of what Cowen and Siciliano call surplus masculinities (2011). Here I ask how unemployment, poverty, and the ideology of work structure the desirability and logic of prisons as an economic development strategy. Finally, I investigate the ‘space’ of common sense: the affects and ideologies by which prisons and other spaces of banishment stitch themselves onto the landscapes of everyday life, in turn normalizing logics of punishability and surplus life.

The dissertation reveals numerous and interrelated ways in which carceral space produces and manages disposability. In the chapters that follow, I find that carceral space functions to undermine what Judith Butler calls “livable life” (2009) by: undoing social subjectivity, and disorganizing collectivized counter-power; dispossessing urban residents of public space, resources and state entitlements; responsibilizing people into neoliberal subjects; wearing
people out at the economic margins of everyday austerity; reifying race and racial hierarchies, especially along axes of putative criminality; securitizing the social relations and ontologies of property and labor over other forms of social value; and finally by undermining sociality and racialized insurgency at every turn.

I situate the carceral spaces examined in different iterations throughout this dissertation firmly within the context of neoliberalism’s ascendance and entrenchment. A project that bundles a variety of policies and practices, neoliberalism over the past forty years has constituted an active zone of experimentation, spatial restructuring, and ritualization of ‘individual responsibility’ in all realms (Harvey 2005). Forged as an attack on the Keynesian-welfarist state, and flourishing in its wreckage, neoliberalism’s purview can be described as “the construction of new institutional forms and regulatory conventions, designed to secure the extension, maintenance, and reproduction of ‘market rule’” (Peck 2003: 224). One can see the build-up of the criminalization and incarceration mechanisms of the state over the period of neoliberal’s advancement as helping to secure such experimentations in new institutional forms and conventions, as well as manage their costs and damages (McNally 2011: chap. 5).

Crime control has long constituted a racialized mechanism for both capital accumulation and the production of social differentiation along axes of race, class and gender (Linebaugh [2004]2006; Muhammad 2011). It thus bears asking: what is new about the work of carceral production in the neoliberal period? Indeed, scholars have done important work demonstrating that the phenomenon of exploding incarceration rates alongside the ascendance of neoliberal policies and rationalities in American life are correlative rather than coincidental. As techniques of state dominance have shifted decisively in the neoliberal era, the period has given birth to what Bernard Harcourt terms “neoliberal penality”: a particular mode of crisis abatement wherein market deregulation and the delegitimation of state entitlements are secured through the expanded deployment of carceral interventions and institutions (2010). Noah De Lissovoy posits the “carceral turn” of the past four decades as a central expression of neoliberal culture, describing how, “Networks of solidarity and obligations to the vulnerable are replaced by a culture of blame and externalization… in this
process, structural crises and contradictions are reinterpreted in moralistic terms, as the proper neoliberal subject recognizes itself through its exclusions of the pathologized other” (2012: 740). In other words, criminalization functions to absorb the social wreckage wrought by neoliberal policies by displacing state violence onto responsibilized and disciplined individuals, while simultaneously serving to uphold the neoliberal myth of state retreat. It is significant, therefore, that the current period’s forays into prison reform are happening in a context of ongoing neoliberal entrenchment, suggesting to us that the work that carceral governance and criminalization have done for neoliberalism is not yet over, even while their spatial arrangements might be transforming.

Neoliberal penalty and the redrawn contours of carceral space in the neoliberal era have also progressed along profoundly gendered terms. Both Gilmore (2007) and Wacquant (2009a) point out how alongside rising incarceration rates for women in recent decades, the coterminous transformation of the welfare state into the “workfare” state has had particularly disciplining consequences for women, who bear the brunt of socially reproductive labor, and for poor women of colour primarily. As Peck elaborates, “In a fashion analogous to prisons, workfare systems normalize and naturalize contingent employment and working poverty; they both effectively individualize the causes of and the supposed remedies for underemployment, poverty and social breakdown; they each tend to reproduce segmentations in the job market and the sphere of social reproduction based on gender, class and race” (2003: 226-227). While the reconfiguration of the state, society and subjectivity through neoliberal policies and rationalities thus coalesce with various tactics and spaces of carcerality to undermine the conditions of livable life, the gendered ways in which state power is applied and spatialized must be recognized if the full scope of carceral power is to be grasped. While this thesis does not offer an exhaustive account of the complex gendered relations organized by neoliberal penalty, nor the complex ways in which gendered difference produces carceral differences (see Stanley and Smith 2011), gender is certainly touched in several of my case studies, most explicitly my exploration of the prison bus as a gendered space of carceral circulation in chapter 4.

Certainly incarceration is made possible in part because certain lives have been rendered
systematically superfluous to the formal labor market (Peck and Theodore 2008; Wacquant 2009a) and ungrievable within the public imagination (Butler 2004), but carceral space, I argue, also plays an active role in producing disposability itself, materially and ideologically. The production of the ‘criminal’ as a racialized ontology in particular, provides powerful legitimizing cover for the making and social differentiation of surplus populations. This occurs even while carceral spaces enact forms of productive work that bears little actual relation to the issue of crime.

Throughout this dissertation, the terms ‘surplus life’ and ‘disposability’ are largely used synonymously. Both are meant to convey the differentiated disentitlement of certain populations to rights, livelihoods, and freedom from state violence. I focus on the conditions of their production, rather than using these terms as descriptors of being, to underscore the ways that such subjectification is an active process, necessarily incomplete and contradictory.¹ It is important to acknowledge, moreover, that the concept of surplus life has a particular history of theorization within Marxist thought, one related intimately to the absorption of labour, or not, by capital. Within Marxist analysis, ‘surplus life’ is theorized specifically as that which is redundant to, or in excess of, the requirements of capital accumulation.² Indeed, while such labour redundancy is an important part of the story of mass incarceration, changes in the carceral regime’s management of poor, racialized bodies cannot be reduced to matters of employment and the labor market. In order to expand the frame within which the political economy of surplus life might be theorized, therefore, I also

¹ While similarly utilized concepts such as ‘bare life’ (Agamben 1998), ‘social death’ (Cacho 2012; Guenther 2013) and ‘civil death’ (Dayan 2007) can risk reifying prisoners as totally abject subjects, this dissertation’s emphasis on the production of disposability is a deliberate attempt to acknowledge the un-bare-ability of prisoners and other carceral subjects, even under conditions of severely restricted rights, freedoms, and resources. As Michelle Brown puts it, “These carceral actors represent more than biological life, capable of expressing, even in the worst of human conditions, some degree of agency and, sometimes, achieving political presence” (2014: 177). It is important to insist on the production of disposability and surplus life as active processes rather than states of being, for which, as this dissertation explores, new carceral tactics are constantly being deployed, spatialized, and contested.

² While Marx made important differentiations within his concept of a “relative surplus population,” including what he called the floating part, the latent part, and the stagnant part (Marx [1976] 1990), these elaborations and subsequent debates therein are not central to my own use, and investigation, of productions of surplus life within carceral space.
use the term ‘disposability,’ which more pointedly gestures toward the ideological and affective processes through which some lives are rendered less grievable than others within the body politic and public imagination (Butler 2004).

Katharyne Mitchell, for example, firmly situates the production of surplus life within an analysis of race and neoliberalism, arguing that surplus life in liberal capitalist democracies is that life which “might have to be ‘abandoned’ in the process of securitizing valued life” (2009: 240). In the contemporary neoliberal economy, she argues, it is not just risk that needs to be mitigated, but the would-be failures made structurally inevitable by the economic system itself. Neoliberalism, she argues, has made necessary the identification of those individuals and populations not just “at-risk” but actually projected to be inevitable risk failures. She terms these subjects “Pre-Black” and explores how these pre-black subjects can be “forcefully and ‘justifiably’ removed from commonly held spaces and resources in a contemporary liberal form of sovereign dispossession” (Ibid: 239). Such inevitable risk failures set up a management problem for the capitalist state, for which the prison in the era of mass incarceration figures as a paradigmatic site of removal and dispossession. Moten (2014) would call this management problem the problem of insurgent black life. He identifies that life as a social life; and the threat itself as the threat of black sociality.

The focus of this dissertation is the work that carceral space does in producing and managing surplus life and the social fragmentation of those at the lowest echelons of the neoliberal social order. The spatialized demolition of racialized sociality is one important part of that story, intimately related to the historical production of black ‘criminality’ (Muhammad 2011). Today, criminal status simultaneously consigns some people to informal and hyper-exploited labor markets, marks some bodies as legitimate targets of state and vigilante violence, abandonment, and dispossession, and categorically divides the poorest and most oppressed people against each other (Linebaugh [2004]2006). It also serves as a powerful vehicle of ongoing racialization in the ostensibly ‘postracial’ era, enshrining racialized disentitlement as natural and legitimate insofar as individuals can be seen as bringing it upon themselves by their own ostensibly deviant actions, behaviors, or choices. The criminal is a paradigmatic category of disposability and surplus life in capitalist liberal democracies precisely because
the project of neoliberalism makes it so hard to divest from the ideological economy of individualized responsibility and accountability. This is why the category of innocence has such purchase within liberal reform movements; it is a way of rescuing some and thus attenuating aggregate harm without challenging the underlying premise of responsibilized and individualized subjecthood. My study of carceral spaces, in contrast, upends the very dialectic of ‘crime and punishment’ as the putative centerpiece of the penal order.

This de-centering of crime from the study of carcerality points up an additional problem that needs to be addressed: the problem of representation itself; how it is that certain schemes of visibilization or image production might come to index a set of logics that reinforce and reproduce the carceral order, rather than undo it. This is centrally a question about the relationship between aesthetics and politics, or about optics and analysis, and one that has, I suggest, acute bearing on productions of social difference and the meting out of state violence. I argue that a central problematic of liberal prison reform strategies at the level of representation is a failure to disaggregate the prison and homologous penal sites from the problem of crime and punishment in popular thought. I investigate the consequences of this failure most directly in my exploration of the ‘million dollar block’ as a cartographic discourse in chapter 3 and in my deconstruction of the relationship between ideology and space in chapter 5, but I also respond to it in the form of a cinematic companion to this research project. The film, which I elaborate upon later in this introduction, insists alongside this dissertation that representations of carceral space, of which the visual is particularly potent, react profoundly upon the production and maintenance of lived carceral geographies.

The immediate political stakes of this critical engagement are high. Two centuries after the penitentiary’s introduction as an institution of discipline and state-making at the margin of the new Republic, there are signs that the legitimacy of the prison, or at least the juggernaut known as mass incarceration, may be under threat. The fiscal burden of the US prison system has proven to be a lightning rod in recent years for bipartisan penal reform efforts. Since the 2008 onset of the Great Recession, liberals and conservatives have joined in a chorus of criticisms faulting mass incarceration for failing to generate projected social returns and exacting too high a cost for cash-strapped states. Groups like the Council of State
Governments and the US Department of Justice have channeled that financial discontent into a firmly neoliberal approach to penal reform, focusing on what Marie Gottschalk calls “the three R’s” of reform: reentry, justice reinvestment, and recidivism (2014: 3). Fiscally-oriented prison reform has subsequently been operationalized through a set of initiatives and interventions that take place outside of prison walls and risk widening the carceral net across social space. These processes include increased use of electronic monitoring, the rise of social impact bonds as financial instruments for reducing recidivism, and the proliferation of reentry programs targeted at high-incarceration neighborhoods.

It remains to be seen whether the emerging mainstream critique of mass incarceration leads to anything other than a repackaging of the carceral state, and an exercise in corrections budget recapture. In the meantime, this dissertation attempts to anticipate the character of a decarcerated future by critically excavating the carceral state’s investments in the broader political and economic landscape. This landscape includes “deep structural changes in the job market, growing income and other inequalities, the escalating political assault on the public sector and organized labor, and the economic decline of wide swaths of urban and rural America” (Ibid: 7). If we are indeed today witnessing, as Hallett puts it, “the unfolding failure of America’s hyper-incarceration security state, defined by unsustainable spending on ‘warehouse’ incarceration and profoundly high rates of recidivism” (2011: 223), the question remains: what is the future of mass incarceration? And does it portend the retreat of the carceral state, or simply its evolution? Might there be a post-prison future in which the work that prisons do is continued through new institutional, juridical and spatial arrangements? Although the purpose of the following chapters is not to answer these questions directly, a core argument of this dissertation is that so long as the actual social relations for which the carceral state is put to work remain unchallenged, the spatial organization of racialized unfreedom and surplus life remain a pressing and pernicious threat.

Before elaborating on the dissertation’s case studies and main claims, I want to identify the research traditions that guide my approach, and to which my work contributes. Because my own research project manifests as both a written dissertation and a documentary film, I also reflect on the methodologies, problematics, and approaches that I have drawn on and
developed in the production of both.

What is the Work that Prisons do? The Spatial Turn in Critical Prison Studies

The scene from which this project emerges is the scene of penal space in the late-capitalist era of mass incarceration, sometimes characterized as hyper-incarceration (Wacquant 2010a). This period runs from about 1973 onwards in the United States, and can be characterized broadly by the rollback of the Keynesian welfare functions of the state, deindustrialization, deregulation of the labor market and the stagnation of workers’ wages, the neoliberal restructuring of urban space, and the unprecedented expansion of prisons and prisoners. The US prison population began climbing in 1973, and rose dramatically over the next forty years. By 1985, the number of people behind bars had doubled to 740,000. Over the course of the 1990s the US saw an unprecedented average annual growth of nearly 8 percent, leading it to surpass the 2 million mark in 2000 (Wacquant 2009a: 60). Today the number of people imprisoned in the country’s jails and prisons hovers around 2.2 million. The US has the highest rate of incarceration in the world, and across human history. This lock-up boom, moreover, has progressed along profoundly racialized contours. No other country in the world imprisons so many of its racial or ethnic minorities.

Attempts to explain this historically and geographically unprecedented carceral phenomenon are by now numerous, spanning multiple disciplines and analytical approaches (see for example Garland 2001; Simon 2003; Gottschalk 2006). While Michel Foucault himself failed to anticipate the expansion of prisons across the West, his seminal genealogy of the penitentiary as a disciplinary technique, Discipline and Punish (1977) prefigured a specifically spatial approach to the study of carceral institutions. In recent years, a more explicit kind of ‘spatial turn’ has taken place in critical prison scholarship, often from within a Marxist or historical materialist framework. Characterizing prisons as “partial geographic solutions to political economic crisis, organized by the state, which itself is in crisis” (2007: 26), Gilmore’s Golden Gulag heralded an emerging field of carceral geography, out of which we have seen increasing attention paid to the spatialities of prison siting (Bonds 2006;
Gilmore 2007), state restructuring and labour market management (Peck and Theodore 2008), and urban social control (Wacquant 2009a). These scholars have generated important insights into the work that prisons do by couching their inquiries in increasingly geographic terms; their questions about where have helped to answer questions about why. In turn, rigorous study of the whole continuum of the US prison system have contributed much to ongoing debates about the ‘production of space’ and the ‘socio-spatial dialectic’ (Harvey 1973; Lefebvre [1974]1991; Soja 1980).

There are three main registers at which spatial inquiry yields new and important insights into the prison’s productivities, and thus into why prisons have so expanded as a public infrastructure in the US, even in the face of declining crime rates: the urban, the state, and the globalized capitalist economy. Moving between these interconnected levels of analysis brings into sharper focus the prison’s operation through a complex set of social relations and processes, such as labor, neoliberalism, and racialization. Such work helps lay the foundation for this project’s own critical analyses of carceral space and its productions, and thus bears worth reviewing in some detail.

A growing body of scholarship has attended to excavating the structural homologies between both urban restructuring and prison expansion over at least the past forty years. Beginning in the late 1960s and early 1970s, states and cities across the US were hit by dual economic and social crises: a series of economic recessions that rocked the country on the one hand, and increased social and racial unrest, most dramatically manifest as urban rebellions, on the other. Emerging out of this period, President Nixon’s 1970 War on Crime focused explicitly on the poor, racialized populations of the nation’s major cities, constructing them as a social problem by conflating black men in particular with the criminality. Urban restructuring and prison expansion from this era onward constituted duel spatial strategies for addressing these intersecting urban crises (Parenti 1999; Gilmore 2007).

With the decline of Fordist manufacturing economies in many American cities, the reconfiguration of industrial capitalism through what Harvey (1990) calls “flexible accumulation,” and the uneven ascendance of urban economies organized primarily around
finance, real estate and the service sector, large segments of the workforce historically contained in the ‘black belts’ of major metropoles were rendered economically redundant (Wacquant 2002b: 48). Expanded prison space in the neoliberal period, Wacquant argues, served “to warehouse the precarious and deporletarianized fractions of the black working class, be it that they cannot find employment or are underemployed” (Ibid: 53). He thus suggests that the urban ghetto and the prison constitute a “carceral continuum” with shared functions vis-à-vis surplus labor and the production of race. Relatedly, Peck and Theodore (2008) have analyzed the labor market impacts of mass incarceration in the more recent period, arguing that the 21st century prison functions institutionally to manage but also to produce systemic unemployability across a criminalized class of African-American men in particular.

Important work on the nexus between cities, prisons and the management of surplus bodies has also focused on charting the rise of new forms of urban socio-spatial exclusion, strategies of urban policing, and tactics for criminalizing undesirable urban populations (Davis 1990; Harcourt 2001; Beckett and Herbert 2008). Much of this literature elaborates in some way on what Herbert and Brown (2006) have termed the “punitive neo-liberal city.” As cities in the neoliberal period have restructured increasingly along “revanchist” terms (Smith 1996), the emergence of inter-urban competition for corporate investment, real-estate speculation and luxury-consumption has ushered in a flurry of new punitive ordinances and spatial exclusions in US cities across the country. Beginning in the 1990s, for example, ‘broken windows policing’ and civility laws were introduced as part of the broader coercive project of eliminating hindrances to downtown revitalization efforts. These new legal tools and techniques have increased the criminalization and social control of poor and often black and brown bodies across urban space.

The state has also figured as a key site of critical inquiry into mass incarceration. In turn, critical prison analysis has had much to offer debates around neoliberal state formation (Peck 2003; Gilmore and Gilmore 2008). While prison privatization has figured as a popular bogeyman of left critique, it is important to recognize that the overwhelming majority of prisons and jails in the US are public institutions; they are financially underwritten and
organized by the state. To ask why, then, the state undertook such an expansion of its organizational and financial capacity to arrest, forcibly remove, and then immobilize mass numbers of people from the early 1970s onward, one must ask how the state itself was transforming during this period. This was the period in which neoliberalism began to ascend as the dominant mode and rationality governing social relations.

The state, writes Hall et al., building on the work of Antonio Gramsci, “is not so much an entity, or even a particular complex of institutions, so much as it is a particular site or level of the social formation” (1978: 205). In other words, the state should be conceived less as a thing than as an organizer. It organizes capacity, in the sense that it puts capacity - financial, political, ideological, and logistical - into force. In terms of the state’s relationship to capitalism and class power, Hall et al., argue that the state is “the key instrument which enlarged the narrow rule of a particular class into a ‘universal’ class leadership and authority over the whole social formation. Its ‘task’ is to secure this broadening and generalizing of class power, while ensuring also the stability and cohesion of the social ensemble” (Ibid: 204, emphasis in original).

This conception of the state helps us bring into focus the character and condition of something that scholars of the prison system have come to call the ‘carceral state’ (Gottschalk 2014) or the ‘penal state’ (Peck 2003). At its most basic, the carceral state is a state restructured and expanded through its punishment and criminalization functions. The expansion of prisons and the criminalization mechanisms that lead to imprisonment are politically organized as well as underwritten by the state, itself in the process of radical restructurering. The concept of the carceral state thus refers to the state as it has remade itself using the newly vast prison system’s coercive powers on some parts of the population.

The upward march of incarceration rates in the US beginning in 1973 maps onto a period in which the state began to retreat from its role as welfare provider and employment broker. As a consequence of this withdrawal, the post-Keynesian state faced a growing crisis of legitimacy for which a build-up of its military and punishment infrastructures - themselves premised on the claim of new threats from which the public required state protection -
became the favoured solution. Wacquant thus asserts that at stake in the expansion of the US prison regime is “the redefinition of the mission of the state, which is everywhere… asserting the necessity to reduce its social role and to enlarge, as well as harden, its penal intervention” (2009a: 8). As the state’s resources have been redistributed toward its policing and incarceration apparatuses, its legitimacy has been purchased through its promise to punish. In Jamie Peck’s words, “In terms of the regulation of poverty and poor subjects, this is not less government but different government” (2003: 224).

Rather than constituting a state in retreat, the neoliberal state might be better characterized as an “anti-state state;” a state that grows on the promise of shrinking (Gilmore and Gilmore 2008). Indeed, the myth of the state in retreat is belied by the money alone: In the US, state expenditure at all scales (federal, state and local) has increased as a percentage of GDP by approximately 10 percent (from about 30 percent of GDP to about 33 percent) since the beginning of the nation’s prison building boom and the ascendance of neoliberalism (Ibid: 146). According to a 2008 study by the PEW Centre on States, prison spending by the nation has outpaced all other comparable spending budgets except Medicaid, based on federal and state data (Harcourt 2010: 85). As Gilmore and Gilmore write: “Prisons are symptomatic and emblematic of anti-state state-building” (2008: 142).

The globalized capitalist economy offers a final important register at which the productive work of prisons helps explain their growth over the past forty years. To this end, carceral spaces, including prisons, convey the role of spatial restructuring as a mechanism of crisis-abatement and neoliberal experimentation. The concepts of surplus, crisis, and spatial fix are particularly salient to this discussion, but related also is prison’s longstanding role as a “race-making” institution (Goodman 2008; Alexander 2010) and the importance of racialization to processes of capital accumulation and to productions of surplus life (Robinson [1983] 2001).

The concept of surplus, in the economic sense, is prominently invoked in Gilmore’s work. Surplus labor, surplus land, and surplus capital, geographically distributed along the poles of urban and rural space, all threaten to produce crisis in a capitalist system, either economically through over-accumulation or manifested socially as political unrest. Gilmore
draws on David Harvey’s concept of “spatial fix” and Neil Smith’s explication of “uneven development” to make the case that the prison boom witnessed most intensely in California but throughout the country since the 1980s constituted an attempted resolution of the economic recessions of the 1970s. Prison expansion offered not just a fix, but a specifically spatial fix to the multiple manifestations of capitalist crisis experienced in California and many other places in that period. Prison infrastructure helps absorb over-accumulated capital, and puts idled or surplus land back into productive use, partially and temporarily resolving some of the contradictions inherent to capital circulation (Marx [1976] 1990).

Race constitutes an important component of the prison’s work with regards to the accumulation of capital as well. As Cedric Robinson ([1983] 2001) has demonstrated, capitalism, even in its earliest Western European formations, has always been racial, even while processes of racialization have themselves shifted over time and bodies. As a system and mode of production that requires inequality to work, capitalism - especially within liberal democracies - requires race, as an ideology, and racism, as a system of hierarchically ordering a population, to enshrine that inequality as legitimate, even natural. Insofar as prisoners themselves have come to constitute a kind of class (Gilmore 2007: 7), and are themselves overwhelmingly racialized before incarceration and by incarceration (Goodman 2008), the prison has come to play a central role in the reproduction of racial capitalism.

In sum, the phenomenal rise in the rate of incarceration from the 1970s onward in the US can at least partly be explained by the various kinds of productive work that prisons do, even while they destroy communities (Clear 2007), and shorten life spans (Patterson 2013). Spatial inquiry has been instrumental in explaining the prison system’s productive functions. Prisons offer legitimacy to the neoliberal state, while also constituting an active zone of state-building. They absorb the labor and land surplused by deindustrialization and the globalization of capital. They also operate as a new kind of labor market institution, one that, as Purser writes, “has shown to conceal unemployment in the short run, by absorbing many who would assuredly otherwise be jobless, but exacerbate it in the long run, by dramatically increasing joblessness among inmates after they are released” (2012: 399). Prisons, and I’ll argue, carceral space more broadly conceived, further shore up the racialization of “crime”
and the ontology of the criminal, adding new ideological cover to the production and racialization of disposable bodies, exploitable labor, and ungrievable lives.

This dissertation builds on this important body of work to ask how transformations in carceral space produce disposability while also signaling crisis in the existing order of social relations. It contributes specifically to a growing literature concerned with “contexts that challenge traditional understandings of the penal realm” (Hannah-Moffat and Lynch 2012: 119). This work includes the identification of a “shadow carceral state” comprised of ostensibly non-punitive ‘civil’ law mechanisms (Beckett and Murakawa 2012), and increased attention to the burgeoning field of ‘prisoner reentry’ programming as an expanding arena of responsibilization and social control (Miller 2013; Hallett 2011). In the survey of carceral sites that follows, I investigate the processes by which these spaces might be harnessed, generated or transformed to continue the work that prisons do. I begin the endeavor by addressing a key problem in the study of carceral spaces: that is, ‘seeing’ them in our landscape at all.

_Making the Prison Visible: Notes on Method, Film and Fieldwork_

When the first penitentiaries were built in Philadelphia and New York they were deliberately built to take the practice of punishment out of the public square. Public floggings and other forms of spectacular punishment had proven to have a curious effect on the crowds that would gather around; people would get riled up, become raucous, even riotous. Sometimes that riotous collective energy would be infused with _sympathy_ toward the condemned subject, rather than the _antipathy_ anticipated by the punishing state. Alongside a variety of other social functions, the advent of the penitentiary form foreclosed such risk of mass sympathy, by reorganizing punishment into secret and hidden state intervention, putatively redirected from the offender’s body, to his soul (Foucault 1977). As Foucault was keen to make clear, however, the prison did not in fact portend an end to the state’s enactment of physical violence as was promised by the penitentiary's humanist champions; it simply relocated that violence out of direct sight.
The relationship between visibility and invisibility in the realm of criminal punishment was complicated even within the penitentiary form, however. For the edifices themselves, while built to hide punishment behind thick walls, were also designed to serve as public spectacles through their terrorizing architectures. Caleb Smith describes how the awesome gothic facades of Eastern State Penitentiary, for example, were deliberately crafted to elicit the fear and dread one might have in relation to the dungeons of the old world, even as the very men of Enlightenment wanted to describe what was happening inside them as a discipline of humane correction. For those who they imagined to be could-be criminals, they wanted to menace them with these terrifying facades, but for their own elite circle of reformers, they wanted to describe what they were doing in terms of modernity, humanity, and civilization (Smith 2011).

One of the core assumptions guiding my inquiry is that today’s penal landscapes are organized around a different kind of ‘hiding in plain sight.’ Prisons built over the past forty years have been increasingly excised from the urban centres where their foreboding structures and spectre of hidden horrors once held disciplinary power. In the contemporary United States, not only are prisons physically sited further than ever before from the places where most people, including incarcerated people, come from and return to, there exists a variety of new scales and metrics by which prisons and prisoners are eclipsed from public life. Communication to and from prisons today is highly regulated or controlled, and entering such facilities has been rendered difficult, if not impossible, for most people (Meiners 2007: 32). Prisons are also less accessible to academics and journalists, and the prison ethnographies that characterized the sociological scholarship of the 1960s and 1970s have radically diminished in response to the increased challenges of access (Wacquant 2002a).

It is thus understandable why people critical of carceral violence have tended to approach the problem as though the solution were just a matter of exposing what goes on inside prisons. Such invisibilization of the prison in the era of mass incarceration, seemingly built into the very geography and architecture of the prison form itself, lends itself to a pervasive assumption among many who seek its reform: that the problem of public acquiesce to mass
incarceration operates in direct proportion to this ‘unseeing.’ The logic operates as follows: if only the public actually knew what was going on inside today’s prisons, or if only we could better expose and bring to light what is happening in today’s jails, and make available to the general public visual evidence of the human rights violations and the terrible and/or 'undeserved' violence occurring inside, then that same public might be motivated to demand that that violence end. It is out of this general conceit that many visual representations of the prison, in particular documentary films about incarceration but other kinds of image production as well, have come to be considered key instruments in the pursuit of prison reform (Brown 2009: 79).

I contend, however, that it is misguided to frame contemporary problems of prisons and visibility as though the problem of mass incarceration can be explained by the ‘public’s’ inability to see; as though so many people are incarcerated today because people are simply blind to what is happening inside today’s carceral institutions. In actual fact, iconography of the prison is all around us, saturating our newsfeed and our commercial entertainment with images of endemic violence, suffering, and even injustice happening behind the penitentiary gates. Images of the prison’s brutalities have not in fact faded from cultural life at all. Michelle Brown has surveyed 400 prison films, out of thousands she has identified “which examine or rely upon institutional environments centered on confinement” (Ibid: 54). She suggests that such films constitute one of the most enduring subjects in film history, and have served as a model for the spate of prison-based television shows that have emerged in recent years. The hegemony of the carceral state thus cannot simply be attributed to an absence of penal imagery or dystopian carceral iconography. Nor is there persuasive

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3 Recent examples from the world of documentary film include Herman’s House (2012), Broken on All Sides (2012), The House I Live In (2012), and Mothers of Bedford (2013). Many of these films ask their audience to be affectively and ethically troubled by the effects of incarceration on individuals, relying on images of prison space to convey the indignities of incarceration. The problem with the prison as a visible hermetic, however, is that it can trap us in the tautology of its own justifying logic: the prison is a place that holds convicted criminals; therefore it exists so as to hold convicted criminals. The ontology of both the criminal and crime as indisputable categories are left intact, even while the ‘criminal’ might also be ‘rescued’ either through the narrative of innocence (i.e. wrongly convicted), or humanity (i.e. the criminal as more than just his or her offensive act; the criminal is a product of ‘root causes’ and thus not solely responsible for his or her deviant behaviour).
evidence to suggest that a ‘bearing of witness’ is all that penal reform, or penal non-reformist reform, requires of the power of imagery in order to be effective.

More to my point is the issue of what strategies of visibility are being deployed in these visual artifacts, and to what analytical and affective ends. The task of making visible the prison is almost always conceived of and executed as the production of images of and within the prison itself; as if there were no other way of making the prison or its captive subjects visible and as if ‘visibility’ involved nothing more than just the state of being able to see and be seen. Brown warns against the production of images that simply reproduce the hegemony of state discourses of mass incarceration, noting a reliance on “the quintessential carceral image: the racialized body displayed in confinement” as the sole mode of visibility (2014: 185). Conceiving of the solution to the invisibility of incarceration, and disappearance of prisoners, as simply a matter of exposing the prison’s internal scenery, I argue further, does little to denaturalize the prison as a reified fact on the ground of modern capitalist life, or the carceral order as a legitimate system of social differentiation. A visual focus on the human-in-a-cage limits our very ability to grasp the social relations, historical processes and material logics that come to bear on the prison regime’s existence and its continuation. Brown thus argues the need for “counter-images” that seek instead to “disrupt the ocular logics that would naturalize the carceral spaces of global neoliberalism and the disappearance of its subjects” (Ibid: 180).

One of the core assumptions of this dissertation is that, while mass incarceration means on the one hand the proliferation of structures of captivity and a surging of the prison population, it also involves an extension of the ways in which the carceral system is increasingly bound up in matters of the economy, electoral politics, land use, systematic white supremacy, labor deregulation, citizenship, gender governance, urban restructuring, and more. In Judah Schept’s words: “The prison industrial complex in the United States extends beyond the sheer volume of this country’s world-leading incarcerated population and the constitutive miseries, political interests, and even resistances” (2014a: 203). What challenge does this pose for those of us who see political and social import in documenting and rendering visible, through imagery, the US prison regime? Further, what is the difference between
representational work that ritualizes a violent order versus that which disturbs it, or which reacquaints us with its strangeness so that we might collectively rethink its necessity or desirability? How do our chosen tropes of representation help, or not, to upend the carceral order as a “key ingredient of our common sense” (Davis 2003: 18) and denaturalize it from both our social landscape and imagined horizon of possibility?

I propose that a new representational approach can be forged, in the realm of aesthetics as well as discursive analysis, by taking heed of Gilmore’s insistence that we think of the prison not as a discrete or exceptional edifice over there, but rather as a set of relationships. Such an approach aims precisely at disrupting the ocular logics that Brown impugns, and the violent order critics of the carceral regime, myself included, seek to abolish. It is the argument of this dissertation that by conceiving of the prison as a set of social relationships, rather than a discrete and often far away edifice, one can find the prison operating not just at the penitentiary site, but rather in a vast array of spaces, places, and landscapes all around us. This is also the argument of my contribution to the field of prison cinema, a non-fiction film I’m directing entitled The Prison in Twelve Landscapes that forms the second half, alongside this dissertation, of a two-part contribution to the problematic of carceral space and its invisibility. The film emerges out of the political and methodological challenge of the prison’s putative disappearance from the public sphere, as well as from the limits, as I describe them above, of many conventional representational works attempting to make visible the prison and the issue of mass incarceration through cultural production.

*The Prison in Twelve Landscapes* is a film about the prison in which one never sees a prison. Instead, the film is organized as a cinematic journey through a series of landscapes across the United States where prisons do work, make space, and effect lives: a congregation of ex-incarcerated chess players shut out of the formal labor market, the overnight buses that carry visitors to far away prisons, and an Appalachian coal town betting its future on the promise of prison jobs, to name just a few. The point of bringing viewers through these landscapes is to upset those very aesthetic expectations about how and where the prison can be found, while at the same time demystifying the spaces of everyday non-incarcerated life taken as a given to be ‘free’.
When one begins to think about prisons from the broader framework of ‘carceral space,’ one actually begins to find the prison all around us. One finds the prison, for example, as I elaborate upon in more detail in chapter 5, in a tiny slice of green AstroTurf at an awkward intersection in a working class neighbourhood in Los Angeles, upon which a portable plastic playground has been planted. It turns out that even a ‘pocket park’ can have carceral power, as in this case in which its siting was driven by the goal of forcing thirty-three registered sex offenders to move out of the halfway house located nearby, in accordance with state restrictions against sex offenders living within 2000 meters of a park or a school. One can also find the prison in the day labor agencies that litter urban centers across the country, or at the work sites where their day laborers are deployed. As ethnographer Gretchen Purser (2012) has demonstrated, a vast majority of the people employed by these agencies are ex-prisoners, who are paid below minimum wages and offered no benefits or job security for their work. This trend can be traced to the laws that dictate, in many states, that felons must tell their potential employers if they have been convicted of a crime, thus rendering them highly vulnerable to exclusion from the formal labor force (Stoll and Bushway 2008).

We not only find the prison and its logic operating in these spaces, but we are presented with a more complex picture of the different kinds of work that prisons do, and don’t do, than offered by conventional representations of carceral space. The argument of my film thus builds on the scholarly literature reviewed earlier in this chapter, but through a different mode of knowledge production. It employs the particular power of aesthetics, in its original meaning as perception through feeling, in order to challenge the dominant common sense about the prison functioning as a solution (whether failed or successful) to the problem of crime. In so doing, I appeal not to the moral indignation of a spectating audience, but rather seek to situate that audience in the carceral frameworks embedded throughout our social spaces and relations. In this recasting, the lines between the ‘inside’ and the ‘outside’ become blurred; the prison is no longer an exceptional edifice ‘over there’ but a set of relationships to which the audience also belong, and thus bears some responsibility for.

Both the film and the dissertation thus respond to Schept’s call for what he terms a “counter-
visual ethnography": a politics of research and visuality that attempts "to better perceive the ideological work that the carceral state performs in the spatial and cultural landscape” (2014a: 198). Building on the work of sociologist Avery Gordon (2008), such a counter-visual ethnography looks for what is not 'there' and asks how they structure the contemporary realities we feel and observe. According to Schept, "A counter-visual ethnography can engage… through a commitment to see with historical acuity the relations of production and processes of representation that have structured the present empirical moment” (2014: 216). As such, it also attempts to "envision and presage a counter-carceral future” (Ibid: 218). Elements of such an approach can be found in the work of experimental geographer Trevor Paglen, whose photography of the so-called ‘black world’ of classified defense activity he similarly describes in terms of a kind of counter-imagery: “The themes of my projects have to do with trying to push vision and trying to push perception as far as I can. Usually to the point where it starts to break down… I hope that by investigating some of these limit cases of perception, I hope that we can create a vantage point that we can use to look back at ourselves with different kinds of eyes” (Paglen 2014). Michelle Brown suggests that the way popular knowledge about punishment is constructed has important consequences for the making of penal subjectivity, by which she means the frameworks through which ordinary citizens “make decisions about the proper place and meanings of punishment and the role of pain and exclusion in society” (2009: 5).

What is at stake in both the making of a film and the making of a dissertation is the construction of popular knowledge about the functions of the capitalist state and legitimacy of its most coercive and unevenly deployed institutions and activities. There is no way to know which of these cultural artifacts, the dissertation or the film, will prove more useful in the long struggle against structures of unfreedom and disposability, but such struggles have always required multiple strategies and forms of intervention. It is thus important to underscore that the film has emerged alongside this dissertation and in collaboration with it - occasionally in terms of the subjects encountered and the spaces visited, but always in terms of the questions asked, the ideas thought and rethought, and the political movements to which my work aims to be accountable. The methodologies developed in the making of these two artifacts are necessarily bound up with one another, even as their final forms differ.
In terms of the dissertation specifically, I approach this research from the position that race, crime, and space are all social and political constructions. This does not make them not ‘real’ (Fields 1990; Hacking 2002; Muhammad 2011). Indeed, a central ambition of this dissertation is to demonstrate, through an interrogation of discrete carceral spaces, the intimacy with which ideological and spatial productions inform and reinforce each other as social realities, with serious implications for the state-sanctioned production of surplus life and premature death. My thinking, research, and writing, furthermore, have long been situated within activist praxis, and the production of this dissertation is no different in that regard. In particular, the dissertation emerges out of, and seeks to contribute to, a political field and social movement of radical prison critique that calls itself penal abolition. At its most basic, a politics of prison abolition aims at changing the relationships that produce the kinds of events, interests, crises and behaviours for which prisons, and other carceral formations, operate or seem to operate as the solution. Such a politics is in keeping with a critical approach to knowledge production more broadly. It also reminds us that what is at stake in the excavation of carceral space is the social relationships through and for which those spaces make sense and do productive work.

Analytically, my research is guided by political-economic theories of mass incarceration that attribute the growth of prisons to the ascendance of neoliberal global capitalism, the reconfiguration of the post-Keynesian state, and the deindustrialization of urban space and labor since the 1970s. This approach views the prison as an expression of shifting state strategy in the management of urban, racialized poverty (Simon 1993; Beckett and Western 2001; Wacquant 2009a). Key to my theoretical approach is the geographic analysis of the prison as a ‘spatial fix’ for the multiple and intersecting crisis of surplus labor, surplus land, and racialized social unrest (Gilmore 2007). My own contribution seeks to build on those interpretations of the prison system to ask how contemporary shifts in state strategy involve restaging space and spatial tactics, including but not limited to prison infrastructure, toward the production and management of surplus populations. This includes, for example, resituating the social and racial control functions of the prison to the embattled space of the urban neighborhood. I draw insight from critical race scholarship (Davis 2003; Rodriguez
and economic geography (Harvey 1996; Peck 2003; Gilmore 2007) to also ask how new racial and ‘spatial fixes’ are being formed out of the most recent financial crisis and emerging crisis of state legitimacy.

As a way of rounding out this discussion of the methodological and theoretical approaches guiding my inquiry, I offer a few words about the specific research methods I employ. The research collected in these pages oscillates between different scales of investigation: from the macro and geopolitical, to the granular and embodied. In conducting the research for this dissertation, I have employed a wide variety of methods and data sources, which I discuss in greater detail and specificity in my introductions to each chapter. In aggregate, however, my data sources include forty semi-structured interviews, totaling more than sixty hours of recorded conversations with key informants. Data was also gathered in the form of ethnographic field notes, media reports, policy documents, and event transcripts. I visited three archives in New York State: the Interference Archive in Brooklyn, the Tamiment Library and Robert F. Wagner Labor Archives at New York University, and the Albany State Archives, where I recovered historical documentation of prisoner-led movements and prison-organizing, as well as numerous newspaper clippings. The forms of analyses I conduct of my data differ across chapters, but primarily involve critical discourse analysis, genealogy, and close interpretation of interview transcripts and ethnographic notes. Each interview participant in this dissertation is identified with a pseudonym. Exceptions to that rule include public officials and other kinds of key informants working in an organizational capacity, who are referred to using their real names.4

**Chapter Overview**

Chapter 2, “The Prison Inside,” addresses questions of spatial transformation, crisis, and the undoing of the social subject from within the hard architecture of the carceral edifice specifically and juridically designated the penitentiary. While the prison as an idea and form has persisted and expanded for the past two centuries in American life, spatial restructuring  

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4 Personal communication and interviews with the author will be cited in the body of the text, but do not appear in the bibliography, as per Chicago style. All transcripts of these communications remain on file with the author.
within its opaque walls offers an important site from which to gauge the prison’s vulnerability and adaptability as a carceral space, as well as a technology of state intervention. In this chapter I examine the dramatic proliferation of the solitary confinement cell as an increasingly systematic and long-term architecture within the arrangement of US prison space over the past three decades. I ask why and why now this particular internal architecture of captivity has so dramatically expanded, suggesting that attention to the solitary cell’s particular character as a spatial form of anti-social technology alerts us to the productive logic underlying its contemporary dominance.

Deploying a genealogical approach to the field of events within which solitary confinement has resurged, Chapter 2 offers a new framework for making sense of the dramatic proliferation of the isolation cell during the contemporary period of US penal history. I reconfigure the standard frame of inquiry in order to forefront penal isolation’s effects on the social body in captivity, rather than the individual subject conventionally assumed to constitute its primary target. Prevailing interpretations of this practice tend to disconnect the post-1980s expansion of penal isolation through control units and super-maximum prisons from its experimental use, in the 1960s and 1970s, as a tactic of behavior modification targeted at political and politicizing prisoners, and even more so from its 19th century origins as a penal site of idealized redemption.

I argue that solitary confinement operates as a socio-spatial fix to the systemic problem of prisoners’ social power. The social power of prisoners manifested most spectacularly in the crisis that gripped the carceral state during the prison rebellion years of 1967-1972, and it is out of the confluence of crises of this period, I argue, that the now generalized regime of solitary confinement -- in the form of control units and supermaxes but also in the long-term isolation of many prisoners in non-supermax prisons -- as a practice of preemptive counter-resistance was born. I argue that framing solitary confinement as targeting this ‘social’ captive allows us to recuperate not only its productive effects – individuation and anti-politics - but also its political work, in particular, as a response to the radical black movements that managed to forge powerful alliances with social justice struggles on the outside. I conclude the chapter with some reflections on the undoing of the social subject as a
spatial tactic of producing disposable life, and by exploring the relationship between sociality and political being at the site of captivity.

Having established the resolve and adaptability of the carceral state in the face of social crisis, I turn in my next case study to the most current crisis of legitimacy faced by the US prison regime. Chapter 3, “The Prison Outside,” situates its investigation in the unfolding present of the contemporary financial recession, as state budgetary crises across the US fuel emergent bi-partisan initiatives for cost-cutting penal reforms. I focus in this chapter on the socially contested and financially coveted space of the urban neighbourhood, and more specifically the urban site, cartographic concept, and carceral space of the ‘million dollar block.’

The million dollar block is a carceral and cartographic phenomenon first mapped in the US in the early 2000s. Originally designed as a progressive instrument for advocating for prison downsizing, the million dollar block refers to the spatially concentrated urban origins of the nation’s 2.2 million prisoners, a disproportionate number of whom come from just a handful of neighborhoods in the country’s biggest cities. In many places the concentration is so dense that states are spending in excess of a million dollars a year to incarcerate the residents of single city blocks. Building on an important body of scholarship that has rigorously established the intimacy with which transformations in urban and carceral space are related, this chapter critically tracks the way the million dollar block concept has travelled politically over the past decade as a powerful instrument for bipartisan collaboration on criminal justice, particularly under the policy mantle of ‘justice reinvestment.’ I argue that the discursive cartography of the million dollar block and the justice reinvestment interventions organized by its logic serve less to meaningfully decarcerate prison populations than to further reinforce and reify both the ‘criminal’ and the prison as ideological and material edifices.

As states look for ways to economically restructure in the wake of current financial crises, they are finding in these maps a rubric under which to move correctional dollars out of prisons and into increased policing, probation, and reentry services in those same million dollar blocks. I look closely at one million dollar block neighborhood in Brooklyn, called Brownsville, in order to track how these maps, despite their reformist intentions, serve
to reproduce the dynamics of criminalization, economic displacement, and racialized social control in newly spatialized and urbanized terms. Drawing parallels to the urban literature and policy applications of the ‘neighborhood effects’ discourse, I use the million dollar block as a case study through which to distinguish ‘reformist reform’ from ‘non-reformist reform’ (Gorz 1967) during this unfolding chapter of the prison’s contemporary history.

One of the strengths of the million dollar block maps is the way they demonstrate the degree to which prisons are increasingly located in remote areas far away from the urban centres most prisoners and their loved ones come from. This increased geographic fragmentation of prisons and cities has proven productive of new corollary carceral spaces, such as the motels, visiting centres, and buses that both bridge and circulate between the geographically segregated lives of prisoners and their families and friends. Chapter 4, “The Prison In Between,” considers the ongoing circulation between the prison and the city concretely, by examining the prison bus as a mobile space within which the loved ones of immobilized prisoners “do their time” alongside the state’s 54,000 incarcerated wards.

Every Friday and Saturday night hundreds of visitors, mostly racialized, working-class women and their children, gather on specific street corners across New York City to wait for the buses that will travel all night to take them to the prisons dispersed across upstate New York. This chapter is about these privately chartered and operated prison buses as both a carceral space and scene of neoliberal racial capitalism in the 21st century. I argue that the bus constitutes a kind of gendered secondary ‘prisonization’ for the poor women of color that ride it regularly. The bus operates as carceral space in part because its very existence is contingent on the coerced geographic removal of prisoners from their social networks and communities. In circulating over long periods of time and vast physical distances, moreover, the mothers, sisters, wives and girlfriends primarily tasked with the work of caregiving across the deep fissures carved by the prison regime, the bus also functions as a kind of holding space in which these women “do their time” in uncomfortable conditions, enduring a deleterious erosion of their bodies, psyches, and resources.

