clinic of a jail finds itself handling serious cases of mental illness which, because they were not treated by the hospital sector outside, have led to incarceration).

Finally, it is essential to forge connections between activists and researchers on the penal and social fronts, between members of unions and associations in the welfare, education, housing, and health sectors, on the one hand, and their counterparts mobilized around the police, justice, and correctional services, on the other. The double regulation of the poor through the conjoined assistential and judicial wings of the state in the age of economic deregulation must be met by new alliances of analysts and militants taking account of the growing fusion between the Right hand and the Left hand of the state distinctive of the anatomy of the neoliberal state. Moreover, such civic and scientific synergy must be established not solely at the national level but also at the European level in order to optimize the intellectual and organizational resources that can be invested in the permanent struggle to redefine the perimeter and modalities of public action. There exists a formidable pool of theoretical and practical knowledge to be exploited and shared across the continent to dissect and remake the organic link between social justice and criminal justice. For the true alternative to the drift toward the penalization of poverty, whether soft or hard, remains the construction of a European social state worthy of the name. Three and a half centuries after its birth, the most effective means for pushing back the prison still remains and will remain for the decades ahead to push social and economic rights forward.

Theoretical Coda: A Sketch of the Neoliberal State

Three analytic breaks have proven necessary to elaborate the diagnosis of the invention of a new government of social insecurity wedding restrictive “workfare” and expansive “prisonfare” presented in this book, and to account for the punitive policy turn taken by the United States and other advanced societies following its lead onto the path of economic deregulation and welfare retrenchment in the closing decades of the twentieth century.

The first consists in breaking out of the crime-and-punishment poke, which continues to straightjacket scholarly and policy debates on incarceration, even as the divorce of this familiar couple grows ever more barefaced. The runaway growth and fervent glorification of the penal apparatus in America after the mid-1970s—and its milder expansion and startling political rehabilitation in Western Europe with a two-decade lag—are inexplicable so long as one insists on deriving them from the incidence and composition of offenses. For the rolling out of the penal state after the peaking of the Civil Rights movement responds, not to rising criminal insecurity, but to the wave of social insecurity that has flooded the lower tier of the class structure owing to the fragmentation of wage labor and the destabilization of ethnoracial or ethnonational hierarchies (provoked by the implosion of the dark ghetto on the United States side and by the settlement of postcolonial migrants on the European side). Indeed, the obsessive focus on crime, backed by ordinary and scholarly common sense, has served well to hide from view the new politics and policy of poverty that is a core component in the forging of the neoliberal state.

The second break requires relinking social welfare and penal policies, since these two strands of government action toward the poor have...
come to be informed by the same behaviorist philosophy relying on
deterrence, surveillance, stigma, and graduated sanctions to modify
conduct. Welfare revamped as workfare and prison stripped of its re-
habilitative pretension now form a single organizational mesh flung
at the same clientele mired in the fissures and ditches of the dualizing
metropolis. They work jointly to invisibilize problem populations—by
forcing them off the public aid rolls, on the one side, and holding them
under lock, on the other—and eventually push them into the peripheral
sectors of the booming secondary labor market. Returning to their
original historical mission at the birth of capitalism, poor relief and
penal confinement collude to normalize, supervise, and/or neutralize
the destitute and disruptive fractions of the postindustrial proletariat
coalescing under the new economic conditions of capital hypermobil-
ity and labor degradation.

