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Introduction: Who We Punish: The Carceral State

THE NEW SCHOOL CONFERENCE FROM WHICH THIS SPECIAL ISSUE derives charged some of the field's most thoughtful researchers and theorists with taking up the question of *who* we punish. A fundamental point cutting across the papers in this volume is a stubborn social fact: those we punish do not represent a random draw from the general population of citizens. More critically, those we punish do not represent a random draw from the general population of those committing crime. Instead, those we punish are overwhelmingly poor, disproportionately men of color, and disenfranchised in both the literal and figurative sense of the word.

Punishment can be viewed as a transmission belt linking disadvantaged status origins to immiserated adult outcomes. More precisely, punishment appears to function as a transformer that "steps up" or exacerbates economic and social inequalities.

Jonathon Simon provides a social history of the carceral state, from the optimism of the New Deal and Great Society eras to the markedly more pessimistic contemporary period. Here, and in *Governing through Crime*, his new book, Simon argues that the War on Crime—and the logic of protecting "us" from "them"—has spilled over to affect our schools, families, workplaces, and other institutions. Among other prescriptions, he urges citizens to "just say no to criminal law."

Bruce Western next carves into sharp relief the astonishing inequalities in punishment rates. Most pointedly, he shows how imprisonment has become a routine event in the life course for young African

American males with less than a high school education. By placing incarceration rates alongside group- and cohort-specific rates of other life events, such as entry into military service or attainment of a post-secondary degree, Western adroitly contextualizes the scope and social concentration of punishment in the United States.

Scholars such as Bruce Western have conducted painstaking research to document inequalities in US incarceration rates by age, race, and gender. Yet the path from conviction in a criminal court to imprisonment in a state or federal penitentiary is perhaps the *least* ambiguous form of punishment in the contemporary United States. Writers such as Mark Dow are today documenting America's "immigration prisons" and the experiences of the thousands of immigrants and administrative detainees who languish within them. Many such inmates are legal US residents who have not been convicted of crimes, yet find themselves in a legal and administrative no-man's-land operating well outside the constitutional protections accorded US citizens. Dow raises provocative fundamental questions about such "imprisonment without punishment." Most critically, he asks whether such individuals should be prisoners at all.

Lorna Rhodes offers the fourth and final perspective on who we punish. Rhodes brings an anthropologist's eye to the design of prisons, from Jeremy Bentham's eighteenth-century panopticon to modern American supermax facilities. She describes contemporary supermax prisons as "hardening" institutions in light of the extreme physical and social isolation of inmates. She details the "social deterioration" occurring in such environments when inmates cannot experience the feedback of everyday interaction. Moreover, Dow helps show how a prison's physical environment engenders inmates' crude resistance strategies—blocking the tiny window that links them to others, fantasizing about revenge or escape, and throwing bodily fluids at correctional officers.

Rhodes' vocabulary of hardening would appear to apply equally well to life outside the prison gates. The unforgiving nature of the carceral state described by Jonathon Simon and its treatment of immigrant detainees described by Mark Dow clearly evoke images of hard-

ening. So too, Bruce Western's research on the long-term effect of incarceration on employability suggests a hardening or crystallization of stigma.

Yet despite the prison's "hard" environment and the stigmatization of former prisoners, life-course criminology has established that the vast majority of those punished will ultimately leave crime behind. Such work offers an optimistic message of malleability and reform that might well apply to the US record on punishment: just as individual prisoners can change for the better, so too can prison systems.

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