The prison bus, I argue, constitutes a paradigmatic ‘in-between’ space of segregated lives,
one whose circulation between the homologous poles of criminalized and racialized urban
neighbourhoods and the prison proper offers a unique window into the carceral affects,
reproductive labours, and socialities of non-imprisoned women of color. An arduous, time
and resource intensive journey, the prison bus trip also offers a shared physical and social
space for both its infrequent and habitual riders. Using data collected primarily through
participant observation and interviews, I examine the prison bus as a scene of ordinary crisis,
neoliberal subjectivity, and fragile solidarity for its riders. I find that as a space, the prison
bus aggregates its riders’ extended burdens of vulnerability, but does not much relieve or
redistribute them. Instead, the prison bus mostly functions to exacerbate such systematic
stresses, further wearing out its riders and depleting whatever reserves of time, money,
energy and good will to others they have allocated for the ongoing care work of visiting their
incarcerated loved ones. Solidarity on the bus, when it does exist, is at best fragile, and often
contingent. Yet such moments of solidarity and reciprocity also foreshadow the possibility of
common alliance in recognition of the shared stakes of carceral care work, if not also the
shared vicissitudes of class, race and gender. I argue that riding the bus constitutes, among
other things, a means of reproducing life in a context proven to diminish life. As such, it
offers at least a partial basis of opposition to the fragmentation and isolation of the prison
regime.

My final case study shifts slightly in tone and form, as I turn here to face the question of the
production of carceral space more directly, but also theoretically. Chapter 5, “The Prison in
the Mind,” investigates the relationship between ideology and the production of carceral
space. I argue in this chapter that the ideological project of disaggregating prisons from
crime within the public imagination is challenged by the persistence of a ‘punishment’
discourse, even within critical scholarship. I make the case against the concept of punishment
as the prison’s putative ideological scaffolding by suggesting, first, that the content of
'carceral ideology' might be more usefully distilled by examining its mediation through a set
of outside sites that in various ways contribute to production of prison or prisoners.
Travelling from a real estate corridor of downtown Detroit, to the abandoned coal mines of
Eastern Kentucky, and finally to an anti-sex offender 'pocket park' in Harbor Gateway, Los
Angeles, I explore the relationship between carceral ideology - the interpretation in thought
of the social relations through which the carceral order is reproduced – and spaces identified as prison or prisoner-producing. An investigation into these sites as carceral spaces reveals the more salient role played by property, work and race, as social relations reified by the prison form and ontologies undergirding the regime’s affective logics. I conclude by suggesting that ‘punitiveness’ - or the common sense imperative to punish - is a product, rather than a cause, of the practice of incarceration, and that constructions of disposability through the category of the punishable subject can only be achieved through a politics of penal abolition.

Each of the chapters that follow constitutes a case study in the work of carceral space and the production of disposable life. While in many ways discrete in scene and argument, there are numerous internal themes that thread through these chapters, mapping their junctures as well as disjunctures. In particular, the themes of crisis and neoliberalism, isolation and individuation, sociality and racialization appear prominently within each case study, anchoring its inquiry and its analysis, and underscoring the stakes of investigating the productive work of carceral space.
In July of 2013, some 30,000 inmates of California’s prison system initiated the largest hunger strike in US history. They were protesting against the practice of long-term solitary confinement and its limitless dominion over the lives of thousands of Californian prisoners. The strike was a renewal and an elaboration of two similar hunger strikes waged by isolated prisoners in 2011. That year about 12,000 inmates across more than a dozen institutions had used one of the last powers available to them in their austere conditions – the power to stop eating – to draw public attention to the problem of solitary confinement.

At the California Assembly Public Safety Committee Hearing (2013) on proposed reforms to the Security Housing Unit (SHU) of the California Department of Correction and Rehabilitation (CDCR) in February 2013, a handful of community members were given the opportunity to testify about the effects of isolation on their family members and loved ones. First to speak was Irene Huerta, a wife of a prisoner held in isolation in Pelican Bay’s SHU. Huerta read a statement describing this isolation written by her husband, who has been kept in solitary confinement since 1986 because of an alleged—though unseen—memorandum connecting him to a prison gang:

> It’s like being locked in the trunk of a car with just enough weatherstripping removed so you can breathe, and with enough food and water stuffed in everyday inside so that you can physically survive. You’re soon going to realize what it actually means when it’s said that we’re social beings. You’re going to crave social interaction and human contact. Soon you’re just hollering out there, you can talk even for a brief time…. And yet every time you talk, every time you act like a human being and interact with other human beings, you’re told that it’s a gang activity and you have to stay another 6 years now before your next review.

Next to speak was Marie Levin, a member of the Prison Hunger Strike Solidarity Coalition and the sister of a segregated prisoner:
My brother has been locked up for 32 years, originally for a crime he did not commit. He has been in solitary confinement for 29 of those years for being labeled a gang member, and that gang being the BGF, which is the Black Guerrilla Family…. My brother, Sitawa, is a political thinker. I want to make that clear. He is a political thinker and a student of history – his history. The Black American knowledge that he has gained, he used to educate those inmates, which includes all racial groups. Because of this, my brother, Sitawa, was labeled this Black Guerrilla Family Member, which is a gang.

These two testimonies bring into immediate proximity a pair of central, but under-theorized questions regarding the contemporary prison isolation unit: first, the logics underwriting the unprecedented expansion in solitary confinement space during the last 30 years of prison history and policy; and second, the relationship between sociality and political being at the site of captivity. This chapter investigates these problems in relation to each other, by reframing both the history and the phenomenology of solitary confinement in the US carceral system over the past half century.

Beginning in the 1960s and proliferating most intensively over the last thirty years, we have seen a renewal of the practice of solitary confinement in the United States as an increasingly systematic, long-term practice within the nation’s prisons. The practice of solitary confinement has proliferated perhaps most ferociously since the 1980s through the establishment and construction of control units and super maximum (or ‘supermax’) prisons. Massive, highly technologized, and largely impenetrable to members of the public, supermax prisons are specifically designed for the prolonged and often indefinite isolation of prisoners classified administratively as high risk and/or problematic in some way. Control units, likewise, are the designate part of a prison that operates under a ‘super-maximum security’ regime, characterized by the indefinite lockdown of prisoners in conditions of solitary confinement for 22 to 23 hours a day (Shalev 2009).

Many thousands of prisoners have endured years or even decades isolated within such edifices, and it is on the question of their relationship to the longer-standing practice of placing prisoners into solitary confinement that this chapter seeks to contribute. While there was one control unit prison in the United States in 1985, by 1995 there were more than forty. Today every state has its own supermax prison. Current estimates suggest there are at least
80,000 prisoners in isolated confinement on any given day in America’s prisons and jails, including some 25,000 in long-term solitary in supermax prisons, with reason to believe the numbers are actually even higher (Casella and Ridgeway 2010). Since the early 1980s, isolation has constituted one of the fastest-growing conditions of detention. While the overall prison population increased by 28 percent from 1995 to 2000, the number of US prisoners in cellular isolation grew by 40 percent during that time – outpacing, in other words, the prison buildup itself (Johnson 2010).

The very basic question asked by this chapter is why? Specifically, why has solitary confinement arisen now, so systematically, for so many people and for such long periods of time? This chapter offers a new framework for making sense of the dramatic proliferation of solitary confinement during the contemporary period of US penal history. I begin by tracing the early history of solitary confinement at the turn of the 19th century. I then offer a brief overview of its contemporary resurgence in the later 20th century before reviewing the kinds of interpretations scholars have so far offered to explain the proliferation of isolation after almost a century of limited use. I suggest that the inadequacies, evasions and contradictions of existing analyses warrant a reconsideration of some of the very analytic frameworks and assumptions guiding those inquiries. Among other criticisms, I suggest that most existing accounts underestimate the degree to which solitary confinement as a spatial practice functions at the register of both anti-sociality and counter-resistance. Most scholarship tends instead to privilege the effects of isolation on individual behavior and to evaluate its outcomes against idealist theories of punishment, often at the expense of historical and material context. I therefore begin my own inquiry into the logics of solitary confinement’s ascendance by reframing some of the operative assumptions guiding prevailing inquiries, specifically the assumed subject targeted by the isolation regime.

To make my argument, I first conduct a critical phenomenology of solitary confinement from first-person testimonies by prisoners and literature documenting isolation’s psychological effects, as a means of illuminating the ‘social’ subject for whom the violence of isolation is most consequentially registered. I then deploy a genealogical approach to the field of events within which solitary confinement has resurfaced, reorienting the frame of critical inquiry
conventionally applied to the history of solitary confinement in order to forefront its affects on the social body in captivity, rather than the individual subject assumed to constitute its primary target. I take seriously the isolation cell’s work as an anti-social technology in order to ask questions about the social space in which it has resurged and proliferated. My objective in approaching this history genealogically is not to trace a straight and causal line between the situations recounted and the mass expansion of long-term isolation, but rather to excavate a historical field within which a conjunction of multiple struggles and plays of force conditioned the emergence of the solitary confinement regime we witness today.

I draw on a variety of primary sources, including interviews, media reports, archival documents, and transcripts of historical events, as well as offer a new interpretation of secondary literatures, to argue that solitary confinement operates as a spatial fix to the systemic problem of prisoners’ social power: power aggregated spatially by the prison edifice and politically by the condition of captivity itself. The social power of prisoners manifested most spectacularly in the crisis that gripped the carceral state during the prison rebellion years of 1967-1972, and it is out of the confluence of crises of this period, I argue, that the now generalized regime of solitary confinement -- in the form of control units and supermaxes but also in the long-term isolation of many prisoners in non-supermax prisons -- as a practice of preemptive counter-resistance was born. By contextualizing the contemporary mass expansion of socio-spatial isolation within a historical backdrop of prison-based political organizing, I am able to trace the logic of institutional self-preservation and preemptive counter-revolt backwards in time to find it shadowing the humanist ideals of solitary confinement’s 19th century incarnation. Critically investigating the effects of isolation on the social life and collective power aggregated by the prison, I argue, helps us recuperate the productive work done by solitary confinement, and allows us to make better sense of its dramatic proliferation, as well as potential interruption. The story of the solitary cell also opens up the possibility for a critical inquiry into the relationship between sociality and political being at the site of racialized captivity more broadly.
Solitary Confinement as Technique of Spatial Violence

Solitary confinement is, by definition, a spatial tactic; one that does its work on the very basis of a spatial remove of one prisoner from another. While the exact arrangement varies slightly from state to state, such confinement in the US context is typically characterized by holding prisoners alone for 23.5 hours per day in cells averaging 6 by 9 feet—approximately the size of a small bathroom, or a parking spot—with no opportunity for human contact or communication (Kamel and Kerness 2003: 5). The cells are arranged so that prisoners have little to no view of one another. The spaces themselves are often described as stark, with a sterile and monotonous arrangement in keeping with the extreme restriction of sensory stimulation. Cells rarely have windows or other sources of natural light, airflow, or indicators of the passage of time. It is common to find artificial lights turned on 24 hours a day (Shalev 2011: 153).

One interview subject described to me the sensory experience of her confinement in these terms, which were in keeping with the descriptions I received from other interview subjects:

I think that if one thinks about being locked in your bathroom, where you have a bathtub in it, and you can never go anywhere except in that bathroom, right, that is the extent of your life, with only hostile and negative interactions with somebody on the other side of the door who hates you, and is feeding you, or giving you water, or telling you No! That’s a beginning approximation of what it’s like to be in solitary confinement. It is a – the size of a cell may differ – but it’s 6 by 8, it’s big enough for a bed, a cot, a steel cot stuck to the wall, with a toilet in it, and maybe there’s a sink on top of the toilet. And that’s kind of it. It’s 7 paces one way and 5 the other, depending on the size. It’s all white. It’s all brick. There’s nothing else there. (Kate, interview with author 2013)

Beyond the physical discomfort of the actual cell conditions, it is the psychological toll that such austerity of sensory experience that prisoners most often dwell on in their descriptions. As Jimmy, an ex-prisoner who spent five years in isolation put it: “It’s a dead space. That’s probably the best way I can describe it. Because you’re not communicating with people, you’re not around people, you’re not interacting, you don’t get a sense of another’s person’s
growth or development or sharing. That stuff is absent. So you get a lot of people that go over the deep end, as I almost did.”

Indeed, the evidence of solitary confinement’s intractable harm to the psyche of its human subjects is so great that it has been deemed by all major international human rights bodies to constitute a form of torture (Shalev 2011). This is the position of the Istanbul Statement on the Use and Effects of Solitary Confinement (2007); the UN Basic Principles for the Treatment of Prisoners (1990); and the UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1985), among others. As recently as August of 2013 the United Nations Special Rapporteur on torture issued a statement equating prison isolation with torture, stating, “Even if solitary confinement is applied for short periods of time, it often causes mental and physical suffering or humiliation, amounting to cruel, inhuman or degrading treatment or punishment” (Miles 2013).

The bulk of clinical research on long-term solitary confinement also paints a harrowing picture of its debilitating and psychologically damaging effects (see Kupers 1999; Grassian 1983, 2006; Haney 2003; Smith 2006). In the twenty interviews I conducted personally as well as the dozens of published testimonials I reviewed, prisoners and ex-prisoners speak consistently about feeling like the isolation was “breaking them.” The clinical and even neurological evidence shows that this ‘breaking’ might be more than just figurative. In the absence of meaningful human interaction and sensory input, otherwise healthy prisoners begin to lose touch with reality. They have hallucinations and become paranoid. They become unable to distinguish sounds and images in their heads from those in actuality.

One person described to me the paranoia that sets in as follows: “Imagine that, if you was in a strange place, you didn’t know nobody, and you literally believed that every person you came into contact with was your enemy trying to kill you. That’s where I was at, in my head.” He described the self-isolation that solitary confinement further produces: “You go into a world that’s hard to describe, because it’s a world where you feel safe, and whatever else is happening around you doesn’t matter.” That condition scared him more than anything: “That wall that I built there, in reality, is destructive, because I can’t move out of that… for
those who can’t get that back, they’re lost forever. And you get a lot of suicides as a result of this stuff, because they just lose themselves.” He characterized the experience as a battle between normality and insanity, and compared the condition of total isolation to a kind of death: “It’s a dead space. That’s probably the best way I can describe it, because it only is relevant to you, experiencing what you’re experiencing at the time, but it makes no sense to nobody else. It’s like a void” (David, interview with author 2012).

Another prisoner developed a syndrome called “white vision blindness” as a consequence of the sensory deprivation that often accompanies solitary confinement. “It’s where you never see past six feet,” she described. “And everything is white, so that literally, you lose the capacity to see colour.” She talked of feeling acutely damaged by the eleven years she spent in and out of isolation, even a decade after her release from prison. “Solitary confinement does drive you insane. Because time changes, what you see and what you experience changes how you live in your being. In solitary it’s not just a loneliness, it’s a craziness. Because its what you have in your mind to begin with that can help you, or hurt you. There’s no external stimulation. Everything is the same. So, it’s a devastating experience” (Kate, interview with author 2013).

Among the most extensive and groundbreaking of the research on the psychological consequences of solitary confinement is a 1982 study of isolated inmates conducted by Dr. Stuart Grassian, a psychiatrist at Harvard University Medical School and an expert on the psychological impact of control units. He found that, “Solitary confinement itself can cause a very specific kind of psychiatric syndrome, which in its worst stages can lead to an agitated, hallucinatory, confusional psychotic state often involving random violence and self-mutilation, suicidal behavior, [and other] agitated, fearful and confusional kind of symptoms” (quoted in Kamel and Kerness 2003: 3). He termed this condition “SHU Syndrome” after the “secure housing unit,” the prison system’s favored terminology for the modern solitary cell (Grassian 2006: 337).

Grassian’s findings are consistent with most other studies that document the psychological effects of solitary confinement. Under these conditions, the evidence shows, prisoners lose
not only their ability to distinguish between reality and hallucination, but seem to descend into a generalized confusion and cognitive impairment that violently dissolves their very sense of personhood. The overwhelming evidence of solitary confinement’s destructive effects on the behavior and mental health of prisoners helps underscore the curiosity of its mass expansion, even generalization, over the past thirty years within the prison system. It is to existing accounts of the solitary cell’s modern history, conventionally subdivided into three eras or ‘waves,’ that this chapter now turns.

**Solitary Confinement’s Three ‘Waves’**

Most scholarly accounts periodize solitary confinement’s history into three ‘waves,’ tending to treat them as not only discrete and unrelated, but also attributable to the differing theories of justice assumed to animate penal policy in each period. Within this telling, the first wave coincided with the emergence of the penitentiary itself as a system of punishment. Developed at the turn of the 19th century as the central architecture of an emergent penitentiary system, the cellular isolation of prisoners was first championed as an enlightened, humanist corrective to preexisting punishment practices, such as public beatings, hangings, and other corporeal brutalities. The first institution in the United States to experiment with solitary confinement was the Walnut Street Jail in Philadelphia, built at the end of the 18th century by members of the Quaker Church with the objective of not just punishing criminals but also rehabilitating them. The model was quickly adopted by the original American prisons, introduced first in the northern city of Philadelphia at Eastern State Penitentiary, and then in Auburn, New York, at the beginning of the 19th century (Smith 2009).

The solitary confinement cell was central to these early experiments with incarceration as a system of punishment because isolation was coterminous in the minds of reformers with the idea of the prison as a socially productive and more humane system of punishment. In the one-man cells and total silence where felons spent their days and nights, it was believed, criminals would discover inside of themselves the remorse and self-realization required to become not just better people, but true citizen-subjects. “Through the reflection that it gives
rise to and the remorse that cannot fail to follow,” describes Michel Foucault in his foundational genealogy of Western penal systems, “solitude must be a positive instrument of reform” (1977: 237). Our jails are called penitentiaries because of this penitence that solitude was meant to occasion.

The idea, at the time, was a revolutionary one. That criminals could be rehabilitated and reformed was an untested idea in the history of penology, and spoke at least partly to a particular kind of humanism popularized during the enlightenment period. This was a period that also witnessed a radical shift in the conception of the individual subject. With the rise of the bourgeoisie and early industrial capitalism in the 18\textsuperscript{th} and 19\textsuperscript{th} centuries, the individual, now the bearer of formal rights and liberties, came to be regarded as responsible for his own place in the social system (Wood 1995; Davis 2003). This idea bore itself out in the early experiments with the prison, whose champions held that open displays of violence should be replaced by a disciplinary regime of penitence and reflection, a training of sorts for the sober task, upon release, of self-government (Smith 2009). The prison really was to be a “house of corrections,” one within which a remade citizen-subject would emerge from the seclusion of the solitary cell (Ibid: 10).

Yet total isolation did not have the redeeming and rejuvenating effects its champions expected. Instead, solitary confinement drove prisoners mad. Evidence of this outcome abounded, even at the time. As early as the 1830s, reports had started to materialize about the various mental disorders prisoners were exhibiting as a result, it seemed, of isolation itself. These included hallucinations, dementia, and “monomania” (Smith 2006: 457). German doctors documented a spike in psychosis among inmates in their isolationist replicas of the Pennsylvania model, and clinical research reports across Europe were unequivocal about the dire psychological effects of total solitude. By the late 1800s the concept of total isolation had been thoroughly discredited. In an 1890 opinion concerning the effects of solitary confinement on inmates in Philadelphia, US Supreme Court Justice Samuel Freeman found that “A considerable number of prisoners fell…. into a semi-fatuous condition…and others became violently insane” (quoted in Biggs 2009). The effect of isolation was not only cruel, it was agreed, but it made inmates more, rather than less, dangerous to society. Solitary
confinement was redesigned as a short-term punishment for misbehaving prisoners, and the solitary system was officially abandoned in 1913 (Brook 2003). The experiment had clearly been a failure, and for almost a century isolation and sensory deprivation retreated from common use.

Solitary confinement was revived as a systematic practice in US prisons beginning in the 1960s. This ‘second wave’ spanned the 1950s to 1970s, during which a programmatic deployment of isolation in prisons was introduced as a strategy of behavior modification. Its tactical and program-specific revival during this period was led by behavioral scientists, prison psychologists and wardens keen to apply psychological tactics developed internationally as brainwashing techniques practiced the context of the Korean War, to particularly problematic domestic prisoners in the US to treat and recondition their ‘undesirable’ behavior (Gómez 2006; Smith 2006; Guenther 2013). I return to this period and these programs more in depth later in this chapter.

The third wave, according to the literature, is marked by the massive proliferation and long-term use of solitary confinement via designated “control units” within existing institutions, as well as the construction of new facilities designed to hold all their inhabitants in indefinite isolation. This period began in the 1980s and saw solitary confinement divested of either its redemptive or its rehabilitative ideals. During this period the number of prisoners kept in long-term isolation exploded, most dramatically under the aegis of ‘supermax’ prisons which, despite being extremely expensive to both construct and manage, proliferated across the United States throughout the 1990s and 2000s (Shalev 2011: 153). Today almost all super-maximum-security prisoners in the US are kept in a kind of isolation for a large portion of their sentences. Many thousands of prisoners have endured years or even decades within these edifices. The terms used for these units are various, but share in their architecture and technological expression the defining features of the modern solitary confinement unit. Their names include Special Housing Unit or Security Housing Unit (SHU), Control Unit (CU), Special Control Unit (SCU), Intensive Management Unit (IMU), Communication Management Unit (CMU), Administrative Segregation Unit (ASU or AD-Seg) and Administrative Maximum Facility (ADX or Ad-Max). I will continue to use the
terms solitary confinement, isolation cell, and control unit interchangeably to describe this type of confinement in the contemporary era.

It is this ‘third wave’ in the history of solitary confinement that scholars have found most difficult to explain. Despite the massive costs and deleterious mental health effects of long-term penal isolation, the literature investigating the purpose of control units and their structural functions within the contemporary prison system is still sparse. The deficit of theoretical or empirical accounts of these prisons is often acknowledged in the literature itself (King 1999; Mears and Reisig 2006: 34). Within the scholarship that does exist, various studies have documented the detrimental psychological impacts of long-term isolation (Kupers 1999; Grassian 1983, 2006; Haney 2003). Other accounts have sought to trace the judicial negotiation buffeting the supermaxes’ rise, and the degree to which courts have deemed isolation units compatible with the constitutional rights of prisoners and detainees (Shalev 2011; Reiter 2012a, 2013). Lorna Rhodes (2004) has provided one of the few ethnographic accounts of life inside a supermax unit, in the admittedly more lenient system of Washington State.

Most scholarly contributions tend to offer descriptive accounts of the physical structure, day-to-day operations, or narrative history of the supermax phenomenon, alongside only brief speculation into the functional origins and purpose of the control prison in the contemporary period (for example King 1999; Kurki and Morris 2001; Ward and Werlich 2003; Shalev 2009). Few researchers have attempted to look systematically and historically at the specific justifications, uses, or broader social consequences of institutionalized solitary confinement, let alone also the “structured anxieties, political contradictions, and constitutive crises” (Rodriguez 2006: 43) through which control and supermax units have cohered socio-historically.

A partial exception to this is Keramet A. Reiter’s work (2012a; 2012b; 2013). Reiter makes an important contribution to the field by tracing the history of California’s supermax prisons. Her research reveals the complex interplay between administrative discretion, structural incentives, and litigation challenges to prison conditions out of which the state’s supermaxes
emerged and proliferated. In her demonstration of how the origins of California’s supermax prisons’ are at least partially rooted in reformist challenges to solitary confinement in the courts, she also offers an important corrective to a tendency, which I elaborate below, to cast the rise of the modern control unit in entirely ‘punitive’ terms and intentions. However, in her research’s delimited focus on California and the immediate period preceding the supermax’s emergence in that state, and its specific attention to the socio-legal parameters and deliberations of that emergence, Reiter’s research still offers a limited frame for making sense of the proliferation of the solitary confinement unit more broadly during this period of penal history.

On the whole, most existing explanations within the scholarly literature tend to fall into two main categories, not mutually exclusive to each other. The first and most common, which I call the “anti-violence thesis,” characterizes the expansion of control units as a response to increasing violence inside of prisons; the purpose thus being to “stem violent behavior,” or control ‘the worst of the worst’ prisoners (King 1999; Kurki and Morris, 2001; Ward and Werlich 2003; Mears and Reisig 2006). The second tendency, which I call the ‘vengeance thesis,” is to argue that institutionalized, long-term isolation constitutes a purely punitive tools associated with a general hardening of the prison system writ large; a further excess of a system itself putatively defined, in the current era, by a ‘culture’ of brutality, or a ‘punitive mentality’ (Kamel and Kerness 2003; Haney 2008). In the pages that follow, I lay out the problems I see as attendant to each within the literature, beginning with the ‘anti-violence thesis.’

In explaining solitary confinement as a tool for maintaining prison order, many scholars draw explanatory power from a 1983 incident that happened at Marion Penitentiary in Illinois after which prisoners were placed “permanent lockdown,” making it the first prison in the country to adopt 23-hour-a-day cell isolation for all inmates. Under the new conditions, every prisoner in Marion was subjected to indefinite solitary confinement; all visits were suspended, and, until a court order was enforced, even attorneys were denied access to the prison. This isolation of all prisoners lasted for 23 years, initiating the subsequent emergence of the ‘supermax’ prototype in a process dubbed the ‘Marionization’ of the prison system
(King 1999; Ward and Werlich 2003). The official narrative account of this lockdown, which I trouble in the second half of this chapter, was that it constituted a necessary tool for stemming a specific incident of prisoner violence, itself putatively representative of a generalized problem of increased violence in the prison system. Subsequent scholarly explanations for the rise of the control unit and the supermax have taken that claim at face value, uncritically reproducing corrections officials’ claims about increased levels of disorder in the prison system to argue that solitary confinement is a necessary and, implicitly, effective management tactic against violence and unruliness.

Roy King describes, for example, how, “Supermax prisons began with an October 1983 lockdown in Marion Penitentiary in Illinois…. This happened when the US prison system had been struggling with a rise in prison violence for more than a decade” (quoted in Smith 2006: 442-43). King draws extensively from an interview with Myrl Alexander, former Director of the Federal Bureau of Prisons, in order to claim that, “Marion was used to relieve the rest of the system from the predatory behaviours of a newly identified problem group, young tearaways who were causing a great deal of trouble in the general population, and, within five years of opening, Marion was receiving … a new generation of difficult to manage prisoners involved in the growing problem of interracial violence” (1999: 167). Ward and Werlich simply describe the events at Marion as emerging out of a period, aggravated by the civil rights movement, in which “prison violence became a matter of national concern” (2003: 57). Mears and Reisig, meanwhile, quote as evidence two correctional executives, who write, “To maintain order, [correctional] systems have chosen to isolate the most disruptive inmates from the general population” (2006: 47).

The idea of increased violence inside prisons, in other words, is central to the logic that supposes solitary confinement a tactic for maintaining order. Supermax inmates are often described by prison officials as the “worst of the worst” (National Institute of Corrections 1997), a discourse perpetuated within official justifications for the increased need for supermax units, despite ‘the worst of the worst’ being an amorphous and discretionary category with no clear accompanying criteria (Rhodes 2009: 196). The rationale behind supermax confinement, explains Shalev, relies on the claim that “Highly controlled
confinement is absolutely necessary to deal with a ‘new breed’ of highly dangerous criminals,” who are not only uncontrollable and highly dangerous but, importantly, beyond redemption (2009: 53). Supermax prisons are accordingly justified as tools of last resort for managing prisoners who are “the baddest of the bad – the most violent, the murderers, rapists, terrorists, bombers – those who cannot be managed anywhere else... the meanest, nastiest, most intransigent criminals in the country, the ones upon whom everyone else has given up” (J. Molden 1997, in Correctional Technology Magazine, quoted in Shalev 2009: 53). This discourse is repeated so often that it becomes difficult to distinguish the rhetoric of prison officials from those ostensibly studying them.

Solitary confinement’s functional role in managing violence has also become a point of consensus within overtly critical literature. This may be because the logic can be spun both ways: more people in prisons means more exceptionally violent individuals, who need to be controlled using all tactics available; or, from a more critical perspective, mass incarceration – itself a violence - necessarily produces increased levels of violence and disorder in response to which solitary confinement is a logical, albeit unacceptable, managerial response.

There are several problems with the explicatory value of these accounts. First of all, as suggested, the view that solitary confinement is a tool to deal with disorder and violence in the prison system is based almost exclusively on the self-rationalization of corrections management themselves, rather than rigorous investigation of such effects. For example, in his article “A Critical Look at Supermax Prisons,” Daniel P. Mears claims to delineate both the goals and the impacts of supermax confinement, but only surveys and interviews correctional department executives, wardens, and officers (2005). It is perhaps little wonder, then, that he concludes with such statements as: “If the views of state prison wardens and practitioners are any gauge, supermax prisons hold considerable promise for improving many dimensions of correctional management, especially in the areas of creating greater order, safety and control” (Ibid: 47).

An explanation of institutional change that hangs entirely on the official claims of corrections personnel themselves is clearly inadequate, even if – and this is a crucial caveat –
those correctional officials are honestly conveying what they think they are doing and why. The subjective experiences of officers who have been trained to consider solitary confinement as an available tool when feeling threatened or lacking control is not in question here.\footnote{Though outside of the limits of this chapter, an important study could be done on the experiences of front-line correctional officers and their everyday deployments of isolation in relation to structural changes in prison operations more broadly.} More insidiously, however, is the way in which normative assessments of the validity of long-term isolation as a penal tactic then come to rest, in many of these accounts, on its efficacy as tool for providing order and stemming violence. Yet many acknowledge either that evidence of such efficacy does not exist, or that what evidence does exist demonstrates instead that increased isolation fails to stem violence or provide order. I am not suggesting that such weakness stems from a bias necessarily toward the accounts of prison representatives, though such biases certainly exist in dominant discourse on prisons more largely. Rather, it is the absence of a critical frame of analysis more broadly – a failure to, as Foucault puts it, explore the “contemporary limits of the necessary” (1984: 43) - that seems to undergird and, I suggest, undermine the credibility of these analysis.

The assumption of isolation’s functional proliferation as an anti-violence tactic persists despite there being in fact very little research demonstrating segregation’s effects one way or another on local prison systems. Indeed, what evidence does exist suggests that control units do little, if anything, to generate order or stem violence (Mears and Reisig 2006). Academic or empirical accounts of supermax prisons are almost non-existent (Briggs et al. 2003: 1342; Kurki and Morris 2001: 391; Mears and Reisig 2006: 34; Rhodes 2004: xiii; Smith 2006). Mears and Reisig, for example, write, “Since one of the primary purposes of supermax prisons is to improve system-wide order, it is surprising to find that remarkably little research has been conducted on the effect these prisons have on order or how, if an effect exists, it arises” (2006: 34). They conclude that “we simply do not know whether supermax prisons produce system-wide order” (Ibid: 38) and suggest that supermaxes may even increase disorder. Another study, this time of facilities in three different states similarly concludes that, “The effectiveness of supermax prisons as a mechanism to enhance prison safety remains largely speculative (Briggs et al. 2003:1371).
The failure of isolation to stem prison violence has been recognized even more recently. At a Congressional Hearing on Solitary Confinement before the Judiciary Subcommittee on Constitution, Civil Rights and Human Rights (2012), one of the witnesses called was Christopher Epps, commissioner of the Mississippi Department of Corrections from 2002 to 2013. Epps described having overseen the utilization of a 1,000-bed segregation unit and having changed his mind about the usefulness of such units for unruly inmates. Mississippi has recently implemented reforms of its prisoner classification system, which have dramatically reduced its solitary confinement population, including the transfer of approximately 800 supermax prisoners out of solitary confinement at the Mississippi State Penitentiary at Parchman.

In response to Senator Richard J. Durbin’s question, “In what way was it not working?” Epps answered:

Well, from May in 2007 to August 2007, three homicides. Highly unusual. One suicide. And... in that period of time that’s highly unusual in any prison environment… In addition to that, the assaults of violence was high you know on staff. Inmates was throwing urine and feces on staff. They was hurting themselves…. Since we changed Unit 32 and we closed it because we don’t need it anymore, violence reduced by 50 percent. (Congressional Hearing 2012)

Indeed, after reducing its solitary confinement population from about 1,000 to 300 prisoners, building a group dining area and putting increased rehabilitation programs in place, prisoners became more orderly and less violent (Goode 2012).

One might counter that such insight into isolation’s counterproductive effects has been simply late in coming, due to institutional ignorance, and that outfitted with emergent and still-unfolding evidence we can now expect to see the tide turn away from solitary confinement. Proof of such institutional ignorance, however does not bear this explanation out. As recently as 1959, the Manual of Standards of the American Correctional Association notes that segregation could have a “damaging effect upon some inmates” and that “excessively long periods [in segregation] for punishment defeat their own purpose by embittering and demoralizing the inmate.” It recommends instead just “a few days” of
punitive segregation for most infractions, or thirty to ninety days at most of administrative segregation in extraordinary circumstances (quoted in Adams v. Carlson 1973: 606).

In the absence of evidence of solitary confinement’s efficacy in dealing with violence, some scholars have suggested instead that, “The use of supermax prisons may be an effective means for accomplishing other correctional goals, such as retribution” (Mears and Reisling 2006: 48). I call this second tendency in the literature the “vengeance thesis,” for its authors primarily account for solitary confinement’s expanded use through the framework of retribution, punishment, and cruelty. Within this approach, solitary confinement is explained as a consequence of shifts in the culture of the prison system more broadly, toward a greater emphasis on retribution and penalty over rehabilitation. Such shifts are assumed to affect the disposition of prison staff, themselves charged with increasingly demonstrating a ‘mentality’ of extreme punitiveness.

For example, one well-respected legal scholar of solitary confinement who is critical of the practice explained it as, simply, “the deep end of the prison system” resulting from increasingly punitive attitudes toward prisoners (Michael Jackson, interview with author 2013). The critical psychologist Craig Haney writes that the “supermax may be both the last true vestige of the penal harm movement and perhaps its most extreme expression” (2008: 979), and suggests that the lack of evidence demonstrating its usefulness vis-à-vis prison order is itself evidence that “Supermax environments continue to be structured and operated in ways that are designed to deprive, diminish, and punish” (Ibid: 980). Continues Haney:

Supermax prisons emerged in the United States during an era in which many politicians and members of the public were indulging a powerful “rage to punish”… the nation seemed to celebrate (and often demand) rather than merely tolerate (or even lament) official cruelty and the infliction of pain in its criminal justice system. A ‘punishment wave’ swept over us with such force that it ripped citizens, politicians, and courts from the ethical moorings that once served to restrain the severity of criminal sanctions… The supermax solution resonated perfectly with the fundamentally punitive ideology that characterized the era – a so-called ‘penal harm movement’ that had become dominant during the mean season’ of corrections. (2008: 961)
Further descriptions of supermax and solitary confinement in terms of a ‘punitive ideology’ or ‘dynamics of cruelty’ are popular, especially among liberal and radical critics of this practice (see for example Kamel and Kerness 2003). The thesis of isolation as punitiveness might also be attractive as an explanation because it seems self-evident; it is corroborated at the level of appearances by the actual mechanisms used to trigger a prisoner’s relegation to an isolation unit by individual guards in some places. In New York State, for example, what is called ‘disciplinary segregation’ is the most commonly deployed type of isolation, and in turn, solitary confinement is now the most common form of punishment for a prisoner’s misconduct whilst in custody. From 2007 to 2011 the New York State Department of Corrections placed prisoners in SHU cells more than 75,000 times; roughly 90 percent of those placements were for disciplinary reasons (Kim et al. 2012). Prefiguring such trigger mechanisms, however, was the actual design, delivery of funds, and construction of the very segregation units that later disciplinary write-ups would help fill. It is at this structural scale that the vengeance thesis loses elucidatory power.

The problem with such arguments is not whether or not their descriptive veracity holds, but rather that they lack explanatory logic. They offer proximate causes but not root causes of solitary confinement’s wide usage within the contemporary penal system. For even if such a punishment-oriented culture does pervade, the question remains as to what causes the punishment culture itself, and why now? In other words, they may describe something about the context within which solitary confinement has proliferated without revealing any of the contingencies that have made that proliferation possible or necessary. This is especially true at the level of the control unit’s construction and design, rather than merely the dynamics between guards and prisoners, which are still a posteriori facts of the control unit’s infrastructural availability. These accounts are better characterized as normative and descriptive; they might tell us something about the environment in which solitary confinement gets practiced, as well as about how a given author values that practice, but there is nothing inherent in the idea of punitiveness that explains why or how it has taken the form of increased prison isolation at this particular juncture. More problematically, like liberal and progressive ‘human rights’ critiques of imprisonment more broadly which “largely reify such varieties of proctored bodily punishment as pathologies of the state”
(Rodriquez 2006: 46), this framework invokes a kind of affective pathology at the expense of structural critique. The consequences, then, are calls for policies that curb the prison’s ‘excesses’ while validating the prison regime or even the isolation regime itself.

The recourse to a purely cultural logic only further disguises a fundamental error that permeates existing analyses: solitary confinement is predominantly studied, or lamented, in relation to its failures. The fact that isolation seems not to resolve anything is acknowledged, but not reflected upon. King even titles his article on supermax prisons “A solution in search of a problem” (1999). This perceived ineffectiveness becomes an occasion for many to suggest that because solitary confinement is a failure, it should be abandoned. But the ongoing proliferation of control unit and supermax facilities alone testifies to their efficacy in doing or producing something successfully. If they are a failure, how do we account for the fact that they continue to persist decades on, stronger than ever, and at tremendous cost, human and financial?

What follows is a re-interpretation of the history of solitary confinement in the US, one that reframes the very object of the isolation unit’s spatial attention and asks not just what this spatial practice fails to do but what it succeeds in doing. I suggest that attempts to make sense of the surge of prison isolation have been misled by the presumption of the individual as the object of the isolation cell’s intervention. While that presumption seems self-evident, given the confinement of the individual body defining isolation’s very architecture, this presumption serves only to make the practice illegible, given its well-evidenced deleterious effects on prisoners’ impulse control, among other things. The apparent illogics and failures of mass solitary confinement thus suggest an alternative framework: that we consider this anti-social penal practice as, in fact, targeting a social body held captive by the prison edifice. I suggest that analyzing the solitary confinement unit through the frame of a social subject rather than individual subject helps reveal and recuperate its productive work and systemic logic within the prison system writ large. This social subject is illuminated, moreover, by both a phenomenology and a genealogy of the solitary cell.
Isolation as Tactic of Anti-Sociality

While we need not reject the thesis of solitary confinement’s managerial logic, we might ask about its relationship to ‘order,’ and even ‘violence,’ quite differently. I do this in two ways. First, I build on the recognition that solitary confinement operates as an anti-social technology to ask how and for what reason the social might in fact be the isolation cell’s primary carceral subject. Second, rather than historicizing solitary confinement into three separate carceral eras and then trying to make sense of them as if accountable to discrete and divergent logics, I take a genealogical approach, mapping out the continuities as well as the ruptures between these three periods.

My use of genealogy here borrows both from prison scholar Dylan Rodriguez and from Michel Foucault, though my own understanding of genealogy conceives of it broadly and is compatible with the tradition of historical materialism, from which I also draw. Rodriguez contends that a “critical or radical genealogy of the prison regime, as opposed to a traditional history or sociology of the prison as a discrete institution, thus foregrounds the processes and struggles through which the coherence of this categorical arrangement – the grounding of the prison’s domination – is restored through and from varieties of historical crisis” (2006: 43). I heed his call to pay fundamental theoretical attention to the production and productivity of the regime of penal isolation, through the constitutive crises and structured anxieties that surround and characterize its socio-historical ascendance. My project is not to prove directly causal relations between discreet events and effects, but rather to lay out a constellation of historical elements within a reconfigured analytic framework, for the purpose of better understanding the structuring contingencies and historical conditions of the present situation. Foucault offers the concept of ‘eventalisation’ to describe the method emergent from his own commitment to exposing the “contemporary limits of the necessary” when it comes to existing social practices (1984: 43). He writes:

[E]ventalisation means discovering the connections, encounters, supports, blockages, plays of forces, strategies and so on which at a given moment establish what counts as being self-evident, universal and necessary. In this
sense, one is indeed effecting a sort of multiplication or pluralisation of causes (1991: 76)

Foucault, elaborating more broadly about his conception of genealogy, writes elsewhere:

One has to dispense with the constituent subject, to get rid of the subject itself, that’s to say, to arrive at an analysis which can account for the constitution of the subject with a historical framework. This is what I would call genealogy, that is, a form of history which can account for the constitution of knowledges, discourses, domains of objects etc., without having to make reference to a subject which is either transcendental in relation to the field of events or runs its empty sameness through the course of history. (1980: 122)

When we take for granted the individual as the target of the solitary confinement unit, all evidence points to a contradictory reality in which prisoners’ abilities to control their behavior, among other things, is destroyed - hence the idea of solitary confinement as cruelty for its own sake. It is my argument that dispensing of the constituent subject – here the individual - as the solitary confinement cell’s assumed target, enables us to better recognize solitary confinement’s productive effects at other registers of being – specifically, the social subject and the collective life captive within the prison.

As Rhodes argues, the control prison is a new technology, one developed by and for the contemporary prison “for the creation of a potentially absolute social exclusion” (2004: 7). She adds, “When these projects of exclusion are framed in entirely individualistic and non-rehabilitative terms, they confront us with disturbing questions about what it means to be a human – a social – being” (Ibid.). In her ethnography of a supermax prison in Washington State, Rhodes charts how assumptions of individualized ‘will’ and attributions of individual ‘choice’ to prisoners are so deeply embedded within penal structures of authority that they are inseparable from the ‘trouble’ correctional guards see prisoners as causing for them. The belief that prisons do and should have control over their behavior not only animates guards’ quickness to punish prisoners when faced with the seemingly absent exercise of that self-control, but is itself, she argues, endemic to “a setting that takes for granted the reduction of the self to its narrowest range” (2004: 35). She points out that such expectations about what makes for a rational, self-regulating human being are, moreover, “thoroughly embedded in a
larger discourse of economic and social autonomy that shows no signs of losing its grip on the public imagination” (Ibid: 10).

Rhodes’ findings at one end of the control unit’s trajectory (the daily life of its operation once already in existence), I argue, provide a experiential basis for returning to and reframing the penal history that gave rise to the control unit in the first place. Indeed, one entry point into thinking about the social as a site of solitary’s productive intervention comes out of first-person experiences of prisoners themselves – what philosopher Lisa Guenther calls a critical phenomenology of solitary confinement. As a mode of philosophical inquiry, phenomenology begins with first-person experience and uses it as the starting point to theorize outward about a given issue or idea. In the case of solitary confinement, the first-person experiences of people who have experienced such confinement have for two centuries conjured remarkably consistent metaphors, themes, and anguish. Here are a few testimonial examples from different sources and over different time periods:

If you don’t communicate – I’ve known men who’ve actually lost the ability to speak. Or to have a rational thought. It’s not sad, it’s not depressed, it’s way past that. (George, interview with author 2013)

I went to a standstill psychologically once – lapse of memory. I didn’t talk for 15 days. I couldn’t hear clearly. You can’t see – you’re blind – block everything out – disoriented, awareness is very bad. Did someone say he’s coming out of it? I think what I’m saying is true – not sure. I think I was drooling – a complete standstill. (unknown prisoner, quoted in Grassian 1983: 1453)

It is only a matter of time, if you love life too much or fear violence too much, before you become a thing, no longer a man. You can end up scurrying about like a rodent, lending yourself to every conceivable low, evil, degrading act anyone tells you to do – either pigs or prisoners. There is a boundary in each man… But when a man goes beyond the last essential boundary, it alters his ontology, so to speak. (Abbott [1981]1991: 67)

The most common and consistent theme in over two centuries of first-person accounts, resonant with my own interviews with ex-prisoners, is the experience of being broken by isolation. Prisoners describe living in solitary confinement as a constant state of breaking down, or fighting to resist the impending ‘brokenness’ total solitude and sensory deprivation seems to condition, psychologically and affectively but even ontologically. There is an
overwhelming awareness of isolation’s damage, even violence, on its subjects, yet at the same time a curious inability to locate precisely how or where that violence actually operates. Its consequences are observed as functioning at a more basic level of a person’s being. As early as 1842, Charles Dickens, indulging Europe’s interest in this radical experiment in criminal justice by visiting isolated captives held at Eastern State Penitentiary, wrote of his shock at meeting sense-deprived prisoners. They were “dead to everything but torturing anxieties and horrible despair,” he observed, denouncing penal isolation as worse than any other kind of bodily torture (1957: 99). In Dickens’ vivid notes, the damage he observed seemed fundamental, occurring as if at the register of subjectivity itself. As the Guenther, reading Dickens, puts it, the withdrawal from concrete relations with others constituted a violence that “leaves no bruises, and yet it effects a general demolition of the person” (2013: 19).

In the absence of a physiological threat to the body, such testimonials present us with an interesting pair of questions: Who is this self that can be broken? And what is it about total aloneness that avails it as a weapon against such a self? Guenther asks a similar question: “What must a person be like, in order for this destruction to be possible?” (Ibid: 22). Analyzing the phenomenology of these first-person prisoner accounts as well as the psychological literature documenting the deleterious effects of solitary confinement on the psyche, she concludes: “These transformations are only possible if the person in solitary confinement is not simply an atomistic individual, separable from others and from the world, and constructed of different interlocking but separate parts” (Ibid: 20).

In order for the deprivation of everyday human encounter and sensorial stimuli to break people apart in the way that leading psychological studies of isolated inmates suggest it does, subjectivity itself must be constituted not autonomously but relationally. Its violence, in other words, is enacted against the social structures that make a particular way of being possible in the first place – the very relationality or sociality that constitutes selfhood itself. We might conclude, following Guenther, that there is no such thing as an autonomous, self-contained individual subject as such; the violence of isolation therefore giving lie to the very ontology of the individual. This argument is important insofar as a thoroughly social subject
stands in contradistinction to the far more pervasive ontology within liberal capitalism, and perhaps especially discourses of crime and punishment, of the autonomous and rational individual whose decisions and behaviors are self-produced and self-governable.

Though speculative, there is an interesting corollary to this thesis that produces a new line of inquiry into the work of solitary confinement. For if the effects of total isolation suggest that there is, in fact, no such thing as a truly individual subject, then why do we assume the individual subject to be the object of this spatial tactic within the penal edifice? Yet the presumption of the individual subject is perhaps not surprising. First of all, everything about the practice looks and feels like it is aimed at the individual: the body being contained belongs to one person; the architecture of the space is technically and geometrically designed around the size and activity of that individual body. Secondly, the work of neoliberalism has been to reify the presumption of the individual as the central unit for everything. Rethinking that presumption, however, must be part of a critical inquiry, perhaps especially when it comes to the social regime of incarceration.

As Rhodes observes from a Washington State supermax, “In these settings it is not only prisoners’ bodies that are tightly managed. Here attention itself - those moments when one human being notices and responds to another – is administered, ‘guarded,’ and applied sparingly” (2004: 35). Even at the micro-scale, then, what we read to be individualized (i.e. belonging, as a behavior or character trait, to an individual subject) can be reconsidered, like the phenomenon of ‘attention,’ as in fact relational (occupying the space, or constituting of, the dynamic between people) and therefore social.