The third rupture involves overcoming the customary opposition be-
tween materialist and symbolic approaches, descended from the em-
blematic figures of Karl Marx and Émile Durkheim, so as to heed and
hold together the instrumental and the expressive functions of the
penal apparatus. Weaving together concerns for control and commu-
nication, the management of dispossessed categories and the affirmation
of salient social boundaries, has enabled us to go beyond an analysis
conched in the language of prohibition to trace how the expansion
and redeployment of the prison and its institutional tentacles (probation,
parole, criminal databases, swirling discourses about crime, and
a virulent culture of public denigration of offenders) has reshaped the
socio-symbolic landscape and remade the state itself. Tracking down
the conjoint material and symbolic effects of punishment reveals that
the penal state has become a potent cultural engine in its own right,
by two internecine struggles. The first pits the "higher state nobility"
of policy-makers intent on promoting market-oriented reforms and
the "lower state nobility" of executors attached to the traditional mis-
sions of government. The second opposes what Bourdieu calls the "Left
hand" and the "Right hand" of the state. The Left hand, the feminine side
of Leviathan, is materialized by the "spendthrift" ministries in charge
of "social functions"—public education, health, housing, welfare, and
labor law—which offer protection and succor to the social categories
shorn of economic and cultural capital. The Right hand, the masculine
side, is charged with enforcing the new economic discipline via budget
cuts, fiscal incentives, and economic deregulation.

By inviting us to grasp in a single conceptual framework the various
sectors of the state that administer the life conditions and chances of
the lower class, and to view these sectors as enmeshed in relations of
antagonistic cooperation as they vie for preeminence inside the bureau-
cratic field, this conception has helped us map the ongoing shift from
the social to the penal treatment of urban marginality. The present
investigation fills in a gap in Bourdieu's model by inserting the police,
the courts, and the prison as core constituents of the "Right hand" of
the state, alongside the ministries of the economy and the budget. It
suggests that we need to bring penal policies from the periphery to the
center of our analysis of the redesign and deployment of government
programs aimed at coping with the entrenched poverty and deepening
disparities spawned in the polarizing city by the discarding of the
Fordist-Keynesian social compact. The new government of social inse-
curity put in place in the United States and offered as model to other
advanced countries entails both a shift from the social to the penal
wing of the state (detectable in the reallocation of public budgets, per-
sonnel, and discursive precedence) and the colonization of the welfare
sector by the panoptic and punitive logic characteristic of the postreha-
bilitation penal bureaucracy (examined in chapters 2 and 3). The slanting of state activity from the social to the penal arm and the incipient penalization of welfare, in turn, partake of the *remasculinization of the state*, in reaction to the wide-ranging changes provoked in the political field by the women’s movement and by the institutionalization of social rights antithetic to commodification. The new priority given to duties over rights, sanction over support, the stern rhetoric of the “obligations of citizenship,” and the martial reaffirmation of the capacity of the state to lock the troubling poor (welfare recipients and criminals) “in a subordinate relation of dependence and obedience” toward state managers portrayed as virile protectors of the society against its wayward members: all these policy planks pronounce and promote the transition from the kindely “nanny state” of the Fordist-Keynesian era to the strict “daddy state” of neoliberalism.

In their classic study *Regulating the Poor*, Frances Fox Piven and Richard Cloward forged a germinal model of the management of poverty in industrial capitalism. According to this model, the state expands or contracts its relief programs cyclically to respond to the ups and downs of the economy, the corresponding slackening and tightening of the labor market, and the bouts of social disruption that increased unemployment and destitution trigger periodically among the lower class. Phases of welfare expansion serve to “mute civil disorders” that threaten established hierarchies, while phases of restriction aim to “enforce works norms” by pushing recipients back onto the labor market. The present book contends that, while this model worked well for the Fordist-Keynesian age and accounts for the two major welfare explosions witnessed in the United States during the Great Depression and the affluent but turbulent 1960s, it has been rendered obsolete by the neoliberal remaking of the state over the past quarter-century. In the era of fragmented labor, hypermobile capital, and sharpening social inequalities and anxieties, “the central role of relief agencies in the regulation of marginal labor and in the maintenance of social order” is displaced and duly supplemented by the vigorous deployment of the police, the courts, and the prison in the nether regions of social space. To the single oversight of the poor by the Left hand of the state succeeds the double regulation of poverty by the joint action of punitive and welfare-turned-workfare and a diligent and belligerent penal bureaucracy. The cyclical alternation of contraction and expansion of public aid is replaced by the continual contraction of welfare and the runaway expansion of prisonfare.