It also may be, therefore, that the argument that solitary confinement has arisen as a response to violence and unruliness in the prison system is not so much incorrect, as misinterpreted. For what constitutes unruliness is itself a political and social question. What constitutes violence, especially in the context of racialized confinement and bodily disintegration proctored by the state, is also a political and social question. To demonstrate this, I will now retrace the socio-historical origins of the modern control unit within the broader context of prisoner resistance to the US carceral regime through the latter half of the 20th Century.
Deploying a genealogical approach to the field of events within which solitary confinement re-emerged and intensified, I argue that it is in response to, and preemption of, the social crisis posed by aggregated and racialized prisoner bodies and their collectivization at the site of captivity, that the solitary confinement cell functions as a kind of spatial fix.

**USP Marion, Black Muslims, and the Behavior Modification Experiments**

One place to begin the story of the modern control unit is at the United States Penitentiary (USP) at Marion in Illinois on July 17, 1972. On that day, a multiracial coalition of politicized prisoners organized a prison-wide work stoppage in response to the severe beating of a Chicano inmate named Jesse Lopez by a prison guard. Two days after the attack they issued a call to action, which included this statement:

> The convicts of this institution of Marion prison have in the past experienced many difficulties which were resolved by a collective effort. And this collectivism is being called upon for still another serious problem confronting us today that must be resolved by whatever means necessary… it is often necessary to remind each other that we’re all prisoners and as such, we should be obligated to insure each others’ health welfare and life, in this institution…. Therefore, to deal with our immediate problem, we: the concerned prisoners ask every prisoners to cooperate in a general work stoppage, if Jesse Lopez is not released by 12:00 today (7-17-72) and if assurance of the prosecution of the officer in question is not forthcoming. (Quoted in Gómez 2006: 72-73)

Almost three hundred prisoners heeded the call and refused to work. In response, prison officials first locked down all prisoners in their cells for six days, and then continued to hold the seven suspected strike leaders in indefinite isolation. The strike was suspended briefly but resumed within weeks. Officials again responded by isolating prisoners, this time locking sixty men in solitary confinement and enrolling them in the prison’s ‘behavior modification’ program, known as CARE (Control and Rehabilitation Effort). This lockdown constituted both a major expansion of the behavior modification program, whose main technique was extreme isolation, and an official prefiguring of the contemporary prison control unit. In 1973 the H-Unit at Marion was officially designated the Long-Term Control Unit, the first documented use of that term in US penal history (*Adams v. Carlson*, 1973: 621-622).
The events at USP Marion in 1972 represent an important historical conjuncture, connecting the second-wave chapter of isolation as a technique of ‘behavior modification’ therapy to its contemporary generalization in the architectural form of the control unit and the supermax. USP Marion was also, from its beginnings, a politically significant prison. Opened in 1963, the prison was constructed to hold 500 “adult male felons who are difficult to control,” according to Congressional testimony in 1971 by then superintendent George Pickett (quoted in Mitford 1973: 199). As prisoners began to be transferred there specifically because of their political organizing and activist work in facilities such as Attica, Leavenworth, Soledad, and others, USP Marion quickly became a warehousing space for some of the most politically active, conscious and organized prisoners from around the country (Gómez 2006: 59). Prisoners who demonstrated particular political defiance or influence on other inmates would be threatened with transfer to Marion in an attempt to intimidate them. Marion circulated in the social imaginary of prisoners elsewhere as a terrorizing place, replete with brutality and dungeon-like conditions. The threat of transfer, and then actual transfer, to Marion served as a two-stage weapon against prisoners considered political leaders or agitators.

One such transferee, Eddie Griffin, writing for the Journal of Prisoners on Prisons, describes his strike against unsafe machine shop conditions that led to his move to Marion: “I was immediately locked up in segregation for refusing to work, and for eight months, I continuously refused to work until I was guaranteed a job change… My insistence about the work hazard led to my being shipped to Marion, no doubt to have my obstinate behavior corrected” (1993: 1). George, another ex-prisoner, similarly described a work stoppage that took place while he was the Imam at Lewisberg Penitentiary, for which he was blamed because of his leadership status among prisoners. “My councilor had wrote to upgrade my security from level 4 to level 6, so they could send me to Marion,” he told me. “All the spies is there, all the Black Panther parties is there, the Black Liberation Army… and it was an assassination spot. Literally. So in my head they were sending me there to kill me” (Sylvester, interview with author, 2012).
Prisoners transferred to Marion identified themselves variously as Puerto Rican independentista fighters, Black Muslims, Chicanos, American Indians, members of the Black Liberation Army, white anti-imperialists, and Marxists. Many considered themselves part of an international third worldist struggle against colonial and imperial oppression and identified the prison as a central structure of that oppression. Their activities, often coordinated through cross-racial coalitions, included organizing clandestine ethnic studies classes, striking against unsafe prison factory conditions, teaching each other to become jailhouse lawyers, and collaborating with allies outside to draw public and international attention to brutal prison conditions.

In 1972 these prisoners organized a whole series of mobilizations, work stoppages, and lawsuits. Their activities brought them into close contact with influential political groups outside, such as the American Civil Liberties Union and the National Association for the Advancement of Colored People and the People’s Law Office. They even submitted a report on prison conditions to the United Nations. After the attack on Jesse Lopez, these variously affiliated prisoners began to organize under the banner of the Political Prisoners Liberation Front (PPLF), and found strength in their common alliance as poor and racialized people in captivity. As one prisoner put it, “The more we developed and joined hands across color lines, the more we became a threat” (quoted in Gómez 2006: 58).

“Identifying these prisoners as leaders or ‘problem inmates,’” writes Alan Eladio Gómez, “prison authorities contended that by isolating them in the same institution and employing a series of behavior-modification techniques, as well as physical and psychological torture, they could control dissent” (Ibid: 59). He describes the use of the control unit as a weapon, a “death-world,” or a “dead zone” marking a particular moment of political repression (Ibid: 60). Though the facility opened in 1963, most transfers to USP Marion did not actually take place until the late 1960s (Breed and Ward 1984: 10). The prison began experimenting systematically with solitary confinement at precisely the same time. This took the form of its experimental behavior modification program, CARE, which was implemented in 1968 and then, as noted earlier, expanded in the form of the Unit-H control unit in 1972.
The CARE program relied on solitary confinement as its primary disciplinary tactic, in keeping with other prison behavior modification programs being experimented with in prisons during this period. The program was developed by Marion’s prison psychologist, Martin Groder, in collaboration with a renowned researcher on Chinese and Communist brainstorming tactics named Dr. Edgar Schein. Schein was a central figure in the adaptation of total isolation as a tactic of ‘behavior modification’ for application inside prisons during the 1960s. His influence and ideas can be traced in the published proceedings of a pivotal symposium organized by the US Bureau of Prisons in 1961 called “The Power to Change Behavior,” for which Schein was the invited keynote speaker. The seminar was organized to bring together prison wardens and behavioral scientists working at the cutting edge of research on behavior reform and brainwashing techniques developed in Chinese prisoner-of-war camps during the Korean War. Its proceedings, the transcripts of which have since been archived, are illuminating for the institutional vulnerability they express and seek solutions to.

Schein was invited to present his theories on brainwashing and their applicability to the context of US prisons. He told his audience, “I would like to have you think of brainwashing not in terms of politics, ethics, and morals, but in terms of the deliberate changing of behavior and attitudes by a group of men who have relatively complete control over the environment in which the captive population lives” (quoted in U.S. Bureau of Prisons 1961: 56). The most important implication of his findings for a general theory of “attitude change,” Schein argued, is that dismantling social support and opportunities for social contact is crucial. Among the effective Chinese brainwashing techniques he recounted to his audience were: “Social disorganization and the creation of mutual distrust” and “undermining ties to home” – including systematic withholding of mail and the prevention of any contact with anyone non-Communist (Ibid: 59). Schein then suggested a set of key techniques for prison wardens to try on their own ‘problem’ prisoners: one, to physically remove the prisoner to an area sufficiently isolated in order to break or seriously weaken close emotional ties; two, to segregate all natural leaders; three, to prohibit group activities that do not fit brainwashing objectives; four, to systematically withhold mail; five, to create a feeling amongst the isolated group of prisoners that they have been abandoned by and totally isolated from the
community; six, to undermine all emotional supports; and seven, to preclude access to literature which does not aid in the brainwashing process (Elijah, d.n.a.).

Schein’s remarks about what might be productively gleaned from studying brainwashing in POW camps for application in the domestic prison context are worth quoting at length:

If one wants to produce behavior inconsistent with the person’s standards of conduct, first disorganize the group which supports those standards, then undermine his other emotional supports, then put him into a new and ambiguous situation for which the standards are unclear, and then put pressure on him. I leave it to you to judge whether there is any similarity between these events and those which occur in prisons when we teach prisoners “to serve their own time” by moving them around and punishing clandestine group activity not sanctioned by the prison authorities (quoted in U.S. Bureau of Prisons 1961: 60).

Schein’s remarks on the use of isolation and segregation for behavior and ‘attitude change’ among prisoners become particularly significant in the broader context of the symposium’s proceedings. A persistent subject during the symposium was the ‘problem’ of Black Muslims within the nation’s prisons during this period. In his written summary of the conference proceedings, Bertram S. Brown writes: “There were specific, practical management issues raised, such as ‘How shall we manage the Muslims?’ ‘Who should we isolate?’ etc” (Ibid: 65). He later describes Muslims as one of the main groups of concern to attendees of the symposium: “Problems not only of difficult and recalcitrant individuals but difficult groups in the prison setting such as the ‘Black Muslims’ and in the past ‘conscientious objectors’ were discussed” (Ibid, emphasis in original: 68). Characterizing it as a discussion of ‘technical management,’ Brown references a particular exchange between a few of the panelists and audience members, and quotes it verbatim:

“I think your question, Mr. Bennett, was not so much whether you take action against the Muslims as a group, but how can you counteract the effects of the kinds of techniques they use to recruit members, etc. and cause general mischief in the prison system.”

Mr. Bennett: “Well, the prisons have been filled with such groups at different times. During the war we struggled with the conscientious objectors -- non-violent coercionists -- and believe me, that was really a problem. Every day they got together as a group and put sand in the grease boxes and refused to eat and
went on hunger strikes and agitated, etc., and we were always trying to find some way in which we could change or manipulate their environment. Dr. Schein, do you have a technique to change any of these fellows?” (Ibid.)

The Director of the Bureau of Prisons (BOP) at the time, James V. Bennett, acknowledges here something important for the purposes of this chapter - the *non-violent behavior* of a group identified by the prison as a management problem. The response by Schein also highlights the issue of *management* as key to the knowledge being shared:

“[W]hen a group really is arrayed against you and you allow it the means of organizing itself and subverting all your goals, there is no question in my mind but that you have to take physical action in the sense of pulling out the leaders just as the Communists pulled out the leaders from our own prisoner groups and isolated them from the rest of the group.” (Quoted in US Bureau of Prisons 1961: 70)

Bennett then asked Dr. Schein for ideas about how such manipulation of the environment might be achieved. Bennett had been very impressed by Schein’s recommendations, and closed the symposium by encouraging prison wardens to apply the tactics they’d heard about in their own institutions: “We can perhaps undertake some of the techniques Dr. Schein discussed… Do things on your own – undertake a little experiment with what you can do with the Muslims…. do it as individuals, do it as groups, and let us know the results” (Ibid: 72).

Prison wardens took Bennett’s encouragement to heart, and across the country behavior modification programs applying spatial isolation as their central tactic proliferated under different titles: at the El Reno Reformatory in Oklahoma it was called a “Sensitivity Training Program,” at the McNeil Island Federal Prison off the coast of Washington State it was called a “Therapeutic Community,” and at the Federal Medical Center for Prisoners in Springfield, Missouri, Groder and Schein collaborated again to design the Special Treatment and Rehabilitation Training (START) program.

It should be noted that Bennett, who directed the BOP from 1937 to 1964, was a central figure in the ‘rehabilitative era’ of the US prison system. He oversaw and lobbied for
Congressional funding for vocational and education classes, medicinal programs for drug offenders, and special facilities for the juvenile offenders and the mentally ill (Gómez 2006: 62). The behavior modification programs he encouraged at the 1961 symposium – of which solitary confinement was the hallmark technique during the practice’s so-called second wave – can be seen therefore as entirely in keeping with the ‘rehabilitative’ theory of criminal justice dominant during this era, rather than as a brutally punitive rejoinder to it as is often claimed.

The specific attention paid to Black Muslims during the symposium is revealing. By 1961 Black Muslims had established themselves as a formidable – and effective - political force inside America’s prisons. Incarcerated, many of them, for their opposition to the Vietnam draft, their earliest collective organizing efforts targeted racial segregation inside prisons, building on the civil rights movement more broadly in its desegregation campaigns. Between 1961 and 1978 there were 66 reported federal decisions involving Black Muslims (Gottschalk 2006: 175). The judicial decisions that came out of these lawsuits gave prisoners unprecedented protections and rights behind bars, including the right to provide legal aid to one another (Ibid). Perhaps even more significantly, the Black Muslims’ demonstration of an ethos of group solidarity, one based on the notion that blacks as a group faced collective oppression, and their ability to execute a disciplined, effective strategy, provided a model for collective organizing inside prisons and laid the groundwork for subsequent prisoner struggles (Gottschalk 2006; Berger 2010).

That the development of penal isolation reemerged during this period as a technique of behavior modification targeting this collectively organized group in particular is important, for it alerts us to the anti-social function of solitary confinement inside prisons. The establishment of such ‘behavior modification’ programs thus prefigured the expansion of penal isolation as a deliberate technical and architectural tactic of disassociation, focused primarily on prisoners whose collective activities demonstrated the possibilities of solidarity, mutual aid, and social power among oppressed people. Even after the decline of the Nation of Islam behind bars in the mid-1960s, the presence of a growing and disproportionate number of Blacks, Puerto Ricans, and other racialized groups, at the same time as rising political mobilization and urban unrest around racial issues outside the prison system, helped
focus attention on prisons in a new and powerful way. This period would become known as the ‘prison rebellion years,’ and the disproportionate use of isolation against racialized and politicized prisoners during and after this period is the context from which today’s supermax emerged.

*Attica and the Prison Rebellion Years*

The years between 1967 and 1972 saw an explosion in confrontations staged by prisoners against the state (see Cummins 1994; Berger 2010; Mirpuri 2010). Political scientist Marie Gottschalk counts 132 riots in US prisons during this period, subsequently dubbed the ‘prison rebellion years’ (2006). This period also saw an explosion in the number of organizations dedicated to reforming or eliminating prisons, many of which used the space of the prison itself as an organizing base. As well as litigating and organizing work stoppages, prisoners set up underground reading groups, elaborate education systems, prison newspapers and even labour unions. Numerous and varied publications by prisoners – essays, memoirs, plays, poetry – made it out of prisons (often surreptitiously) to find a wide and receptive audience. By the 1970s, Dan Berger argues, a new kind of political movement had developed in the US that specifically “targeted the prison as an institution … and used the prison system as the launching point for a critique of the institutions of America’s racial order” (2010: 32).

Indeed, just as significant as the growing power and militancy of the prisoner rights movements was the way in which outside radical groups, especially groups struggling against systems of racial oppression and state violence, made use of the prison and the increasingly visibility of prisoner organizing to embolden and make sense of their own struggles. The Black Panthers are an emblematic example of this. In writings and speeches, Huey Newton and other Black Panthers challenged the prison as a place and a symbol, including in their 1972 program a call for “the elimination of all prisons and jails in the US.” “By the 1970s the prison had become one of the premier sites of black protest, not just the

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6 An incredible archive of literature pertaining to prison-based organizing, including prison union pamphlets and prisoner newspapers, resides in the Tamiment Library & Robert F. Wagner Labor Archives at New York University in New York, NY.
"preordained consequences of it," argues Berger (2010: 90). To activists both inside and outside, the prison epitomized both the power and the violence of the white supremacist American state. In that sense, then, it offered mobilizing vehicle to radical groups as both a symbolic field as well as a material institution (Ibid: 54). The prison was an actual place that black radicals were being confined, but it also offered a powerful metaphor – even metonym – for a variety of racialized confinements and structuring features of black life, such as the poverty of the black urban ghetto, against which Black militants were mobilizing. As Black Panther Zayd Shakur put it, “Prisons are really an extension of our communities” (quoted in Ibid.).

While a review of this rich and varied history exceeds the boundaries of this chapter, there are two points that are important to make about the prison rebellion years, and for which I will offer a few salient examples pulled from the archives. The first is that the collective organizing inside and across prison walls during this period posed a deeply registered problem for the prison regime. Indeed, as the demands issued by increasingly politicized prisoners proliferated, and their political actions escalated, prison administrators began to respond in terms that explicitly acknowledged the acuteness of the crisis they faced. Second, while supermaxes and similar penal prototypes for mass isolation did not proliferate as carceral forms until more than fifteen years later, it is in the aftermath of this period’s prisoner-led collective organizing that one sees the spatial tactic of mass penal isolation, in the form of separate super-max prisons organized into segregation units, first get flagged publicly, and begin to gestate politically.

One illustration towards my argument comes from California, a significant state during the late ‘60s and early ‘70s for the staging of escalating prison protest. On February 15, 1968, following calls for a “Convict Unity Holiday” (or prisoner strike) issued by a prisoner-issued newsletter called The Outlaw, and reprinted in the Berkeley Barb, more than 400 people gathered outside the gates of San Quentin to show solidarity with striking prisoners. Twenty percent of prisoners began to strike that day and, bolstered by news of all the outside support, a full seventy-five percent (2600 prisoners) went on strike the next day and for the rest of the week (Ibid: 76). The Grateful Dead even showed up to perform a free concert for those protesting both inside and outside the prison walls. The Outlaw called for another strike that
August, emphasizing the importance of racial unity in the face of the segregating tactics of
the prison regime: “A UNITY that includes every man wearing blue denim, a UNITY that
includes every man that is aware of the need to overthrow the CDC [California Department
of Corrections] if we are to ever again be dealt with as man and not as chattle [sic]” (quoted
in Berger 2010: 76).

The strikes and their outside support deeply shook the state’s correctional officials. In a
speech that December, Associate Warden James Park argued that the two unity strikes at San
Quentin, “demonstrated, perhaps for the first time in American penal history, that outsiders
could conspire with prisoners to cripple the normal operation of a prison” (quoted in Ibid:
77). He further predicted that political participants both inside and outside the prison would
view prison uprisings as “but one tactical event in a larger strategy of social revolution”
(Ibid). A new administrative strategy was necessary, he argued, to combat this revolutionary
impulse inside prisons, an impulse he saw as inspired by the “racial and ethnic
consciousness” among black and Chicano political movements. On this matter he
emphasized the influence of a host of radical, anti-colonial and anti-capitalist writers whose
texts prisoners were reading, such as Franz Fanon, Che Guevara, Malcolm X, and Mao
Zedong, and he encouraged prison administrators to study the texts and keep close tabs on
the organizing they inspired.7 The new ‘administrative strategy’ Park called for took the
form, soon after, of a recommendation by the correctional officers’ association that the State
build a special, “maxi-maxi” prison to hold political and revolutionary prisoners. This maxi-

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7 It is worth noting that today in many states reading specific books is still one thing that can
get a person put into isolation. There is in fact a great deal of evidence that institutional
anxiety about the influence of both overtly radical but even mildly politicizing material,
including basic contemporary news sources, informs the contraband policies that can
translate into disciplinary write-ups. In an article for The San Francisco Bay View
incarcerated author Steve Champion (2011) writes: “On July 23, 2010, my cell was searched
and three boxes of my property – legal material, books, notes and personal writings – were
confiscated and turned over to Institutional Gang Investigations (IGI) for possible gang
validation. The reason for the action, I was told, was my possession of a Kiswahilli
dictionary and the book “Soledad Brother” by George Jackson. This is not the first time I
have been targeted for a gang validation wherein George Jackson was the cause. In May
2007, I co-wrote an article in which we referred to Jackson as “comrade George Jackson.” It
was determined by IGI that the word “Comrade” constituted gang associate or sympathy;
therefore, I needed to be investigated. The investigation yielded nothing.”
maxi prison would itself be isolated from other prisons and would contain the infrastructure to hold its subjects in isolation from one another.

The single greatest shock to the U.S. prison system, however, was still to come. On September 9th, 1971, prisoners at Attica Correctional Facility in upstate New York erupted in what remains the largest prison rebellion in US history. In a show of unprecedented cross-racial organizing, over 1,200 of Attica’s 2,432 prisoners took over one of the prison’s four yards and held 42 corrections officers and civilian employees hostage. They held the prison in relative calm for 97 hours, after which Governor Nelson Rockefeller ordered the National Guard to crush the rebellion. 41 men were killed, including 31 prisoners, all of them by bullet wounds discharged by the national guardsmen and state troopers. No prisoners were found to have had firearms.

While the history of the Attica rebellion is well known, less has been written about how seriously state officials registered the uprising as a crisis for the system as a whole, and began to consider possible long-term solutions. Officials scrambling to recuperate order and control in the aftermath of Attica began to float one idea in particular: a separate, high-tech and super-maximum security prison designed to isolate politicized prisoners and prison leaders from other prisoners and from each other. Indeed, discussions about a ‘super-prison’ to isolate the most politically troublesome prisoners began in the immediate aftermath of the Attica crisis, and can be understood as an attempt to resolve that crisis in the state’s favor.

Governor Rockefeller was quick to ascribe the Attica revolt to the “revolutionary tactics of militants” and emphasized the role of “outside forces” (Farrell 1971a: 1, 30) – a coded but unmistakable reference to recent prison turmoil in California, where the killing of prison intellectual George Jackson by prison guards only a few days earlier had instigated the Attica occupiers. Rockefeller ramped up his crisis rhetoric two days later, going on record to suggest that the Attica prisoners’ demands “had political implications beyond the reform of the prison, which it was not possible for us to conform to and at the same time preserve a free society in which people could have any sense of security” (Farrell 1971b: 1, 48).
According to prison officials and their sympathizers, the risk posed by prison militants could be remedied in only one way: penal isolation. In late September New York State Commissioner of Corrections Russell G. Oswald used a press conference he had called to peddle the idea of a separate, high-security facility for ‘problem’ prisoners. Oswald told reporters his department was seeking a facility for as many as 500 of the most troublesome prisoners, to keep them separated from what was at that time a population of 16,000 prisoners in the state’s prison system. He credited Vincent R. Mancusi, superintendent of the Attica prison, who had first raised the idea of isolating five prisoners who earlier in July had signed a manifesto demanding changes in prison procedure. “Mr. Mancusi thought they were real troublemakers,” Mr. Oswald recalled. “He felt they were a behavior problem and that by transferring them, the rest of the institution might not get infected” (quoted in Ibid: 1).

As the opening witness in a five-day committee inquiry into prison disruptions later that fall, Mancusi publically called for the establishment of a separate institution, sited in a geographically remote area, which would house “the hardcore revolutionaries” (Ringle 1971). Mancusi also listed what he considered to be ‘aggravating factors’ leading up to the September riot, including political unrest and demonstrations outside the prison, an increased influx of radical literature, a generalized decrease in respect for authority in the national culture, and heightened desire among particularly influential prisoners “to destroy the system” (Ibid.). He further stoked already existing anti-communist sentiment by suggesting that though he would not use the word ‘communist’ per se, he believed the ‘conspirators’ of the Attica uprising could be “Marxist or Maoists” (Ibid).

Members of the media and religious groups also contributed to the growing chorus on the necessity for a separate and remote ‘super’ facility. In an editorial in The Daily News from September 21, 1971, the editors laid the blame squarely on the shoulders of racialized revolutionaries. “It appears that there are four categories – the Black Panthers, the Black Muslims, the Young Lords, and those who are plain ordinary prisoners putting in their time,” whose quest for power, they argued, laid the groundwork for the September 9th uprising. The editorial’s proposed solution was by now a familiar one: “The impetus now must be on the future and a more realistic way of coping with this unrest…. Separate facilities for the hard core radicals are a must” (“Power Struggle,” 1971). At a memorial for guards killed at
Attica, the prison’s Roman Catholic Chaplain, Fr. James Collins, also called for the construction of a separate “maximum security institution for about 150 hardcore, militant, Marxist revolutionaries.” If these individuals weren’t isolated, he predicted, the result would be more rebellions just like Attica’s (McCandlish 1971: 31).

Such calls continued into the fall and the winter. On December 10, 1971 Oswald gave an hour-long address to some 200 members of the group Women in Support of State Correctional Employees, many of them wives of prison guards. During the speech he continued to shore up the category of the ‘hardcore revolutionary,’ as well as suggest, tellingly, that the condition of captivity lent itself to the development of a political consciousness and therefore participation in rebellion. “Correctional institutions nowhere are mansions of merry men,” said Oswald. “I don’t know where would be a better place for hardcore revolutionaries to recruit than in a prison set up. There seems to be some evidence that this is going on.” Oswald then marshaled this warning into the case for the segregation of politically conscious prisoners, using the language, somewhat ironically, of ‘prisoners’ rights.’ It was the “most precious right,” he said, of every prisoner “to be protected from those in the prison population who would recruit him – who would use him – would insist that he follow their line of reasoning” (“Oswald Stresses Gains,” 1971).

The Attica uprising constituted a watershed moment for penal policy in the United States. New York State’s own later entrées into mass isolation and the ‘supermax’ model were born in its wreckage, even while the immediate aftermath saw a protracted ideological struggle between a rehabilitative-orientation to penal policy and a more punitive one (Morrell 2012: 105).8 While in the short-term improvements would be made to food services and other basic

8 Despite extensive public demonization of Attica’s politically motivated prisoners, there is evidence that even in the aftermath of the Attica bloodshed there was considerable opinion that prisons themselves were part of the problem. A moratorium on prison construction was called for by a number of national advisory commissions, including the National Council on Crime and Delinquency and the National Advisory Commission on Criminal Justice Standards and Goals (Gottschalk 2006: 181). Instead of heeding this call, the state moved to begin equipping prison officers with riot gear, while Oswald accelerated his plans to set up a separate, maximum-maximum security prison for politically motivated prisoners (Kaufman 1971a).
prison conditions, the long-term legacy of the Attica rebellion proved to be the expansion of solitary confinement infrastructure. New York’s first ‘maxi-maxi prison,’ Southport Correctional Facility, first took seed when proposed by the 1983 New York State Republican Task Force on Correctional Crisis, where it was imagined as a facility to hold prisoners deemed “troublesome” at a single location under austere and isolating conditions (Ibid.).

Social crisis had engendered the ultimate of anti-social technologies in response. Before Southport could be built, however, USP Marion proved once again to be a laboratory for new carceral designs.

**USP Marion and the Birth of the Supermax**

In 1979 the United States Penitentiary, Marion was designated a level six prison – the first and only such classified institution in the country.\(^9\) A Bureau of Prisons (BOP) document that same year also flagged the idea of turning the whole of USP Marion into a “closed-unit operation” (in which all prisoners would be held in indefinite isolation) – an idea further solidified into written plans described in a 1981 report (Breed and Ward 1985: 11, 22). As punitive conditions intensified in response to political agitation in the prison throughout the late 1970s and early 1980s, so did the resistance of prisoners. A particularly intractable work strike was initiated in September of 1980 when the acting warden refused to respond to a list of prisoners’ demands, including the right for Native Americans to practice purification rites and Muslims to wear the fez and turban. Reputed to be the longest and most peaceful strike in prison history, the strike was actually never officially broken, as the administration decided instead to close the prison factory down entirely in January 1981 (Ibid: 12). Political activity continued throughout that spring and summer.

In October of 1983 two correctional officers and one prisoner were killed by incarcerated members of the Aryan Brotherhood. Though the three men responsible for the guards’ deaths were identified almost immediately, all prisoners were locked into their cells permanently and indefinitely following this incident. This prolonged ‘emergency’ lockdown would come

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\(^9\) The designation level 6 was only just added to BOP prisoner classification system in 1978. Up until then Level 5 was the highest security prison designation.
to constitute a large-scale experiment in solitary confinement that lasted, at Marion, for 23 years — ending only when the federal government converted USP Marion into a medium-security prison in 2007 (Kim et al. 2012: 11). This particular incident, in other words, became the pretext for turning Marion into the ‘closed-unit operation’ considered by the BOP at least as far back as 1979. A former guard at Marion, David Hale, testified in 1984 in front of a US magistrate in a class-action suite brought by prisoners that Marion’s warden at the time actively sought to promote tensions and unrest, in order to produce a justification for permanently locking down the entire population in isolation (Lassiter 1990: 27).

It was already widely believed throughout this period that Marion’s solitary confinement units were used primarily against politically critical and active prisoners. Jan Susler, an attorney who represented several inmates, told the magazine Mother Jones that prisoners would often get transferred to Marion not for disciplinary offenses, but simply for posing a ‘management problem’ through their political organizing or affiliations (Ibid: 77). “Let’s put it this way,” said Susler. “If you rob a bank, you go to a normal level-five prison. If you rob a bank and are a member of the FALN, or the Black Liberation Movement, there’s a very good chance you’ll be labeled a terrorist and sent to Marion” (quoted in Ibid: 55). Federal judge James Forman concurred, stating, “In several instances, [the Control Unit] has been used to silence prison critics. It has been used to silence religious leaders. It has been used to silence economic and philosophical dissidents” (quoted in Ibid.).

The BOP, meanwhile, consistently denied that the political beliefs of prisoners constituted a basis for isolation at Marion, claiming instead the presence of “some terrorists” but “no political prisoners” (quoted in Ibid.). However, while the BOP described Marion’s prisoners as “the most vicious, predatory, and intractable convicts in our penal system today” (Ibid: 52), testimony from prison officials themselves contradicted such claims. According to Ralph Aron, a former warden at Marion Penitentiary, “The purpose of the Marion Control

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10 Some political prisoners who have been incarcerated at Marion include Leonard Peltier (American Indian Movement), Dr. Alan Berkman (Black Liberation Army, AIM), Sundiata Akoli (Black Panthers), Sekou Odinga (Black Liberation Movement), Rafael Cansel Miranda (Puerto Rican Nationalist Party), and Oscar Lopez Rivera (FALN, a revolutionary Puerto Rican independence group).
Unit is to control revolutionary attitudes in the prison system and in the society at large” (quoted in Gómez 2006: 61). His remarks echo the anxieties held and expressed among prison officials and politicians throughout this period. Within a year of the 1983 lockdown, lawyers from the Marion Prisoners’ Rights Project filed a challenge to the severe conditions on behalf of Marion’s prisoners, including indefinite solitary confinement, and called for an end to the lockdown. But the US Magistrate denied their motion and in his recommendation, submitted in August of 1985, made this statement:

The Court is of the firm conviction that this litigation was conceived by a small group of hard-core inmates who are bent on the disruption of the prison system in general and of USP-Marion in particular. These inmates will spare no effort, means, or tactics to accomplish their final objective: the control of USP-Marion. This court will not be an accomplice to such an endeavor (quoted in Lassiter 1990: 79).

The consequences of the ruling, subsequently upheld in 1988 by the US Court of Appeals and again in 1989 by the Supreme Court, have been tremendous. In finding that indefinite solitary confinement under lockdown conditions did not constitute “cruel and unusual” punishment, the ruling gave judicial legitimacy to what came to be called the ‘Marion Model’ of generalized solitary confinement. It is at this point in US prison history that the control unit and the supermax, structured around the mass cellular isolation of all prisoners, begin to proliferate across the country: in McAlester, Oklahoma in 1985, in Pelican Bay, California and Baltimore, Maryland in 1989, and at Southport, New York, in 1991 (Raab 1991).

Southport Correctional Facility in the town of Elmira, in upstate New York, is the fruition of the separate, maximum-maximum security prison first championed by prison officials in the wake of the Attica rebellion. Built as a maximum-security facility in 1988, Southport underwent a further conversion in early 1991 to what the state calls a ‘punitive segregation’ facility, much like USP Marion, characterized by the holding of all prisoners in isolation cells called Special Housing Units. In contrast to New York’s other prisons, where solitary confinement cells co-exist alongside areas of general population, all 600 prisoners at Southport are held in isolation for twenty-three hours a day, with an hour for recreation in a
metal exercise pen (Morrell 2012: 202). That the 1983 task force was dedicated specifically to “correctional crisis” is telling, and it is to the meaningfulness of crisis as a concept within historical materialism generally, and in the scholarship on the carceral state particularly, that I now turn.

*The Spectre of Crisis and Solitary Confinement as Spatial Fix*

The political prisoner Susan Rosenberg, who spent a total of eleven years in isolation during the 1980s and 1990s, describes solitary confinement as “a prison within a prison” (Interview with author 2013). This analogy comes up again and again in prisoner testimonial about isolation, and can be read as more than just figurative. Indeed, the solitary confinement unit shares a structural homology with the prison edifice, and the analytic tools that have helped make sense of the prison regime writ large during the period of its expansion also fruitfully bear on the story of solitary confinement over the past thirty years. Particularly germane is the body of scholarship that locates the rise of mass incarceration in the confluence of crises that rocked the political economy and social consensus of the state in the 1960s and 1970s (Parenti 1999; Gilmore 2007; Wacquant 2008). A catch-all ‘solution’ employed by the neoliberal state, whose retreat in the 1970s from its historical functions as employer and welfare provider dovetailed with a set of economic recessions of the same decade, the prison came to function as a ‘spatial fix,’ one that has proven to generate new crises in its attempt to resolve others (Gilmore 2007). Stuart Hall and Bill Schwartz argue that, “Crises occur when the social formation can no longer be reproduced on the basis of the preexisting system of social relations” (quoted in Ibid: 54). The systemic change necessitated by crisis is unpredictable; insofar as existing structures and social relations must be retrofitted or transformed, their outcome tends to be determined through social struggle.

The Attica uprising of 1971 was the paradigmatic collective confrontation to the violence and racism of the American carceral state. It signaled a major crisis for the New York State

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11 The concept of “spatial fix,” originally coined by the economic geographer David Harvey, refers to capitalism’s imperative to resolve its tendencies toward crisis by means of geographical expansion, production, and restructuring (1981).
prison system most immediately, but also figured more broadly as symptomatic of a broader crisis for the state and its structures of racial capitalism. Led by black and Puerto Rican revolutionaries whose experiences of racism, classism, and colonization reverberated through their assertions of political subjectivity under conditions of extreme dehumanization, the Attica uprising constituted an imminent critique of a larger social order based on white supremacy, economic exploitation, and imperial violence. As Anoop Mirpuri argues, the discursive contribution of Attica’s prison rebels went beyond simply denouncing racism. Rather, their critique impugned the very ideology of race and the prison’s key role in the production and reproduction of that ideology (Fields 1990; Wacquant 2002b; Goodman 2008).12 “Racial identity is represented as the effect of captivity as much as it is the cause,” he writes, “which is precisely what enables multiracial identification between prisoners” (Mirpuri 2010: 52). The critique generated inside prisons and out of the experience of collective captivity by figures like George Jackson, Malcolm X, Angela Davis, and the Attica rebels, conceived of the prison as a production-space – not for ideal citizen-subjects or rehabilitated deviants, but for racialized groups that could be excluded from the privileges of personhood (Ibid: 17). They leveraged such criticism in a number of ways: by claiming, radically, the status of political subjects; by contesting the legitimacy of what was and remains a thoroughly racial capitalist state; and finally by transgressing the very penal codes that attempted to diminish their social power, by forming thoroughly cross-racial alliances and social formations.

The American prison has long constituted a site of social struggle and contestation. As suggested earlier, however, these struggles came to a head in the period of the segregation

12 My own interviews corroborated the argument that prisons function as race-producing institutions. For example, from one interview: “I didn’t know about racism, active racism, until I went to jail. I didn’t grow up in that. So I didn’t know it was a privilege to be able to grow up on a block that had several nationalities, and be exposed to those nationalities. Once I went to prison it was like, if you were Spanish, you would always hang out with the Spanish people. If you were white you’d hang out with the white people, if you were Black you’d hang out with black people. It was an unspoken code, but at the same time it was actively promoted by the officers, in that if they see you too much in one area, they start questioning you. Like, ‘what are you doing here, you’re not supposed to be here.’ And you figure out that it’s because it’s a Spanish guy at the black table. It discourages you from doing it. If you’re a Spanish guy and you’re hanging out too much with the white people, you get made a target.”
cell’s renewed attention by administrators as a penal tactic, and just preceding its mass institutionalization on an unprecedented scale. The radical prison movement of the late 1960s and early 1970s posed a major crisis for the carceral state in part by calling into question the state’s active role, via police and prisons, in exploiting black labour and warehousing labour redundancy, repressing social dissent, and reproducing white supremacy. Prisoners writing from and about the space of the prison have long argued that the prison serves as a central node of racialization, class warfare, liberal discipline, and labor force regulation (see for example Rodriguez 2006; Berger 2010; Mirpuri 2010). Along with their outside allies, they politicized the prison as both the central symbol and tactic of the racial capitalist state, against which a broader structural critique was gaining cultural and ideological force.

The reformulation of the prison regime and its tactical architectures in the decades after the prison rebellion years can be understood as both anticipation and preemption of ‘more Atticas,’ and all that Attica represented. The prison’s remaking has included expanding, systematizing, and generalizing the space and practice of solitary confinement on a mass scale. In this way, the solitary confinement cell operates as a spatial fix for the multiple crisis prisoners have posed, do pose and might pose against both the prison system itself, and the racial capitalist state it serves. In other words, the carceral state has responded to threats against its own reproduction by transforming space, in this case, the space inside the prison itself.

The suggestion of this chapter is that we consider the solitary confinement cell in similar terms as the prison writ large: as a partial, spatial resolution to multiple, intersecting crises in the reproduction of the prison system and the prison’s own central role in reproducing the neoliberal state. It is an anti-social fix for a social crisis; a crisis prisoners pose by virtue of their collective oppression and spatially aggregated bodies. Such a framework helps us see the connection between the use of solitary confinement from the 1950s to 1970s against political leaders, groups, and participants in particular, and the wholesale structuring of segregation cells and control units into a systemic carceral infrastructure in general in the decades since. The connecting thread also emerges in interviews with ex-prisoners who have spent long periods in isolation, who describe how overt political activity is often preempted
by the very *possibility* of isolation. As one ex-prisoner put it: “It’s a known thing that you’re not going to be an *advocate* in the prison system without going to the box. So that’s squashed almost immediately… Any person that has the mentality to try and fight against the conditions inside the prison is automatically going to be deemed a troublemaker. That person is going to be targeted” (Denny, interview with author 2012).

In this way, the solitary confinement cell also functions to tacitly *affirm* the political subjectivity of prisoners, and the site of the prison as a politically productive social space. Again, it is in testimonials by prisoners and ex-prisoners themselves that the connection gets made most powerfully between *social* experiences inside prison – everything from conversation to reading – and emergent political consciousness about the political relations that give rise to captivity itself. Denny, for example, describes discovering books while in prison, and the desperate need for a way to spend time while incarcerated that led him to begin reading for the first time in his life. He connects this reading directly to his earliest understanding of his incarceration as a *shared* condition, one for which he was not individually responsible nor was an expression of justice in any sense of the term. As he put it: “And then you start to read, you start to learn about society, you start to think outside of yourself, you start to realize “wow, other people are going through the same thing that I’m going through.” And “what do you mean, what I went through is not right?”

*Sociality and Political Being at the Site of Captivity*

While the late 1960s saw the emergence of a particular historical conjuncture that rendered the prison and its captives as key focal points for black liberation and other freedom struggles, it is possible to argue that the spectre of political uprising haunts the very condition of captivity itself. Dylan Rodriguez is among those who argue that the crisis prisoner struggles pose is endemic, rather than circumstantial, to the prison’s regime of “human immobilization and bodily disintegration” (2006: 7). At the same time as “The structuring of unfreedom extinguishes the possibility of legitimate political subjectivity *a priori*,” (Ibid: 37) he suggests, it also interpellates and even ‘reconstitutes’ the prisoner in such a way as to invest in her the basis of its own critique, opening a “pathway of radicalism
and insurgency” (Ibid: 7). In other words, the space of the prison produces the conditions of political subjectivity out of the same technology by which it extinguishes the prisoner’s juridical and bodily personhood.

That the prison’s system of social relations might give rise to the agents of its own potential dismantling is a bold claim – one which stands in some counter-distinction to popular characterizations of incarceration as ‘bare life’ (Agamben 1998) or ‘civil death’ (Dayan 2007). It is significant, however, that this view emerges from those closest to the testimonials of prisoners themselves. Barbara Harlow takes this position when she writes: “Penal institutions, despite, if not because of, their function as part of the state’s coercive apparatus of physical detention and ideological containment, provide the critical space within which, indeed from out of which, alternative social and political practices of counterhegemonic resistance movements are schooled” (1992: 10). The anthropologist Allen Feldman, in his study of IRA hunger strikers in Belfast’s prisons, similarly claims that, “The very act of violence invests the body with agency” (1991:7).

The imprisoned activist and political theorist D.A. Sheldon locates the prison’s inherent instability precisely within the irreconcilability of dehumanization as the constitutive logic of the prison regime, and the presence and persistence of the captive human (Ibid: 149). Such prison rebellions are especially dangerous to the social formation, moreover, precisely because they implicate and make legible structures of unfreedom outside the prison, while forecasting the possibility of liberation struggle and critique. Writes Rodriguez, “To the extent imprisoned intellectuals articulate and mobilize varieties of counterhegemonic or antsystemic power… they embody a strategic vectoring of political intellectual insurgency and antiauthoritarian resistance that disrupts – and ultimately reconstitutes – the prison regime’s production of domination” (Ibid: 74). The sociality of the prison context is critical: it is the recognition prisoners experience once inside of sharing a common condition of oppression, and the collective aggregation of bodies and energies against the sophisticated weaponry of the state, that renders the prison such a powerful site of social struggle and collectivized counter-power.
The devastating consequences of isolation on prisoners’ subjectivity recounted earlier in this chapter, however, demonstrate that another register of the ‘social’ is necessary and also at stake in the struggle against carceral violence. That is the ‘social’ register of being, through which the subject holds ontological coherence; the *relationality* through which she functions as a self with will at all. What the lives of prisoners in solitary confinement teach us is that individuated humans are first and foremost inadequate; they do not contain within themselves sufficient content or sufficient being with which to provision their lives.

Foreclosure of the social environment from which we draw necessary sustenance thus constitutes a violence on subjecthood itself. Insofar as long-term isolation threatens prisoners’ social beings, it also dismantles their capacity to enact and assert their political subjectivities, let alone *collect* themselves as a social power.

A re-reading of isolation’s most recent history also helps recast the familiar narrative of its origins, illuminating the ways that even in its original 19th century ‘reformist’ guise, the isolation cell served a deliberate function of internal social control. In texts from the period, reformers registered a deep and abiding fear that a revolutionary conspiracy might at any moment break out among the condemned. Smith (2009), for example, describes the reformers’ obsession with political as well as epidemiological *contagion* within spaces of penal captivity; the same condition of bodily proximity that facilitated the spread of gaol fever would also, it was believed, spread the ideology and tactics of riot and rebellion.

Beaumont and Tocqueville observed it as “the contagion of mutual communications” while Jeremy Bentham lamented the “thronging,” “jostling,” “confederations” and “plottings” that plagued British gaols (quoted in Smith 2009: 87, 88). “The grave problem for reformers of the late eighteenth century,” writes Smith, “was the “loathsome communion” of prisoners’ bodies and souls, the conspiratorial mingling that threatened to spread from the jail to the public at large, and there to inspire open rebellion” (Ibid: 88).

In texts from the period immediately preceding the introduction of the modern penitentiary system, reformers registered a deep and abiding fear that a revolutionary conspiracy might at any moment break out among the condemned. They thus noted with particular interest one of the more consistent strategies used to both quarantine disease and prevent rebellion in the
dungeons, pits, and *oubliettes* where offenders were often held and hidden: isolation. Its functions to this end were twofold: to physically dispel prisoners’ bodies so as to prevent contact and communication between them, and to break prisoners’ unruly wills or, as reformer Jonas Hanway put it, to “subdue the ferocious” (quoted in Ibid: 91). Prison champions incorporated this elegant architectural remedy into their designs for the 19th century American penitentiary, building into the prison system a powerful managerial tool whose value was one primarily *internal* to the system, having to do with the reproduction of the prison system itself. Lurking all along just beside the rehabilitative ideals and subject-producing imperatives of the 19th century solitary system, in other words, was a much more practical logic: solitary confinement functioned as an administrative remedy for collective conspiracy, and a powerful spatial means by which to preempt the rebellion such systematic captivity seemed bound to produce.

Anxieties within the field of corrections about of a ‘conspiratorial mingling’ among prisoners and its spread to the outside are rarely discussed in the literature on supermax prisons or the modern control unit. And yet we find it, both coded and explicit, most everywhere where solitary confinement is championed. Solitary confinement and its generalization within the massively expanded US prison system over the past thirty years can be understood as both a partial resolution to, and a *preemption* of, the social power endemic to carceral space and the counter-resistance such social power renders possible. This is not to suggest a neat functional argument that draws a straight line between prison rebellion and the modern control unit. Many threads have been left out of the genealogy offered here, including the important story of deinstitutionalization of the mentally ill in the 1970s and their massive overrepresentation, today, in solitary confinement units. Nor do I mean to exhaust the terrain of what solitary confinement cells *do*. Rhodes (2004), for example, calls our attention, in a way that I do not, to the assumptions about self-control and individual choice that discourses surrounding supermax confinement help reproduce. These assumptions are thoroughly embedded in larger discourses of economic and social autonomy, and help make sense of how local agents, such as corrections officers, justify their decisions to put prisoners in isolation at the level of everyday practice.
The point, however, is that whatever else the solitary confinement cell does, it also enables the prison system, as a social formation, to both respond to and anticipate social challenges from those subjected to captivity. In expanding, institutionalizing, and normalizing the spatial architecture of isolation with the nation’s prisons, state actors have also systematized a new ideological basis and set of categories (the ‘incorrigible prisoner,’ the ‘prison gang member,’ the ‘worst of the worst’) upon which extreme isolation is legitimated and the prisoner’s imminent or inchoate threat preempted. Its object of intervention, in other words, is a social body in captivity, one whose threat to the existing order of social relations has already proven itself to produce crisis for the system at large.

Conclusion

Susan Rosenberg was one of three female political prisoners whose experiences in an experimental solitary confinement unit, called the High Security Unit (HSU) and located in the basement of the Federal Correctional Institution in Lexington, Kentucky in the mid 1980s, foreshadowed the proliferation of the HSU prototype into an increasingly common carceral form. The Lexington HSU was closed in 1988 after a presiding judge ruled with the American Civil Liberties Union, who had brought a lawsuit against the institution on Rosenberg’s behalf. The ACLU argued, and the judge concurred, that the reason she and two other women were isolated in Lexington was for their political beliefs, therefore violating their First Amendment rights. The ruling, however, was soon surmounted, and Rosenberg’s own prescient trepidations about the mass normalization of such units have since to have come to pass. “We always said that if they can do that to us… this will open the door to the use of these kinds of techniques and tactics for the rest of the population,” explained Rosenberg. “And I think that has really been what has happened. It led the way to a much broader use of the these kind of control management units, or solitary confinement.”

It is no longer prisoner radicals and political leaders who occupy and dominate the United States’ solitary confinement cells. In New York State a prisoner can be ‘sentenced’ to isolation for any violation of the more than 100 rules listed within the DOCCS regulations, which includes such rules as “an inmate shall obey all orders of department personnel
promptly without argument,” “an inmate shall not grow a beard or moustache over one inch in length” and “an inmate shall not possess literature or any other material which has been disapproved by the Media Review Committee” (quoted in Kim et al. 2012). In letters and interviews ex-incarcerated people have described to me how they were placed in solitary confinement for talking back to guards, covering their cell window while using the toilet, and even for something called “reckless eyeballing.” The picture that thus forms is one of a regime of excessive punishment, arbitrary power and control for control’s sake. It is perhaps no wonder then that the generalization of solitary confinement within the contemporary US prison system is so often described as, as Executive Director of the Correctional Association and long-time radical defense lawyer Soffiya Elijah put it an interview with me, “a system that is absolutely illogical and totally irrational” (Interview with author 2013).

A critical genealogy of the solitary confinement cell thus tells us that there is indeed a logic that weaves through penal isolation’s so-called three waves. To follow that logic, we must abandon the seemingly self-evident notion that the object of the solitary cell’s coercive attention is the individual body it wraps its immediate architecture around. To follow it further we must dispose ourselves of the intellectual tendency to observe penal trends through the idealism of particular theories of justice, as if the ideas came first and the material practice followed. The connecting tissue between the three ‘waves’ of solitary confinement in US prison history is the administrative imperative of institutional self-preservation: the reproduction of prisons and the carceral state that operates them despite and against the resistance captivity inculcates in its subjects. Crisis in that reproduction opens up the terrain to struggle, and the refinement and expansion of the solitary confinement regime as a spatial tactic is one outcome of such struggle. But it is not the only possible outcome.

As a spatial resolution of crisis and a preemption of further crisis within the prison system, the ‘fix’ of solitary confinement is a partial and certainly mutable one. Just as the technologies of state violence evolve and intensify, the terrain of struggle can also contract and expand. The mass isolation of prisoners has opened up a new terrain of collective action, and indeed, the current conjuncture’s most powerful and sustained contestations of the prison regime have come from within, and organized across, the solitary confinement cell. California’s third collectively organized prison hunger strike in two years, originating from
the deepest bowels of the Pelican Bay isolation units in July 2013, came to an end that September. At its height there were at least 30,000 prisoners participating, the majority of them held in total isolation for many years at a time. Expressing the seriousness with which the correctional regime has registered these strikes, a subsequent pro-prison industry event held in California in 2013 was promoted under the banner “When Hunger Shook the Penal System” (Email records with author, 2013).

Since then there have been at least two other major hunger strikes waged by prisoners across the country protesting, most immediately, their isolated confinement (see Lynd and Lynd 2014). Theirs will not be an easy fight, as prisoners, further fragmented and immobilized by the austerity of their isolation chambers, are left with nothing more than their own embodiment to put on the line. Their immediate carceral environment is, as Rodriguez puts it “a sterilized, whitewashed, and state-proctored condition that magnifies the coerced rupture of the human from the social” (2006: 190). The consequences of this rupture can be and has been devastating, but it can also engender new means of forging social bonds and collective strength. As political prisoner Angela Davis once put it: “Those of us with a history of active struggle against political repression understood of course, that while one of the protagonists in this battle was indeed the state, the other was not a single individual, but rather the collective power of the thousands and thousands of people opposed to racism and political repression” (1971: xiii-ix). Prison rebellions have proven dangerous to the social formation precisely because they implicate and make legible structures of unfreedom outside the prison as well as inside, while forecasting the possibility of liberation struggle, and even success.

The purpose of this chapter is thus also to suggest that solidarity with these striking prisoners requires identifying ourselves -- those of us on the outside -- with their struggle, and recognizing the shared (albeit unequally so) social conditions and relations that organize the prison regime and life under the neoliberal carceral state more broadly. Indeed, if the solitary confinement cell has always told us something about the condition of modern life and the production of the subject, its contemporary practice should serve as a powerful forewarning about the political work of isolation and individuation as practiced and spatialized outside of prisons as well.
Chapter 3


The prison and the city have long held an intimate relationship. The development of each has been structurally bound up with the social and economic transformations of the other at least as far back as the early industrial period and the concomitant production of new classifications of urban crime (Linebaugh [2004] 2006). In the United States, the massive growth and racialization of incarceration over the past forty years is particularly inextricable from the urban transformations and urban struggles of the same period. An early exemplar of mass incarceration’s deep urban roots can be found in the passage of President Johnson’s 1968 Safe Streets Act, which was forged out of the urban foment and racial rebellions of the 1960s. The Act constituted a massive piece of crime control legislation, one that expanded police powers at the municipal level in order to quell the riots rocking cities across the country. The close relationship between this extension of state power to arrest and incarcerate, and the urban crises of racialized unemployment, public disinvestment and ongoing racial discrimination fuelling the rebellions, was clear to urban activists of the period. Community-based black and Puerto Rican organizations such as the Black Panthers and the Young Lords drew a straight line in their analysis between the underdevelopment of ghetto spaces in the nation’s largest cities and the criminalization and imprisonment of their racialized urban residents. The Black Panthers’ dictum to organize the ‘brothers on the block’ thus was widely understood to apply simultaneously to those in the cell block, as well as the city block (Berger 2010: 59).

Critical scholars of the carceral system have caught up to activists in their attention to the continuities between the city and the prison. The intractable relationship between urban restructuring and prison expansion over the past forty years of US carceral history has been usefully detailed in a growing body of scholarly literature (see for example Davis 1990; Parenti 1999; Wacquant 2001; and Beckett and Herbert 2008). Carceral geographers in
particular have underscored the increased urbanization of prison populations alongside the ruralization of prison siting (Gilmore 2007; Bonds 2009). Their work details how the fates of these seemingly distinct geographies have been bound together by the shared vicissitudes of neoliberal restructuring, deindustrialization, social and economic crisis, shifting racial inequities and the decline of the welfare state. Gilmore argues that the places prisoners come from and where they go when they are incarcerated can thus be theorized as “a single - though spatially discontinuous - abandoned region” (2007: 31). Indeed, thinking about the urban and prison as dialectical spaces whose fates and transformations are structurally bound by shared processes and relations has proven to be an immensely fruitful approach from which to decipher the productive logics of prison expansion.

One of the most recent contributions to this body of work has taken a more explicitly and formally visual cartographic form, demonstrating the relationship between carceral expansion and urban disinvestment through the mapping of prisoner’s home addresses. The Million Dollar Block Project (Cadora and Kurgan 2006) is a high-profile criminal justice mapping project of the early 2000s which rendered visible two distinctly spatial facets of contemporary urban-carceral relations: the densely urbanized concentration of carceral subjects, and the expansive geography of city-prison migration flows across the country. The concept of the ‘million dollar block’ refers to the spatially concentrated urban origins of the nation’s 2.3 million prisoners, a disproportionate number of whom come from just a handful of neighborhoods in the country’s biggest cities. In many places the concentration is so dense that states are spending in excess of a million dollars a year to incarcerate the residents of single city blocks – hence, the concept of the ‘million dollar block.’

In this chapter I suggest that the discursive and social formation known as the million dollar block offers a useful vantage from which to critically assess the present conjuncture in US penal history, and even anticipate future forms and formations of the carceral state. As both a cartography and a concept, the million dollar block has emerged as an influential device for demonstrating the relationship between the urban and the carceral. It has also, however, recently figured as a powerful discursive intervention within political debate, offering an productive rhetorical umbrella for bipartisan collaboration on criminal justice under the
policy auspices of ‘justice reinvestment’ - a prison reform initiative focused on reorganizing state correctional expenditure away from prisons.

This chapter critically tracks the way the million dollar block has travelled politically over the past decade, including as a legitimating argument for increased investment of correctional dollars in policing, probation, and reentry services into urban neighborhoods in the name of justice reinvestment and prison reform. Finding resonance with the ‘neighborhood effects’ discourse within the field of urban studies, I suggest the million dollar block similarly works to cast poor and racialized urban spaces in terms of criminogenic risk, thus legitimating increased, rather than decreased, state intervention in urban neighborhoods under the guise of prison reform efforts. Despite their reformist intentions, these maps in effect serve to further reinforce and reify both the criminal and the prison within the contemporary social landscape.

I argue that the million dollar block, as a concept invested with analytic power by its cartographic form, serves to rationalize the expansion of carceral state intervention at the urban level. I demonstrate this through an analysis of its formulation through neoliberal and criminogenic logics in popular and political discourse. In the first part of the chapter I offer a close reading of the maps themselves, and the media reports, justice reinvestment policies, and public debates within which the concept figures prominently. I then look closely at one “million dollar block” neighborhood in Brooklyn, called Brownsville, in order to track how these maps, despite their reformist intentions, serve to reproduce the dynamics of criminalization, economic displacement, and racialized social control in newly spatialized and urbanized terms. Brownsville is an impoverished and hyper-policed hold out against the otherwise generalized gentrification of Brooklyn and Manhattan. I investigate two programs constructed as alternatives to incarceration, the Brownsville Anti-Violence Project and the Brownsville Youth Court, as case studies through which to examine the program and policy effects of this logic in the broader context of neoliberal entrenchment, gentrification, and the crisis of the carceral state. I argue that these ostensible penal alternatives are a means by which the carceral state is both remaking itself via the growing critique of mass incarceration, and outsourcing the social and racial control functions of the prison to the embattled space of
The Million Dollar Block and Justice Reinvestment

The concept of the million dollar block first emerged publicly in the early 2000s, the product of a data mapping project conceived in the late 1990s by criminal justice researcher Eric Cadora. Cadora was then working for the Centre for Alternative Sentencing and Employment Services (CASES), an alternatives-to-incarceration program in New York, and he was interested in creating an alternative visual framework to the crime mapping that dominated the fields of criminal justice and law enforcement. These maps almost always plotted out where crime takes place, and missed, observed Cadora, a key dimension of the urban geography of mass incarceration: its relationship to and effects on prisoners’ home communities. He and his collaborators began to collect home addresses of people in New York who had been incarcerated and chart them geographically, neighborhood by neighborhood, and block to block. As the resultant maps demonstrate, most incarcerated people come from very few urban neighborhoods in cities across the country, and within those cities, a cluster of concentrated city blocks. Says Cadora, “When we compared concentration rates we found that the ratio between the highest to the lowest incarceration density was up to twenty or twenty-five times higher” (Interview with author 2012).

Cadora eventually migrated his project to the Open Society Institute where he was able to expand its scope by incorporating home address data from across the country. He also added a powerful new dimension to the maps by totally the amount of state money spent to incarcerate those individuals whose addresses were being plotted. He and his collaborators effectively turned their population density maps into money maps. They calculated how much the state was spending to remove and return people from particular city blocks to prisons sited, for the most part, far from urban centers. The maps were thus able to demonstrate, visually, the intensive urban concentration of those being incarcerated, and then associate that place with the massive costs in state expenditure of imprisoning its residents.
As the maps visualized clearly, in a handful of urban neighborhoods in many of the country’s biggest cities incarceration rates are so high that the state spends at least a million dollars a year imprisoning the residents of a single city block – hence the designate and emergent concept of the million dollar block.

Cadora soon teamed up with Laura Kurgan, a professor of architecture with the Spatial Design Lab at Columbia University, to translate his mapping project into a series of large-scale, highly stylized and creatively designed visual maps that could find wide circulation. They created maps for a handful of cities from across the country, including Brooklyn, Wichita, New Orleans and Connecticut. The result was a set of large-format visualizations so striking they were mounted as an art exhibit, showing in such prestigious institutions as the Museum of Modern Art (MoMA) in New York. Upon entering the exhibit, MoMA visitors would have seen a series of variously scaled maps of Brooklyn, a borough of New York which hosts a total of thirty-five million dollar blocks. In one, a solid black background is set against a torrent of red lines, each shooting upward from an indistinguishable mass of dots clustered around a small number of neighborhoods. Each dot represents the home of a person who was sent to prison in 2003. The red lines dramatize the outward migration from those city neighborhoods to the constellation of New York State prisons sited mostly in rural areas upstate. In 2003, those red lines added up to $359 million in New York State alone. This is the sum total cost for that year of locking up individuals from – as the maps also demonstrate – a handful of Brooklyn’s poorest, and most racialized, communities. A five-block section of Crown Heights had the highest incarceration rate in Brooklyn. It includes a homeless shelter at Atlantic and Bedford Avenues. Another neighborhood with more than one million dollar block, Brownsville, has the highest concentration of public housing towers in the country.

To Cadora, the maps are a mechanism for critical thinking about mass imprisonment. What they make visible, he suggests, is more than just the financial cost of incarceration, but also the social cost at the community level: “What you ended up seeing is nothing very positive, but rather a real strain on the neighborhood by the removal and return year after year of large numbers of connected, parenting age men” (Interview with author 2012). Indeed, the maps offered a simple way to powerfully dramatize otherwise abstract data, and to convey imprisonment not as something static, but as an annual ‘forced migration’ of residents from borough neighborhoods to rural prisons. They also offered a visual way to link high incarceration rates with other socio-economic issues, like concentrations of poverty, unemployment rates, and racial segregation. The existence of such links, if not the reasons for them, is made explicit by the authors in the text that accompanied the Spatial Design Lab’s maps. They write, for example: “Focusing on where incarcerated people live when
they are not in prison and comparing that with poverty suggests this conjunction rather starkly. Is incarceration policy the new solution to poverty, or a new structural component?” (Cadora and Kurgan 2006: n.p.a). Eluded to, if not elaborated upon, is a critical rethinking of the idea of crime itself, for example in lines like: “How we respond to crime is a matter of values, decisions, and policy, all the way down to the most basic questions defining what counts as a crime” and “Questions of crime become question of the city.” In one especially provocative, if underelaborated formulation, the text suggests that: “Prisons and jails forms the distant exostructure of many American cities today” (Ibid: n.p.a).

The decision of Cadora and his various collaborators in different agencies to link the geography of incarceration to prison expenditure was both a political one and a strategic one. The maps were born both out of a critique of the overlapping social and economic costs of mass incarceration in the US and an institutional commitment, at both CASES and the OSI, to prison reform. The hope was that they might facilitate a broad and bipartisan rethinking of more than three decades of prison growth. In an interview I conducted with Cadora, he explained that: “To me it was about data. To make a new framework you needed to have new information, to be able to put it forward in a way that helped people reframe their perspective.” The maps, as he explained them, were designed to facilitate a shift in public attention from the ‘problem’ of crime to the problem of prisons – and specifically, to their massive public costs at the expense of other community infrastructure. “These multi million dollar blocks, in terms of opportunity, suggested a trade off,” explained Cadora. “And in fact led us to start talking a little bit more in terms of business language - what’s the public safety return on this investment, for these places? Year after year, multiple millions of dollars, but what’s changing in these places?”

The million dollar block maps share a functional as well as discursive relationship to an emergent reformist framework known as ‘justice reinvestment.’ Cadora and his partner Susan Tucker at the OSI came up with the term justice reinvestment as a policy umbrella under which to propose the diversion of some portion of the millions of dollars states were spending on prisons, back to the social and physical infrastructure of the high incarceration
neighborhoods identified by the million dollar block maps (Tucker and Cadora 2003). In Cadora’s words, “We wanted to loosen up the supply of the commitment to imprisonment, and the dollars devoted to it at the state level, with the demand for change and improvement at the community level.” He continued, “The JR idea suggested that look, if we can reduce incarceration rates to a level, a systematic level that actually saves corrections dollars, why not invest those dollars locally?” (Interview with author 2012).

Justice reinvestment (JR) was at least partially conceived as an financial accountability mechanism – a way, Cadora writes, “to hold state governments accountable to the places where the country’s mass incarceration juggernaut had landed – namely, in impoverished communities, which were mostly, but not exclusively, black and Latino” (2014: 280). It was meant to suggest not only that there exists a financial trade off between prison spending and community spending, but that the vast amounts of money being channeled into prisons have proven to be bad investment, even from a financial perspective. “There is no logic to spending a million dollars a year to incarcerate people from one block in Brooklyn…and return them, on average, in less than three years stigmatized, unskilled, and untrained to the same unchanged block” (Tucker and Cadora 2003: 2). As Tucker and Cadora put it, “From an investment perspective, both our prison and parole/probation systems are business failures” (Ibid: 3).

The language of ‘investment’ was purposefully deployed by Cadora and his collaborators; meant to appeal to the same business framework residents and lawmakers would presumably apply to any other spending decision in their lives. It was also meant to pose the problem in terms of a question, which is, as Cadora put it, “What are the returns of spending money over there and how does that compare to the potential returns of spending money here?” (Interview with author 2012). The rhetoric of the million dollar block thus shares with justice reinvestment in its discursive construction a particular instrumentalist orientation through its appeal to the values of economic responsibility and cost efficiency. Its goals are thus framed in terms of returns on investment - in this case, the return on public safety. Prisons, it turns out, make neighborhoods actually less safe, rather than more safe (Clear 2007). The
message: too much money is being spent on prisons at the expense of investments at the local level that might glean greater social as well as financial value. As a group of early JR champions put it, “Million dollar blocks dramatized the trade-offs for specific neighborhoods between locally concentrated incarceration spending policies, and alternative, locally focused investment policies that could yield greater returns in public safety, strengthened community institutions, and expanded neighborhood networks” (Austin et al. 2013: 5).

To this end, the million dollar block project has been more influential than Cadora ever could have imagined. As both a map and a concept it has over the past decade proven enormously effective in catapulting the idea of justice reinvestment to the national and even international stage. Soon after the concept of JR was launched by the OSI, it was institutionalized as the Justice Reinvestment Initiative (JRI) and adopted as a project of the Council of State Governments, the national association of state legislator and executive branch government leaders. They used the million dollar block maps to convince state legislators to sign on to initiatives that would help them downsize their spending on prisons. Coinciding with budget crisis in many states, first in the early 2000s and then more intensively in 2008, cartographic visualization of prison expenditure has helped build momentum for modest penal reforms, attracting attention from state legislators struggling to balance their budgets and from prison reformers seeking to find traction for decarceration efforts.

State governments have jumped at the financial savings justice reinvestment promised in the guise of prison reform. In the decade since JR was launched, more than a dozen states have formally signed on and some twenty-seven states have participated in one way or another in its reform initiatives. On its way to becoming a dominant paradigm among policy elites, journalists, and think-tank researchers, JRI now describes justice reinvestment in these terms: “A data-driven approach to reduce corrections spending and reinvest savings in strategies that can decrease crime and strengthen neighborhoods.” In 2011 Congress passed the Criminal Justice Reinvestment Act, which essentially authorizes the Bureau of Justice Assistance to provide monies for states to reduce their correctional expenditures and manage their correctional populations, and reinvest that money in crime and recidivism reducing
As Cadora now acknowledges, however, both informally during interviews but more formally in a report he co-authored with a handful of other high-profile penal reformers (Austin et al. 2013) justice reinvestment has come to do quite different work under the mantle of JRI than perhaps it was originally meant to. Taking stock of the justice reinvestment movement ten years in, the authors note critically how:

In most of these early states, JRI measures to reduce prison populations were explicitly tied to commitments by the state to invest some portion of the savings in targeted “Million Dollar Blocks.” To date, however, there has been virtually no reinvestment in education, employment, community revitalization or affordable housing development in those communities. Instead, JRI-guided legislation increasingly channeled modest reinvestment into community corrections and, more recently, law enforcement agencies. (Ibid: 6)

But while its critics sees the problem primarily in terms of inadequacy - that JR has failed to deliver reinvestments in basic community infrastructure at the urban level, including housing, health care, food security and education - I argue that the real problem is a much deeper and structural one, rooted in the million dollar block discourse and cartography itself. In order for one to see how it is that under JRI “the majority of reinvestment that has actually been going on has been to reinvest in local correctional programs” (Cadora, interview with author 2012), we must revisit the million dollar block project. Indeed, as I will argue, in its political life as a popular discourse and its formulation through neoliberal and criminogenic rationality, the million dollar block actually rationalizes the expansion of carceral state intervention at the urban level and further reifies the ‘criminal’ as a legitimate subject of control.

It is to that political life as a public discourse and instrument of policy formulation that this chapter’s examination of the million dollar block, and the justice reinvestment movement its helped spawn, now turns.
Neighborhood Effects of the Million Dollar Block

The formulation of the prison as an ‘urban exostructure’ seems implicitly to suggest - as critical scholars have argued quite explicitly - that cities themselves are both structured by, and productive of, the political and economic imperatives that have also organized mass incarceration over the past forty years (see Parenti 1999; Gilmore 2007; Wacquant 2009a). In the million dollar block maps, prison reformers such as Cadora, potentially at least, had a powerful visual aid for reframing the causes and consequences of mass incarceration, including urban poverty, deindustrialization, and the erosion of welfare provisions. Yet if the goal was to facilitate a broad rethinking of the societal benefits of the prison build-up through a focus on neglected infrastructure of everyday life in urban, poor and racialized neighborhoods, the achievements of the million dollar block and related justice reinvestment movement have looked quite different. Indeed, as the million dollar block has been taken up and gained political traction in popular discourse, it functions mainly to identify and target for further state intervention the neighborhood as itself a criminogenic condition of urban life.

In this section, I approach the million dollar block and justice reinvestment as discursive formations - objects of discourse, power/knowledge and policy intervention (Byrd 2013: 10). In Stuart Hall’s view, discourse “constructs the topic. It defines and produces the objects of our knowledge. It governs the way that a topic can be meaningfully talked about or reasoned about. It also influences how ideas are put into practice and used to regulate the conduct of others” (2001: 72). Discourse, in this reading, is deeply materialist in its context and consequences. As Harvey notes further, the representations of space and their contestations are “as fiercely fought and as fundamental to the activities of place construction as bricks and mortar” (1993: 23). Representations of space, as discursive formations, influence the way governments and policy makers, but also NGOs, philanthropists and entrepreneurs, organize their interventions and plans for the remaking of those spaces. The map is among the most potent media for the representation of space. As critical scholars have well demonstrated, maps are never objective or neutral, but rather reflect the organization of existing or preexisting power relations in a society (Harley 1989; Wood 1993). Maps have, for example, played a central role in imperial projects of managing colonial subjects (Edney 1997; Driver
2001) and as tools for the consolidation of power and territory in struggles over rights to land
and resources (Sparke 1998). This chapter’s own critical engagement with the million dollar
block map takes heed of the cartographer and historian Brian Harley’s observation that the
predominant function of maps is to “codify, to legitimate, and to promote the world views
which are prevalent in different periods and places” (1989: 429).

This section critically engages the million dollar block and related justice reinvestment
framework, finding parallels with the subgenre in urban studies known as the neighborhood
effects literature. I use scholarly critiques of the neighborhood effects literature to analyze
the various ways in which the million dollar block project, despite the intentions of its
architects, works to reproduce the underlying logics that animate the carceral state and
legitimate its interventions in the lives of poor and racialized urban populations. I argue that
the specific urban space of the million dollar block has become the designated discursive and
geographic site for a whole slew of deeply familiar pathologizing and criminogenic logics,
rendering it the unit de jure for new practices of responsibilization, criminalization,
governmentalist intervention and even economic restructuring. The basis for my argument is
a survey of media, policy reports, academic articles, and descriptions of the actual
community interventions and policing efforts that have mobilized the million dollar block
concept.

While the million dollar maps purport to offer a new way of looking at the phenomenon of
mass incarceration, an actual survey of the public and political life of the maps reveals in fact
the continuation of very old ways of looking at the phenomenon, reproduced in newly
spatialized terms. I argue that the million dollar block and justice reinvestment are deployed
using a vocabulary that mimics a critique of mass incarceration, only to reproduce and pave
the way for the very neoliberal economic processes - at both the scale of the urban and the
state - that helped produce mass incarceration in the first place. In other words, this
vocabulary uses the veneer of penal critique to legitimate a set of political interventions that
risk furthering new forms and spatializations of racialized disenfranchisement and social
control. The cartography of the million dollar block serves to shore up the ‘criminal’ as a
reified category of bad, and reproduce the ostensibly causal relationship between ‘crime’ and
prisons. This discursive formation serves to produce a new category and attendant object for state intervention: the criminogenic urban neighborhood, for which the million dollar block becomes both euphemism and mapping tool. It is for this reason that I suggest the racialized urban neighborhood constitutes an important site of struggle against the carceral state and its productions of disposable life.

A new subfield within urban studies scholarship, known as the ‘neighborhood effects’ literature, emerged as a key trend in the 1990s and gained particular influence in the second half of the decade (see Jencks and Mayor 1990; Ellen and Turner 1997). Robert Sampson and colleagues note that, “The mid 1990s to the year 2000 saw more than a doubling of neighborhood studies to the level of about 100 papers per year” (Sampson et al., 2002: 444). The field of neighborhood effects seeks to link the life chances of particular urban residents to their neighborhood conditions, almost exclusively in regard to high-poverty neighborhoods and the ill effects considered consequent to their concentrated poverty. Key variables within this putatively causal relationship are almost always reduced to matters of culture and individual behavior, seen as pathologically incubated by the space of the neighborhood itself. This is how critical urban scholar Tom Slater describes the overarching thesis of the neighborhood effects literature, in a nutshell: “Neighborhoods matter and shape the fate of their residents (and their young residents most acutely), and therefore, urban policies must be geared towards poor neighborhoods, seen as incubators of social dysfunction” (2013: 2).

Similarly, mediated through the logic that dominates its interpretation in public discourse, the million dollar block itself constitutes a kind of undifferentiated spatial determinate of life changes – in this case, chances of imprisonment. When this logic gets reproduced within the framework of the million dollar block, it looks something like this: where you live determines whether or not you’re likely to engage in criminal behavior, and therefore whether you’ll be likely to be sent to prison. This is a very different kind of analysis then, for example, one in which systemic transformations in urban space (for example privatization, gentrification, implementation of trespass laws, expanded urban policing budgets, and restructuring of the urban labor market) might be connected to and investigated as co-
productive of mass incarceration and related penal trends. In other words, the hegemonic reasoning conventionally used to explain imprisonment – criminal *behavior*, located in the *individual* – remains uncontested. Here’s an illustrative instance from an article about million dollar blocks in the online news site *Huffington Post*:

For Holder, the temptations and problems seemed to lurk around every corner, and interactions with those from the bad old days were a test of his will – and the guidelines of his release. In Holder’s East Harlem neighborhood, 1 in 20 men has been convicted of a felony, the Justice Mapping Center reported. But in Holder’s circle, it’s just about everyone, he said, making even the most routine trip through the neighborhood a possible trap door back to prison. (Lee 2012)

Here and many other media interpretations of the million dollar block project, the risk of recidivism emerges via the contagion effects of a socially dysfunction neighborhood; the block itself is to blame from its overrepresentation of incarcerated residents.

In a radio documentary produced for the NPR show *All Things Considered* the host poses the goal of the million dollar block project as follows: “To break the cycle of crime and violence that plagues certain neighborhoods” (Orson 2012). High concentrations of prisoners are equated seamlessly with the problem of crime and violence, rather than, say, spatially uneven policing practices. The documentary, which features an interview with Eric Cadora and is largely sympathetic to the critique of mass incarceration, is moreover set in front of a new probation office in Brownsville, Brooklyn, home to one of the highest concentrations of million dollar blocks in the state. Says Cadora to his interviewer: “Today when we look and we see those blocks, things have changed, quite a bit. There’s been a investment by the city and the state, and particular the Department of Probation” (Ibid.).

The program then moves quickly to Connecticut, where the mapping of a number of million dollar blocks has helped facilitate the adoption of Justice Reinvestment Initiatives. The focus of the documentary shifts to something called the “Prison Re-entry Initiative” located in New Haven and which “came out of those conversations that were inspired by the maps.” The initiative is described as an office “that helps ex-offenders make that transition back home
from prison,” the maps serving as “a guide to target resources.” So as the reporter tells us: “Once prisoners return from prison they go back to live in these communities that are identified in the maps. And the Reentry Initiative targets those folks for service” (Ibid.). As we learn quickly on, however, the substance of their intervention is almost entirely psycho-behaviorist. For example, participants must agree to attend personal development courses and a staff member is quoted as saying: “They’ve just come back from what we call the Yard, or Prison, where there’s a culture of behavior that they’ve had to master in order to survive. So we’ve got to really re-socialize them, but takes work.” The project, furthermore, collaborates with local law enforcement in its programming. A reporter describes a participating detective as saying “Police officers want offenders to know that police officers are here to help” and then quotes him: “It shows a united front. We do care where you go down the road” (Ibid.). While more will be said later in the chapter about reentry projects in particular and their tendency to reify the category of the criminal through their focus on psycho-social behaviorism, for now its worth noting the way the maps here have helped organize more, not less, intervention by law enforcement and branches of the criminal justice system in targeted neighborhoods.

In the policy literature, a similar thing happens but through a much simpler slippage; despite the fact that the million dollar block project does not map where crime takes place, its main utilizers cite it as an instrument of crime reduction, as well as of prison divestment. The analytic framework of mass incarceration that holds it as consequential of criminal behavior (i.e. that reifies crime as a fixed category of social ill and imprisonment as the logical, if inefficient, solution for it) remains unchallenged. The justice reinvestment movement, to which the million dollar block has proven so particularly useful, further reproduces this conflation between neighborhoods and criminality. To illustrate this point, here is one sympathetic description in the academic literature of JR:

Justice reinvestment is a term that refers to a variety of approaches that have sought to combat burgeoning prison populations by tackling the root causes of criminality…. The central proposition of ‘justice reinvestment’ is that it is far better and cheaper to focus resources on preventing criminality than solely on catching and incarcerating criminals. The new approach seeks to rebalance criminal justice expenditure by redirecting funding that would otherwise be
spent on custody into community based initiatives which tackle the underlying causes of crime. (Fletcher 2010, italics added: 67)

The author goes on to name the million dollar block directly in the application of this approach.

Yet as critical scholars have long demonstrated, criminality is not the same thing as criminalized (Davis 1990; Linebaugh [2004]2006; Wacquant 2009a). While criminality is understood to be a state of objective deviance located in the individual, to be criminalized is to be subjectified as well as subjugated by the coercions of law enforcement and the criminal justice system, both of which are highly malleable relative to changes in laws, policy, and institutional dictates. As Hallett puts it, “Recent scholarship asserts that today’s hyper-incarceration of mostly impoverished and chronically unemployed minority citizens reflects not a rise in the criminality of individual offenders, but a de facto shift toward the penal regulation of urban poverty” (2012: 215). During the 1980s and 1990s for example, US criminal justice policy saw not so much an actual increase in the problem of crime, but shifts in the management of urban and racialized poverty through expanded criminalization mechanisms and policing powers (Simpson 2000). Indeed, the frameworks of criminality versus criminalization throw up very different set of political and economic interventions.

Within the framework of criminality, the million dollar block as spatial determinate of one’s carceral future becomes conflated with both a cultural and behaviorist damnation of the million dollar block as a space that itself produces deviance or criminality. It is in this way that it most resembles the neighborhood effects literature and advances a new kind of “where you live affects your life chances” thesis: in this case, where you live affects whether or not you’ll be sent to prison via the criminal contagion effects of your block.

Indeed, one finds echoes here of the once-popular “culture of poverty” thesis guiding the work of urban sociologists and policy makers in previous decades. Enormously influential theories attempting to account for persistent poverty and low levels of educational attainment were famously promoted by figures like Oscar Lewis (1961; 1966) and Daniel Patrick Moynihan, who was President Nixon’s Secretary of Labor. In a controversial report he
authored in 1965, Moynihan argued that black American families were in a crisis due to their social reproduction of particularly self-sabotaging and pathological behavioral traits, such as laziness and hyper-sexuality (see Rainwater and Yancey 1967). As the report argued, the recycling of these cultural and behavioral traits via the family unit is what prevented the children of these families specifically, and black people more broadly, from succeeding in mainstream society. Within the popular ‘culture of poverty’ framework, it was the family unit that was the dominant unit of blame and intervention, and deeply racist, sexist and classist core assumptions coded behind references to an urban ‘underclass’ informed analyses of the persistence of ‘under-privilege’ across a variety of indexes.

In the neoliberal period, urban space has become the favored unit of pathologized crisis and criminogenic risk for conservatives as well as liberals looking to account for particular patterns of marginalization across groups of people. The neighborhood now occupies much the same role as the family in the Moynihan Report: it figures as a putative spatial incubator for the cultural production of so-called black criminality. Like the culture of poverty thesis and the neighborhood effects discourse, a focus on culture and behavior at the expense of structural conditions dominates the million dollar block discourse, with the space of the neighborhood now figuring as the critical influence on the reproduction of criminogenic cultures and behaviors - and therefore the privileged site for subsequent state intervention. The rise of urban space as the dominant unit for such criminogenic logic cannot be divorced from the broader economic context within which urban space is experiencing deepening pressures and growing contestation in the face of hyper-gentrification, neoliberal restructuring, and intensified real estate investment.

The million dollar blocks maps’ authority, like the authority of all maps, lies precisely in their descriptive power. The difference between description and explanation, however, is particularly difficult to discern when confronted with visual data, perhaps especially maps (Harley 1989; Wood 1993). Indeed, once invested in explanatory power, the tendency of these maps is to occlude, rather than disclose, the kinds of structural factors and social relations that actually do give rise to spatially differentiated chances of incarceration. Not only is the category of crime left intact, despite its historical contingencies, but so are the
urban processes for which the categories of crime and differentiated arrestability are put to work: gentrification, labor deregulation, racial profiling, capital accumulation, and so on. This logic ultimately misses the key structural questions not only of why people live where they do, but why their neighborhoods are criminalized as they are. A whole lot gets written out of this picture, including, most glaringly, the state.

Indeed, where you live does effect whether or not you’ll be sent to prison. But what’s at stake analytically and politically are the reasons for that to be true. The ambivalence with which causation gets taken up the million dollar block discourse has rendered it vulnerable to capture by a reasoning that either implies, or outright claims, that the relationship between cities and prisons is that space itself produces criminal behavior. There are two steps within this logic: first, that these (mostly young, black) men are imprisoned because they did deviant, (i.e. ‘criminal’) things, and b) they did ‘criminal’ things because of the neighborhood effects of the million dollar block.

It is instructive to note, moreover, that no actual empirical evidence has emerged to prove the neighborhood effects thesis right. Despite the paucity of data proving the existence of actual causal mechanisms such as ‘peer influence’ or ‘role model effects’ that are supposed to constitute the neighborhood effects of concentrated poverty (Galster 2012: 23), however, policy makers as well as academics have consistently applied this research to promote policies that actively deconcentrate neighborhoods via displacement and/or resettlement of poor people (August 2014: 29). Insofar as the million dollar blocks discourse contributes to a new, criminogenic version of the neighborhood effects thesis, the popularity and application of ‘neighborhood effects’ as its been widely taken up by legislators, policy makers, investors and NGOs serves as important forewarning about the potential consequences of the million dollar block framework as it too gets translated on the ground.

I return to the policy implications of the million dollar block and justice reinvestment in my final section, where I draw from a growing set of critical literature, some of it focusing on the burgeoning reentry movement, that offer important forewarning about the extension of the carceral state via strategies that mimic a critique of mass incarceration. For now, I’ll
conclude this section by offering a couple of examples of how the million dollar block map is already being appropriated as a tool for ‘crime reduction,’ deployed most instrumentally by law enforcement agents and their state partners.

I will highlight just one example of the appropriation of the million dollar block concept and attendant logics into the policy literature, suggesting it exemplifies the way in which the million dollar block concept is being used to justify place-based interventions, including the further policing of poor and racialized communities. In 2012 a policy essay written by David Weisburd was published in the journal *Criminology & Public Policy*. Entitled, “Bringing Social Context Back Into the Equation: The Importance of Social Characteristics of Places in the Prevention of Crime,” Weisburd’s paper emphasizes the “crime prevention potential of place based approaches” (2012: 37) to law enforcement strategy and public policy directed at communities. In making this argument, the article at once allies itself with ‘broken windows theory’ (which massively expanded policing efforts across urban landscapes) and the “million dollar block” concept, offering no sense of a contradiction between those bedfellows. Both help the author advance his thesis that, “Whether a place was a crime hot spot or not [is] strongly related to its social characteristics” (Ibid: 321) and, more importantly and alarmingly, both help direct policy and resources to scaled-down, street and block-level interventions in “crime prevention.”

The question of what those interventions are and may be is precisely the problem with the million dollar block discourse. Hot spot policing here easily co-exists, as they do within broken windows theory and the neighborhood effects literature, within a continuum that includes the kind of targeted economic investments that are already facilitating the accelerated gentrification of many of the neighborhoods identified in the million dollar block maps, as well as serving as ideological cover for the creation of ‘mixed income communities’ via ‘poverty deconcentration’ policies. That this was never the intention of these million dollar block maps is not in question; that it is within their capability to lend themselves in such a way, however, remains a problem worth deconstructing.

This capacity is being more fully exploited in some of the other places, globally, that the
million dollar block concept has travelled, including Australia and the United Kingdom. For example, an East London policing initiative, called “Diamond” uses the mapping technique pioneered by Cadora and his collaborators to target a set of British “diamond districts:” neighborhoods where a concentration of incarcerated individuals are identified using home address data. The debate and attendant interventions surrounding the Diamond District initiative share in the spatial pathologizing of the mainstream American discourse. For example, *The Evening Standard*, a British newspaper, opens a piece about the initiative this way:

15 London council wards with the largest number of criminal residents have been named by the Met in a new bid to cut offending. Police say each one contains hundreds of offenders, including a hard core of serious criminals responsible for luring others into their world sometimes over several generations. (Bentham 2008: 24)

Proposed alternatives within this initiative to the high concentration of ex-prisoners (reproduced as a problem arising from the behaviors of individuals identified as criminals) are, moreover, underwritten by the criminal justice system: “Repeat offenders will be targeted to ensure they comply with court orders or conditions of release, and police will act against those who fail to do so” (Ibid: 24). The Home Secretary Jacqui Smith is quoted as promising that “increased support and supervision” would be “backed up by swift enforcement measures” (Ibid.). High concentration neighborhoods – i.e. space itself - are cited by both police and media as “increasing the chances of convicts reoffending” (Ibid). Here one finds parallels with the million dollar block as criminogenic neighborhood effect discourse, but translated into an actual law enforcement strategy.

As Gilmore reminds us, prison reform has historically, as now, “opened the door to expanding prison under the guise of social improvement” (2009: 82) – hence the political imperative of strategically parsing reformist reform from non-reformist reform.\(^{13}\)

\(^{13}\) Andre Gorz defines the difference between reformist and non-reformist reform as follows: “A reformist reform is one which subordinates its objectives to the criteria of rationality and practicality of a given system and policy. Reformism rejects those objectives and demands - however deep the need for them - which are incompatible with the preservation of the system. On the other hand, a not necessarily reformist reform is one which is conceived not in terms of
Differentiating between reformist reform and non-reformist reform in practice, however, is a difficult and sometimes contradictory challenge. Commitment to non-reformist prison reform and abolition must therefore include a critical deconstruction of those projects, however reformist and sympathetic they might be in their intentions, that risk structuring further social immobilization, displacement and racialized surplus life under the guise of critiquing the carceral state. That means critically appraising prison reform initiatives undertaken in the context of continued neoliberal restructuring and state austerity – even those that seem to get bodies out of prisons and that are therefore tempting to support.

Embedded in the million dollar block and justice reinvestment discourses are powerful and deeply problematic ideas about who prisoners are (criminals), where crime comes from (deviant behaviors incubated by the criminogenic effects of poor and racialized neighborhoods), and the appropriate state response (a neoliberalized remaking of carceral state practices, in which economic inefficiencies associated with mass imprisonment are corrected by a reallocation of state budgets into new carceral interventions at the community level).

I now turn to the Brooklyn neighborhood of Brownsville, home to multiple million dollar blocks, the largest concentration of public housing towers in the nation, and a frequently-cited example of community-based efforts to interrupt the cycle of mass incarceration. After offering an overview of the neighborhood in a broader context of real estate pressures and generalized gentrification, I offer insights from two brief case studies of Brownsville’s alternative-to-incarceration programming. My data are drawn from in-depth interviews,

what is possible within the framework of a given system of administration, but in view of what should be made possible in terms of human needs and demands” (1967: 7-8). In the context of the prison system, therefore, non-reformist reform can be understood as “changes that, at the end of the day, unravel rather than widen the net of social control through criminalization” (Gilmore 2007: 242). As Gilmore reminds us, reformist reform is particularly powerful in the way that neoliberalism operates: its very ability to incorporate and adapt itself to critique is part of what makes neoliberalism - and the structures of violence it necessitates and enacts - so dangerous and so oppositional to the project of prison abolition. Prison reform forged in the context of unabated neoliberal restructuring must therefore be continuously appraised from a critical perspective.
program documents, and structured observation. I identify key features of these community interventions and argue that they help us forecast the material consequences of the million dollar block discourse specifically, and the carceral state’s shift toward community interventions more generally.

**Brownsville and its Discontents**

Brownsville is a poor and historically black neighborhood of 86,000 people in central Brooklyn, and home to a handful of million dollar blocks and multi-million dollar blocks. Encompassing approximately two square miles, it also hosts the largest concentration of public housing in the US; the New York City Housing Authority (NYCHA) runs eighteen separate buildings in the neighborhood. Almost one third of residents live in public housing (Smith 2013). With 39 percent of residents living below the federal poverty line, and with a median household income of $23,000, Brownsville is nearly twice as poor as the city as a whole. Unemployment rates stand in a similar proportion. 17 percent of its residents, twice that of New York’s, are unemployed (Bellafante 2013). As one journalist in a recent magazine profile of the neighborhood put it, bleakly, “According to nearly every metric of social malady, Brownsville ranked among the most imperiled places in the city. Brownsville has the highest incidence of infant mortality, for instance, as well as the highest percentage of pre-pregnancy obesity among mothers” (Ibid.). Meanwhile, 1 out of every 10 males aged 16 to 25 is incarcerated (Winsa 2008).
Brownsville’s blight stands in particular contrast to surrounding Brooklyn neighborhoods, which, while also historically poor and black, have seen in recent years soaring rents and transformed race and class demographics. Its closest counterpart demographically, nearby Bedford-Stuyvesant, was hailed in the *New York Times* as “Brooklyn’s newest investment region” (Hall 2000) back in 2000, and quickly proved it. In the decade after that proclamation the white population soared 633 percent (Roberts 2011). Meanwhile, laments and speculations abound on Brownsville’s own fate amid the rising tide of Brooklyn’s generalized economic pressures, with some arguing that Brownsville remains “immune to gentrification” (Bellafante 2013).

There are, however, also indications that the pressures of real estate development will soon overwhelm even Brownsville. For example, in an online architecture blog called *Untapped*
Cities, Julia Vitullo-Martin, a Senior Fellow at the Regional Plan Association and Director of the Center for Urban Innovation, asks rhetorically “Is Brownsville Brooklyn ready for its Jane Jacobsian comeback?” (2013). The answer, she suggests, is a resounding yes, and as she makes clear, “Jane Jacobsian comeback” is a euphemism for the gentrification elsewhere electrifying the developer profit margin. Among the hopeful signs she lists for Brownsville’s real estate class are: a revitalized Business Improvement District, new condominiums, and a charter school that shares real estate with retail on the ground floor. As Vitullo-Martin puts it, “Geographically, Brownsville is the next in line to receive the youngsters and members of the creative class (to use Richard Florida’s term) that helped pull Bushwick up from the economic devastation wrought by the arson and riots of 1977. If Bushwick, Brooklyn (despite high crime) can attract investment and income diversity then so, surely, can Brownsville” (2013).

In the real estate section of the New York Observer, Stephen Jacob Smith notes brightly: “If trends in nearby neighborhoods are any indication, it won’t be long before Brownsville - a byword for blight, home to the largest concentration of public housing towers in the city and to this day a place that some mail carriers fear to trend - is selling something artisanal besides stamp bags” (2013). Smith describes the inevitable economic encroachment as developers buy up real estate closer and closer to Brownsville’s edges: “Developers struck out as far as Halsey Street, only three L stops away from Broadway Junction, the gateway to Brownsville, during the height of the last boom, and “East Bushwick,” which bumps up against Brownsville’s northern border, is again heating up” (Ibid.). The far eastern edge of nearby Crown Heights, which butts up against Brownsville’s western front, has also experienced rising residential rents and a real estate boom, substantiating arguments that gentrification has now become a generalized urban process for major global cities such as New York (N. Smith 2002). Stephen Jacob Smith predicts in the Observer, “Residential demand continues to far outstrip supply in the five boroughs and we expect that the gentrification bubble will continue growing at more or less the same pace it has been for the past few decades” (2013).
Image 5: Map of Brownsville in relation to the rest of the borough of Brooklyn.

Image 6: Brownsville, Brooklyn, is home to the largest concentration of public housing towers in the USA.
The title of Stephen Jacob Smith’s article (2013), “Closing in on Brownsville: Brooklyn Gentrification Nears the Final Frontier,” is deeply reminiscent of urban geographer Neil Smith’s seminal 1996 work *The New Urban Frontier*. In the book’s introduction, Neil Smith describes a “frontier ideology” put to work in the service of the class and race recomposition of poor urban neighborhoods. Smith defines gentrification as “the process by which poor and working class neighborhoods in the inner city are refurbished via an influx of private capital and middle-class exodus” (1996: 32). While structurally driven by the agents and imperatives of capital in search of profit, the gentrifiable neighborhood is often constituted ideologically as an ‘urban frontier,’ whose class conquest is hung on either the myth of ‘wasted’ or ‘empty’ space to be ‘pioneered,’ or on its perceived occupation by an “‘uncivil class’ whose behavior and attitudes reflect no acceptance of norms beyond those imperfectly specified by civil and criminal law” (Ibid: 17). In other words, if there are people already living in the urban frontier at all, they must be constituted as both undesirable, and disposable, if their displacement is to be justified. The ‘criminal,’ as a social construction, has long fit both categories.