This organizational coupling of the Left hand and Right hand of the state under the aegis of the same disciplinary philosophy of behaviorism and moralism is an unprecedented institutional innovation which overturns the accepted categories of social theory, empirical research, and public policy—starting with the safe separation between those who manage or study “welfare” and those who track “crime.” It can be understood, first, by recalling the shared historical origins of poor relief and penal confinement in the chaotic passage from feudalism to capitalism. Both policies were devised in the sixteenth century to “absorb and regulate the masses of discontented people uprooted” by this epochal transition. Similarly, both policies were overhauled in the last two decades of the twentieth century in response to the socioeconomic dislocations provoked by neoliberalism: in the 1980s alone, in addition to reducing public assistance, California voted nearly one thousand laws expanding the use of prison sentences; at the federal level, the 1996 reform that “ended welfare as we know it” was complemented by the sweeping Crime Omnibus Act of 1993 and bolstered by the No Frills Prison Act of 1995.

The institutional pairing of public aid and incarceration as tools for managing the unruly poor can also be understood by paying attention to the structural, functional, and cultural similarities between workfare and prisonfare as “people-processing institutions” targeted on kindred problem populations. It has been facilitated by the transformation of welfare in a punitive direction and the activation of the penal system to handle more of the traditional clientele of assistance to the destitute—the incipient “penalization” of welfare matching the degraded “welfarization” of the prison. Their concurrent reform over the past thirty years has helped cement their organizational convergence, even as they have obeyed inverse principles. The gradual erosion of public aid and its revamping into workfare in 1996 have entailed restricting entry into the system, shortening “stays” on the rolls, and speeding up exit, resulting in a complete re-ordering of the state’s welfare system.


*Frances Fox Piven and Richard A. Cloward, *Regulating the Poor: The Functions of Public Welfare*, new expanded ed. (New York: Vintage, 1993 [1971]), 21. Penal expansion and activism in the sixteenth century is acknowledged in passing by Piven and Cloward: “The relief system was by no means the only solution. This was an era of brutal repression; indeed in no other domestic matters was Parliament so active as in the elaboration of the criminal code.” Ibid., 20, n. 32.
in a spectacular reduction of the stock of beneficiaries (it plummeted from nearly five million households in 1992 to under two million a decade later). Trends in penal policy have followed the exact opposite tack: admission into jail and prison has been greatly facilitated, sojourns behind bars lengthened, and releases curtailed, which has yielded a spectacular ballooning of the population under lock (it jumped by over one million in the 1990s). The operant purpose of welfare has shifted from passive “people processing” to active “people changing” after 1988 and especially after the abolition of AFDC in 1996, while the prison has traveled in the other direction, from aiming to reform inmates (under the philosophy of rehabilitation, hegemonic from the 1920s to the mid-1970s) to merely warehousing them (as the function of punishment was downgraded to retribution and neutralization). The sudden deflation of the welfare rolls has been touted as evidence of the success of the new welfare policy, while the grotesque inflation of the country’s carceral stock has been hailed as positive proof that criminal policy is working. Poverty has not receded, but the social visibility and civic standing of the troublemaking poor have been reduced.

The shared historical roots, organizational isomorphism, and operational convergence of the assistential and penitential poles of the bureaucratic field in the United States are further fortified by the fact that, as revealed in chapters 2 and 3, the social profiles of their beneficiaries are virtually identical. AFDC recipients and jail inmates both live near or below 50 percent of the federal poverty line (for one-half and two-thirds of them, respectively); both are disproportionately black and Hispanic (37 percent and 18 percent versus 41 percent and 19 percent). The majority did not finish high school and are saddled with serious physical and mental disabilities interfering with their participation in the workforce (44 percent of AFDC mothers as against 37 percent of jail inmates). And they are closely bound to one another by extensive kin, marital, and social ties, reside overwhelmingly in the same impoverished households and barren neighborhoods, and face the same bleak life horizon at the bottom of the class and ethnic structure.