The problem of ‘crime’ has thus been a consistent trope in the rendering of certain urban landscapes as hostile to capital, both affectively and ideologically. Aggressive state tactics to combat crime have similarly been rationalized by the myth of a frontier in need of taming. In Brownsville, crime is named outright as the single biggest barrier to gentrification. One *New York Times* article, titled “As Brooklyn Gentrifies, Some Neighborhoods Are Being Left Behind,” does this by quoting a Brownsville resident asking, rhetorically: “Here, how can you have a cafe where people eat in the sun if they’re concerned about gangs shooting each other?” (quoted in Berger 2012). Meanwhile, the media has also reported on how “Postmen are too scared to deliver letters and packages” to Brownsville, characterizing it as “one of Brooklyn’s most crime-ravaged neighborhoods” (Bain and Gartland 2013). One such postal worker is characterized as “terrified” and is quoted telling the reporter “The neighborhood is bad… I wouldn’t want to go inside those buildings” (Ibid.).

While crime statistics would seem to lend some legitimacy to this fear, it is also true that
arrest records tend to stand in for indicators of crime. For example, as one report tells us: “Crime rates have been rising in Brownsville while falling elsewhere in the city. Many of the offenders arrested are in their teens. In 2009, police made almost 4,500 arrests of youth aged 8 to 24 in a neighborhood with a total youth population of almost 13,000” (Newman 2011). Indeed, high rates of arrest and incarceration, as the million dollar block maps tell us dramatically, do in fact plague Brownsville. In 2010, one out of every twelve males from the ages of 16 to 24, served time in jail or prison, compared to one out of every 25 males borough-wide (Ibid.).

While arrest and incarceration statistics are used to back up perceptions of high crime, little is said of the role of policing strategies to produce such numbers. Police are highly visible in Brownsville, especially around the housing projects. The local police precinct, the 73rd, is among the biggest NYPD precincts in the city, and possibly the largest. Designated a ‘high impact’ zone, Brownsville has long been flooded with novice police officers fresh out of police academy. The NYPD’s highly controversial stop-and-frisk program, deemed unconstitutional in 2013, had been enforced with exceptional vigor in the neighborhood. In the small portion of the 73rd Precinct that covers Brownsville’s public housing towers and overlaps with its million dollar blocks, 3,020 stops were recorded in the first three months of 2013. This is compared to 751 stops for the rest of the precinct (Brice 2014).

In September 2013 New York police adopted a new policing strategy in Brownsville, ostensibly shifting away from the controversial stop-and-frisk tactic toward a focus on ‘youth gangs.’ Under the banner Operation Crew Cut, the police department has regrouped its policing efforts specifically against local ‘crews’ – informally grouped neighborhood youth who “are organized geographically, around a housing project, a block or a single building” (Goldstein and Goodman 2014). Members of crews, police acknowledge, are rarely involved in larger illegal enterprises usually attributed to gangs, such as drug dealing. Rather, their conflicts, according to police, are mostly geographic, having to do with rivalries over neighborhood turf (Goldstein and Goodman 2013). As a local resident and anti-violence activist in the neighborhood explained to me, the crews are as much area-delineated groups of allies as they are anything else, and their primary function is to offer a social support
network: “It’s kinda like – I don’t want to call it survival – but it’s like, I live here, if I’m going to continue to walk through the neighborhood, I better have people around me” (Erica Mateo, interview with author 2013).

Police have been quick to declare Operation Crew Cut a success, telling the New York Times that the operation has helped drive murders down to new lows over the past year. Police Commissioner Raymond W. Kelly is quoted as boasting: “If I had to point to one reason why the murders and the shootings are down, it is this program” (Goldstein and Goodman 2013). About 500 officers have been assigned to the department’s anticrew efforts. That number includes a division entirely devoted to gangs that has seen its numbers doubled, to 300 officers, and about 75 officers in precincts across the city whose responsibility is primarily to track and pursue crews. To this effect, social media like Twitter, Facebook, and Instagram have become important tracking infrastructures. Police also keep old-fashioned lists of teens believed to be affiliated with crews; in Brownsville, that list contains 178 names by last count. “On the street, the officers might pick them up for truancy or issue summonses for biking on the sidewalk, to reinforce the notion that the police are watching” (Ibid). Indeed, through social media, minor incidents that would be considered outside the purview of law enforcement such as arguing in the classroom become, under this strategy, fodder for further police intervention.

The point is that geographically uneven policing strategies and criminalization tactics are as much if not more productive of high arrest and incarceration rates than any actual particularly nefarious action or activity on the part of residents. Yet it is precisely at the level of individual behavior and neighborhood relationships that even the most seemingly progressive of Brownsville’s anti-incarceration initiatives seek to intervene. It is to two of those initiatives - the Brownsville Anti-Violence Project (BAVP) and the Brownsville Youth Court (BYC) - that this chapter now turns.
Research inquiries into the application of the justice reinvestment framework at the ground level in a neighborhood which actually hosts a number of million dollar blocks led me to two Brownsville initiatives, both of which have arisen in the same period as the justice reinvestment movement’s ascendance and both of which are constructed as alternatives to incarceration: the Brownsville Anti-Violence Project (BAVP) and the Brownsville Youth Court (BYC). The BAVP and BYC are both projects of the Centre for Court Innovation, which was founded as a public-private partnership between the New York State Unified Court System and the Fund for the City of New York. The Centre runs community justice centers in two other low income, racialized areas of the city, Red Hook and Harlem, and a total of five youth courts in New York and New Jersey. A close study of both projects, conducted via interviews with staff and participants as well as observation of their proceedings, help reveal some of material ways that the logic of the million dollar block as neighborhood effect helps facilitate continued and refashioned carceral state intervention within the space of the racialized and newly prospected urban neighborhood. In the following section, I use these two projects as brief case studies through which to examine the program and policy effects of the million dollar block logic in the broader context of neoliberal entrenchment, gentrification, and the crisis of the carceral state.

Established in 2011, the Brownsville Youth Court operates as both a diversion program and a leadership training program for young people. Youth from the ages of 10-18 are referred by local schools, community organizations, courts and police for offences ranging from assault to truancy. Residing in a multi-use building just meters away from both the 73rd Precinct of the New York Police Department and the Crossroads Juvenile Detention Center, one of two juvenile detention facilities in New York City, the BYC trains teenagers ages 14-18 from the area to serve as jurors, judges and youth and community advocates (the court’s terms for the defense and prosecution, respectively). These teens spend six months hearing real cases of other youth (ages 10-18) that have been accused of committing low-level offences and been referred to the BYC by outside partners. Those referees include New York City Department of Probation, NYC Police Department in Brownsville (73rd Precinct), the NYC Law
Department, Family and Criminal Courts, Kings County District Attorney Charles Hynes’s office, as well as local school officials and potentially family members themselves.

Every two weeks the youth hear up to two referred cases. The referred youth meets with his or her ‘youth advocate’ (a role similar to a defense attorney in a regular court), and then, during the hearing, is questioned by members of the youth jury. After considering the information presented, the jury of youth decides on a particular set of sanctions. There is no option for finding the youth defendant not responsible. Sanctions might include mandatory workshops such as “Better Decisions, Better Choices,” “Motivation 101” and “Youth Anger Management,” or might involve writing an essay in which one is asked to take responsibility for their actions and describes the harm they think their actions have caused. If the young person does not comply with the sanctions meted out to them, their file can be returned to the original referring agency - usually an institution of the juvenile justice system or the police precinct - to be processed according to the discretion of that agency. In effect, this means that the entire diversion process is underwritten by the threat of arrest and prosecution by either the juvenile or criminal justice systems.

The Brownsville Anti-Violence Program is similarly presented as a decarceration strategy, but targets adults in the neighborhood who have been ‘justice-involved’ - mostly those on probation or parole. It “seeks to improve public safety in Brownsville and enhance local perceptions of justice” (“Brownsville Anti-Violence Project”: n.d.a.). The program describes its activities in these terms:

The Brownsville Anti-Violence Project convenes monthly “call-in” forums where parolees returning to the neighborhood meet with representatives of law enforcement, social service providers, and ex-offenders who have gotten their lives back on track. Participants in the meetings receive a targeted, three-pronged message: that future violent behavior will be rigorously prosecuted at both the state and federal levels; that many ex-offenders have successfully reentered the community; and that individuals seeking help will be supported by the community and its service providers. (Ibid.)

The BAVP is touted as operating “in partnership with a range of agencies and community-based organizations” (Ibid.). To date, its partners include the Kings County District
Attorney’s Office, the New York Police Department, the New York State Department of Corrections and Community Supervision (i.e. parole), the New York State Division of Criminal Justice Services, the U.S. Attorney’s Office of the Eastern District of New York, the Pitkin Avenue Business Improvement District and the Brownsville Partnership. It is important to underscore that despite the emphasis on ‘community-based organizations,’ all but two of the actual partner agencies are institutions of the criminal justice system. One of those is a business improvement organization, and the other is Brownsville Partnership, a well-financed not-for-profit that has worked closely with the architects of the million dollar block maps.

In September 2012 the US Department of Justice announced that it would be allocating $599,000 in funding toward the Brownsville Anti-Violence Project. This was just one bundle out of $11 million in grants the Department distributed throughout 15 neighborhoods across the United States. Said Bureau of Justice Assistance Director, Denise O'Donnell at the time, “This program is not about the federal government changing neighborhoods. It’s about community members and stakeholders working together to identify priorities and solutions to persistent crime problems” (quoted in “Officials announce” 2012).

Both the Brownsville Youth Court and the Brownsville Anti-Violence Initiative are emblematic of an increased allocation of state funding toward private-public partnerships in prisoners’ home communities that represent themselves as alternatives to familiar carceral models. Both programs actualize as social processes many of the same logics prescribed by the million dollar block discourse and the justice reinvestment movement. In doing so, they reproduce the very ideological fabric of the carceral system and give legitimacy to further punitive state intervention in the lives of poor and racialized people living in contested urban neighborhoods.

I spent time with staff and participants from both groups, conducting in-depth interviews and observing some of their programming, including numerous iterations of the youth court proceedings. Four themes demonstrating the carceral logic of these supposedly non-carceral initiatives emerged during my interviews and in field-notes I made during on-the-ground
observation: First, the reification of the categories of ‘crime,’ as a problem to be solved, and the ‘criminal’ subject as the cause of that problem; second; collaboration with law enforcement and the reparation of police-community relations as an animating goal; third, the centrality of Brownsville’s public relations crisis and the programs’ emphasis on combatting negative public perceptions of the neighborhood; and finally, the deployment of neoliberal logic, in particular the dominating trope of individual responsibility, to explain and support the character of their interventions.

In order to help explain the significance of my observations, and to orient them toward the broader theoretical concerns of this dissertation, I draw from the burgeoning critical literature on prisoner reentry in the United States. The current period has witnessed a proliferation of state initiatives, often underwritten by the criminal justice apparatus in partnership with a variety of private agencies and civil society organizations, which target the ‘community’ as a key site of interruption and intervention in the name of prison reform. This agenda has accelerated in the wake of the 2008 fiscal crisis and subsequent pressures to stem massive prison cost overruns. Of these initiatives, reentry programming has become one of the most popular trends within penological discourse and practice.

Since the late 1990s, but especially since the passing of the Second Chance Act of 2007, major reentry initiatives have been developed across the US. The Act appropriated funds for community-based prisoner reentry programming and signaled the ascendance of prisoner reentry as a key site of contemporary state intervention. Reentry services, handled mainly through probation offices and a slew of privatized reentry organizations, have thus seen a spike in their funding over the past six years (Byrd 2013). Every state has now established a reentry taskforce and birthed reentry service units across state Departments of Corrections, within municipal and county governments (Travis 2007).

Critical studies of reentry programming reveal important insights that parallel some of my findings about the community interventions being enacted in Brownsville. Their insights bear usefully on the broader panorama of community-based, criminal justice related programming forged under the auspices of corrections budget recapture, especially those
which, like the reentry movement, are deployed under the guise of critiquing and transforming the increasingly tenuous state project of mass incarceration.

The first striking theme relating to both the Brownsville Youth Court and the Brownsville Anti-Violence Project is their acceptance and reproduction of the ideas of crime as a problem to be solved and the criminal subject as the cause of that problem and legitimate target of attention. As interventionist strategies, these initiatives continue the logic of the prison system in taking as a given the centrality of crime as the neighborhood’s foremost problem to be solved. Their programming initiatives seek to solve that problem via its presumed cause: the individual criminal subject. This, for example, is how James Brodick, project director of the Brownville Community Justice Center, characterized the goals of the Brownsville Anti-Violence Project during our interview in 2013: “There’s a few different goals. Obviously everyone’s going to want to talk about the main one, right? You want to reduce crime. So one goal of our policy is to kind of reduce crime in the community.”

The Brownville Youth Court, meanwhile, reifies the categories of crime and the criminal by precluding from their very premise anything other than admission of guilt and responsibility on the part of the subjected youth. So while the youth court is voluntary and presented as an alternative that families opt into, it is only available as an option to those who forego their right to contest responsibility or would seek to justify their actions in some way. Explains project director Sharese Crouther: “Youth court is voluntary. It’s an option that the families opt into. They can either accept the adjustment, or they can say this adjustment is essentially admitting like they did something wrong and… they can take their chances in family court and try to clear not responsible.”

The very structure of the youth court, therefore, takes as a given the responsibility of individual ‘offenders’ and proceeds on those terms, with the youth jury listening to the details of a given case only for the purpose of deciding on the most appropriate sanctions, rather than clearing the subject of responsibility for said deeds or learning more about the broad social context in which individual and social action plays out. Its very organizational conceit, therefore, would seem to contain the same coercive pressures that lead most
defendants within the criminal justice system to ‘plead out’; faced with the choice between the greater prison terms and potentially harsher punishment they are threatened with if they choose to go to trial, the vast majority of criminal defendants agree to plead guilty in return for lesser prison terms, even when innocent or believing themselves innocent of the charges. By imitating this process, the youth court plays a central role in extending the responsibilization of young neighborhood subjects, precluding in its very operation even the possibility of “innocence,” let alone any appreciation for the structural and social relations that cause, condition, or construct the problem of ‘crime.’

A second theme that emerges from these programs – partly from their activities, but more explicitly during interviews with their staff and management – is the commitment to cooperation and even collaboration with law enforcement. This relates closely to descriptions of a felt imperative, animating their work, of repairing police and community relations. Indeed, at numerous points during my interviews, it was openly suggested that the programs served a key public relations role for the police department and related criminal justice agencies. Brodick named this goal explicitly, returning time and again to the problem of negative perceptions among neighborhood residents about the police, and the necessity of counteracting those perceptions and “repairing relations” between law enforcement and the neighborhood:

We want to work as a justice center to have police and community have better relations…. I don’t want you to leave here thinking that a justice center is like a hug-a-thug kind of place, where people get out easy. I actually think it’s the opposite, – I think people are held accountable, but it doesn’t mean it’s held against them for the rest of their lives…. We constantly try to find a balance between good policing and good public safety, good community relations, working with both to bring them together. (Interview with author 2013)

Later in the interview Brodick returned to the theme of neighborhood perceptions of police and suggested that:
It really is about police being perceived in a different way…. I think it’s that kind of moment where, as good a job as the NYPD thinks they’ve done and the crime stats say they’ve done, from their perspective, they also understand that there’s a public relations piece of this, and a perception piece of this, that they need to address.

When pushed about law enforcement officials’ role in the anti-violence program, Brodick described them as partners of the justice center: “They’re at the table. The deputy inspector at the local precinct will talk about his role in keeping this community safe and keeping you safe, but also if you’re not going to do the right thing, then his job is to come down on you.”

It is worth noting that this description of the program’s mandate stood in some tension with a counter-narrative offered in my interview with Erica Mateo, a young woman who was born and raised in one of Brownsville’s public housing towers and who now runs the BAVP. She was much more willing to suggest that police have historically been a problem in the neighborhood, and that race and racism are intertwined with the feeling on the ground that the neighborhood was and continues to be over policed. “The only people that were white in Brownsville in the ‘90s were the police,” she told me, suggesting that while more white people are now beginning to live and work in Brownsville due to encroaching gentrification, police still overwhelm the neighborhood. “And then the other thing is that if you put a lot of police officers in one place, you’re going to find things! And that’s what it is, there’s so many arrests for so many minor things, like ‘general violations of local law’.”

Brodick and Mateo were being interviewed together, and at this point in the interview Brodick cut in to quickly praise the efforts of police. “To the NYPD’s credit, I think they are using their resources as best they can,” he said. The real problem, he suggested, was not the police but rather “the public relations outcry,” including resentment among residents about the aggression of local policing activities. A central task, then, as Brodick sees it, is to help ameliorate that public relations crisis in support of policing efforts. Thus, the BAVP has recently expanded to include a community-wide public education campaign promoting “non-violence and cooperation with law enforcement” (“Program coordinator” n.d.a.).

Similarly, the Brownsville Youth Court’s mandate was described in terms not only of
serving as an alternative to the criminal and juvenile justice systems, but of better ingratiation the criminal justice system into the lives of community residents. This work is especially emphasized within the internship part of the program, in which youth from the neighborhood are recruited and trained to play all the roles of the court, including the judge, jury, prosecutors, defense attorney, and bailiff. In a supervised interview I conducted in 2013 with two of the youth interns,¹⁴ both sources exalted the hard work of law enforcement and criminal justice agents and suggested they would be interested in careers in those fields. One of them had an aunt who was a prison guard and suggested that she has heard volumes about how challenged correctional officers are by the degree of violence and irresponsibility exhibited by prisoners. One of the advantages of the youth court, another interviewee told me, was that it showed that a justice system can be “less bad” than some local youth think it is.

Perceptions of law enforcement and the criminal justice system relate closely to a third thematic to arise from my fieldwork with the BYC and the BAVP: the centrality of public perceptions of Brownsville, and the necessity of better ‘marketing’ the neighborhood. The problem of public perceptions of crime and the conception of Brownsville as a neighborhood ridden with crime came up as often in my interviews with program staff as actual harm and violence did. As Brodick said explicitly at one point, “As far as the pathway we’re taking here in Brownsville, there was as much a kind of marketing thing, where we wanted to show people who may have identified as folks who weren’t always identified as doing the most positive things, to say, ‘Look! They are doing really good stuff.’”

Mateo chimed in to describe a public education campaign the project had planned:

I get really excited about this because it’s about creating messaging and images to kind of highlight the strengths of the community, instead of doing an anti-violence project that’s just about putting an image of a gun with a no mark on it. Of really taking a stance of just highlighting the positive of everything that’s here in Brownville…. I think that’s going toward changing the perception that Brownville is only violent, that everyone here is violent.

¹⁴ During this small group interview a project staff member was present and the interviewees were preselected by the project director.
Attempting to flip the script about a conventionally negatively represented neighborhood is not a problem by itself, and indeed may in fact constitute an important facet of building community power and resources. However, the programmatic emphasis placed on the public optics of Brownsville’s prison problem cannot be disentangled from the real estate pressures and perceived obstructions to gentrification described earlier. The fact that incarceration itself and its effects on individuals and social networks is secondary in importance to ‘negative perceptions’ of the neighborhood should alert us to conflicting agendas underlying and perhaps underwriting these interventions on the ground.

Finally, the interviews revealed the pervasiveness of a neoliberal rationality in the orientation, operation, and legitimation of both programs. The tropes of flexibility, better outcomes and ‘returns,’ and the perceived advantages of private-public partnerships – all of which also suffuse the justice reinvestment and million dollar blocks discourses - permeate the mandate and operation of both the BAVP and the BYC. Highlighting the advantages of the programs offered by the Brownsville Justice Centre and the BAVP particularly, Brodick boasts: “More information allows you to come up with a better outcomes. And that’s what the criminal justice system misses.” Brodick thus likens the project of the Justice Center to the growing leverage of “Social Impact Bonds” by suggesting that inefficiencies in the public model of criminal justice enforcement might be offset by greater involvement of private actors. “I think it’s interesting to get public and private monies to come in try to solve these issues, by holding them to systems savings.”

One of the most persistent findings of my fieldwork in Brownsville was the way in which the solutions offered by these programs are deployed through the neoliberal tropes of individual responsibility, accountability and choice. Indeed, it is in their consistent orientation around the premise of individual responsibility - “where all human action is framed as ‘rational, entrepreneurial action’” (Byrd 2013: 30) - that the BYC and the BAVP most resemble mainstream reentry services. Renee Byrd describes how the ‘responsibilizing’ discourse of the reentry programs she studies frames both the horizon of accountability and possibility for the lives of formerly imprisoned people, thus precluding the social or the political as domains through which circumstances might be changed. She writes, “The notions of personal
responsibility circulating within reentry discourse posit transformation as a process through which the state intervenes with the soul of the offender as opposed to a collective process of political struggle” (Ibid: 76).

To give an example, the central initiative of the Brownsville Anti-Violence Project is a monthly “call-in,” or forum, in which a panel constituted of law-enforcement, ex-offenders, and service providers “speak to people who are being paroled and who have a history of violent crime or of gun possession” (“Brownsville Anti-Violence Project” n.d.a). Mateo describes how the call-in is organized in partnership with the local police precinct, the District Attorney’s office, the Department of Corrections and Community Supervision. “The message that’s given to the panel,” she tells me “is a message about choices and responsibility and accountability.” She continues:

And they talk about the consequences of parolees actions if they’re caught with a gun. They talk about a choice and the precinct’s role as a guardian of the neighborhood, to keep everyone safe, even including the people around the table. And then the discussion starts to shift. Then we get to the ex-offender who says ‘I’ve sat in your shoes before, and I was able to make a difference.’ The person that we had speaking most recently is from Brownsville. He did 17 years…So he sits on the panel and he actually gives a really powerful talk, about the choices he made to change his life.

These initiatives thus posit, on the one hand, the behavior of the individual being criminalized, and on the other the neighborhood as spatial incubator for that behavior, as the primary terrains for transforming both mass imprisonment and the community. Reuben Jonathan Miller, an ethnographer who has charted the breadth of the proliferation of reentry programs across urban communities, advances the term “carceral devolution” to capture what he sees as a kind of ‘double movement’ of hyper-local intervention targeted on the one hand at former prisoners’ home communities, and at the same time inside former prisoners’ heads (Miller 2013). Miller describes how the programs he’s examined in depth focus their interventions almost entirely on the character and behavior of the ex-prisoners returning home, rather than the infrastructure, institutions, and economy of home communities or the structural conditions of their lives. Thus he notes how a programming emphasis on ‘work-readiness’ preparation has almost entirely supplanted concern with, and support for, actual
employment. Thus, he describes the dominance of such mandatory treatment groups as ‘The Ethics of Self-Sufficiency’ and the “Maintenance of ‘Pro-Social relationships.” In their emphasis on personal transformation, Miller argues, ‘job-readiness’, and individual responsibility, reentry programs occlude the structural processes that go into in-securing employment, while also offering little in the way of material redress for the marginalization particular populations face within the formal labor market. What they do, however, is further expand the surveillance and control functions of the criminal justice system within urban neighborhoods, while simultaneously recasting “the role, force, and consequence of the state” (Ibid: 37).

The programs and sanctions offered by the Youth Court are similarly couched in entirely individualized, behaviorist terms, almost totally eclipsing the material and resource related challenges, including structures of racism, faced by its subjects. Sanctions dealt out by the court include workshops like “Youth Anger Management,” “Drug and Alcohol Information,” and “Better Decisions, Better Choices,” the latter of which “focuses heavily on decision making, goal setting, how to handle pressures form media, social media, peers, etc.” (Sharese Crouther, interview with author 2013).

Here is Crouther, describing their job readiness course:

What we focus on is how to really get someone ready for an interview, for someone who may just be coming out of prison or had dropped out of school, has issues with authority or whatever the case may be, just has had a hard time with anyone giving them a chance, period. How to walk into a room confidently, look someone in the eye when you’re speaking to them, or not to get upset, or upset with receiving a task to do that you don’t feel like you should have to do; “Dress for Success,” “Resume Writing,” all of those things. So that when they do go for that interview, they’re prepared to handle it.

Like much prisoner reentry programming, both of these Brownsville programs assume and reproduce an individualization of responsibility for crime and the harms associated with crime, while also utilizing techniques for governing populations. So even while Crouther emphasizes the social service side of the youth court’s programming, it is entirely from the position of changing ‘offender’ behavior: “Here are the things that we can offer you to help
you not recidivate, and not fall back into the same patterns that led you into prison.” The problematic event or action is interpreted through the individualized neoliberal frameworks of responsibility, accountability, choice and consequence, which, as Rhodes puts it, “makes it possible to see the individual as someone who possesses a will” (2004: 64). Rhodes argues that the strong attribution of individual ‘choice’ to prisoners – and therefore would-be prisoners – is not only central to the current politics of incarceration, but remains thoroughly embedded in a larger discourse of economic and social autonomy (Ibid: 10). In prisons, however, “Choice is the currency that negotiates the resulting dynamic of domination and abjection” (Ibid: 66). Self-generated action is assumed to be the terrain upon which these programs – just like prisons – do their work. The proper site of intervention, it follows, is within that individual and the space of the neighborhood that incubates him/her as a choice-making subject.

Insofar as the BYC and the BAVP share with mainstream reentry programs an emphasis on responsibilization and psycho-social behaviorist conditioning, they perpetuate one powerful guiding myth about incarceration: namely, that its origin is in individual fault. The pseudo-socialization of that fault to encompass the space of the neighborhood must be read as critically as we now read the culture of poverty thesis: as a strategic and instrumental frame threaded through with racist and classist assumptions and deployed, in this most contemporary instance, to avail the urban neighborhood for capitalist recoupment by ideologically effacing its already existing social value.

The emphasis on individual responsibility also serves to obscure the structural dynamics and social relations, including racism, poverty, and chronic disinvestment, at play in the lives and neighborhoods of high-incarceration populations. This mystification is particularly problematic when considered in light of today’s contingent labor opportunities for ex-prisoners. Hallett (2012) suggests that rather than poor choices or neighborhood effects, the “jobless future” is what best actually characterizes and conditions the re-imprisonment chances of former prisoners. He points out how structural forces work so devastatingly against the income security of the poor and racialized populations that make up the bulk of the US prison population that even the best individual reentry programs offer little chance of
offering their participants actual secure employment. Ex-prisoners’ systematic relegation to
the lower echelons of the poverty-wage structure, he argues, must therefore be viewed as part
and parcel of a larger apparatus of social control.

It is worth noting the ways in which these initiatives also widen the scope of intervention,
while posing as opportunities for contracting the control of the criminal justice system. For
example, a unique feature of the Brownsville Youth Court is the way it allows community
and family members to refer children and youth to the court for a wide variety of behaviors
deemed undesirable. Breaking an actual criminal or civil statute is not a requirement for
referral and processing. In other words, a parent whose child hasn’t been arrested but who
wants to, as Crouther puts it, “be proactive” and who feels as though it would be useful to go
through some kind of court experience can also refer the case to the youth court. As Crouther
explained: “It could be anything from a kid punches a hold in the wall, or destruction of
property, is exhibiting violent behavior… we could have it fall under an offense. We would
explain to the parents and child what they can expect to see… so they know that it’s not a
real offence, but if they keep doing things, this is what it could eventually be and what they
could expect.”

The resemblance to the broken windows theory of policing here is instructive. Both operate
under the assumption that crime is a sliding scale in which interventions in low-impact
behaviors deemed undesirable, even if not actually harmful to others, are a productive use of
state and community resources in preventing more serious offenses. Broken windows theory
has by now been thoroughly debunked; its greatest legacy has been the escalation of low-
level arrests and confinement of racialized youth (Herbert and Brown 2006).

Byrd places the dominant reentry movement squarely in line with the neoliberal project of
statecraft, insofar as it “expands the punishment system, shores up its legitimacy, and renders
the system more flexible and cost effective” (2013: 67). Likewise, a powerful consequence
of ‘alternative’ interventions such as the Brownsville Youth Court and the Brownsville Anti-
Violence Project is to blur the borders between the space of the prison and the city. Despite
representing themselves as critiquing mass incarceration, their effect is to extend the power
and influence of the neoliberal carceral state, including its rationalities as well as its technologies, into communities and neighborhoods outside the prison edifice.

*Million Dollar Blocks, Transcarceration, and the Neoliberal State*

Mark Mauer, Executive Director of the Sentencing Project, notes that almost a decade after its introduction, “Most of the justice reinvestment movement has focused on shifting resources within the criminal justice system, particularly reducing prison funding while *increasing* resources for community-based supervision and services” (2011: 36, italics added). Indeed, much of the prison savings afforded under the mantle of the Justice Reinvestment Initiative have been simply reallocated to other, often non-custodial departments of the criminal justice system. These include, on the one hand, increased investment in law enforcement and policing infrastructure, but also increased spending on reentry programming and other facets of post-custodial state supervision. As Cadora and others have noted, with some disappointment, “Among many lawmakers, the ‘justice reinvestment’ label has come to stand for any correctional reform effort that is expected to save states money and improve public safety, but without concomitant reinvestment in community and, it turns out, without significantly reducing correctional populations” (Austin et al. 2013: 4).

It is important to underscore first, that a simple re-allocation of resources within criminal justice departments constitutes a very different strategy from the foundational investment in housing, education, health-care and community infrastructure that the million dollar block maps portended to invoke, and that may have made the idea of justice reinvestment so initially appealing to penal reformers and social justice advocates (Ibid.). Secondly, and perhaps more significantly, the result of such re-allocation of state resources has been the development of new forms of state and civil society intervention, often with the urban neighborhood as the participating agencies’ preferred target. These new forms of intervention, as I’ve argued, have often been charted in the name of prison reform and even decarceration. Their effect, however, has been to reproduce, in the urban spaces outside the prison, many of the same coercive features, neoliberal rationalities, and carceral affects as
the prison system itself, including its productions of punishable subjects and disposable life.

It has by now been well established that the massive build-up of the US prison population known as mass incarceration did not develop as a result of rising crime rates or new trends in the so-called criminality of individual offenders. Rather, it has its roots in changing dynamics in the economy, state formation and racialization processes, at least partly constituting an expression of shifting state strategy in the management of urban, racialized poverty (Simon 1993; Beckett and Western 2001; Wacquant 2009b). The fact that it is urban, poor and racialized communities that bear the majority of reentry programs and other state interventions positioned as alternatives or ameliorates to incarceration must therefore be similarly analyzed within the broader framework neoliberal state-building and restructuring. Indeed, there is increasing evidence that the downsizing of the formal prison system is being forged at the expense of extending *other* forms of surveillance and social control. Minnesota, for example, long billed as a ‘community corrections state’ (meaning probation is used rather than incarceration when possible), boasts lower rates of imprisonment of those convicted of a crime, and yet actually has a larger percentage of its population under correctional control than other parts of the country. While 1 in 31 adults are subject to some form of correctional control nationally, in Minnesota that percentage is 1 in 26 (Pew Center on the States 2009). Byrd (2013) argues that the dominant reentry movement thus functions, in actuality, to extend the penal system beyond the walls of the prison proper.

Miller’s definition of ‘carceral devolution’ applies also to Brownsville’s alternatives to and interventions against incarceration: “A reformist shift in criminal justice and social welfare policy and practice where the state’s capacities to rehabilitate prisoners have been offloaded onto community based actors and organizations” (2013: 34). The offload is only a partial one, and indeed the notion of ‘carceral devolution’ shares much in its character with other terms scholars have deployed to describe how the carceral state is restructuring itself in the face of its own crisis of legitimacy. Parallel concepts are thus beginning to crop up across the critical prison studies literature, and are worth reviewing briefly as their cumulative effect is to illuminate the reinforcing ways community interventions relate to the system from which they are ostensibly diverting.
Katherine Beckett and Naomi Murakawa, for example, use the term “the shadow carceral state” to describe those activities outside of, but effectively in support of, more visible criminal law and criminal justice institutions, or as they put it, the “more submerged, serpentine forms of punishment that work in legally hybrid and institutionally variegated ways” (2012: 222). Notable for their purposes are such emerging processes as: the expansion of civil and administrative pathways to incarceration; the creation of civil alternatives to invalidated criminal social control tools, and; the incorporation of criminal law into administrative legal processes in ways that enhance state carceral power (Ibid: 224). An example might be the way civil regulations governing urban space already operate to trigger criminal sanctions, such as civil gang injunctions and modifications in trespass law that authorize officials to exclude people who are perceived as acting disorderly from urban spaces (Ibid: 231). These activities, while seemingly outside and beyond the prison and situated within civil law, serve both to further carceral logics and enhance state carceral power insofar as they effect punitive bodily control and create new criteria for criminalization proper.

Others have mobilized the concept of “transcarceration” to refer to the “neoliberal reorganization of prison facilities through a consolidation of both capital and the state’s captive population” (Schept 2013b). Judah Schept (2013a), for example, offers a powerful ethnographic excavation of a liberal “justice campus” championed by local politicians and community leaders overtly critical of mass incarceration. The effect of their efforts, despite their reformist intentions and profusions, was an expanded detention facility with the capacity to contain and demobilize a greater number of human beings than existed before the work of reformers began. The concept of ‘transcarceration’ has also been applied more broadly to the non-prison modes of socially controlling former and could-be prisoners (Hallett 2012: 223). Wacquant, thinking specifically about the prison’s symbiotic relationship to urban space, refers to “the carceral continuum” as a means of describing the functional equivalency of the ghetto and the prison, situating them as a singular social institution which “ensnares a supernumerary population of younger black men, who either reject or are rejected by the deregulated low wage labor market, in a never-ending circulus
between the two institutions” (2001: 84).

Perhaps most appropriate to the case examined in this chapter is James Kilgore’s (2014) identification of “non-alternative alternatives” to incarceration, a category that for him encompasses such community-based initiatives as Drug Courts, Day Reporting Centers, and electronic monitoring schemes. He considers these ‘non-alternative alternatives’ a form of “repackaging” mass incarceration, and suggests that however well intentioned they might be and however much they purport to change existing penal practices, they “in essence simply perpetuate the culture of punishment” (Kilgore 2014). Such programs, as he puts it, constitute ‘non-alternatives’ because they “typically involve heavy monitoring of a person’s behavior including frequent drug testing, limitations on movement and association, [and] a whole range of involuntary but supposedly therapeutic programs of dubious value and very little margin of error to avoid reincarceration” (Ibid.).

Kilgore’s critique of community-based initiatives purported to serve as alternatives to incarceration finds almost uncanny resonance in the forewarning offered almost four decades previous by the scholar Stanley Cohen in his essay, “The Punitive City: Notes on the Dispersal of Social Control” (1979). Writing from another period in which the legitimacy of incarceration seemed to be waning and calls for alternatives to the prison had reached seemingly hegemonic status, Cohen surveys such ‘alternatives’ in order to problematize the ideology of community control itself. He writes:

The major results of the new movements towards “community” and “diversion” have been to increase rather than decrease the amount of intervention directed at many groups of deviants in the system and, probably, to increase rather than decrease the total number who get into the system in the first place. In other words: “alternatives” becomes not alternatives at all but new programs which supplement the existing system or else expand it by attracting new populations. (Ibid: 347)

While there are important differences in the character and form of the state and civil-society activities these many authors are critiquing, their varying descriptors encompass a central shared concern: the reproduction of the power of the carceral state in the lives of particular, often poor and racialized, populations in terms that mimic and take advantage of growing
criticism of the prison edifice. The point, then, is that simply relocating new forms of state intervention out of the prison and into the community does not in itself mark a transformation of the carceral system, its dominant logics and its productions of disposability; indeed, it might even reproduce and reinforce a *remade* carceral state via the material of its own critique.

Like the million dollar block project, many of these ‘alternatives’ and endeavors may be forged with the best of intentions. My critique of the million dollar block, justice reinvestment, the Brownsville Youth Court and the Brownsville Anti-Violence Project is not meant to cast aspersions on the progressive and even compassionate intentions of those advocating for and operating such initiatives, for they may indeed be motivated by a genuine desire to reduce the harms done to individuals and communities by mass incarceration. Nor is it even to suggest that there is not some immediate benefit to such programs for participants, at least as compared to the stark option of bodily immobilization and premature death they may otherwise face in prison.

A true commitment to non-reformist prison reform and decarceration must include a critical vigilance against the structuring of further social immobilization, displacement and control organized in the name of prison reform. My argument in this chapter, therefore, concerns the ways in which seemingly reformist discourses, especially those instrumentally cast in neoliberal terms such as ‘diminishing returns’ and ‘economic efficiency’ as the million dollar block maps are, risk further reinforcing the power of the carceral state rather than weakening it. While it has not been my intention to draw a straight line between the million dollar block maps and the remaking of the carceral state via the kinds of community programming described in Brownsville, a close reading of these programs does, I argue, serve to validate the suggestion that the urban neighborhood is an important site from which to gauge the transcarceral consequences of ostensibly reformist strategies.

**Conclusion**

A revisiting of Foucault’s *Discipline and Punish* reminds us that the circulation and
dispersion of penal tactics is not new, for it well describes the ways in the period before mass incarceration, “The massive compact disciplines are broken down into flexible methods of control, which may be transferred and adapted” (1977: 113). The imperatives and capacities of neoliberalism only intensify such flexibilization of carceral forms. The lasting effect of the million dollar block maps and the justice reinvestment movement will only be to blur the borders between the space of the city and the space of the prison. They do so by extending the power and influence of the carceral system, including its rationalities as well as its technologies, into neighborhoods, further absorbing the family, the school and various community agencies into the carceral work of responsibilization, individuation, disenfranchisement, economic abandonment, and racial control.

We continue to see a neoliberal approach to state formation, and as Peck notes, the “Prison system can be viewed as one of the epicentral institutions of these neoliberalized times” (2003: 226). My suggestion is that the prison is neither the only, nor the most necessary, space through which neoliberalism, racial capitalism, and the carceral state reinforce each other. If we are indeed witnessing, as some suggest, the unfolding demise of America’s regime of hyper-incarceration, then it is incumbent upon those of us critical of imprisonment to extend our critique to those other spaces in which the carceral state may be repackaging itself. To that effect, we might be witnessing a supplanting of the prison as the state’s privileged spatial fix, and the advent of new, community-based instruments for the race-making, labor regulating, and management of surplus life functions prisons have long served. The important work done by scholars and activists in charting the intimate relationship between mass incarceration and neoliberal urban restructuring, should therefore alert us to the city itself as an ongoing site of abolitionist struggle. This chapter contributes to this growing body of work, and suggests that the urban landscape and transformations therein constitute a significant site for the transformation, adaptation, and contestation of state carceral power.
Chapter 4

THE PRISON IN BETWEEN: PRISON BUSES AND THE CIRCULATION OF ORDINARY CRISIS

On any given Friday or Saturday night at about 10pm at Columbus Circle in Manhattan, one will - if one knows to look for it - see a crowd of women gathering on the corner of 58th Street and 8th Avenue. Their presence can be easy to miss amidst the bustle of tourists and wealthy residents of Manhattan’s Upper East and West Sides, but their putative invisibility belies the conspicuousness of shared traits: often alone, or sometimes with small children, usually carrying a small backpack or other overnight bag that might contain a change of clothes and some food, they are almost all women, and the majority of them women of color. They stand in front of the Chase Bank every weekend in all seasons, waiting for the buses and vans that will eventually roll up and take them on the six to nine hour overnight journey to one of the fifty-four prison facilities across New York State. The buses that pick them up are run privately, many by individuals or families with their own personal experiences of incarceration. They have proliferated in number over recent years, but a handful of them have been taking passengers to New York’s upstate prisons for almost forty years.

This chapter is about these privately chartered and operated prison buses as both a carceral space and scene of neoliberal racial capitalism in the 21st Century. I argue that the bus constitutes a kind of gendered secondary ‘prisonization’ for the racialized and working-class women that ride it regularly. Building on this claim, I develop a more complicated, and at times contradictory, examination of the bus as a scene of ordinary crisis, neoliberal subjectivity, and fragile solidarity for its riders. The bus operates as a carceral space in part because its very existence is contingent on the coerced geographic removal of prisoners from their social networks and communities. In circulating, over long periods of time and vast physical distances, the mothers, sisters, wives and girlfriends primarily tasked with the work of caregiving across the deep fissures carved by the prison regime, the bus also functions as a kind of holding space in which these women serve time in uncomfortable conditions,
enduring a deleterious erosion of their bodies, psyches, and resources.

To be in crisis, as Lauren Berlant puts it, is “to bear an extended burden of vulnerability for an undetermined duration” (2011: 62). As a scene, the prison bus offers a powerful vantage from which to gauge how the crisis of reproducing ordinary life is registered by those at the bottom of the class, race and gender hierarchies structured by neoliberal capitalism. This is a crisis, I argue, organized less by the seemingly exceptional event of incarceration, than by the conditions of low-wage labor, gendered care work, residential displacement, and finally, arrest and incarceration that the current regime of racial capitalism - intensified under neoliberalism and the current recession - produces systematically as ordinary life.

As a space, the prison bus aggregates such extended burdens of vulnerability but does not much relieve or redistribute them; it is a site of mass but not collective endurance. Instead, the prison bus mostly functions to exacerbate such systematic stresses, further wearing out its riders and depleting whatever reserves of time, money, energy and good will to others they have allocated for the ongoing care work of visiting their incarcerated loved ones. While glad and grateful for the actual visits, bus riders overwhelmingly describe their experiences of getting there in terms of physical exhaustion, depletion of meager incomes, the stress of wasted time, and the unreliability of others. Tensions hewed to the perceived scarcity of comfort, rest, safety and reprieve within the austere confines of the densely packed buses manifest themselves as sporadic interpersonal antagonisms, producing further fragmentation as each person or household figures out how to survive each journey, experiencing that survival as a private burden. Solidarity on the bus, when it does exist, is at best fragile, and often contingent. Yet such moments of solidarity and reciprocity also foreshadow the possibility of common alliance in recognition of the shared stakes of carceral care work, if not also, potentially, the shared vicissitudes of class, race and gender.

Data for this chapter comes from two main sources. The first, and most substantial, is a qualitative study of the bus rides and the bus riders themselves. This fieldwork included observation on two separate bus journeys on one of the longest bus routes, covering a 24-hour period, to Attica State Prison, located in the northeast corner of New York State. Attica
is 350 miles from NYC, a six and a half hour drive by car and an eight-hour trip by bus. I subsequently conducted open-ended in-depth interviews, each ranging from one to two hours, with seven visitors about their experiences taking the prison buses and vans, as well as the bus operator of the longest running bus company, Operation Prison Gap (OPG). In most cases, I met the interviewees at Columbus Circle in Manhattan, a long-standing pick-up spot for OPG and a small handful of other bus operators. I also spent numerous evenings at the bus depot conducting observational research and engaging visitors waiting for the bus in conversation.

The second primary source was the online chat rooms frequented by prison riders on a web forum called “Prison Talk.” On that site, a specific and well-trafficked thread is devoted to experiences riders have had on the prison and van services in New York State. I gave a close reading to twenty-five pages of contributions to this thread, weaving the accounts and testimonials archived there alongside my observational notes and interview transcripts.

In this chapter I seek to better understand how the crisis of the carceral state is registered subjectively and spatially by the bus ridership within, and in relation to, the social architecture of the prison bus. I begin by first considering the long history of the bus as a racialized and classed space, one which has figured importantly in historical freedom struggles across the United States. I briefly track related literature, finding not only that the prison bus has been given scant attention within the field of carceral studies, but that most scholars have limited their inquiries to the bearing of liminal carceral spaces like these on questions of prisoner recidivism and reentry. I then offer my own field study of the prison bus as a carceral space, one which – much like the prison itself – offers a vantage from which to investigate the negotiation of social reproduction and subjective life within neoliberal capitalism, and the social relations it harbours and portends. In the tradition of the long-distance bus more generally, the prison buses aggregate mostly poor, racialized women caregivers, constituting a rare space for the collectivization of shared experience in an economy otherwise characterized by the spatial fragmentation of working-class women especially. These buses are particularly unique, furthermore, in the provision of shared space, over a long duration, for those loved ones bearing the collateral consequences of mass
incarceration. Riding the bus constitutes for many a parallel spatial and temporal experience of ‘doing one’s time’ alongside their incarcerated loved ones, the prison bus thus figuring as a potentially generative space from which to study the spatial reach and social consequences of the carceral state.

I begin first with a brief overview of the role of the bus as a gendered, classed and racialized space of radical organizing in the post-war United States.

‘Riding the Dog’: Organizing on the Public Bus

If there is one machine that is a symbol of working class mobility – and political possibility - in the USA, it is the bus, and in particularly the long distance bus (Gilmore 2014). ‘Riding the dog’ has long been a familiar expression among working class and primarily racialized Americans - a colloquialism for journeys taken on that most monopolistic of coaches, the Greyhound. Since the post-war explosion of car ownership and the remaking of the American landscape to accommodate automotive travel, intercity bus travel, like intra-city public transit, has increasingly become the dominion of racialized residents with low incomes. Coach companies such as Greyhound have since the 1970s accepted the flight of most middle-class Americans from their scheduled bus routes and even re-oriented their advertising and services accordingly (Walsh 2010).

It is not only bus ridership that is organized by race and class, but the highways that carry them, built in many cases as raw concrete wounds slicing through the backyards and front yards of the poorest and often blackest of US urban neighborhoods. Eric Avila argues that, “Race - racial identity and racial ideology - shaped the geography of highway construction in urban America, fuelling new patterns of racial inequality that exacerbated an unfolding “urban crisis” in postwar America” (2014: 2). He documents the way the neighborhoods occupied by people of colour, in many ways like their bodies themselves, were historically coded as blight in planning discourse, paving the way for their targeting by a federal highway program often working hand in glove with private redevelopment and public practices like slum clearance and redlining.
As a key social infrastructure of black working-class life in particular, the long-distance bus and its attendant architectures, including the highway and the bus depot, share defining properties with the prison edifice, another public infrastructure organizing the lives of vast numbers of black, poor and marginalized US residents. Sometimes their overlap is more literal than proximate. For example, Gilmore recounts a powerful story about a New Orleans Greyhound bus station transformed into a makeshift jail in the immediate wake of Hurricane Katrina (2009: 80). Moira Rachel Kenney tells a different, yet not unrelated story, about the emergence a vibrant gay and lesbian scene in 1940s Los Angeles centred in the bars clustered around the city’s downtown Greyhound bus station (2001). These bus station bars provided spaces where gays and lesbians could both recognize each other and interact without suspicion, despite being strangers.

There is a long and rich political tradition in which those marginalized populations consigned to the cramped quarters of the long distance bus have made it into a space for innovative class and race-based organizing. From the Freedom Rides to the Los Angeles Bus Riders Union, bus riders have capitalized on the contradictions of public transit and the role it plays in the work and community life of poor and racialized populations to transform the dense space and long commutes into an organizing opportunity. They have done so despite, as well as because of, the very structural processes through which the bus has become such a paradigmatic racialized and working-class space in the first place, including residential displacement, labor exploitation, and resource scarcity. That so many important historic freedom struggles have coalesced in one way or another around the spaces of the bus thus comes to make some sense. As a "between' of segregated lives" (Gilmore 2007: 236), buses have revealed much about the structured inequities of state resource distribution and vulnerability to risk (Bullard 2004; Avila 2014), and even offered a (quite literal) platform for the recognition of collective oppression.

The relationship between buses, race and social struggle is most often remembered through the bus's symbolic distillation of the civil rights era. This history includes, most iconically, the 1955 refusal of Rosa Parks, a forty-three year old working class black woman in
Montgomery, Alabama, to give up her bus seat to a white man in an act of political defiance against local Jim Crow laws. Two years previous, in 1953, African Americans, organized under the auspices of the United Defense League in Baton Rouge, Louisiana, staged the first successful bus boycott in the nation's history (Bullard 2004: 16). Less than a decade later, in the late summer of 1961, more than four hundred Freedom Riders would be arrested for their participation in the struggle against ongoing racial segregation on interstate buses (Ibid: 18). More recently, the early 1990s saw the unprecedented formation of labor organizing project called the Bus Riders Union (BSU), whose membership, drawn from the predominantly low-income, black, Latino and Asian mass transit ridership of LA, continues to challenge transportation and environmental racism in that city and beyond (Mann 2004). While organized foremost as bus riders, the BSU draws its social power from the recognition both of bus ridership itself as a condition of being poor and racialized, and of the shared space of the bus as an opportune social space for organizing in an era of radically atomized working-class life.

In short, the bus - especially the long distance bus - has long constituted a significant political space for racialized and low-income residents in the United States. That it both expresses the structural organization of racial capitalism within the landscape of circulating bodies, and offers, potentially at least, a spatial condition for recognition, reciprocity, and even organizing, cues us to the potential of critically and carefully attending to that most ‘ordinary’ of carceral spaces, the prison bus. As Berlant reminds us, “The ordinary is, after all, a porous zone that absorbs lots of incoherence and contradiction” (2011: 53), an observation well underscored by my research with prison bus riders. A particularly apt description of the seeming contradictions and complexities within the space of the prison bus can be found in George Lipsitz’s description of the work of Marisela Norte, a writer who documents racialized and gendered life on public transit, and whom Lipsitz dubs the “bus poet of Los Angeles.” Lipsitz writes: “Norte recognizes the bus as simultaneously a site of containment and connection, of incarceration and affiliation, of solitude and sociality” (2004: 512).
Despite being at the opposite corner of the country, and being devoted so specifically to circulating between the poles of the urban neighborhood and the rural penitentiary, the prison buses explored in this chapter share with Norte’s buses the defining features of an urban, working-class, racialized and primarily female ridership, as well as the social contradictions and fragilities Norte notes. Before moving into the experiences of containment, connection, solitude and sociality recounted in my own interviews with prison bus riders, I first offer a brief review of the existing research closest to my own examination of the prison bus and its ridership.

Spaces of Prison Visitation

Very little has been written about the space of the prison bus in relation to the carceral regime more broadly. One of the few publications to tackle the prison bus directly, Johnna Christian’s 2005 article, “Riding the Bus,” situates its contribution within the broader body of research attending to incarceration’s "collateral consequences" (Clear 1996; Hagan and Dinovitzer 1999) and specifically on the effects of incarceration on female family members. Within this latter field of work, Megan Comfort’s (2008) ethnographic research into female partners of prisoners in California provides one of the most richly detailed accounts of the ways women relate to the prison system through their attachments to men inside. Her characterization of the liminal spaces of visitation as forms of ‘secondary prisonization’ for the women she studies resonates productively with my own findings about the prison bus, in particular the way in which the experience of arbitrary regulation and restricted rights, the enforced idleness of waiting and lining up for visits, and the physically taxing corporeal confinement of the hallways and waiting rooms they will spend hundreds of hours of their lives in parallel, in many ways, the experiences of prisoners themselves (2008: 29).

In general, however, Comfort has much more to say about the effects of incarceration on women’s relationships to imprisoned men than on their relationship with the prison system. Her analysis offers little insight into the question of how the experiences of such carceral spaces are conditioned by the very forces that help determine who is and isn’t rendered subject to the carceral regime in the first place, or how such carceral subjectivity intersects,
for example, with women’s working lives or residential situations. Likewise, Christian’s study of the prison bus and its ridership seeks to interrogate their implications no further than the challenges of prison visiting, and the consequences of such barriers in regards to the accepted wisdom that maintaining connections bears positively on “successful prisoner reentry” (2005: 47).

Dominique Moran (2013) is one of the few researchers to apply a specifically spatial analysis to the study of a liminal space ‘between’ the prison and the community - in her case, the visitor waiting room. Yet like Christian, Moran is primarily interested in the consequences of prison visitation for the incarcerated, specifically on their likelihood or not to ‘recidivate.’ Insofar as she considers the “spatialities of prison visiting” and the “prison visiting rooms as liminal circular spaces” (2013: 174), it is so as to better understand the link between visitation and recidivism, a term thoroughly produced and determined through the ontological lens of ‘crime.’ Moreover, in reproducing the assumption that prisons are “intended to function to keep former inmates out, by rehabilitating prisoners and deterring future offences” (Ibid: 185, italics in original), and tasking her study with the goal of better explicating their ostensible “failure to do so” (Ibid.), Moran miscasts the very functions of a regime whose productivity and successes via the growth in incarceration have by now been well evidenced (Parenti 1999; Gilmore 2007; Wacquant 2009a,b).

I offer an alternative account of the prison bus as carceral space. In distinction to the literature just recounted, my inquiry is not so much focused on questions of crime, punishment, and recidivism. It is instead rooted in an interest in the possibilities of social and political solidarity conjured by the prison bus, like the long-distance bus more generally, as a particularly classed, raced and gendered social space. Such a study also involves asking how the social reproductive labor of prison visiting is experienced, within the space of the bus, as a condition of everyday life within neoliberal capitalism. I am not the first to approach the bus this way. In her own attention to buses carrying the loved ones of prisoners, Gilmore examines how such buses, historically, have offered a unique site for the organization of working-class people of color otherwise disorganized in the modern economy by myriad spatial and social techniques of segregation and fragmentation. She probes the relationship
between organizing and recognition in such spaces by asking: “How do people come actively to identify in and act through a group such that its trajectory surpasses reinforcing characteristics (e.g., identity politics), or protecting a fixed set of interests (e.g., corporatist politics), and instead extends toward an evolving, purposeful social movement (e.g., real class politics)?” (2007: 191). My investigation into the prison bus as a carceral space similarly asks how the prison bus does or does not shape possibilities for recognition and collectivity among its ridership. Such a project differs enormously from an existing tendency in the literature to treat such spaces of circulation as merely *adjuncts* of a system whose putative goal is resolving crime, and for whom the loved ones of incarcerated prisoners are merely aides in the success or failure of that goal.

I begin with a description of the prison bus, the context of its emergence, and the journey itself.

*The Journey and its Discomforts*

The New York State Department of Corrections and Community Supervision (DOCCS) is the state’s largest government agency, with an annual budget of $2.5 billion and 31,000 staff spread out across the state. According to DOCCS data, there were approximately 54,142 individuals incarcerated throughout its 54 state carceral facilities as of January 1, 2014. Forty-nine percent of those prisoners are identified as African-American, and less than a quarter as white (State of New York, 2014: ii). These prisoners come overwhelmingly from New York City, which is also where their families and loved ones are located. Approximately 62 percent of the state’s prisoners are from NYC, with many of those concentrated in just a handful of neighborhoods (Wagner 2003). Yet the vast majority of New York’s carceral facilities are located in rural counties upstate. While there are a small number of facilities within relatively short distance from NYC, 87 percent of New York prisoners are incarcerated more than two hours from NYC and its surrounding boroughs (Ibid). Many facilities, such Attica and Albion to the west of the state, or Upstate Penitentiary near the Quebec border, are upwards of 380 miles away from Manhattan, constituting a formidable barrier to prison visitation (Christian 2005).
While there are now more than a dozen different bus and van services that service the population of visitors travelling from the city to facilities upstate, the longest running is a family-owned company called Operation Prison Gap. Founded by an ex-prisoner named Ray Simmons, Prison Gap was formed after Simmons was released from Attica Prison in 1973. Before then, he tells me, people had no other way to get to the facilities other than to take a Greyhound bus, which even then only stopped in town centres, requiring visitors to pay additionally for taxis to bring them directly to the facility gates. “In four years I had four visits,” Simmons told me. While many more small-scale operators started running buses and vans beginning in the late 1980s, and in his own words “business isn’t what it used to be,” Simmons claims he can still run about 20 buses each weekend. Prison Gap runs bus services along the two main long distance routes, one travelling due north, toward Upstate Correctional Facility in Malone, NY and nearby facilities, and the other travelling northwest, toward Albion and Orleans correctional facilities. The bus that I took, which travelled the Northwest route to Attica, made stops at six different facilities: Groveland and Livingston at about 6am, Wyoming and Attica at about 7am, and then onward to Wende and Albion by the Canadian border. The prison facilities themselves often offer information about the bus companies in their visitors’ centers and when people call to ask for information about how they might get there.

While different operators have different pick-up spots and leave throughout the night depending on where they are going, the most populous depots are at 34th Street and Eighth Avenue, on the west side of Manhattan, and at Columbus Circle, where Prison Gap has been picking up riders each Friday and Saturday nights for forty years. Both are a formidable distance from the East Brooklyn, Bronx and Long Island neighborhoods the vast majority of the bus riders seem to come from. Many riders have already spent between one to three hours just getting to the bus pick-up spot, travelling by bus, subway, light rail and in some cases taxi cab in order to get there. Some of the smaller van services will depart from neighborhoods in the outer boroughs of New York, including Brooklyn, the Bronx and Queens, but their routes are often much more limited.
Buses and vans leave all throughout the night and into the early hours of the morning, depending on where they are travelling. Prison visits begin at 9am. Because there is a fair amount of processing involved before the visitors can get inside the institutions, the buses going to the furthest institutions will leave between 9pm and 11pm at night, and can take as long as eight or ten hours one way, barring any delays. The bus to Attica is supposed to leave at 10pm but often departs closer to 11pm. The cost of bus tickets to Attica is $65. While the price differs depending on the distance to the facility, tickets tend to be at least $40. Children travel for half price. My interviews revealed that expenses can greatly exceed the price of just the bus ticket, as visitors tend to have to spend money travelling to the bus pick up spot, sometimes having to rely on car services because public transit, when available, may be less frequent and unreliable, time-wise, at the times of night that the visitors are travelling. Additional costs include the food and drinks during the 24-hour period of the trip and from the vending machines inside of the prison. Many visitors have also gone shopping for favourite food items, clothing and cash to bring inside for their loved ones.

It was apparent from the earliest stages of my fieldwork that the prison bus was gendered in a very particular way, with the vast majority of passengers being women travelling alone. This observation was corroborated by the women I interviewed as well as two separate bus operators I spoke to, both of whom estimated that about 95 percent of the ridership was female. Some of these women travel with children. Both times I travelled on the bus, I counted four to six children, from infants to pre-teens. Most of the riders, moreover, are women of color, with black women constituting the bulk of the ridership. During one journey, from appearances at least, I was the only white person on the bus. When I asked my interviewees about race composition on the bus, many suggested that all races were represented, including Hispanics, Puerto Ricans, Arab-Americans, South Asians and African-Americans, while also acknowledging that white riders were in the minority.

The journey, in my own experience, and as described in every single one of my interviews, is difficult and uncomfortable. The buses are chartered and low on amenities. Each of them holds between forty-nine to fifty-seven passengers and is equipped with reclining seats, as well, occasionally, as a handful of TVs on which movies play throughout part of the ride.
During my first ride, one black and white movie, barely audible, played on repeat until we arrived. The buses are often full and the sheer density of bodies and noises makes it difficult to sleep. That said, the buses are much preferred to the vans that sometimes come to pick up riders instead, which don’t have reclining seats and are without a bathroom, rendering the overnight trip, according to many of those I spoke to, extremely uncomfortable.

This description of the prison bus and the technicalities of its operation is meant to give some sense of the amount of time, energy, and money required to make the journey to visit incarcerated loved ones. But as the next sections of this chapter make clear, this discomfort is experienced for many as more than just incidental inconvenience. For those already ‘worn out’ by the precarity of work and health in the modern economy, the discomforts of riding the bus further erode already attenuated social and affective personal reserves, bearing meaningfully on the ongoing risk calculus of investing in others. In other words, riders are already so stressed out, exhausted, and overextended by the time they ride the bus that every additional discomfort experienced during the journey is exacerbated. In such conditions, the activity of engaging with or trusting in others is felt more as an additional burden than as a source of relief.

“I Did My Time, Going Every Week”: The Wear and Tear of Riding the Bus

The unprecedented expansion of prisons known as mass incarceration in the United States corresponds with the era now most commonly and sweepingly called ‘neoliberalism’. The material consequences of neoliberalism, as a bundle of policies and organizing rationalities that have transformed the contemporary political and economic landscape of state provisions and entitlements, have seen uneven distribution, with women of color bearing the brunt of the shrinkage of welfare provisions and other social securities (Burnham 2001). The recent period of recession triggered by the 2008 financial crisis, while intensifying the hardships faced by the lowest strata of the US class and race structures generally, has proven particularly devastating for women of color. Black and Latina women today face worse wage and job projects, higher poverty rates, and greater difficulties in gaining access to health care. They are, as a population, significantly worse off then before the economic crisis (Johnson
For example, in 2011, 36 percent of African-Americans, including 38.1 percent of black women, were employed in low-wage jobs (earning poverty-level wages or less), compared to 23.4% of the white labor force (Mishel et al. 2012). From 2007 to 2011, the percentage of black female-headed households in poverty grew from 43.9 to 47.3 percent, and for Latina-headed households, from 46.6 to 49.1 percent (Johnson 2013). Jumps in poverty and unemployment rates among these population, meanwhile has had direct consequences for healthcare access. Private health insurance coverage for black women, for example, has decreased from 54.1 to 50 percent while Latina women have experienced a similar decrease in percentage (Ibid.).

As Berlant writes, “The current recession congeals decades of class bifurcation, downward mobility, and environmental, political and social brittleness that have increased progressively since the Reagan era. The intensification of these processes, which reshapens conventions of racial, gendered, sexual, economic, and nation-based subordination, has also increased the probability that structured contingency will create manifest crisis situations in ordinary existence for more kinds of people” (2011: 11). I use Berlant’s concept of “crisis ordinariness” (or ordinary crisis) to make sense of the ways the calamity of racialized neoliberal austerity finds affective register in the subjective experiences of the overextended women who ride the prison buses. In the space of the bus, such “manifest crisis situations in ordinary existence” look and feel like the distress of physical discomfort, interpersonal distrust and tension, and deep fatigue. The cumulative impact is a protracted ‘wearing out’ of these bus riders, who in rationing their reserves of time, energy, money and care into the long overnight bus journeys, compensate by retreating inward, siphoning their atrophies into privatized grievances and interpersonal expressions of antagonism and distrust.

The concept of ordinary crisis offers a useful framework for making sense of these affects and isolating tendencies, for it recasts the “crisis” as belonging first in the outside world, as a situation of unevenly disbursed structural precarity, but then attends to the ways crisis is experienced affectively as an extended burden of vulnerability with significant consequences for how, and in what shape, people imagine reprieve and redress. The prison bus ridership fits squarely into the demographics tracked by the statistics earlier in this section. Not a
single one of my interview subjects earns more than a couple of dollars more than minimum wage. One works as a janitor, two of them as home health care workers (for twelve dollars an hour), another one is out of work due to disability, and another one juggles two jobs, one of which is as a call operator for the city’s 311 information service. The one white woman I interviewed works as a corporate travel agent, which she does from home due to a severe swelling in her legs that she attributes to so many years of taking the bus. All spoke freely about the negotiations of making ends meet, including living periodically or longer-term with other family members, such as sisters and parents, using food stamps as their primary means of feeding themselves and their children, and contending with enormous debt. One interviewee spent a long time recounting a story in which her four public transit metro cards were confiscated by correctional guards, and passionately arguing the case for challenging the rule against bringing metro cards into the visitor’s room. In a context like hers, in which she supports herself through disability benefits and has taken her daughter and her daughter’s six children into her two-bedroom apartment after they were recently evicted, the handful of dollars distributed throughout those metro cards is the difference between leaving the house or not on any given day.

Such is the context within which women’s preoccupations, frustrations, and anxieties about riding the prison buses must be understood. Invited to reflect on their experiences of riding the buses, the women I interviewed spoke at length about the physical and psychic agonies experienced on the bus: cramped quarters and the impediments to leaning back; snorers and/or crying children; needing to urinate while on vans that refuse to stop; being too hot or too cold; and the various holdups that prolong waiting times both outside and on the bus, including bus breakdowns, drivers getting lost, and companies waiting for more riders to fill their seats. For example, as one woman described to me:

Everybody gets along until somebody snorts too loud in their ear, or hits their feet. Most people complain about the stretching, they can’t do anything, stretch or nothing. You can fall asleep but it’s very uncomfortable. By the time I get in there, riding 6, 7 hours, by 1 o’clock I’m asleep on the table because I’m so tired. I was so uncomfortable I didn’t get proper rest. (Val, interview with author 2014).
Accounts of physical discomfort were often interspersed, in my interviewee’s descriptions, with references to the interpersonal antagonisms they give rise to.

People fight about seats a lot. They push them all the way back - and I’m very tall, I’m 5’8, so for the person to push their seat all the way back, I mean, they’re not on a British Airways flight to London, first class. You have to be kind to the person behind you, you know. I hear girls fighting in the back about the seats, about who’s in that seat when they get back on the bus. It’s horrible, it really is. (Julia, interview with author 2013).

While I deliberately structured my questions to allow my interview subjects to weigh in more broadly on their own sense of the justice or injustice of having loved ones incarcerated for such long periods of time, few women raised overtly political or social questions about the penal system. Their focus was on the experience, in all of its irritating routines and miniature debasements, of riding the bus. A couple more examples of these kinds of complaints follow:

My first bus ride to Orleans was with Prison Gap. They sent us in a van, which of course had no bathroom and we only stopped once for a bathroom break coming and going. An older woman had to go so bad that she eventually went on herself so then we had to smell that the rest of the way. (LadySmith, Prison Talk 2014)

That ride, to Attica, is particularly hard. What’s hard about it? Just in general, people just… I don’t want to say everybody’s rude on the bus, but you come across a lot of different characters on the bus, and not everybody gets along, so people fight, they get into arguments, and then if they have kids on the bus or something its hard, you can’t always keep them quiet. It’s hard to sleep when you have a kid screaming behind you. (Donna, interview with author 2014)

The concept of ‘ordinary crisis’ helps us better understand how a set of quotidian discomforts can radically upend the careful management of scarce resources, including one’s own physical capacities, time, and money. Through this lens such discomforts are revealed as not minor at all; indeed, within the context of all-pervading social and economic insecurity, they bear significantly on the rest of one’s weekend, week, or month, adding further stress to the exigencies of everyday life at the bottom of social class structure.

Gilmore writes that, “Prisons wear out places by wearing out people, irrespective of whether
they have done time” (2007: 17). The prison buses, in all their banality, constitute a critical site in and through which non-prisoners are worn out by the carceral regime. The wearing out is, on the one hand, deeply material, registered by bodies subject to the chronic discomfort, pains, and sleep disruption - ritualized often over many years - that is endemic to the long overnight journeys. Christine, who estimates that she’s taken over 500 rides over the twenty years she has spent visiting her husband in various institutions upstate, describes the physical affects of the rides: “I never sleep. I got edema because of this, I have a lump on my left leg because of this, because I’m always sitting down on this sitting position. I went to the doctor and I’ve got stress and anxiety and high blood pressure; I’m on pills.” She told me that her husband has encouraged her to begin visiting once every three weeks, instead of weekly: “Because he doesn’t want my health being affected by this. And I did my time, going every week.”

‘Doing one’s time’ is a common description of the visitations heard among bus riders. As a particular rhetorical construction, it borrows from the familiar euphemism for serving a prison sentence. The analogy is not lost on the women who ride the bus, many of whom see themselves as serving a kind of sentence alongside their loved ones. The idea of ‘doing time’ is also a suggestive of a more general zone of temporality defined by the maintenance work of just ‘getting by’ or ‘going on.’ Such activity is as demonstrative of agency as any more spectacularly intentional mode of being, Berlant reminds us, though it also conjures for her, in the context of everyday crisis, the concept of ‘slow death’: “The phrase slow death refers to the physical wearing out of a population in a way that points to its deterioration as a defining condition of its experience and historical existence” (2011: 95). In other words, slow death is the “condition of being worn out by the activity of reproducing life” (Ibid: 100).

While it might be true that life itself is an activity of “slow death,” it is also true that poverty has long been linked to the probability of shortened life expectancy (Lowrey 2014). It is difficult to imagine that when one rider describes how she has never once been able to fall asleep during the overnight prison bus journey to visit her husband, a journey she’s been taking bi-monthly for fifteen years, that such chronic and repetitive sleeplessness would not have adverse effects on her quantity of life as well as her quality of life. Statistically, we
know this of, for example, labourers who work night shifts (Blue 2012). As a vessel of austere physical taxation which carries people already at higher risk of chronic illness and inadequate health care by virtue of being poor, the prison bus occupies a role homologous with the prison edifice, long proven to have life-shortening consequences for those in its hold (Patterson 2013).

Another pervasive theme in my interviews and especially in the online forums was the dangers associated with riding the bus; dangers, whether real or perceived, which exact additional stress and psychic toll to an otherwise already arduous journey. The stories bus riders share with one another about the perils encountered while riding the prison buses serve as both supportive warning, and an archive of harrowing experiences. One place these stories circulate is the website Prison Talk, an online web forum for loved ones and those in the prisoner support community to communicate about issues and concerns and help support others in similar circumstances. A section devoted specifically to experiences encountered with the two dominant bus companies, Prison Gap and Flamboyant, runs some 25 pages (Flamboyant / Prison Gap Bus Services Info and Experiences 2014). The following is a compendium of some of the descriptions posted on the forum of situations in which riders felt acute fear for their safety:

The ride home was straight out of a horror flick. I got home Sunday morning at 4:00am. If I never prayed before I was sending up some timbers on Saturday…. The driver was tired he started driving off the road. The passengers were screaming for him to stop the bus and rest but he didn’t.

I rode up to Clinton with Flamboyant from the Bronx about one month ago… The ride was HORRENDOUS!!! I will never ever take them again. The driver was swerving all over the road and speeding. I rally feared for my life. NEVER AGAIN!

I rode on prison gap back in Nov 19 for that sat visit to Altona. The driver hit a deer then got lost going to Altona.

It was the worst ride ever… the bus driver was falling asleep.. I kept waking up the coordinator she just brushed me off by saying he’s alright.. He hit the dividers 3times, the bus was grinding… I kept screaming a girl was yelling she’s a single mom bringing up her kids and wants to get there alive… Sure enough on the return the same thing starting falling asleep the coordinators were long
sleeping didn’t have a care in the world!! He kept switching lanes I was so afraid for my life I got so many panic attacks a girl nearby me was reassuring me all will be ok.. We were all panicking we were so close to falling off the cliff it was terrible…. I hope that you guys post this on your website and to please never ride FLAMBOYANT, if you want to stay alive.

Processes by which one can see “the population wearing out in the space of ordinariness” (Berlant 2011: 101) include the stress of acute physical insecurity and impending danger. Indeed, such insecurity is heightened by the social and economic crises that render the bus riders without health insurance in case of accidents and/or without the financial or social resources to bear medical injuries or missed work shifts. Of critical relevance here is not so much what or why economic and social crises exists, for that is better explicated elsewhere (see for example McNally 2011), but rather how it is felt and managed in the context of living, and in particular the context of living through mass incarceration. In this context, heightened threat can take a variety of forms, from the terror of automobile breakdown to the sleep disturbance of a snoring seatmate. In such a context, one response is to self-isolate.

**Everybody Isolates: The Neoliberal Subject and the Individualization of Disorder**

Research into the effects of increased policing and state intervention in people’s lives suggests they bear destructively on informal networks and relationships of care and mutual support. As Gilmore notes, “People stop looking out for each other and stop talking about anything that matters in terms of neighborly well-being (2007: 17). Speaking specifically about the disentitlement ex-prisoners experience from such public institutions as schools, housing, and workplace, she writes: “In such inhospitable places, everybody isolates” (Ibid). There is much about the scene of the prison bus, from its aggregation of collective experience to its ritualization of shared time and space to its mediating role between the prison and the ‘outside’ that suggests it might provide an optimal spatial condition for a kind of communization or collectivization of grievances, struggles and solutions among the prison’s ‘secondary’ subjects. Indeed, the examples of bus-based social justice organizing recounted earlier in this chapter indicates the spatial aggregation of people with common
cause has historically constituted an important property of the bus as a site of mutual recognition and solidarity. Yet interviews with riders and observation during journeys suggest that there are a confluence of forces bearing upon the ‘structures of feeling’ (Williams 1977) at play that keep people postured defensively vis-à-vis one another, or at least likely to keep to themselves during their time ‘in between’ their home and the prison.

In some cases, that self-isolation takes the form of distrust or antagonism triggered by the competing needs felt during what is by all accounts a physically and psychically arduous journey. Christine, for example, when asked to elaborate on the fights that she said would sometimes break out during long distance trips in particular, described this particular incident:

I’m friends with Kathy and two black ladies behind me were starting in with us. And it came to a point where I had my fist in her face, because who’s going to tell me that I can’t talk on the bus. You know. And I’ve been taking the bus for years and years and years. And I know the bus driver. And it’s just horrible sometimes for women who just want to get up to where they’re going, to be safe and to see their husband.

Christine, like other women I interviewed, expressed a pre-emptive distrust of other riders, based it seemed on previous experiences of betrayal and disappointment:

There are people I can’t get close with, because I have gotten close to other people and have gotten burned. There was one girl I was good friends with. And then all of a sudden she just disappeared. I mean, what happened to her? She and I would sleep in the same bed, go upstate together, and then I just don’t hear from her, and she knows my personal business. You know, we were friends! So I just can’t have that in my life. (Interview with author 2014)

Val expressed a similar distrust, telling me: “I get along with people but I mind my own business. You don’t know who knows who. You never know who’s waiting for you when you get back to Manhattan, so you have to be very careful who you’re talking to.” Such heightened sense of social risk makes particular sense in the broader context of social abandonment. For many of these women, it is not only their incarcerated loved ones who have been abandoned by most others, including their own families, in the process of being
stigmatized by criminalization and removed to far away places. Julie, for example, tells me that many of her old friendships have dissipated since she got together with her imprisoned husband: “They don’t like the whole prison thing. They think I’m crazy. I have some friends that are just supportive, but they keep their distance. They stay friends but they don’t really support.” Christine tells me about being kicked out of her house when she decided to marry her incarcerated partner: “My mother said, ‘you’re not going to live here, if you’re going to be with him.’”

Allen Feldman characterizes the practice of arrest as “the political art of individualizing disorder” (1991: 109). He suggests that this isolation extends in concentric rings, beginning with the arrested individual but expanding out to include the family, who must shoulder the privatized burden of undoing or augmenting that detention, as well as to the community (Ibid: 97). As Gilmore elaborates, “The larger disorder is then distorted to reflect only a portion of social fragilities, and measured, like unemployment, as though its changing rate in a society were a force of nature” (2007: 235). The fragmentation already strategically produced by the technologies of capture and incarceration are easily reproduced under conditions of felt scarcity, competing needs, and the high stakes of the over-investment of personal resources.

While the affective tribulations of managing economy and scarcity may be alone enough to condition relations of distrustful non-reciprocity among the beleaguered bus riders, their tendencies toward self-isolation also find ideological scaffolding in the neoliberal rationalities that have come increasingly to condition subjective experience in the contemporary era. Indeed, much has been written about how neoliberalism, as a bundle of policies and projects associated with the period of late capitalism, involves not only the re-structuring of space and the state, but a transformation in subjectivity as well (Hall 1988; Katz 2005; Brown 2006). Perhaps most central to the idea of the ‘neoliberal subject’ - while itself subject to much difference and contradiction - is the experience of oneself, and everyone around oneself, as an entrepreneurial agent: a competitive individual who bears both the risks and responsibilities for her own well-being in the world (Rose 1999). Such risks and responsibilities are often calculated within the business rubrics of cost and benefit.
As Wendy Brown writes, “While this entails submitting every action and policy to considerations of profitability, equally important is the production of all human and institutional action as rational entrepreneurial action, conducted according to a calculus of utility, benefit, or satisfaction against a microeconomic grid of scarcity, supply and demand, and moral-value-neutrality” (2005: 40).

Such rationality has especially profound effects in relation to those at the lowest echelons of the wage-power structure. As Walkerdine puts it, “The practices of subjectification produce a constantly failing subject who has to understand their position in essentially personal and psychological terms” (2003: 241). Responsibility for self-realization under the caprice of capitalism generally, but the contemporary period of austerity in particular, renders certain low-wage and racialized subjects especially vulnerable to experiencing their problems as consequent to personal failure rather than having external, structural causes. The one bus rider I interviewed who had reservations about visiting her ex-boyfriend, and who she had recently taken the bus to visit him with their seven-year old daughter at the request of a lawyer who was trying to keep him from being deported, explained her misgivings to me in these terms: “He hasn’t gotten any other visits besides mine. I feel bad, but then I don’t. When he wasn’t incarcerated, he didn’t make good choices. He didn’t step up and become the man that he needed to be for his child. So it’s kind of like, his fault. So I’m not making it my business to accommodate him. Not when I’m being a single mother taking care of his kid” (Gina, interview with author 2014).

The assumption of self-interested servicing of ambitions in others can profoundly limit the horizons of political possibility, demarcating the strict contours of trust and distrust, as individuals presume they too are being judged as self-calculating and responsible for their own failures. There is some validity to this distrust. My interview in 2014 with Ray Simmons, the African-American founder and operator of the largest prison bus company and the company also subject to the most complaints within my interviews as well as online, was replete with the contradictions of life under racial capitalism. On the one hand, Simmons couched his analysis of mass incarceration in terms of structural racism, telling me: “Black and Puerto Rican have always been the majority. That’s all by design, because trust me,
white people commit just as much crime as black people, they just don’t get caught like blacks. Whenever there’s too many blacks and Puerto Ricans, they come up with either a war, or they put them in jail.” On the other hand, Simmons returned time and again his theory about ‘bad parents’ and the resultant abandonment of prisoners by the mothers that used to go visit them. “The parents are just getting high and hanging out. They just don’t care. That’s why it’s more wives and girlfriends now. Parents don’t even come, because they don’t care like they used to.”

With an entrepreneurial outlook, Simmons complained about the increased competition and loss of profitability suffered as other bus companies have entered the prison visitation market, describing his latest plan to obtain a government subsidy as a means of getting ahead: “So if a fare now is $60, then the government pays $30 and the customer pays $30. With those kind of fares, we knock all of our competition out of the box, because no one’s going to be able to take people to Attica for $30.” Sometime later in our interview, however, Simmons situated his market ambitions in more systematic and political terms: “I’m going to show you how the system is so against minorities. And by minorities I mean majorities, in the prisons. There’s a law now, if I go and fill out an application and it comes to the part that asks have you ever been arrested, and I say no, and my parole officer finds out then I automatically go back to jail for violating parole.” As he later describes, with an overt sense of pride:

I didn’t think it was going to turn out to be such a prosperous business. I was able to get my mom out of the projects, buy her a co-op in Yonkers. I was able to get my whole family out of the ghetto. In my wildest dreams I didn’t think that would happen. But it did. My mom is in Yonkers and she has a co-op that’s paid off, she doesn’t owe a dime on that. And I got my father into a drug program, because he was a drug addict. So I made a difference. If someone had told me I could get my mother out of the projects?! That I could get my father drug free?! Me, the son? So, I made a difference, and that’s what I encourage guys now to try and do. I say you can be the one to get your family out of poverty, because I did.

As Simmons’s testimony reveals, one can both see themselves as part of a structurally disenfranchised and disentitled population, but also hold others in that population individually responsible for their own misfortunes. One can also understand the causes of that disentitlement as endemic to a system, while conceiving the solutions to that
disentitlement in individualist, and wholly entrepreneurial, terms.

_Social Reproduction and Solidarity in the ‘In Betweens’ of Carceral Life_

Gilmore has written powerfully about the prison-related organizing of Mothers Reclaiming Our Children (Mothers ROC) in Los Angeles in the early 1990s. She describes how this group of mostly working-class and racialized women transformed their reproductive labor and their caregiving into a project of political solidarity and grassroots activism, suggesting that such transformation began with their recognition of “one another in the spaces of the criminal justice system” as “women who work to support their families and to free their loved ones” (2007: 337). She writes that such recognition took on the contours of gender, class and race as the ROCers “identified one another in the tight public spaces between their socially segregated residential living places and the unitized carceral quarters in which their loved ones are caged” (Ibid: 236).

The prison bus, as I’ve suggested throughout this chapter, constitutes a paradigmatic ‘in between’ space of segregated lives, one whose circulation between the homologous poles of criminalized and racialized urban neighborhoods and the prison edifice offers a unique window into the carceral affects and socialities of non-imprisoned women of color. As noted earlier, the neoliberal economic and social conditions that produce the mass incarceration of their loved ones are the same conditions under which the gendered ridership of the prison buses wear themselves out doing the socially reproductive work of visitation. The scene of the bus demonstrates, in many ways, how structurally inhospitable such conditions can be to the forms of recognition that acts of solidarity and collective organizing seem to require, and that the Mothers ROC so radically exemplified. Yet, just as contradictions abound in capitalism, so they do also in the affective life experienced within its bounds. In as much as my interviews and fieldwork observations showcased interpersonal distrust, precarity-induced isolationism, and neoliberal calculations, they also offered modest but nonetheless significant hints of affiliation, solidarity, and desire for, if not always a collective will, then at least commonality and support.
As Berla nt reminds us, “Recognition and reciprocity can take many forms... some of which produce contexts of trust in interdependency, some of which are coerced or tactical, and all of which are deeply ambiguous, compromised, and unstable” (2011: 185). While women argue with each other and the bus drivers, viewing others as competitors and antagonists in the struggle to secure a modicum of comfort and rest, they also acknowledge elements of common cause. As one rider put it to me, “We all share a common bond, really. It’s like ‘oh, you’re visiting your brother, or your sister, or your boyfriend?’ and you start talking.” Indeed, while not an identification expressed explicitly in terms of being “laborers with similarly triple workdays – job, home, justice” (Gilmore 2007: 237), the prison bus riders do recognize each other as people, for example, who have sacrificed too much only to turned away for inadvertently violating a prison dress code, or who are kept awake by stories of bus drivers falling asleep at the wheel, or who are struggling to figure out how to get their loved ones released from solitary confinement.

Indeed, much of that recognition was expressed implicitly, through acts that would sometimes contradict what interviewees would say about how they considered their relations with others. One woman I interviewed, a 53 year-old wife of a long-serving prisoner, named Val, was adamant in her distrust of others, and the bus operators in particular. She told me a story about paying for herself and her three grandchildren to take the bus, only to be told once there that she would only be allowed to bring one child into the visiting room at Attica. As she put it, “I was lied to. They work like that!” She returned to Brooklyn to drop the children off with her daughter and then scrambled to make it back to Columbus Circle so as to not miss her visit. Once there Val got into an argument with the bus operator, who told her the bus was now full and that she would have to come back next week. “I said I’m not going to come back next week,” Val told me. “So then when this woman got out of her seat to go to the bathroom, I jumped right into her seat and I would not move. I told them to get the cops.”

Yet Val’s expressions of seemingly self-interested ruthlessness and distrust are also mixed with forms of care and sacrifice. Answering my question about the reasons people might get denied visits after they’ve made the long trip, she told me how she carries around not only an extra set of clothes for herself, but also an extra shirt and set of pants for anyone else who
might be found in violation of the numerous rules regarding attire: “When I see people and it’s their first time, I try and tell them that they can’t wear this or that. I bring extra shirts, extra pants, and I also always carry something for someone else, because they’ll be crying if they’re turned away.”

Another woman, Donna, tells me a story meant to illustrate how duplicitous the van operators are, about being abandoned by the bus driver she normally relies upon in retaliation for having also made a booking with someone else: “So I was left stuck in Astoria, Queens, at 1:30 in the morning with no van no nothing,” she finishes. “Thank God this guy Jeff saw me. His brother ran a bus company, and he drove me to the other side of Bronx to meet this bus at 3am in the morning to take me to Auburn.” Her story ends up being about the good will and sacrifice of a stranger who recognized her situation. Still another woman describes making one of her closest friendships while taking the bus: “My good friend Enza. I watch her daughter, since I met her at Sullivan [Correctional Facility], and I have almost every weekend when I don’t go upstate. And she gives me her daughter when she goes to work.”

In my own field notes from my first journey on the bus to Attica in October 2013, I wrote this:

Behind me two younger women sat and began speaking to each other. They were strangers but immediately began chatting. One woman had travelled from Poughkeepsie on the train and then cab to the bus – so her journey had already begun three or so hours ago. It seemed to be her first time on the bus. She had lots of questions about it that she asked of the other woman, who had travelled from Long Island and hadn’t been for a visit since before Christmas of last year, but knew the drill a bit. They spoke a lot about what you can and cannot wear, with the more experienced woman offering all sorts of advice for getting through the visit without encountering trouble.

Such observations are corroborated by one of my interview subjects, Jeanne Ann, who had just taken the bus for the first time with her 7 year old daughter: “It was long, and tiring, but it was actually kind of fun because the people on the bus have been doing it a long time, so they give you pointers on what to expect and what not to expect. How to dress, what you can bring when you go to visit him” (Interview with author 2014).
While relationships of trust are seen as unreliable, they are entered into anyway, with the broader field of the bus journeys revealing a complex mesh of interdependencies. Christine spoke of moving in with her husband’s parents just after marrying him while he was incarcerated upstate in the mid 1990s. In those days she would make the two hour drive to visit her husband every weekend: “His dad was always nice enough to put gas in my car, always nice enough to help change the transmission, because there was a lot of wear and tear on my car driving from Brooklyn to there.”

While one sees fragile demonstrations of reciprocity play out along the harrowing route to and from the upstate prisons, such solidarities are perhaps more fully on display in the virtual realms in which the bus riders make connections and swap survival strategies. Online forums are a particularly popular means of forging social support networks, perhaps because they operate at a remove from the immediate vicissitudes of the bus and its multiple taxations. On the Prison Talk forum, participants share knowledge and commiserate with each other’s harrowing stories, and the site is replete with such exhortations of support and encouragement as “I was holding my breath just reading your post! Thank goodness you are okay” and “glad that you are safe!” and “sorry to hear you experienced that… glad you made it home!”

Other online support groups have proliferated. One of the riders I interviewed in 2013, Ana, had actually set up her own online support group on Facebook, called State Greens and Wedding Rings. Her reasons for doing so were expressed in mixed terms of antagonism and solidarity: “I had been on a couple of other ones, and sometimes the women are like evil. Some of them are nice, but they’re supposed to be support groups and they end up going after each other and getting into everybody’s business.” About her own Facebook group, which Ana told me now has about 150 members, she said: “It’s online but we also talk offline. A lot of us have exchanged numbers, and we talk on the phone. But the online support is really important too. We just post what we’re going through, and everybody rallies around. If somebody needs a phone call, then we call her.”
The virtual realm seems to harbour a different set of social possibilities than the prison bus. Perhaps this is because, as a specific and contingent space in time, delicately bridging prisoners to their lifelines outside, the bus is a space in which the stakes of risking too much social vulnerability, or extending limited energy and resources, are just too high. Almost all of my interviewees told me that they were their loved one’s only visitors, despite in many cases the existence of other family members and friends. While prison visits are consistently described in terms that express their emotional value to the women visiting, it is also clear that they feel deeply responsible for the well-being of their loved one inside. More than one person, including ex-prisoner Ray Simmons, told me that visits are crucial in safeguarding prisoners from the brutality of guards, who are more likely to engage in violence against those who are seen as most abandoned by the outside world. As Val put it to me, when I asked her how her husband is holding up five years into his 16 to 25 year sentence:

As long as he can keep in touch with me and talk with me he feels good. He don’t have any family - he had a brother that died of a seizure, he’s got another brother that’s in doing federal time for guns. And he’s in for shooting. His sister she lives in Pennsylvania, she’s married to an Italian, owns a restaurant, has two beautiful trucks. And he has a stepbrother that owns his own condo - so they think they’re better than us and too good to visit a jail. So he doesn’t get no visits except from me.

The act of care is itself a relation of general social dependency, and the very taking of these buses constitutes an act of solidarity, albeit one often privatized in the family or the couple form. Berlant suggests a feminist interpretation of love might posit it as offering “a bargaining tool for convincing others to join in making a life that also provides a loophole through which people can view themselves as fundamentally non-instrumental - selfless, sacrificial, magnanimous - in their intimacies” (2011: 181). Almost all the bus riders I spoke to were unequivocal in their willingness to sacrifice their own immediate well-being for the love and security offered by – and being offered through – the maintenance of visitations with their incarcerated loved ones. Their own well-beings were conceived in and through their ability to maintain such relationships. But rarely was a more ambitious desire or conception of the good life articulated, even in specific regards to the traumas of incarceration. When I asked Julie what three things she would change about the prison system if she could, she told me she would first, make the buses bigger and more spacious,
two, add three bathroom stops instead of two, and third, locate the prisons closer to downstate.

But she also said this:

I just want him to be safe. And you know what I really be scared of? I just wonder if he’ll make it out alive. Will I be alive, will his children and grandchildren be alive, will we make it safe and sound? I have a friend, Christopher, he did 35 years in prison, and his wife did that time with him. He’s been out five years and then he passed away. They lose a lot of loved ones when they’re in prison.

The work of riding the buses not only constitutes care work, but it also constitutes what Marxist feminists in particular have long demonstrated to be the necessary labor of social reproduction (Bannerji 1995; Hochschild [1989] 2003; Katz 2001). Indeed, riding the bus can be seen as being about reproducing life in a context proven to diminish life.

Berlant writes that, “It is easy to see how post-Fordist subjectivity can shrink the imaginary field to a repetition of actions that might be either building a foundation for staying or staving off defeat” (2011: 179). Women riding the bus form bonds of support in order to help each other stave off the immediate defeat of missing visits, demonstrating, at the very least, recognition of the high stakes of caring for someone inside prison. Yet as Brown also warns, “Citizenship, reduced to self-care, is divested of any orientation toward the common, thereby undermining an already weak investment in an active citizenry and an already thin concept of a public good from a liberal democratic table of values” (2006: 695).

Of interest to Brown is neoliberal de-democratization; for my purposes, something even more politically transformative is at stake. The degree to which the idea of community or solidarity are seen, on the bus or elsewhere, as resources for building a more secure and powerful bridge out of the crisis of ordinary life, is unclear. It may be that lending a shirt, or warning against a bad bus driver, may indeed be an entry into forging more collective forms of support and action. Writes Gilmore, optimistically: “It should not be surprising to realize that people who drive long distances to see loved ones will make small talk in parking lots.
and discover an identity in their immediate purpose… What is surprising, perhaps, is that the temporary camaraderie of those emotional encounters became the basis for trust enabling the newly formed collectives of people with modest resources, mostly women, to do things on a less-than-modest scale” (2007: 234). My own fieldwork on the prison bus suggests that such transformation, while possible, is not a foregone conclusion, especially not under the prolonged physical and affective attritions that constitute existence – in particular for women of color - in the contemporary neoliberal economy. Yet, that these women are even riding the bus is socially significant. Cindi Katz, reflecting on the myriad ways in which capitalist production and neoliberal restructuring have pushed people to the limits of their own resilience, reminds us that “Social reproduction is precisely not “revolutionary,” and yet so much rests on its accomplishment, including – perhaps paradoxically – oppositional politics” (2001: 718). In other words, the work of riding the bus might not be, precisely, revolutionary,’ but it does constitute at least a partial basis of opposition to the fragmentation and isolation of the prison regime.

**Conclusion**

Attachments on the prison bus and in the ‘in betweens’ of life segregated by the prison regime are brittle. The infrastructure of sociality is as contingent as the demonstrated unreliability of transit. Yet improvising to keep life afloat and mediate the abrasions of the prison system on loved ones inside through the care work of prison visiting also includes forging small friendships, sharing stories of survival, volunteering advice and even modest resources in ballast against what each rider recognizes as the unfathomable risk of their journeys: the possibility of being turned away at the prison gates, making the trip and enduring its sacrifices all for naught. The prison buses and vans are an integral part of that social infrastructure; a repeated refrain among my interviewees is that they wouldn’t know what they would do without them.

Riding the prison bus is also a mode of life-building for its passengers. As many of them emphasized during my interviews, they want to visit their loved ones and they take the bus voluntarily to do so. As Berlant reminds us, however, zones of ordinariness are "where life
building and the attrition of human life are indistinguishable" (2011: 95). The neoliberal economic and social conditions of reproducing life, including the labor of care, render meaningful reciprocity difficult to recognize. It certainly does not look like it is taking form, on these buses, of an identifiable political consciousness or even commitment to collective struggle. Yet the prison bus is not just any carceral space; it is a distinct space of circulation, connection and social reproduction, one in which just the act of riding, despite and throughout the ordinary crisis of racial capitalism and mass incarceration, constitutes at least a partial counter-force to the isolation upon which the prison regime depends. While neoliberal rationality would have all of us believe that the short game is all that matters, there is also a long game, something those incarcerated subjects of a prison regime that holds life idled and in wait perhaps know best of all.
Chapter 5

THE PRISON IN THE MIND: CARCERAL IDEOLOGY AND THE PRODUCTION OF SPACE

The prison is present in our lives and, at the same time, it is absent from our lives. To think about this simultaneous presence and absence is to begin to acknowledge the part played by ideology in shaping the way we interact with our social surroundings. (Angela Davis, *Are Prisons Obsolete*)

Now you try and say what is involved in seeing something as something. It is not easy. (Ludwig Wittgenstein)

While policies aimed at curbing incarceration rates begin to gain traction in parts of the United States, skepticism persists about the efficacy and long-term impact of such reforms. That skepticism encompasses a variety of criticisms and observations, one of which is that the fiscal imperatives driving much of the current reform movement proceed at a seeming disconnect from shifts in cultural values or popular opinion regarding the validity and purpose of incarceration itself. Some critical observers question whether current reform efforts have been matched by an adequate “modification of the way punishment is conceived” (Beckett et al., 2014: 5). Insofar as the punitive zeitgeist remains intact, they charge, the promise of significant carceral downsizing will go unrealized. In a recent paper, for example, Beckett et al. argue that those anticipating a large-scale turn away from mass incarceration will be disappointed by “the possibility that public discourse around crime and punishment has not shifted as comprehensively” as they hope (2014: 5). Others are more optimistic, going so far as to suggest that the hegemony of the tough-on-crime perspective has been “shattered” and replaced by a broad consensus that prisons must be downsized, thus constituting a “paradigm shift” in public thinking about punishment (Petersilia and Cullen 2014-5).
Within such debates, however, there is implicit agreement on the point that somehow, and in some way, what people think and feel bears meaningfully on the question of incarceration—that ideology, as it were, matters. Indeed, as Gilmore puts it, describing the prison regime, “Ideology matters along its entire continuum, from common sense (‘where people are at’) to philosophies (where people imagine the coherence of their understanding comes from)” (2007: 243). The ideology most commonly assumed to popularly animate the US prison regime can be broadly described as the logic of punishment: the idea that the purpose and value of incarceration is as a punitive mechanism against criminal behavior. This assumption is implicit in the characterization of prisons as a “punishment regime” (Simon 2014) and more explicitly articulated in the attribution of rising incarceration rates to “an increasingly punitive political climate” encompassing both public feeling and calculating lawmakers (Travis and Western 2014: 4). Writes David Garland, summarizing penal politics and trends in sentencing in the era of mass incarceration, “There is now a long list of measures that appear to signal a punitive turn in contemporary penality” (2001: 142).