Punishing the Poor avers, not only that the United States has shifted from the single (welfare) to the double (social-cum-penal) regulation of the poor, but also that “the stunted development of American social policy” skillfully dissected by Piven and Cloward stands in close causal and functional relation to America’s uniquely overgrown and hyperactive penal policy. The misery of American welfare and the grandeur of American prisonfare at century’s turn are the two sides of the same political coin. The generosity of the latter is in direct proportion to the stinginess of the former, and it expands to the degree that both are driven by moral behaviorism. The same structural features of the American state (underscored in chapter 2) that have facilitated the organized atrophy of welfare in reaction to the racial crisis of the 1960s and the economic turmoil of the 1970s have also fostered the uncontrolled hypertrophy of punishment aimed at the same precarious population. Moreover, we stressed in chapter 6 that the “tortured impact of slavery and institutionalized racism on the construction of the American polity” has been felt, not only on the “underdevelopment” of public aid and the “decentralized and fragmented government and party system” that distributes it to a select segment of the dispossessed, but also on the overdevelopment and stupendous severity of its penal wing. The social potency of the denigrated form of ethnicity called race and the activation of the stigma of blackness are key to explaining the initial atrophy and accelerating decay of the American social state in the post-Civil Rights era, on the one hand, and the astonishing ease and celerity with which the penal state arose on its ruins, on the other.

To track the fate of the poor in the polarizing class structure of neoliberal capitalism, then, it will not suffice to supplement the traditional analysis of welfare with the study of workfare. For the residualization of public assistance as protective buffer against the sanction of the deregulated labor market has been prolonged by the gargantuan growth of prisonfare, which now shares in the task of encasing the social relations and consequences of normalized social insecurity in the lower reaches of urban space. In Workfare States, his provocative analysis of the deployment of workfare as “a reactive reform strategy and as a would-be successor regime to the welfare state,” Jamie Peck draws an analogy between supervisory workfare and the criminal justice system. He points out their common symbolic function of moral exemplification and corresponding capacity to exercise disciplining effects well beyond their official clientele:

Just like workhouses and prisons, workfare regimes are intended to throw a long shadow, shaping the norms, values, and behaviors of the wider populations, and maintaining a form of order. Sticking with the penal analogy, what matters in these situations is not just the activities and immediate fate of the inmates, nor the particularities of prison architecture, but the broader social, political and economic effects of the criminal justice system.*

*Jamie Peck, Workfare States (New York: Guilford, 2001), 23, emphasis in the original. Later, Peck elaborates: “Workfare maintains order in the labor market in an analogous fashion to the way in which prisons contribute to the maintenance of the social
This argument is insightful, but it vastly underestimates the operative connections between these two sectors of the bureaucratic field and the practical overlap between their respective activities. For workfare and prisonfare are linked, not by a mere analogy, but through organizational homology and functional complementarity. Rather than operating in kindred fashion, they run jointly at ground level, by applying the same principles of deterrence, diversion, individualized supervision, and sanction to the same population according to a gendered division of labor of submission to the dictate of flexible work as de facto norm of citizenship at the foot of the class structure. Peck overstates the fact that, much like workfare is "the logical social-policy complement to flexible labor-market policies," expansive and aggressive prisonfare is the logical justice-policy complement to both workfare and the normalization of contingent jobs. Similarly, in her book Flat Broke with Children, Sharon Hays misjudges the active entwining of the social and penal treatments of poverty when she warns about a future negative interaction between new-style public aid and the criminal justice system and other institutions entrusted with the custody of social derelicts, should workfare not be amended. She does not realize that these two planks of poverty policy are already working in tandem, and that Malthusian welfare and penal Keynesianism, far from being at loggerheads, form a complementary institutional duo.