A significant body of social science research demonstrates that the expansion of the US prison system actually bears little relation to fluctuations in crime (Travis and Western 2014: 3). Yet the idea that prisons and incarceration constitute a response or a reaction to crime seems to persist in the public imagination. Indeed, the ideological task of disaggregating the prison from crime in popular thought might be considered one of the most intractable challenges for those seeking to radically downsize the prison regime. As Angela Davis writes, articulating a vision of prison abolition, “In order to imagine a world without prisons… a new popular vocabulary will have to replace the current language, which articulates crime and punishment in such a way that we cannot think about a society without crime except as a society in which all the criminals as imprisoned” (Davis and Rodriguez 2000: 215). This is a challenge that many prison critics and activists have responded to by seeking, in various ways, to interrupt this pairing’s assumed affective and normative counterpart: the ‘imperative to punish’. 
It is the argument of this chapter that the project of severing prisons from crime within public thought, as part of the move toward a broad rethinking of incarceration as a social practice, is hindered by the persistent emphasis on punishment as the prison’s leading logic. I make a case against ‘punishment’ as a conceptual frame for articulating prison politics by investigating the relationship between what I call ‘carceral ideology’ and the production of carceral space. My suggestion is that a focus on the ‘imperative to punish’ neither accurately describes the most salient features of carceral ideology, nor illuminates the social relations that serve to structure the contemporary carceral order. To better distill - and thus interrupt - the ideological scaffolding upholding the prison system, I argue, we should look to non-prison spaces out of which prisons, prisoners and penal tactics are in various ways produced. The term *carceral space* is applied in this chapter specifically to those landscapes putatively ‘outside’ the criminal justice system whose socio-spatial relations bears a productive relationship to prisons, prisoners, or processes of incarceration.

Travelling across three such sites - a real estate corridor of downtown Detroit, the coalfields of eastern Kentucky, and an anti-sex offender ‘pocket park’ in Harbor Gateway, Los Angeles - I explore the relationship between carceral ideology – the interpretation in thought of the social relations through which the carceral order is reproduced – and carceral space. Recognizing the dialectic between, on the one hand, social relations and space (Lefebvre [1974] 1991), and on the other, social relations and ideology (Fields 1990), I’ve chosen a small and non-exhaustive set of case studies that demonstrate the privileged role accorded to the ostensibly non-punitive relations of property, labor and race (and specifically, white supremacy), in structuring the social landscape. By exploring these processes of socio-spatial production and their relationship to the affects and rationalities of carcerality, I reframe the relationship of ideology to space in the reproduction of the carceral order. My investigation of the first two of these three sites upends the centrality of punishment as the animating logic of the carceral state, by excavating the greater salience of property, work and race as social relations with mutually enforcing ontologies and ideologies. I argue that it is the interpretation in thought of those social relations, ritualized and re-enacted in the spatial formations of downtown Detroit and eastern Kentucky, which more meaningfully constitute
the ideological scaffolding for the operation of the carceral order.

My investigation in the third case study, the anti-sex offender pocket park, does a different kind of work in relation to the concept of ‘punishment.’ Here, rather than contesting punishment per se as an ideological animus in the production and interpretation of penal relations, I argue that the punishable subject itself is an ideological product of carceral space, one that bears an intimate relation to the production of disposability and surplus life. In today’s penal landscape the ‘sex offender’ constitutes the paradigmatic figure both of punishability and of disposable life; one uniquely capable of soliciting consensus across the political spectrum (Wacquant 2009a: 237). The anti-sex offender park demonstrates the role of carceral space in producing privileged categories of deviance and danger even within the already stigmatized arena of criminality, reinforcing the common sense\(^{15}\) belief that carceral spaces protect people from harm through dispossession and banishment, while also shoring up affective and ideological attachments to the punishment functions of the state. I use this example to make the case that challenging the production of surplus life must include rejecting the production in common sense of select and exceptional categories of criminal, including ‘rapists’ and ‘child molesters,’ as exempt from a politics of abolition on the basis that they are somehow truly irredeemable, or genuinely deserving of punishment. While indeed complicated, such a politics is in keeping with the abolitionist commitment to recovering effective and empowering, rather than surrogate, strategies against harm, including sexual violence. Casting some select prisoners as dangerous and deserving of detention, as authors in a recent volume on the intersection of gender politics and prison abolition write, “only undermines the power of a shared resistance strategy that sees imprisonment as a violent, dangerous tactic for everybody it touches” (Bassichis et al. 2011: 33).

\(^{15}\) By common sense I am specifically invoking Antonio Gramsci’s notion of senso commune, which lays emphasis on those elements of belief that are shared or held in ‘common,’ and refers to “the conception of the world which is uncritically absorbed by the various social and cultural environments (1971: 419). Following Gramsci, I hold common sense to be always partial and contradictory, even while it works to render aspects of the status quo normal and even inevitable. Gramsci thus argues that common sense offers clues about “the source of the problems” that critical analysis “sets out to study and resolve” (Ibid: 330).
Together these spatial investigations demonstrate how while a variety of non-penal ideologies and ontologies, including property, work and race, work powerfully to animate and legitimate the penal regime, carceral spaces also work to mystify those underlying relations through the reification of the punishable subject. Abolitionist struggle at the level of popular consciousness should therefore seek to interrupt the ideological practices that sustain property relations, wage labor, and white supremacy, rather than the ‘drive to punish’ assumed to constitute the animating logic of the prison system. It is in this sense that a radical deconstruction of carceral space serves not only to demystify the prison itself as a social construction, but also to construct an alternative analytical framework that disarticulates crime from punishment. I conclude by suggesting that the common sense imperative to punish is a product, not a cause, of the practice of incarceration, one best challenged by closing down prisons and interrupting the very relations that produce and make useful penal institutions and disposable subjects.

What is ideology? How does it relate to space?

In Are Prisons Obsolete? (2003), Angela Davis writes that the prison “functions ideologically as an abstract site into which undesirables are deposited, relieving us of the responsibility of thinking about the real issues afflicting those communities from which prisoners are drawn in such disproportionate numbers” (16). Gilmore and Gilmore similarly posit an intimate relationship between the operation of ideology and the production of space, especially spaces critical to the functions of the carceral state, when they ask, “What are the ideological and material components of this extraordinary proliferation of cages and policing, courts, belief-systems, and pundits who make them seem so naturally a part of the contemporary landscape?” (2008: 142).

To suggest that ideology matters and then to ask where and how it works demands at least some preliminary exploration of what ideology is. Indeed, ideology is a deeply vexed term, and it is not my intention to plunge too deeply into the debates surrounding its various meanings and their utilities (see Eagleton 1991). Instead, in keeping with this dissertation’s attention to how political economy and culture operate in dialectic, this chapter will draw
mainly from the historian Barbara Jeanne Fields’ highly dialectical theorization of ideology, which offers unique analytic power in its way of understanding the co-constitution of the material and symbolic.

In her article “Slavery, Race and Ideology in the United States of America,” Fields mobilizes the intertwined material histories of slavery and capitalism in the US to argue that “race is not an idea but an ideology” (1990: 101). As she demonstrates carefully, race “came into existence at a discernible historical moment for rationally understandable historical reasons and is subject to change for similar reasons” (Ibid.). It is in demonstrating how and why race as an ideology came to be produced out of the changing political landscape of the slave economy that Fields develops a definition of ideology itself. She writes:

Ideology is best understood as the descriptive vocabulary of day-to-day existence, through which people make rough sense of the social reality that they live and create from day to day…. It is the interpretation in thought of the social relations through which they constantly create and re-create their collective being, in all the varied forms their collective being may assume… As such, ideologies are not delusions but real, as real as the social relations for which they stand. (1990: 110)

Fields makes a couple of particularly useful distinctions for a general theory of ideology, distinctions that are formulated to demonstrate the material contingencies that render ideology socially interruptible, despite its intimate relation to the “real.” First, she argues that ideology is not a collection of disassociated beliefs or attitudes that “you can extract from their context and measure by current or retrospective survey research” (Ibid.). Neither is it a material entity with a coherence or essence unto itself, removed from context; thus it is not a ‘thing’ to be handed down or inherited. Stuart Hall makes a similar observation, suggesting that it is precisely the problem with those conceptions of ideology as a form of “false consciousness” that they assume “an empiricist relation of the subject to knowledge, namely, that the real world indelibly imprints its meanings and interests directly into our consciousness” (1988: 44). In other words, ideology does not exist outside of a lived context of experience, and therefore has no mobility or traction independent of the lived dynamics of experience.
Secondly, Fields argues, ideology is not simply propaganda, doctrine or dogma. One does not hold ideological presuppositions merely because one is coerced or convinced to do so. Instead, people are constantly deducing and verifying their ideology in daily life. Fields’s point here is crucial. She reminds us that ideology works and is rendered ‘real’ only insofar as it is constantly being confirmed and reinforced by people’s daily experiences. As she puts it, “Ideologies do not need to be plausible, let alone persuasive, to outsiders. They do their job when they help insiders make sense of the things they do and see - ritually, repetitively - on a daily basis” (1990: 110). It is precisely because the process of ideological reproduction requires a constant reenactment and ritualization at the level of social practice that it both seems too self-evident to be contested, and is vulnerable to interruption and transformation when its tenets can no longer be verified by social practice or the rituals of particular social relations.

In the case of race, the subject of Fields’s immediate concern, she writes, “Race is not an element of human biology (like breathing oxygen or reproducing sexuality); nor is it even an idea (like the speed of light or the value of pi) that can be plausibly imagined to live an external life of its own” (Ibid: 101). Key to this formulation is the insistence that ideology does not have an external life of its own. Raymond Williams makes a similar argument, pointing out that, “Social forms become social consciousness only when they are lived actively, in real relationships, and moreover, in relations which are more than systemic exchanges between fixed units” (1977: 130).

It is because precisely because ideology seems immediate, in the sense that it “will not willingly admit any recognizable trace of mediation, for the condition of its invincibility is invisibility” (Goonewardena 2005: 50), that the social terrain of its ritualization and verification becomes an important distillate of its content. In other words, we must ask, as per Goonewardena, how space mediates ideology - or, in this case, how carceral space mediates carceral ideology. Goonewardena suggests that the relationship between the production of space and the production of ideology is a mediate one, and that it is precisely by problematizing the processes of that mediation that we might “intervene critically and render ideology visible: break its spell” (2005: 50).
Critical geographers have long argued that the spatial organization of everyday life is a social product, arising from and co-constituent of purposeful social practice (Harvey 1973; Soja 1980; Lefebvre [1074] 1991; Massey 1994). As Harvey puts it, “Space and the political organization of space express social relationships but also react back upon them” (1973: 306). Elaborating, Soja writes, “Space itself may be primordially given, but the organization, use, and meaning of space is a project of social translation, transformation and experience” (1980: 210). As such we do well to consider space an index of social relations and social practices. Ideology can be understood as a distillate of experience and the social relations that condition such experience, as it is in and through space that such social relations are interpreted, verified, reproduced or transformed into thought and affect. Space is also inherently ideological insofar as it is political and strategic. As Lefebvre puts it, “Space has been shaped and molded from historical and natural elements, but this has been a political process. Space is political and ideological. It is a product literally filled with ideologies” (1976: 31). It is as such that specific spaces and places can operate as hermeneutics, serving as what Hall, describing photographs and works of representation more generally, has called “an index of an ideological theme” (1981: 238).

Prison activists suggest that prisons endure at least in part because of their reified status within the political landscape (Davis and Rodriguez 2000; Stanley and Smith 2011). At its most basic, reification refers to the transformation of human relations into things, or relationship between things (Lukacs 1971). Reification and ideology are closely related; but if ideology is an interpretation in thought of social relations, reification is the mystification of those social relations into ‘things’ in existence whose histories and social formations are thoroughly obfuscated.

The problem, politically, with the reified world – the world where social relations and historical processes are fixed into things, facts, laws and the like which appear to us as mystified, pre-given and self-contained - is precisely in how it operates to subjugate consciousness. As George Lukacs describes it, “The reified world appears henceforth quite definitely…. as the only possible world, the only conceptually accessible, comprehensible
world vouchsafed to us humans” (1971: 119). Lukacs’s work on reification aims at recuperating the social power of humans as subjects of history and agents of collective action, and at identifying those forces that function ideologically as counterproductive to that power. The paralyzing cleavage between the *is* and the *ought* might be bridged, he argues, by substituting the concept of nature with that of history (Ibid.). Reification relates us to things-as-they-are, rather than as social processes, or as the social relations invested in their production. We can thus see how reification, as a way of describing a particular process of ontological normalization within capitalist relations, applies as much to the ‘thing’ of the arrest warrant and the prison cell as it does the commodity.

Reification is socially pacifying insofar as it robs the conditions of existence of their collective action. It turns injustice into tragedy. The problem of reification and the politics of prison abolition are thus intimately connected. For prison abolition is only possible when the prison is deconstructed not as ‘thing’ or as ‘fact’ but as the ossification of a set of relations - relations that could be arranged otherwise. Prison abolition is a movement aimed at changing the relationships that produce the kinds of events and behaviours for which prison seems to be the solution. Within this framework, the goal of dismantling penal facilities *co-exists* with the seemingly disparate aims of, for example, interrupting interpersonal violence, providing livable housing, or guaranteeing a minimum income, for these are all social problems for which the prison serve as a surrogate solution.

This chapter constitutes an attempt to interrupt the work of reification by restaging the prison within a set of sites at which the social relations organizing current carceral practices might be rendered legible. It constitutes an attempt to deconstruct the ideologies and ontologies that naturalize the abusive force of the prison regime as both ahistorical and asocial. As such, it is a contribution to a politics of abolition through the development of analytical tools that, as Rodriguez writes, work “against the assumptive necessity, integrity, and taken-for-grantedness of prisons, policing, and the normalized state violence they reproduce” (2010: 9). If what the reification of prisons precludes is the possibility of understanding the sheer historical existence of their geographies, a primary challenge for penal abolitionists is that of re-historicizing prisons as social rather than natural constructions, hewed to a set of mutable
social relations and contestable political imperatives.

To excavate the social relations currently reified in the prison form and thus better distill the content of what I’m calling ‘carceral ideology,’ I argue, we must direct our attention to a set of carceral spaces as understood here - those sites and landscapes whose arrangement and governance structures contribute to the production of prisons or prisoners, or to the work that prisons do. These spaces are themselves ‘produced’ in the sense that they are manifestations of complex social constructions and practices (see Smith 1984; Lefebvre 1991), but also productive of a capitalist order - one in which prisons are increasingly “what the growing neoliberal state is made of” (Gilmore and Gilmore 2008: 143). It is to an exploration of three such sites of carceral production that this chapter now turns.

‘We Eat our own Dog Food’: The Securitization of Capital in ‘Declining’ Detroit

Cities also believe they are the work of the mind or of chance, but neither the one nor the other suffices to hold up their walls. (Italo Calvino, Invisible Cities)

Image 7: Bruce Schwartz points out Dan Gilbert’s newest real estate acquisitions on a model of downtown Detroit
In July 2014 I took a three-hour tour of what is probably the most ambitious experiment in privately financed urban reclamation in the United States. Approximately 2.2 square miles of downtown Detroit, including Campus Martius Park and Capital Park, make up ground zero for multi-billionaire Dan Gilbert’s current urban investment ventures. While fully capitalistic in their projections and ambitions, Gilbert’s investments in Detroit have been publicly hailed as a civically oriented recoupment project by a benevolent patron of a dying city. As one recent *New York Times* profile put it, “Opportunity Detroit, as Mr. Gilbert has branded it, is both a rescue mission and a business venture that, if successful, will yield him a fortune” (Segal 2013). In just the past three and half years, Gilbert, under the corporate umbrellas of Rock Ventures, Quicken Loans, and Bedrock Real Estate, has invested over $1.5 billion in Detroit real estate. He has also moved 3,600 of his employees downtown from a nearby suburb, and now boasts of having almost 10,000 employees (which he calls “team members”) on the company payroll working in the city’s central business district (Sorge 2013).

The tour begins with our guide, Bruce Schwartz, the “Detroit Relocation Ambassador” for Quicken Loans, beckoning me to a tenth-storey window of the Quicken Loans headquarters. He quickly points out highlights of the landscape below, including the “publicly organized, privately financed” man-made beach in the centre of the square. Not unlike Italo Calvino’s description of Kublai Khan surveying his empire, Schwartz rattles off a quick list of figures and acquisitions: “We bought that building, which was one of our first acquisitions, and in four months we gutted it and we Quickenized it and we moved 2,500 people in there. It’s now 100 percent occupied. And then we bought the building to the left – First National Building. That building we paid about 8 million dollars for. And we put a lot of money into it.” Every so often Schwartz stops to reiterate Gilbert’s instrumental role in the city’s “revival”: “He is doing amazing things and he has a great mission and great leaders that are working together as a team to bring this city back. And there’s a lot of momentum. If you want to live down here right now, good luck finding a place.”

Dan Gilbert made his fortune after founding Quicken Loans, the third-largest home mortgage lender in the country and the largest online lender. Today, Gilbert is the world’s 408th-
richest person. His net worth, according to Forbes magazine, is $3.8 billion, and in 2013 alone Quicken Loans made $80 billion in loans. Gilbert began purchasing buildings in downtown Detroit in 2011, taking advantage of the “skyscraper sale” that followed the 2008 economic crisis, almost a generation after shuttered factories and cynical real-estate speculation began pushing down prices and producing vacancy (Akers 2013). Among his first acquisitions was a 23-storey neoclassical architectural wonder built in 1912 called the Dime Building. Bedrock bought all 330,000 square feet of it in August 2011 for the reported steal of $15 million (Segal 2013). Gilbert’s real estate company, Rock Ventures, now owns or controls more than 30 properties (including buildings and store fronts) in downtown Detroit, totaling nearly 7.5 million square feet. His stated ambition is to turn downtown into a high-tech hub, and indeed Schwartz referred to a number of the offices we toured as tech “incubators”. Roughly 80 small companies have moved into buildings owned by Bedrock, many of them start-ups founded by Detroit Venture Partners, a venture capital firm co-owned by Gilbert. They include a branch of Uber, the controversial online taxi-calling service, and Twitter.

Halfway into our tour of Gilbert’s Detroit-based holdings, Schwartz pulls out the bible of Gilbert’s corporate empire, The Book of ‘Isms’. The book contains such plucky maxims as “The inches we need are everywhere around us”; “We are the ‘they’”; “A penny saved is a penny,” and “We eat our own dog food.” The Book of Isms is a playbook of sorts for the cultural branding that Gilbert’s sprawling urban empire - like tech mammoths Google and Facebook before it - aspires to. By now its tropes are familiar hallmarks of ‘creative capitalism,’ especially in the tech field: communal workspaces, integration of ‘fun’ in the form of Nerf guns and ping pong, and an expanding office landscape of young, tech-savvy white men. On a similar tour only months before mine, New York Times writer David Segal describes a walk through the third floor of the Chase Building, home to some 300 of Quicken Loans’ approximately 2,500 mortgage bankers, as analogous to “a visit to a frat party at a telemarketing firm” (2013). It is unclear whether the footballs we both happened to see thrown are a site-specific performance staged to exemplify the ‘culture’ Schwartz was so keen to show off, or a fully integrated part of the average workday.
It is fitting that Schwartz is dressed like a 19th-century captain of industry and that one of our tour stops is the refurbished but aesthetically fossilized gold vaults once belonging to the Federal Reserve. The tour as a whole feels like a throwback to the boosterism of the late 1800s, when during the expansion of the American and Canadian West, the leaders and owners of small towns made extravagant claims about the future of their settlements, with the aim of attracting residents and inflating the prices of local real estate. Schwartz gushes more than once about the “amazing things” Gilbert’s “vision” has accomplished in Detroit, referring to Gilbert’s downtown initiatives as a “magic dust” - a property ostensibly analogous to King Midas’s golden touch. Meanwhile, at a large table under the basement gold vault’s glass chandelier, two ‘team members’ host a Skype conversation with their boss to discuss the pros and cons of outfitting the entire office with bean bag chairs.

Boosterism is indeed the appropriate descriptor for Schwartz’s optimistic claims, which have much heavy lifting to do if they are to counter the pervasive and seemingly self-evident narrative of Detroit as a ‘dying city,’ a ‘city in decline,’ or a ‘post-apocalyptic’ city. Indeed, we have become perhaps so inundated with the stock images of Detroit’s unceremonious urban decline, such as the towering Grand Central Station with its hollowed-out windows pulling a backdrop of blue sky into a speckled exemplar of assumed capital abandonment, that the *actual* operation of capital flows has been thoroughly obscured. As Detroit scholar Josh Akers reminds us, abandonment and vacancy are actually *productive* strategies of capital accumulation, part of the seesaw of uneven development (Smith 1984) necessary to capitalist growth. The state, moreover, is often an active, rather than absent, partner in such production and exploitation of abandonment. Akers explains:

Local governments are actively involved in the mitigation of vacancy and abandonment through a variety of approaches, many of which are centered on economic development and growth. The use of state policy to privilege private markets and ownership allows for the expansion and deepening of devalorization cycles. It buttresses a market for the exchange of vacant and abandoned property that is removed from the physical conditions of the actual structures and is reliant on the speculative possibilities of urban entrepreneurialism and grant coalitions targeting redevelopment. (2013: 26)
In other words, the “skyscraper sale” through which Gilbert’s Detroit real estate empire has expanded in just three years is itself made possible by the same rent gap that facilitates gentrification in global cities like New York: a long-term widening in the ratio of land values to property that render it profitable - and logical - for developers to reinvest in undervalued urban space (Smith 1996; Rousseau 2009: 770). The very conditions that lure investors like Gilbert to a city like Detroit - low prices, high vacancy, and accelerated access for those who can pay in cash - are the conditions that in recent decades lured capitalist developers to, and preceded the generalized gentrification of, some of the most expensive urban real estate in the country, including in Los Angeles, San Francisco and New York (Smith 2002). In those ‘successful’ cities, while differing from Detroit in various ways, investors saw and continue to see spectacular profit margins at the expense of those residing in neighborhoods divested of adequate infrastructure and state resources. When investment inevitably arrives there too in search profit, residents experience eviction and displacement rather than the benefits of state-subsidized private monies.

Real estate acquisition is only one part of the profit-making equation, however. For value to be recuperated from that real estate and the corporate labor subsidized within it, space itself needs to be socially “activated”: people need to want to be there. The social and cultural cachet associated with that real estate, or more particularly the urban space in which it is embedded, must also be cultivated. Gilbert’s strategies for ‘activating’ the downtown core include building a skateboard park and an urban beach, commissioning international art stars to adorn a multi-tiered parking lot with urban graffiti, and dotting street corners with gimmicky emblems of ‘creative capital,’ such as a human-sized Jenga game.

More crucially and to the point of my thesis, however, capital, invested in property, requires the coercive scaffolding of enclosure and securitization (Davis 1990; Linebaugh [2004]2006). The most familiar form of that scaffolding since the later half of the 20th century is extensive surveillance technology coupled with increased urban policing and the proliferation of mechanisms for criminalizing undesirable bodies and behavior (Beckett and Herbert 2010). If the revitalization of downtown Detroit is underwritten by Gilbert’s mortgage and real estate empires, that underwriting is itself buttressed by a vast infrastructure of surveillance.
technology and network of private security companies working in collaboration with the Detroit Police Department.

In Gilbert’s billion-dollar downtown, a Rock Ventures security force patrols the streets twenty-four hours a day, reinforcing the unflinching gaze of the hundreds of high-tech security cameras fixed to the buildings. A model of downtown Detroit in miniature sits in the boardroom of the Quicken Loans headquarters, with Gilbert’s properties lit up in bright orange glow once he purchases them. Situated in one of those buildings, the Bedrock-owned Chase Tower, is a command centre where dozens of computer screens monitored by security guards connect to live feeds from hundreds of video cameras downtown. The monitors connect to approximately 1,000 different cameras in the streets and sidewalks surrounding Rock Ventures properties in seven different states; over 300 of those cameras are located in metro Detroit alone (Davies 2013). The camera program is a collaborative effort that includes most of the big downtown property owners, including General Motors, Ilitch Holdings and Compuware. Once a month the representatives of those companies meet in a boardroom at the Compuware headquarters, the same building that hosts Quicken Loans, along with members of the Detroit Police Department, Wayne County Sheriff, Wayne State Police and representatives of the numerous deployed private security forces (Ibid.).

While various levels of Detroit and Wayne County Police have thus been absorbed into an expanded multi-million dollar, high-tech private-public security and surveillance apparatus, reconfigured police tactics even within the municipal police department itself suggest intensified securitization of select swaths of Detroit’s urban space, and have led to increasing arrest rates. In November of 2013, at least 150 federal, state and local law enforcement personnel raided an apartment complex called Colony Arms on Detroit’s east side. During the raid, the residents’ names were run through the system and every violation, no matter how minimal, was treated with zero tolerance (Gross 2014). Called “Operation Clean Sweep,” the raid resulted in 33 arrests. Less than a month later, 42 people were arrested in a DPD raid of another public housing complex, and two weeks later, on December 17, some 300 officers and law enforcement agencies conducted what was considered at the time to be the biggest raid in the department’s history, flooding a one-square-mile area of the city’s west side.
Under the umbrella of “Operation Restore Order,” monthly policing assaults have since been launched (Ibid.).

The raids are just one manifestation of the department’s new zero-tolerance policing agenda, a component of the DPD’s recent prioritization of what are called ‘quality of life’ issues, such as graffiti elimination, drug enforcement, and the general problem of ‘vice.’ Assistant Chief James E. White is quoted in one recent news report explaining the department’s approach: “We go out and do drug raids - that’s a quality of life issue. But then we go out to the local party stores in the area and if they are selling loose cigarettes or the store is dirty then they are cited for that as well” (quoted in Ibid.). White continues:

You have to approach crime almost as a holistic approach, where you have to look at every aspect of the community and what’s happening in the community. Some people would laugh and say, what difference does it make if the store is clean? Well, if the store is dirty and there is no investment by that storeowner to have a clean store that is welcoming to regular, everyday, working class people, then you’re going to draw only the people who may be looking to what’s not necessarily a good thing. (Ibid.)

It is worth noting that the areas targeted for ‘quality of life’ policing in Detroit are all predominantly black neighborhoods. Ninety percent of the residents of Colony Arms, for example, are African American (Ibid.).

The theory of policing that White describes has a name, one that is familiar to many residents of large cities and scholars of urban policing and mass incarceration: “broken windows theory.” Under the watch of Mayor Rudolph Guiliani and his then Police Commissioner William Bratton in the 1990s, New York City implemented an expanded network of policing, surveillance and civil ordinances under the complementary security rubrics of ‘zero tolerance’ and ‘broken windows theory.’ The latter idea, coined and popularized in the 1980s by conservative scholars George Kelling and the late James Q. Wilson, suggested that the aggressive policing and criminalization of ‘undesirable’ behaviours related to designated ‘quality of life’ issues, such as vandalism and trespassing, as well as drug use and panhandling, could be an effective way to stymie a putative escalation of criminal activities
in the urban core. In practice, broken windows policing in New York meant the aggressive
criminalization of poor and mostly racialized urban residents, functionally displacing mostly
victimless and survivalist behaviours, especially those deemed damaging to property or
speculation on property, to the urban peripheries. As Wacquant explains, within the broken
windows logic, “the enemy is the subproletariat that mars the scenery and menaces or annoys
the consumers of public space” (2009a: 16).

Broken windows policing is popularly associated with major urban centres like New York,
but in a throwback to the 1990s (a period, significantly, also associated with the widespread
revalorization of real estate in the country’s major cities), it is Detroit that is witnessing a
resurrection of this controversial policing practice. In the summer of 2012 and winter of 2013
the conservative think tank the Manhattan Institute “loaned” George Kelling himself to
Detroit to help implement broken windows pilot programs in two of the city’s high-poverty
areas - one in the Northwest neighborhood of Grandmont-Rosedale and the other in the
Northeast neighborhood of East English Village - in collaboration with the Detroit Police
Department. The strategy: flood the neighborhoods with police and specifically identify and
target what they call “the neighborhood’s most at risk offenders” (Manhattan Institute n.d.a.).

One of the primary discursive contributions made by the Manhattan Institute over the past
decade has been to popularize the myth that quality of life policing and broken windows
theory were responsible for New York’s decline in crime rates, despite evidence to the
contrary (Harcourt 2001). Meanwhile, Detroit’s most recent police chief, James Craig,
worked under New York’s “broken windows” Police Commissioner Bill Bratton in Los
Angeles when the latter was head of the LAPD in the 2000s (Hackman 2014).

It is noteworthy that Detroit’s broken windows experiments are being championed for the
same reasons and by the same interests as Dan Gilbert’s downtown property investment and
securitization efforts. In one gushing piece, the author introduces himself as a collaborator of
George Kelling’s in the implementation of ‘community-policing’ programs informed by
broken windows theory. The author is worth quoting at length:

Downtown and Midtown have become remarkably safer places because of outside
influences. A visionary chief executive, Dan Gilbert, has purchased dozens of
buildings, created a high-tech surveillance-camera system, and founded an outdoor oasis called Campus Martius Park. An enterprising university, Wayne State, has developed a strong police department to provide public safety around its ever-growing campus. And entrepreneurs have leveraged low interest rates and government incentives to open up shops in the area. These largely top-down economic activities have allowed for a vibrant civic life to develop in the urban core, and a result the place has become safer. But these sorts of activities cannot be expected to occur all across the 130 remaining square miles. For the "neighborhoods," a bottom-up and targeted approach is required... Just as New York began to reclaim its quality of life by cracking down on subway-fare cheats and squeegee men, Detroit has had to begin with a crackdown on home invasions. In Grandmont and Rosedale, this has meant organizing citizens to report suspicious behavior, having police take reports seriously, having probation officers serve outstanding warrants, and having prosecutors do their part. (Allegretti 2013)

Policing, privatization, and the securitization of real estate markets are thus intertwined processes in Detroit, as elsewhere. They are also thoroughly racialized processes whose most dire consequences - including arrest and imprisonment - are borne predominantly by its poorest residents, who are also mostly African American. Detroit is a city that is 84 percent black. It is also reportedly the most segregated metropolitan region in the nation (Logan and Stults 2011; Vanhemert 2013). Nearly 40 percent of residents live below the poverty line and approximately 50 percent of the population is unemployed. As Akers writes, “Nearly 60 percent of the area’s black population lives within the Detroit city limits. The material segregation of the city and suburbs is explicit in both the suburb-city boundary, but it is also implicit in the struggles over control of regional services and the reluctance of suburban communities to participate in regional approaches to regional issues” (2013: 6). In such a context, the politics of municipal service provision and the aggressive privatization of such services in the wake of Detroit’s bankruptcy declaration are inextricable from the ongoing revanchist politics of race and class immiseration.

At the same time as Bruce Schwartz was showing me Madonna’s favorite life-sized horse lamp, hundreds of Detroiter were facing an acute resource emergency as the city’s Water and Sewerage Department (WSD) began aggressively turning off the water supply of select families who have been late in paying their recent water bills. The shutoffs began in March of 2014, when the WSD announced it would begin shutting off water service to 1,500 to 3,000 customers per week, claiming it was facing a financial crisis which gave it no choice
but to begin cutting off residents. Local news investigations quickly poked holes in the city’s ‘crisis’ plea, pointing out that large-scale customers such as Ford Fields, home of the Detroit Lions football team, Joe Louis Arena, where the Red Wings play hockey, and numerous city golf courses had also amassed huge unpaid water bills.

Resource scarcity is produced in Detroit as it is elsewhere. Detroit sits on the edge of the largest group of freshwater lakes on the planet, and yet Detroit residents have seen water rates rise by 119 percent within the last decade, making them among the highest in the country. The official unemployment rate, widely considered understated, is at a record high, and the official poverty rate, also understated, is about 40 percent (Submission 2014: 3).

When the City of Detroit declared bankruptcy in the summer of 2013, the well-paid bankruptcy lawyer who was named its emergency manager declared Detroit for sale. To lure buyers, he imposed a savage austerity regime. Water utilities are among the public utilities currently being considered for regionalization, sale, lease, and/or public-private partnership. Unpaid water bills operate as the utility company’s “bad debt” and depress its potential resale value. The Detroit Water and Sewerage Department, in other words, is a candidate for privatization as part of Detroit’s bankruptcy, and thus actively seeking to make itself more attractive to private investors. Culling poor black customers from the entity’s resource rolls can thus be seen as one more tactic in the broader tactic of accumulation by dispossession (Harvey 2004).

As the Michigan Welfare Rights Organization argues:

These water cut-offs to poor Detroit households need to be understood within a broader context of Detroit’s appeal in the real estate market. With its proximity to the Great Lakes and the Canadian border, the city is considered prime real estate, and is available at fire sale prices. People’s overdue water bills are being transferred to their property taxes and people are losing their homes as a result. Given the utility’s lack of interest in cutting costs or generating revenues by collecting on the arrears of business users, fixing leaking pipes, and cutting off services to abandoned homes, the organization sees the crackdown as a ploy to drive poor people of color out of the city to facilitate gentrification - what the Michigan Welfare Rights Organization refers to as a ‘land-grab.’ (Submission 2014: 4)
Reports from the MWRO indicate that some families have been living without water for over a year and eventually become homeless as a result. As many as two-thirds of the water cutoffs are happening in homes with children, increasing residents’ fears about speaking out. Many of them know through experience that child welfare authorities can and will remove children from homes in accordance with a state policy that there must be working utilities in all homes with children (Submission 2014: 5). Meanwhile, there are reports of people being charged as much as $500 per month for water. The average water bill is about $150-$200 for a family of four.

The recent story of Detroit’s water cutoffs, broken windows policing strategy, and accumulation of downtown real estate by Dan Gilbert thus together recall Peter Linebaugh’s “history of the neck” in his book London Hanged: “A history of the eighteenth century class struggle that includes both the expropriation of the poor from the means of producing (resulting in ‘urbanization’) and the appropriation by the poor of the means of living (resulting in ‘urban crime’)” ([2004] 2006: xxiii). In Linebaugh’s history, crime and capital operate in dialectic relation; so too, I argue, do the spaces of capital and the carceral. The property relation is a central bridge between the two, insofar as it prescribes a set of political imperatives and practices of power while simultaneously transforming the social landscape into a fixed set of structural arrangements and ideological commitments (Blomley 2004: 5). The investment, boosterism, and racialized securitization of Detroit’s downtown core by Gilbert and his companies emerges out of a political economy itself productive of the dispossession and criminalization of Detroit’s impoverished black residents. Indeed, it is made possible by such dispossession and criminalization.

Akers argues that Detroit provides an opportunity to examine what is active in spaces of ‘decline’: “Rather than inert places left behind or struggling to keep up, spaces of decline incubate reconfigurations of state power and capital. It is in these reconfigurations - the shifting accumulation strategies of capital to feed off disinvestment and government interventions in the making of markets and privatization of space” that decline is produced (2013: 263). I build on his argument to suggest that such activity also includes the state
production of prisons and prisoners. It is when we ask how capital is being deployed in spaces of decline and to what ends, rather than simply assuming its outward flow, that we are best able to grasp the intricate relationship between capital and the carceral. Downtown Detroit constitutes a ‘carceral space’ insofar as the production of prisons and prisoners emerges from both the abandonment of the urban core and the investment activities of the state there on behalf of capital. This occurs through the technical innovations in securitization and policing required by the restructured privileging of urban markets and the privatization of urban property, including real estate. It also occurs through the making of ‘crime’ itself, by creating scarcity through propertization, and unevenly dispossessing residents from the means of their own social reproduction: most recently, in the case of Detroit, that of water.

‘Abandonment,’ ‘blight’ and ‘vacancy’ thus constitute the material terrain of capital accumulation and the ideological fodder for its coercive infrastructure. It is significant that the Detroit imaginary invoked by Bruce Schwartz during our tour of Gilbert’s ‘revitalization’ efforts is replete with references to the metaphors of frontier and settlement. Not only do these imaginaries have a long history in the reconstruction of urban land markets (Smith 1996), but as Akers points out, “The apparent disuse or non-use of land and the array of policies deployed to put land back into productive use raise questions about fundamental claims to property in settler colonial societies based on Locke’s notion of use and productivity” (2013: 267). The frontier ideology, deployed to secure property rights throughout the settler colonial history of the Americas, is put to work today in the making of urban real estate markets at least in part by rationalizing “social differentiation and exclusion as natural, inevitable.” (Smith 1990: 17).

Bradley Bryan writes that, “Property is an expression of social relationships because it organizes people with respect to each other and their material environment. Property is not so much a statement of things as it is a description of a set of practices that we go through in our daily life with others” (2000: 4). Calling into question the secure ‘thingness’ and ownership of property not only, as Shiri Pasternak points out, brings to light the socially determined nature of who gets to own what in our society, but also who gets to divest whom, or police,
govern and incapacitate whom, on the bases of one’s ownership status. Writes Pasternak, about property as social relations: “By ‘social relations’ I mean the legal and political institutions that create, protect and enforce property laws, which in reciprocal ways, socialize us to understand and accept the particular distribution of ownership in our society” (10). Property as a social relation thus organizes and legitimates state and private practices of securitization, livelihood dispossession and criminalization - intertwined processes whose political geographies, as I’ve demonstrated, thus encompass the prison. In other words, an excavation of the carceral spaces of Detroit demonstrates how it is the interpretation in thought, ritualized and reinforced through practices and processes of property relations, including the racialization of valued real estate as white, through which the carceral order reproduced.

*Work and Wanting in the Kentucky Coalfields*

Image 8: Rondell Meade’s mountain-removed land, the potential site for USP Letcher County, in Kentucky.

Rondell Meade is an ex-coal miner who has lived in Letcher County, Kentucky, his whole life. Three decades ago he applied his skills strip-mining mountaintops to a 200-acre plot of land that he and his wife, Sharon, had acquired in the 1970s to live on with their family. He
mined the land and removed the mountaintop, outfitted it with water, gas, and sewage infrastructure and a few small shelters, and then invited the community to share in its open space. Since the 1980s the Meades’ land has hosted wild mushroom pickers, weddings, model airplane clubs and even bluegrass shows. The famed bluegrass musicians Bill Monroe and Ralph Stanley once played on the Meades’s field for over 6,000 people.

Flat land is a scarcity in eastern Kentucky, especially flat land that has water and gas infrastructure already built in. This might be why in 2006 the US Bureau of Prisons (BOP) approached the Meades and told them it wanted to survey their property for consideration as the site for a new federal prison facility. The Meades were told that if their land was chosen, and it passed the requisite Environmental Impact Study, the BOP would purchase it from the Meades. Further communication on the matter was sparing, and the potential land acquisition was presented as a statement of fact, rather than a question. While the BOP has several sites under consideration, all of the others, besides the Meades’s, would still have to be strip-mined in order to accommodate the sprawling horizontal architecture required of a prison. They would also all need extensive infrastructural development. To quote Judah Schept, a local scholar who has studied Appalachian prison development, “Without knowing it, the Meades did most of the work for the Bureau” (correspondence with author, 2014).

If built, United States Penitentiary (USP) Letcher will be the fourth new federal prison to come to eastern Kentucky, and the sixth federal prison built in Central Appalachia since 1992. Two of those have been built just since 2000; USP Letcher would be the third, following the 2003 construction of nearby USP Big Sandy in Martin County and USP McCreary in McCreary County in 2004. The region is home to eight prisons in total. Many of those prisons were built on much more inhospitable terrain - several of them built literally on top of coal mines. One was even dubbed ‘Sink Sink’ after it began literally sinking into the hollowed-out coal mine beneath its foundation (Lockwood 2002). As Rondell pointed out when I asked him why he thinks the BOP picked his property in particular, “It’s the only piece of property in this county that’s not been under-mined.” In other words, his land, unlike most of the extensively mined hills whose open coal seams still scar the landscape, is structurally sound, bearing little risk of cracking or breaking, or, indeed, swallowing up the
floor of a heavy penal facility into its hollowed centre.

Letcher County is a rural county of about 25,000 people located in the Appalachian coalfields of eastern Kentucky. Coal mining has been in decline in the region for close to half a century and the number of local coal jobs has plummeted since the 1970s. According to a local news article from 2013, the region has lost nearly 6,000 coal jobs since mid-2011 alone (Estep 2013). Meanwhile, prison growth has expanded in the region over the same period. Between 2000 and 2010 Kentucky’s prison expansion was among the greatest in the country, growing 45 percent compared to 13 percent for the US state prison system overall. Total state spending on carceral facilities in the fiscal year 2009 reached $513 million, up from $117 million in 1989 (Schept 2014a: 204). Schept thus sees coal and prisons as the past and future, respectively, of eastern Kentucky. He goes so far as to characterize the overlap in their land bases, workforces, and animating logics as the spatial exchange of one “dirty industry” for another (Ibid.).

Early plans for USP Letcher started in 2003, and the local planning commission has put 15 years of work into paving the way for its construction. Currently undergoing the Environmental Impact Study process that often precedes construction, its projected completion date is 2018. While locals are skeptical and the Meades remain uncertain as to whether the prison will actually go ahead, there are other indicators that the county’s economic future is being bet on prison growth. Starting in the fall of 2013, students at a vocational school next to the Letcher County Central High School were offered the possibility of applying to a new law enforcement and criminal justice program designed to prepare local youth for prison jobs. The Mountain Eagle, a local newspaper, quotes the assistant superintendent for the county as noting that the new program, which includes a mock courtroom and a firing range, is necessary because, “2,559 criminal justice related positions now exist within a 40-mile radius, and… more positions are expected to be created with the opening of [the new] federal prison” (quoted in “Training” 2012). The tone of the article is decidedly anticipatory: “If indeed a new federal prison were built in Letcher County, nearly all of the 350 workers who would be hired there initially would need to bring to bring some skills with them”; it goes on to describe the creation of a law enforcement and criminal
educational curricula itself is being reorganized around a future forged through prison expansion. A similar expansion and restructuring of the criminal justice system within the Big Sandy Community and Technical College system preceded the development of the federal penitentiary in Martin County (Ryerson 2010: 187).

As in many poor, rural communities across the country, prisons are being actively marketed in the coal towns of eastern Kentucky as the future of postindustrial economic development, and the only real hope for reliable jobs. As Schept puts it, “Prison boosters have harnessed the legitimate fears and demands of Appalachian residents for stable and sustainable economic development and sold a narrative of prison growth” (2014b). The scaffolding for that narrative is the dire situation of hemorrhaging mining jobs and rising poverty rates. Between 1979 and 2006, the number of people working in the mining industry in Kentucky declined from 47,190 labourers to 17,959, a decrease of over 60 percent (“Expanded Online Kentucky Coal Facts,” n.d.a.). The combined structural forces of increased mechanization within the industry, internationalization of manufacturing jobs to Asia and Latin America, and the migration of domestic coal production to lower-cost mines in the American West culminated in the 1980s in an Appalachian recession that has only deepened in subsequent decades (Eller 2008). The Appalachian counties of eastern Kentucky are among the poorest in the country. One recent study of county economic status in Appalachia found that every single Appalachian county in Kentucky qualified for distressed status, meaning that they are in the bottom 10 percent of all US counties in economic status (Schept 2014a: 2010). Kentucky’s fifth congressional district, meanwhile, covering all of Appalachian Kentucky, was ranked second to last out of 436 districts on the Gallup-Healthways Well-Being Index, which includes physical health and basic access.

Prison siting has meanwhile proliferated in the region, packaged during consultations and community meetings as a jobs development strategy - one of the few available - for a region desperately poor, devastated by high unemployment rates, and ostensibly limited by a rolling topography inhospitable to a more varied industrial future. This is in keeping with a broader geographic trend which has seen local prison construction pitched as an economic relief
strategy for similarly idled and devastated rural areas across the country (Huling 2002; Gilmore 2007; Bonds 2009, 2012; Williams 2011). Indeed, between 1990 and 1999 approximately a third of all new rural prison development across the US occurred in four of the most economically depressed regions in the nation: the West Texas Plains, south-central Georgia, the Mississippi Delta and the coalfields of Central Appalachia (Ryerson 2013).

While Kentucky has been among the fastest growing carceral states over the past 15 years, and one that has seen an expansion of its incarceration rate during the recent period of prison downsizing elsewhere (Schept 2014b), it is poverty rather than punitiveness that provides the scaffolding for its carceral logic. As Anne Bonds points out, “As neoliberal rural restructuring leads communities to pursue development strategies that put places in direct competition with one another for scarce resources (e.g. community block grants, industrial development) and employment opportunities, poverty is denied and invisibilized by community officials seeking to remain competitive for investment” (2009: 433). One consequence of the ideological force of neoliberalism, as Wendy Brown (2006) argues, has been to burrow the affective value of privatization deep into the social fabric. As privacy structures us affectively as fragmented subjects, she argues, and neoliberalism converts all socially, economically, and politically produced problems into consumer items, the improvisation of a viable existence emerges as the ongoing crisis of people’s lives. The imperative of work retains powerful purchase within such a landscape.

Crime rates have remained stable in Kentucky over the past few decades, as they have elsewhere in the country. Kentucky legislatures, meanwhile, have in recent years embraced the rhetoric of prison reform and enacted a series of Justice Reinvestment measures designating a turn away from the tough-on-crime policies associated with mass incarceration. Yet prison growth continues, suggesting that just as crime cannot explain Kentucky’s prison growth at the material level, neither can perceptions of crime or an upsurge in ‘punitive feeling’ at the register of popular opinion. In over a dozen interviews I conducted with residents of prison-hosting or would-be prison-hosting communities of Letcher County and nearby Martin County, not a single person spoke of crime, criminals, safety or punishment in their reflections about existing or forecast prison facilities. The terms in which people spoke
about either existing or potential prisons in their counties were almost entirely contained within the frameworks of work and the local economy. As Gary Cox, a former coal worker who now manages a small airport that shares a resurfaced mountaintop with USP Big Sandy, explained, “The prison is a good paying job. And it’s recession proof. You close a factory down, and you ship the jobs overseas. You can't do that to a federal prison.” Even Rondell Meade, who admitted he couldn’t imagine leaving his land, was fairly unequivocal on the issue of USP Letcher’s public value: “If the prison brings jobs then of course I’ll welcome it here.”

Sylvia Ryerson’s more exhaustive study of the process and debates surrounding the construction of new prisons in eastern Kentucky over the past fifteen years finds a similar near-total eclipse of the incarcerated populations, or the punitive logic of their imprisonment. With a few minor exceptions, she writes, “The fate of those to be held within did not enter the public discourse at all” (2010: 118). Instead, authorities and media tended to frame both the function and promise of new prisons entirely in terms of employment, whether directly through prison jobs or indirectly through the goods and services putatively required by workers and visiting family members. On the opening day of USP McCreary in 2004, for example, Jim Johnson, chairman of the local steering committee, stated, “From the very beginning, the prison has been a symbol of hope and opportunity for McCreary County… The best is yet to come as more citizens are hired and our businesses are able to sell more goods.” At the same event, Congressman Hall Rogers remarked, “A lot of communities don’t want a prison but obviously there was interest [here], this community and this county were hungry for jobs…. For the first time in around 100 years, we’re gaining population… We’re keeping young people here. We’re seeing a whole new middle class develop where one has been absent” (both quoted in Slaven 2004).

Appeals to the job aspirations of local residents, meanwhile, continue to belie the material realities of their employment chances. So while the various prisons built in eastern Kentucky over the past dozen years have been proposed and marketed as de facto federal jobs creation programs, this has been done without any guarantee of actual work. Indeed, the unlikelihood of being hired in the new institutions often becomes clear only late in the process, once the
facilities have begun construction and the conditions for employment in them are finally released to the public (Ryerson 2010). In the case of USP McCreary, the qualifications were laid out at the first job information seminar held at the local high school, once prison construction had already begun: “All applicants would be drug-tested and put through an extensive background check that would go back seven years or to their 16th birthday. All new hires would need a clean credit history and no criminal record. All new hires would have to be younger than 38 years of age. There would be a rigorous physical exam and interview process. County residents would be given no preference in the hiring process, and a four-year college degree and previous institutional experience were ‘highly recommended’” (Ryerson 2013). As Ryerson notes, the requirements eliminated most of the county’s unemployed and underemployed population. In my own interviews with residents of Martin and Letcher Counties, even those who knew of the low local hiring rates of nearby penitentiaries were still hopeful that prisons would continue to be built. As one said to me about USP Big Sandy, “When that prison was first built, from the way I understand it, about 60 percent of the jobs were filled by people transferring in from other prisons.” Yet he was adamant that it still offered the possibility of “a good job” (Dan, interview with author 2014).

Schept asks how “the carceral state animates a particular future” (2014b: 215). The post-coal towns of Eastern Kentucky suggest that it does so, at least partly, by harnessing prisons ideologically to the drive to labor, and all the complex material, psychic, and affective needs and aspirations that drive encompasses, especially among the working class. Adolph Reed Jr. characterizes the working class as “people who work, and people who are expected to work”: an expansionist definition that thus encompasses, importantly, the unemployed and the unwaged. It also suggests an appreciation for the ideology of work, alongside the wage-relation, as itself a structuring and coercive force.

In eastern Kentucky, like elsewhere, one hears in the testimonies of unemployed and underemployed residents little hope for the future outside of the production of stable waged work, regardless of what that work actually is. Berlant describes such sentiments as “the production as desire of a collective will to imagine oneself as a solitary agent who can and must live the good life promised by capitalist culture” (2007: 278). Citizens of modern
capitalism in the US are exhorted, she argues, “to understand that the ‘bottom line’ of national life is neither utopia nor freedom but survival, which can be achieved only by a citizenry that eats its anger, makes no unreasonable claims on resources or control over value, and uses its most creative energy to cultivate intimate spheres while scraping a life together feasibly in response to the market-world’s caprice” (2000: 127).

The drive to work is one very powerful, indeed perhaps central, response to such caprice. If such an observation seems both self-evident and necessarily true, then it serves us to remember the collective struggles forged historically around demands that _decentered_ or _reimagined_ the character, conditions, and psychic value of work in social life. These include the fights for governmental guarantees to full employment or income so central to post-Reconstruction Black freedom struggles (see Singh 2003; Stein 2014b), campaigns for guaranteed basic income (van Parijs 1992), and feminist demands forged under the banner of “wages for housework” (Dalla Costa and James 1973). Such aspirational struggles even once had a life in Appalachia. As David Stein recounts, “In the early 1960s people in eastern Kentucky formed the Appalachian Committee for Full Employment as a response to widespread poverty and unemployment created by the recent downturn in the coal industry, combined with increased mechanization of mining. They struggled intensely against mine operators, politicians, the police, and the leadership of the United Mine Workers while pursuing governmental guarantees to a job or income” (2014b). “Full employment” was imagined much more expansively than simply the provision of waged work. The committee’s plan included, “the creation of medical clinics, a special education center for children who needed supplemental attention and for adult education, day care centers, and rebuilding homes with adequate plumbing and sewers” (Ibid.).

In the 21st-century post-coal prison towns of eastern Kentucky, one encounters something akin to the “aspirational normativity” described elsewhere by Berlant: “The ongoing prospect of low-waged and uninteresting labor” as nearly utopian, or at least as the horizon of imagined possibility for the project of life-building under capitalism (2007: 275). Even the region’s high rates of prescription drug addiction (Potter 2009) are lamented, at least in the interviews I conducted, in terms that position the problem of idled labour power more
centrally than any other dire consequence. As one local lumber worker I interviewed in 2014 bemoaned, “Drug addicts - they got them state Medicaid cards, and it pays for everything. And they won’t work - young, healthy people, who won’t work. It’s a real shame.”

It is in this sense that work - conceived broadly to include the wage relation as well as the work ethic (Weber 1958; Weeks 2011) - rather than punishment, constitutes the more salient system of social relations animating Kentucky’s carceral state. Which is also to suggest that the joblessness and the work imperative of poor white Appalachians cannot be seamlessly disentangled from the structural joblessness that conditions both the pre-incarceration and post-incarceration economic situation of prisoners, most of whom are racialized, across the country. As Peck and Theodore have argued in a detailed study of what they call “Carceral Chicago”, “The prison system has come to assume the role of a significant (urban) labor market institution, the regulatory outcomes of which are revealed in the social production of systematic unemployability across a criminalized class of African-American males” (2008: 251). In the restructured urban labor market of the deindustrialized, neoliberal economy, black men in particular have been relegated to the lowest echelons of the wage-labor system, often as surplus labor. African-American men are thus “first locked out of the labor market, then locked up in what has become a retested prison system…. So ensnared, this criminalized class has been almost completely detached from the job market, the segmentations within which have calcified, just as the form of the accompanying regulatory institutions has ‘hardened’” (Ibid: 276).

Peck and Theodore characterize the contemporary prison system as a “labor market institution,” one with significant influence in the social distribution of work and wages, and of the relative bargaining power of those racially differentiated segments of the contingent labor supply that incarceration itself structurally conditions. As Stein points out further, “The problem of wagelessness is centrally a political one” (2014b); one, like prisons themselves, produced out of a series of competing forces and imperatives, including the deliberate suppression of inflation rates by the Federal Reserve (Stein 2014a). Minimal levels of unemployment and wagelessness, in other words, share with prisons a reified status in the modern landscape, but also a historical contingency that tells us, importantly, that it could be
otherwise.

Insofar as control of the wageless constitutes at least a partial function of the criminal justice system, Stein suggests, “perhaps then negating the production of this surplus population can be an important grounding upon which abolitionist reforms can be achieved” (Stein 2014c). While high rates of unemployment might be essential from the perspective of capital to maintain working-class discipline and depressed wages, their disciplinary power only works if struggles and aspirations are also tied to wage labor; one must see jobs as central to one’s capacity to both materially survive and have value in the capitalist economy. As Kathi Weeks puts it, “The glorification of work as a prototypically human endeavor, as the key both to social belonging and individual achievement, constitutes the fundamental ideological foundation of contemporary capitalism: it was built on the basis of this ethic, which continues to serve the system’s interests and rationalize its outcomes” (2011: 109). This ideological bedrock, buttressed by desperate levels of poverty, imbues prison expansion with a logic it might not have otherwise. Which is to suggest, more simply, that the project of rethinking prisons requires a broad rethinking of the very social relations of work as a centerpiece of the late capitalist economy.

The intimate relationship between prisons and labour has perhaps only intensified in the neoliberal period, as the enforcement of work, as the other side of defending property rights, solidifies as a particular preoccupation and organizational function of the post-welfare state. Writes Weeks, “As a result of work’s subordination to property rights, its reification, and its individualization, thinking about work as a social system – even with its arguably more tenuous private status – strangely becomes as difficult as it is for many to conceive marriage and the family in structural terms” (2011: 4). This is why challenging the production of wagelessness – of those who are then incarcerated, for also those for whom prisons figure as possible workplaces - constitutes a core abolitionist demand. For it is precisely as a social system that inheres poverty and precarity that work bears so meaningfully, and devastatingly, on the carceral production of surplus life.
In July of 2013 the neighborhood of Harbor Gateway, a 5.14 square mile strip nicknamed the Shoestring Strip running north-south in the southern region of Los Angeles, cut the ribbon on the smallest park in the city. At one-fifth of an acre, the park has barely enough room for the tiny jungle gym that constitutes its only playground infrastructure. Itself enclosed inside a code-secured metal gate and located on a busy intersection at the edge of train tracks, the park appears at best inhospitable, and at worst inaccessible, to the children and residents who might be expected to enjoy its public provisions. The site, however, was never actually intended for enjoyment as such. Instead, the park — what planners call a ‘pocket park’ because it is so tiny — was constructed in order to force thirty-three registered sex offenders to move out of a nearby apartment building. This is because a state statute known as Jessica’s Law prohibits sex offenders from living within 2,000 feet of a park or school.

As both a built manifestation of contemporary legal restrictions on sex offenders and a spatial mechanism for the activation of Jessica’s Law in California, the Harbor Gateway
pocket park exemplifies the dialectic relationship that often exists between prisons proper and the putatively ‘free’ spaces outside them. The park constitutes a carceral space insofar as it is both produced by, and then productive of, the legal scaffolding of the prison regime and the phenomena of incarceration itself. Just by existing in the landscape, the anti-sex offender park operates as a technical and ideological mechanism for the return of ex-prisoners to prison, thus keeping the numbers of incarcerated people high and legitimating the expansion of prison space.

The brainchild of local city councilor Joe Buscaino, a former Los Angeles Police Department (LAPD) officer, and other LAPD officials, the park has been three years in the making and cost the working-class neighborhood over $300,000 (Jennings 2013). In media interviews Buscaino has been unequivocal about the anti-sex offender function of the park: “We need to be strategic in addressing this quality of life issue. Anything that has an opportunity to cause fear in the community, we need to stand with the parents and the kids…. As a police officer, I visited that location, and checked on compliance, and we netted some arrests for non-compliance” (interview on Airtalk 2013). The apartment building of concern to Councilor Buscaino is actually a halfway house, one of the few structures of secure housing available to registered sex offenders. 33 registered sex offenders had been living there before the pocket park was built. According to reports from the Ex-Offender Management Board, the number of homeless sex offenders in California has tripled since 2006, which is when the latest residency restrictions were passed. A third of sex offenders on parole are now homeless (Lovett 2013). Spatial restrictions of this kind have proven enormously consequential to the housing security of registered sex offenders across the US, rendering in some cases whole urban residential areas off limits. One result has been the proliferation of homeless encampments across the country, many of which have large concentrations of registered sex offenders. In one high-profile case, in Miami, dozens of homeless convicted sex offenders were found to be camped under a bridge, where they remained until the encampment was broken up by city police. Elsewhere in the city, dozens of registered sex offenders were forcibly dispersed from the sidewalk they had been sleeping on when a city commissioner named Marc Sarnoff had three anti-sex offender pocket parks built in the neighborhood (Ibid.). The sex offender registry distance requirement in that city is a formidable 2,500 feet.
For perspective, a football field is about 300 feet by 160 feet.

California law requires that all sex offenders, even those whose crimes were not violent or against children, register for life. It is one of only four states for which the sex offender registries (SORs) are life long, with little to no possibility of being removed. While the elastic category of ‘sex offence’ and SORs specifically have a long and sordid history, they have in the past two decades assumed an increasingly restrictive and high-profile character, first with the passage in the 1990s of “Megan’s Laws,” and then in the 2000s of “Jessica’s Laws,” in states across the country. Megan’s Law is the informal umbrella term for a slew of state laws that require law enforcement to make personal information about registered sex offenders publicly available. The specifics of what information is included and how it is distributed are at the discretion of individual states; the offender’s name, photograph, and address are commonly made public. That information can often be accessed on public websites, but may also be published in newspapers or disseminated through other channels like neighborhood pamphlets. At the federal level, Megan’s Law is officially titled the Sexual Offender Act of 1994, and requires people convicted of sex offences to notify local law enforcement of any change of address or employment for a usually at least a ten-year period, or in some cases permanently. Failure to register or to update personal information, including home address, counts as a felony offence, and can be prosecuted as such.

The first of what are commonly referred to as Jessica’s Laws was enacted in Florida in 2005.  

16 The nation’s first sex offender registration law was enacted in California more than sixty years ago, in 1947. Its primary purpose at the time was as a socio-legal tool to harass gay men, requiring, as it did, persons to register with the police for such ‘crimes’ as consensual adult sodomy and gay solicitation” (Jacobson 1999: 2432). Indeed, consensual sodomy was a crime punishable by life imprisonment in California until 1975, and until much later in many states. Sex offence as a category of crime has also historically included interracial marriage. The last state law prohibiting black-white marriage wasn’t struck down until 1968. The category of sex crime has also included, variously, contraception, adultery, oral and anal intercourse even between spouses, and the perusal of pornography (Wacquant 2009a: 210). Today, California’s sex offender registry laws cover a broad range of offences from the consensual to the injurious, including non-contact activities such as public urination, streaking and “sexting” as well as some consensual teen sex. While offences also include deeply harmful violations such as sexual assault, the point here is that such laws neither differentiate, nor track responsively to actual evidence of fluctuations in sexual injury.
Over forty states have introduced versions of Jessica’s Law since then. California’s version of Jessica’s Law, also known as the Sexual Predator Punishment and Control Act, came into law in 2006 through Proposition 83, a statute supported by 70 percent of California voters as well as by Governor Schwarzenegger and law enforcement agencies throughout the state, though vigorously opposed by California Attorneys for Criminal Justice, among other groups. The law bars convicted sex offenders from living within 2,000 feet of a school, park, or any other place where children congregate. Its provisions also increased the penalties for sex offenders, broadened the definition of certain sexual offences, and allowed the civil commitment of a sex offender (meaning preemptive indefinite detention) with a minimum of one victim and any previous criminal history. It further increased court-imposed fees on sex offenders, prohibited probation for certain crimes, eliminated good time credits for early release of certain offenders, and provided for lifelong GPS monitoring of high-risk sex offenders. In 2010 the Supreme Court of California ruled that the residency requirements of Jessica’s Law could be applied retroactively.

I explore two ways in which the Harbor Gateway anti-sex offender park produces prisons. The first is as a technical, administrative mechanism for the return of ex-incarcerated people back into prison. As stated earlier, the park is designed and positioned to impede registered sex offenders from settling in the area - or expel those who already are - by materializing, spatially, a technical condition of sex-offender status in the state of California: the prohibition from living within 2,000 feet of schools and parks. Failure to abide by this restriction - whether accidentally or intentionally - can result in a revocation hearing. Revocation hearings are administrative proceedings that shadow the formal criminal justice system, in which correctional officers present evidence of a technical violation (rather than evidence of a commitment of a new offence) that may, and in fact often does, lead to (re)incarceration and therefore expands the US prison population. Revocation hearings are not actually construed as criminal legal processes requiring due process standards (Beckett and Murakawa 2012: 227).

As Beckett and Murakawa note, “The construction of revocation hearings as administrative (rather than criminal) in nature has therefore had important consequences for the nature and
strength of parolees rights protections, and has significantly enhanced carceral state power. In 1980, parole revocations represented 18 percent of US prison admissions; by 2000, *34 percent of all prison admissions were triggered by parole violations*” (Ibid., italics added). In the state of California, which already has the largest population of prisoners in the country, some 64 percent of all parolees are returned to prison within three years. 39 percent of those are re-imprisoned for a technical or administrative violation, such as a violation of one’s settlement restrictions (Grattet et al. 2008: 5).

The second way in which the Harbor Gateway anti-sex offender park produces prisons is by operating as a terrain of ideological practice, a site for the enactment and reenactment of particular kinds of social relations and processes, and for the ongoing verification of hegemonic ideas and beliefs. It is in this sense in particular that I want to explore the park as a carceral space. I suggest that its ideological work is to produce hegemonic epistemologies regarding the sex offender himself, as a particularly irredeemable and abhorrent subcategory of ‘criminal,’ in terms that ultimately serve to expand and cement carceral state power.

The anti-sex offender pocket park normalizes in space two productive and related narratives about the contested category of the ‘sex offender’: first, the moral panic around ‘stranger danger’; second, the belief that protection, or safety from such danger, is productively achieved through transformations in geography, and specifically, spatial banishment. In the latter sense, the park serves ideologically to veil the *illogic* of prisons and other carceral spaces, from the perspective of community safety and harm reduction, and transform that illogic into the appearance of *logic*.

I begin with the first of these suppositions. As the critical feminist Rose Corrigan (2006) argues, the passage of Megan’s Laws across the US actually worked to undermine feminist efforts at challenging sexual violence by excluding many of the most common perpetrators of sexual violence from their legal and discursive purview. The laws deflect attention from offences committed by family and friends of victims, despite the fact that those offences constitute the bulk of sexual assaults, and instead focus almost exclusively on the category of the ‘deviant stranger.’ Statistically, when it comes to sexual violence against children and
women, the ‘deviant stranger’ actually poses the least significant risk (Bureau of Justice Statistics 2000). Research suggests that the overwhelming majority of survivors of sexual assault know their attackers. This is especially true of children; it is estimated that approximately 90 percent of child victims know their offenders, as do 80 percent of adult victims (Kilpatrick et al. 1992).

Public perception and concern about the ‘stranger danger’ of sexual violence not only is over-amplified by the logics and restrictions embedded in contemporary sex-offender laws, but has had enormous ramifications for the organization of public space and production of disposable subjects. As Meiners writes, “The rampant fear of stranger sexual assault on children requires sex offender-free neighborhoods. These fears reshape public and private spaces, expand the punitive functions of the state, and also produce identities” (Ibid: 43).

Like sex-offender registries generally, the anti-sex offender park is not organized to monitor or prevent violence by family members or acquaintances, the populations most likely to engage in the sexual assault of children and adults alike, or to offer protection for sexual violence committed within intimate, and often domestic spheres. Given that 70 percent of all reported sexual assaults against children are committed in a home, usually the victim’s own residence (Bureau of Justice Statistics 2000), the emphasis within these anti-sex offender strategies on public spaces suggests a different political purchase is at work than the protection of women and children from violence. As a material and social space, therefore, the park itself mediates the production and reproduction of beliefs about what kinds of public spaces are dangerous, what social proximities are to be impeded, and both what kinds of bodies are defensible and what kinds need to be defended against. Sex offender registries and spatial restrictions disproportionately impact the poor and link intimately to racialized stereotypes of deviance and danger (Meiners 2009).

As Meiners points out, the production of the dangerous stranger “functions to erase the reality of the much more prevalent threat of violence in the family, a space that is conceptualized as both natural and safe” (Ibid: 41). This ideological construction serves to absolve society and the state from any responsibility in the production of actual danger,
structured, for example, through relations of patriarchy, homophobia, and misogyny, directed at those most often vulnerable to sexual violence. As Meiners argues, there is little to suggest that SORs reduce violence against women and children. Rather, “Evidence demonstrates that SORs participate in ignoring and even protecting a central site of sexualized violence, the patriarchal family” (Ibid: 45). The unevenness by which anti-sex offender schemes target specific individuals and spaces contributes to a tautology identified by Corrigan: “All sex offenders will come to be seen as sexual predators, but only those defendants who fit the preconceived profile of a sexual predator will be recognized as sex offenders” (2006: 306).

The point here is *not*, simply, to further bifurcate those that fall under the category of sex offender into new divisions of guilty and innocent, real or fictitious, or more or less *bad*. Rather, it is to point out that even those spaces that enact and ritualize the logic of punishment and *punishability* are fraught with so many contradictions as to belie entirely their claims to be productive solutions to the problem of sexual injury. Their productive work is better understood as operating at the level of symbolism and popular thought; they produce the very idea of the punishable (and thus disposable) subject while harnessing aspirations for harm reduction to enactments of punishment against certain kinds of bodies and in certain kinds of places.

Secondly, as a visible index of what places and people pose dangers to be preempted within the landscape of sexual violence, the anti-sex offender park mimics the logic of prisons themselves. The anti-sex offender park further reifies the demonstrably false idea of the prison as a solution to violence by exemplifying and thus ritualizing the idea that *spatial banishment* constitutes a sensible means of protection from sexual danger. Prisons have always been used, as Davis writes, as “a way of disappearing people in the false hope of disappearing the underlying social problems they represent” (2003: 41). Anti-sex offender parks operate on - and reproduce - the same organizing logic. Like prisons, anti-sex offender parks and the legal restrictions they activate “don’t pretend to change anything about people except where they are” (Gilmore 2007: 14). Yet their increasing popularity suggests the existence of an alternative political purchase in the performance of geographical displacement and disappearance.
The New York Times reports the proliferation of such pocket parks across the country in recent years. A Houston-based playground installation company is even reported to have advertised its services to homeowner associations as a means of keeping sex offenders away (Lovett 2013). Meanwhile, while sex offenders themselves, as a component of the prison system, tend to be “more likely than other felony offenders to be white, middle-class, and married” (Corrigan 2006: 280), Harbor Gateway is a predominantly racialized and working-class neighborhood. As such, it is in keeping demographically with other neighborhoods disproportionately targeted for surveillance by the criminal justice system and law enforcement. It is worth noting that City Councilor Joe Buscaino, the former Los Angeles police officer who now represents Harbor Gateway and who was among the park’s main champions, easily won re-election to the city council a month after the park’s popular February 2013 groundbreaking. Two more pocket parks are in the works for another neighborhood in Buscaino’s district (Lovett 2013).

As Meiners points out, “Privatizing public spaces and institutions has long required the production of disposable identities… These identities become integral to the reconfiguration of public institutions and state resources” (2009: 43). While other such racialized categories of disposability as the ‘welfare queen’ and the ‘illegal alien’ have justifiably provoked vast bodies of critical literature (see respectively Hancock 2004; Nevins 2002), the ‘sex offender’ appears to be, as Meiners also notes self-reflectively, a more challenging category of ‘bad’ for even radical activists and scholars to ally themselves with, especially those active in ongoing struggles against sexual assault and gender-based violence. The sex offender is seemingly indefensible, and thus gets continuously constructed as such. But as Meiners argues, the feelings of disgust, fear and anger harnessed in both the enactment and enforcement of sex-offender laws “become rationalizations to expand the punitive arm of the state and to contract its social-service functions…. The fearful feelings invite tough love, a defensive and protective “daddy” state, while the feelings of anger fuel more accountability from the public sphere and justify the dismantling of public programs” (2009: 43). Indeed, we can begin to see parallels between the expansion of sex-offender registries and spatial restrictions and the proliferation of supermax and control unit prisons on the basis of similar
constructions in public discourse of a ‘worst of the worst’ category of criminal. Wacquant warns further that such spaces, as well as cementing moral consensus around the punishability of the sex offender, further actualize and legitimate state tactics of dispossession and social exclusion. He writes about the effects of spatial restrictions in particular on the affective production of sex offenders as disposable subjects: “Spatial proscriptions intensify their material and emotional stress, entrench their social isolation, and heighten their judicial vulnerability, which in turn makes them ideal targets in the pornographic politics of punishment” (2009a: 238).

It is precisely because the ‘sex offender’ operates as such powerful placeholder, or “mobile artifact” (Meiners 2009: 36), for the ‘worst of the worst’ in both the public and the radical imagination, that it poses such a great ideological impediment to challenging the collapse, within thought, between incarceration and punishment, and thus between prisons and crime. Whatever else it does, the category of sex offender shores up deep and visceral attachments to the affective logic of punishment, thus reinforcing the common sense idea of incarceration as a response to crime and the ‘punitive feeling’ that such putatively heinous acts elicit in people. In contrast to the other carceral spaces explored in this chapter, the anti-sex offender park does actually ritualize the ideology of punishment, while also mystifying the other social relations and imperatives at work, including racial and sexual control, in the production and siting of such spaces. In so doing, it demonstrates another reason for abolitionists to refuse the partitioning of some carceral subjects as legitimate targets of state intervention: perhaps more than another other category of ‘criminal’, the sex offender is produced in such a way as to make affective sense out of the desire to punish, the practice incarceration, and thus the production of indefensible and disposable life.

It is in this sense that the anti-sex offender park does such effective work to shore up the legitimacy of the prison system. This isn’t just a theoretical observation. Undertaking a comprehensive study of criminal justice law and policy between 2000 and 2006, Beckett et al. found that, “Many states continued to enact “tough” anti-crime legislation through the onset of the recession. Much of this legislation was aimed at sex offenders” (2014: 15). During the period between 2007 and 2013, there were zero progressive reforms aimed at or inclusive of
sex offences. In other words, as they put it, “The punitive trend vis-à-vis violent and sex offenders remains untouched and, in some states, has continued to intensify” (Ibid: 17). Indeed, current reform efforts have already begun to demonstrate a bifurcation in the populations deemed ‘deserving’ and ‘undeserving’ of imprisonment, with reform initiatives aimed at lessening sentences or facilitating releases of some prisoners often purchased at the expense of increasingly restrictive sentences and conditions for other prisoners, usually those cast as violent or sex crime related.

As scholars have demonstrated, crunching the numbers, mass incarceration will only be impacted if we reduce sentences for long-term ‘violent offenders’ and ‘sex offenders’ as well (Beckett et al. 2014; Gottschalk 2014). It is thus conceivable that current prison reform efforts might contribute to a long-term entrenchment of mass incarceration, insofar as they deepen the political commitment to severely treating and intensively confining ‘undeserving’ prisoners. Sex offenders are almost always constructed, within such bifurcations, as undeserving, irredeemable, and indefensible. Refusing the idea that prisons and other like structures are legitimate in the case of these populations, and rejecting those strategies and policies organized by such logic, thus constitutes an important means of interrupting the ‘drive to punish’ ideology that prisons and their non-carceral spatial corollaries have contributed to. Such a politics helps disaggregate the struggle against prisons, just like the production of prisons, from the question of punishment.

The Problem with Punishment and the Matter of Carceral Ideology

The problem with punishment is that, as a concept, it is indexed to a deviant act. Its very demarcation alludes to the existence of a thing to be punished. That ‘thing’ - which in the case of prisons we call crime - is bracketed off as self-evident and beyond debate. The concept of punishment thus succeeds in framing any contestation over particular practices deemed punitive in terms of degree and of type: how much punishment is enough or too much; what should be its proper character and form. The fact that ‘crime’ itself has been demonstrated historically to be both a relative and mutable socio-legal category, let alone one that, Linebaugh ([2004] 2006) argues, belongs to capitalism and its vicissitudes, is
allowed little space within the characterization of incarceration as a regime of punishment. The same goes, necessarily, with the category of the criminal, which, as Gilmore points out, “has long been on the rise in the lexicon of putatively transparent or self-explanatory terms – like race or gender – used to designate fundamental (whether fixed or mutable) differences between kinds of people” (2009: 80).

The political project of rethinking the practice of incarceration, and of abolishing prisons and other like structures of captivity and premature death, will fail so long as the terms we use to describe or even denounce imprisonment hinge on the assumption that prisons emerge out of the logic of punishment, rather than vice versa. Such thinking produces a critique of mass incarceration on the grounds that it is a disproportionate, unaffordable, excessively cruel, or racially biased response to the problem of crime and the ‘punitive feeling’ crime ostensibly generates. Though it may also be those things, the problem is that the prison regime is rendered itself correctable or reformable within such a framework. The project of abolishing prisons requires instead a broad rethinking and reframing of its very relationship to the ‘criminal act.’ Confusing the ideology that “matters along the prison’s entire continuum” (Gilmore 2007: 243) with that of punishment doesn’t help us with this project, and may even be counterproductive to it, for it leaves the logics, relations, and interests that do actually produce prisons, prisoners, and the carceral state wholly intact.

In the case of the carceral spaces produced here, the question “how does ideology mediate space” (Goonewardena 2005) has unearthed some useful themes. Indeed, it is the argument of this chapter that the more salient ideological features of the prison regime, at least those mediated by the prison-producing spaces of Detroit’s downtown real estate corridor and eastern Kentucky’s impoverished coalfields, have to do with property, work, and with race; it is through the interpretation in thought of those social relations, rather than the drive to punish, that the carceral order is reproduced. Such insight is politically useful, moreover, insofar as it opens up new terrains of contingency for prison abolitionists and reformers to intervene, interrupt, and transform.

The excavation of such components of ‘carceral ideology’ also helps us connect across
discretely organized struggles and disciplines. For example, the recognition that the prison system is intimately bound up with the capitalist state’s organization and the reification of work - what Weeks describes as “the fact that at present one must work to ‘earn a living’ is taken as part of the natural order rather than as a social convention” (2011: 3) - helps further the case, whether through demands for full employment or a guaranteed basic income or something else, for centering the problem of wages and surplus labor as a necessary part of abolitionist struggle.

Similarly, a recognition of the property relations at the heart of carceral logic helps connect the racialized struggles against police violence, imprisonment, and securitization to the ideology of setter colonialism, as a historical and ongoing state project. Making just such a connection after the death of in Florida of Trayvon Martin and the release of his killer, George Zimmerman, the historian Robin D. G. Kelley instructed us to be clear:

The Trayvon Martins of the world never had [the right to stand their ground] because the ‘ground’ was never considered theirs to stand on…. The point is that justice was always going to elude Trayvon Martin, not because the system failed, but because it worked. Martin died and Zimmerman walked because our entire political and legal foundations were built on an ideology of settler colonialism — an ideology in which the protection of white property rights was always sacrosanct; predators and threats to those privileges were almost always black, brown, and red; and where the very purpose of police power was to discipline, monitor, and contain populations rendered a threat to white property and privilege. This has been the legal standard for African Americans and other racialized groups in the U.S. long before ALEC or the NRA came into being. We were rendered property in slavery, and a threat to property in freedom. (2013)

It is thus that I suggest that disturbing the prison as a “key ingredient of our common sense” (Davis 2003: 18) requires thinking less about punishment, and more about the functions of property, work, and race as social relations ordering the contemporary social landscape. For the modality of race and the ordering logic of white supremacy structure the form and character of all three carceral geographies explored in this chapter.

Gilmore writes, “The rationality underlying prison growth uses both rhetoric and practices of violence to make mass incarceration seem other than what it is – a machine for producing and exploiting group-differentiated vulnerability to premature death” (2009: 82). The
ideological modality for that group-differentiated vulnerability to premature death is race, and the rationality that orders it as violence is white supremacy. Prisons play an essential role in both constructions. To again quote Gilmore, “The torture of prisoners today is about constructing racial categories no less than when white supremacy was being secured 100 years ago” (2009: 84).

If the ideology of white supremacy lives on today it is because we continue to create it today. As Fields suggests, we re-ritualize it to fit our own terrain. That terrain is a neoliberal racial order in which the production of a permanent surplus labor force and the terrorization of that labor force through wagelessness and incarceration condition the possibility of continued accumulation by dispossession (Harvey 2004). The social vocabulary that helps such practices ‘make sense’ includes the ontologies of crime, property, punishment, and race. This does not mean there is anything natural, or necessary about any of these, despite their ‘reality’ and their materiality. Quite the contrary.

Insofar as prisons, jails and detention centres - a massive gulag of them, in the case of the United States - are now a constitutive part of the contemporary social terrain, it behooves us to think carefully about their relationship to both the ideology of punishment and the ideology of race. As Goonewardena reminds us, echoing Fields, “Ideology is not just ‘false consciousness. Ideology must also represent reality in one way or another, in addition to misrepresenting it. As such, it needs reality – and goes some distance toward constituting reality as well” (2005: 52). In this sense, the imperative to punish does have a reality and does hold a salient place in public thinking about prisons. The problem, however, is that we have conceived of the relationship between the two as inverted. Prisons are not produced out of the logic or common sense of punishment, but rather produce that logic in their ritualization and reenactment of it. This can be a self-generating cycle, as the case of the anti-sex offender pocket park demonstrates.

A similar self-perpetuation of ideology is at work in regards to race and, more corrosively, the ideology of white supremacy. Fields’s historicization of the relationship between slavery and race is instructive in regards to thinking about prisons as race-making institutions: “A commonplace that few stop to examine holds that people are more readily oppressed when
they are already perceived as inferior by nature. The reverse is more to the point. People are more readily perceived as inferior by nature when they are already seen as oppressed” (1990: 106). The real challenge for prison reformers is not that of convincing people that African Americans and other highly incarcerated and criminalized racial groups are not indeed inferior, for that is not how ideology works anyway. The task is rather to abolish the very institutions and relations that oppress them. Such an effort will require a broad rethinking of the property and labor relations that currently organize the social order, but it will also require including in an abolitionist politics those ‘indefensible’ categories of criminal, such as the sex offender, upon which the prison’s promise to punish holds strongest purchase across the spectrum of public opinion.
Chapter 6

AFTERLIVES OF THE PRISON: NOTES ON BLACK LIVES MATTER

We need to understand what the state is actually defending itself from. And I think in this respect, the particular instances of Michael Brown’s murder, and Eric Garner’s murder, are worth paying some attention to. Because what the drone Darren Wilson shot into, that day, was insurgent black life walking down the street. I don’t think he meant to violate the individual personhood of Michael Brown. He was shooting at mobile black sociality walking down the street, in a way that he understood, implicitly, constituted a threat to the order that he represents and that he is sworn to protect. Eric Garner, on an everyday basis, initiated a new alternative kind of marketplace, another mode of social life. And that’s what they killed. (Fred Moten 2014).

The very idea of precariousness implies dependency on social networks and conditions, suggesting that there is no “life itself” at issue here, but always and only conditions of life, life as something that requires conditions in order to become livable life and, indeed, in order to become grievable. (Judith Butler, Frames of War).

In the midst of writing this dissertation, a powerful set of events was unfolding in the United States. In August of 2014 a young, black man named Mike Brown was killed in the racially segregated, systematically hyper-policed St. Louis suburb of Ferguson, Missouri. In November, a grand jury decided not to indict the white police officer who killed Mike Brown. A week later, a different grand jury, in Staten Island, NY, also sided with law enforcement. The NYPD officers who choked to death Eric Garner, another poor black man criminalized for selling loose cigarettes, were also let off with no charge. The protests that erupted in anger around these non-indictments of white police officers grew quickly into a nation-wide uprising. Responding to the news not just of Mike Brown and Eric Garner’s killings, but also the deaths of Trayvon Martin, Jordan Davis, Rekia Boyd, Renisha McBride, and countless other unarmed black people killed by police and vigilantes, thousands of people across the US took to the streets both to proclaim and demand that “Black Lives Matter.”

Under this mantle, sustained protests and actions have coalesced around the issues of police
violence, systemic racism and vulnerability to premature death. At the core of this uprising has been the assertion that black life has value, despite and against a societal backdrop in which it is constantly and actively devalued. Black life, alongside illegalized non-citizens, and colonized and indigenous first peoples, is a demarcation of the most precarious layers of the poor and working-class: life structurally degraded within and by an economic system that requires a permanent, differentiated class of devalued and surplus life so that those populations can more easily be exploited as laborers, expropriated from resource-rich territories or profitable real-estate, and banished or killed if un-absorbable by, or threatening to, the social order (Linebaugh 2015).

In everything that came out of the Black Lives Matter movement, I saw the prison. In every prisoner-struggle I participate in or read about, I hear people declaring that black lives matter. The statistic, widely touted over the past several months, that tells us that a black person is killed by law enforcement or vigilantes every 28 hours, on average (Operation Ghetto Storm 2012), is part of the same story as the fact that one in three young African-American men is currently under the control of the criminal justice system – in prison, in jail, on probation, or on parole (Alexander 2010: 9). The police killings of Mike Brown and Eric Garner were both, as the poet and scholar Fred Moten points out, manifestations of broken windows policing. A theory and model of intensive policing of working-class black communities that itself builds on a longer history of black criminalization, broken windows theory encourages police to intervene in low-level, so-called quality of life issues, such as Garner’s selling of loose cigarettes. The official purpose of broken windows policing is to prevent more serious crime, but its effects have been mainly to intensify police dragnets into racialized neighborhoods and communities. Moten extends his analogy further: “What they made clear, is that we are the broken windows. We constitute this threat to the already existing normative order” (2014). Some lives, in other words, are deemed valuable to the existing order. Others can be abandoned and even killed.

One of the things I’ve tried to do in this dissertation is show how behind, or perhaps braided within, the production of carceral space is the production of surplus life. The concept of surplus life suggests something more complicated than just the production of surplus or
superfluous labor in reserve and its intimate relation to the contemporary ‘warehouse’ prison, though that too is relevant (Irwin 1980; Wacquant 2009a). Indeed, the market marginalization that ex-prisoners experience is so great that it has been described as an “institutionalized process of near-blanket exclusion from most areas of ‘mainstream’ employment” (Peck and Theodore 2008: 6, 14). Indeed, Stein argues that among the things that prison's produce is people with felony status: a constitutive ‘class’ of extremely exploitable workers whose broader effects include driving down wages overall (2014b). Debate, however, continues as to what precisely is the contemporary prisoner’s role in relation to capital accumulation. Tania Li extends the frame of this debate by writing about surplus populations: “The truth is that large numbers are in fact abandoned. Some are kept alive in prisons, refugee camps and ghettos, but they are not being prepared for work... The key is that to their predicament is that their labour is surplus in relation to its utility for capital” (2009: 68).

In the context of the Black Lives Matter movement, however, surplus life recalls something more closely akin to what Judith Butler calls “precarious life”: the practices of normativity and governmentality through which some lives are rendered grievable and others are not. Butler writes: “These normative schemes operate not only by producing ideals of the human that differentiate among those who are more and less human. Sometimes they produce images of the less than human, in the guise of the human, to show how the less than human disguises itself, and threatens to deceive those of us who might think we recognize another human there” (2004: 146). The racialized category of ‘the criminal’ continues to operate as one such powerful cover in both the cases of Eric Garner and Mike Brown. In a country where over seven million people are under some form of state supervision by the criminal justice system, however, the massive reach and potency of the ‘criminal’ as camouflage for the less-than-human is almost ungraspable. In this sense, then, it is mass criminalization as well as mass incarceration that we should be working to abolish.

Black Lives Matter is a movement against the creation and organization of surplus life, which by and large in the US is black life. It is also a movement for black insurgent sociality in a context of such aggressive neoliberalization that sociality itself constitutes a kind of
insurgent threat. Moten puts it powerfully: “When we say that black lives matter I think what we do sometimes is obscure the fact that in fact it’s black life that matters. That insurgent black social life still constitutes a profound threat to the already existing order of things” (2014). This is the reason that the prison matters, and the post-prison future matters. The downsizing or disinvestment from prisons by itself doesn’t portend the end of the production and racialization of surplus bodies and surplus life, and in fact may be facilitating new spatial fixes for that surplus life out of the crisis of its own flailing legitimacy and under the guise of penal critique.

The project of this dissertation has been to demonstrate that what is at stake in both the prison and prison reform is the production of disposability itself, and the development of new carceral spaces to that end. Its concern has been the deployment of a host of spatial mechanisms in service of producing, differentiating, and managing surplus life and the threats it poses. The prison is but one spatial technology within a larger state regime of organized racial capitalism. The discrete chapters and case studies brought together under the aegis of this research project demonstrate that the production of disposability is an active process, spatialized in a range of places and forms that are politically mutable, highly contested, and differentially experienced.

Throughout the case studies investigated within this dissertation, geographies of spatial isolation and anti-sociality have been found to function alongside the neoliberal logic of individual responsibility, to undermine black sociality and the forging of collective counter-power to racial capitalism and the carceral state. In the case of generalized solitary confinement, the production of disposability has been an active and uneven process, even within the architecture of the prison itself. The isolation unit both manages and preempts the forms of insurgent sociality prisoners have fashioned for themselves out of their conditions of confinement. In the case of the long-distance prison bus, the geographic isolation of faraway prisons compounds and conditions the secondary prisonization of visiting loved ones, most of whom are women of colour, already bearing the extended physical and psychic burdens of neoliberal austerity. Under such conditions, self-isolation is both an affect of internalized neoliberal logic, and a coping mechanism against risk in the high-stakes context.
of caring for incarcerated loved ones. Yet just as the solitary cell has emerged as a new terrain of prisoner struggle, the communal space of the long-distance bus offers its own opportunities for sociality, alliance-building, and redistribution of risk.

Throughout this dissertation, transformations in carceral space appear as signals of crisis. To repeat Stuart Hall and Bill Schwartz: “Crises occur when the social formation can no longer be reproduced on the basis of the preexisting system of social relations” (quoted in Gilmore 2007: 54). The systemic change necessary to resolve such crises, Gilmore reminds us, must be determined through struggle: “Crisis means instability that can be fixed only through radical measures, which include developing new relationships and new or renovated institutions out of what already exists” (Ibid: 26). The afterlives - and afterspaces - of the prison are already being determined in the present. The million dollar block, as Chapter 3 demonstrates, is one site at which one can see how the current period’s preoccupation with prison reform as an exercise in correctional budget recapture is being translated on the ground into a net widening, rather than downsizing, of the carceral regime. In this case, the economic imperatives and neoliberal initiatives that drive urban gentrification dovetail productively with reified narratives of individualized black criminality. Stitched onto poor, black urban neighborhoods via the cartography of the million dollar block, these practices effectively render the space of the neighborhood a legitimate target of increased state and economic intervention under the liberal guise of justice reinvestment and prison reform.

This dissertation begins to point to some of the ways the capacities of the carceral state may be being retrofitted for the current conjuncture, producing new spatial fixes for managing surplus life under the pretext of penal reform. In this vein, for example, Kilgore describes the branding and repacking of mass incarceration as “carceral humanism,” one component of which is the rise of electronic monitoring (EM) as an “alternative” to incarceration. He argues that EM constitutes a kind of privatized, remote control incarceration that outsources costs to families while transforming homes into spaces of isolated captivity and surveillance. As an extension of mobility control at the urban scale, it forms part of the penal reform landscape I discuss in chapter 3 that is refashioning cities into sites of carceral control. Likewise, Proposition 47 in California, a reform initiative, promises decarceration of certain
low-level drug and property offenders on the backs of those convicted of so-called violent and sex offences. It also mandates and financially underwrites the proliferation of police in schools, furthering the intimacy with which public schools in the US have figured as key spatial nodes in the set of relationships that make up the prison system (Meiners 2011). In keeping with its neoliberal character, we can already see the carceral state expanding its spatial reach on the promise of shrinking it.

Scholars from Foucault (1977) onward have offered examples throughout US penal history of reform efforts that have failed to stem the growth or increased racialization of US prisons, and in some cases have even engendered more austere and punitive conditions (Rothman [1971] 2002; Gottschalk 2006; Reiter 2012a). Indeed, recent scholarship shows that reformist appeals to a more ‘rehabilitative’ approach to incarceration have actually helped facilitate the building of more carceral space in the guise of “justice campuses” (Schept 2013a) and “gender responsive prisons” (Braz 2006). Reform strategies forged within the active realm of neoliberal state-building thus risk continuing the penal system’s coercive management of racialized bodies and urban poverty, while rendering the system as a whole more flexible and cost effective. Fiscal crisis, meanwhile, would seem to be a curious and contradictory so-called harbinger of decarceration, given that in the early 1970s, when the prison build up began across the country, states were also facing a situation of dire economic straits.

The neoliberal processes by which the carceral state is remaking and respatializing itself offer important terrain for further research. The prison’s afterlives and afterspaces are being forged in terms that ensure the continued expansion of the carceral state: producing new means and spatial configurations through which to control and contain, degrade and destroy surplus life; furthering the fracturing of the social and enclosure of the commons; and solidifying new cover stories to legitimate the abandonment and containment of some lives and not others. The category of the criminal is itself an uneven ontological field in that regard; as the freedom of low-level and drug offenders are increasingly purchased through appeals to relative innocence, those labeled by the state as violent or sex offenders pay the high price of the carceral regime in the form of longer and harsher sentences. In Chapter 5 I demonstrate why punishment is a misleading framework for making sense of the prison’s
ideological traction, but also why an effective abolitionist challenge to the carceral regime must include precisely those categories of prisoner, or criminal, who seem so legitimately *punishable*. For even while the carceral state is actually expanded via normative appeals to the sanctity of property, the responsibilizing ethic of work, and a racial ordering of valuable life, its cover remains the spurious promise that it and it alone can keep us from harm. The task, then, is to disinvest from the economy of guilt and innocence altogether; to insist, without caveat, that black life matters.

Under the mobilizing mantle of “Black Lives Matter” important links are being forged across the arenas of what constitutes the ‘matter’ of life, in particular the relationship between economic survival and freedom from state violence. Activist thinkers have called for an economic program to make black lives matter that resurrects from previous black liberation struggles such demands as a freedom budget, guaranteed minimum income, full employment, universal healthcare and good housing for all. Expressing a clear vision of how economic precarity undergirds state violence, authors of the Ferguson Demands write: “Inability to access employment continues to marginalize our communities, ready us for imprisonment, and deny us of our right to a life with dignity” (“Ferguson Action Demands” 2014). Fred Moten, meanwhile, continues on the theme of black life as broken windows: “Part of what’s at stake is that to fix a broken window is to fix another way of imagining the world; to literally fix it, to destroy it, to regulate it, to exclude it, to incarcerate it. But also at the same time, to incorporate it, to capitalize upon it, to exploit it, to accumulate it” (2014).

The insistence that black lives matter is radical and transformative precisely because the status quo requires that black lives don’t; the existing order of things cannot continue if they do. To demand that they matter, then, is to remake, through struggle, out of the intertwined crises of police violence, mass incarceration, and economic inequality, a new system of social, and therefore spatial, relations altogether.
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