Reversing the historical bifurcation of the labor and crime questions achieved in the late nineteenth century, punitive containment as a government technique for managing deepening urban marginality has effectively rejoined social and penal policy at the close of the twentieth century. It taps the diffuse social anxiety coursing through the middle and lower regions of social space in reaction to the splintering of wage work and the resurgence of inequality, and converts it into popular animus toward welfare recipients and street criminals cast as the twin detached and defamed categories which sap the social order by their dissolute morality and dissipated behavior, and must therefore be placed under severe tutelage. The new government of poverty invented by the United States to enforce the normalization of social insecurity thus gives a whole new meaning to the notion of "poor relief": punitive containment offers relief not to the poor but from the poor, by forcibly "disappearing" the most disruptive of them, from the shrinking welfare rolls on the one hand and into the swelling dungeons of the carceral castle on the other. With the shift from the one-handed paternalist to the two-handed paternalist modality of poverty policy, the bright line between the deserving and the undeserving poor, the wholesome "working families" and the corrupt and fearsome "underclass," is drawn in concert by workfare and prisonfare. And incarceration takes its place at the center of the spectrum of state programs trained on the precarious fractions of the postindustrial proletariat.

Michel Foucault has advanced the single most influential analysis of the rise and role of the prison in capitalist modernity, and it is useful to set my thesis against the rich tapestry of analyses he has stretched and stimulated. As indicated earlier, I concur with the author of Discipline and Punish that penalty is a prototypal force that is eminently fertile and must be given pride of place in the study of contemporary power. While its originary medium resides in the application of legal coercion to enforce the core strictures of the sociomoral order, punishment must be viewed not through the narrow and technical prism of repression—as most critics of the contemporary punitive upsurge continue to do on both sides of the Atlantic—but by recourse to the notion of production. We have seen in this book how the assertive rolling out of the penal state has engendered new categories and discourses, novel administrative bodies and government policies, fresh social types and associated forms of knowledge across the criminal and social welfare domains. In sum, the penalization of poverty has proved to be a prolific vector for the construction of social reality and for the reengineering of the state geared toward the ordering of social insecurity in the age of deregulated capitalism. But, from here, my argument diverges sharply
from Foucault’s view of the emergence and functioning of the punitive society in at least four ways.9

To start with, Foucault erred in spotting the retreat of the penitentiary. Disciplines may have diversified and metastasized to thrust sinewy webs of control across the society, but the prison has not for that receded from the historical stage and “lost its raison d’être.”** On the contrary, penal confinement has made a stunning comeback and reaffirmed itself among the central missions of Leviathan just as Foucault and his followers were forecasting its demise. After the founding burst of the 1960s and the consolidation of the 1980s, the turn of the present century ranks as the third “age of confinement” that penologist Thomas Mathiesen forewarned about in 1990.12 Next, whatever their uses in the eighteenth century, disciplinary technologies have not been deployed inside the overgrown and voracious carceral system of our fin de siècle. Hierarchical classification, elaborate time schedules, nonindentity, close-up examination and the regimentation of the body: these techniques of penal “normalization” have been rendered impracticable by the demographic chaos spawned by overpopulation, bureaucratic rigidity, resource depletion, and the studious indifference if not hostility of penal authorities toward rehabilitation (documented in chapters 4 and 5). In lieu of the dressage (“training” or “taming”) intended to fashion “docile and productive bodies” postulated by Foucault, the contemporary prison is geared toward brute neutralization, rote retribution, and simple warehousing—by default if not by design. If there are “engineers of consciousness” and “orthopedists of individuality” at work in the mesh of disciplinary powers today, they surely are not employed by departments of corrections.13

In the third place, “devices for normalization” anchored in the carceral institution have not spread throughout the society, in the manner of capillaries irrigating the entire body social. Rather, the widening of the penal dragnet under neoliberalism has been remarkably discriminating: in spite of conspicuous bursts of corporate crime (epitomized by the Savings and Loans scandal of the late 1980s and the folding of Enron a decade later), it has affected essentially the denizens of the lower regions of social and physical space. Indeed, the fact that the class and ethnoracial selectivity of the prison has been maintained, nay reinforced, as it vastly enlarged its intake demonstrates that penalization is not an all-encompassing master logic that blindly traverses the social order to bend and bind its various constituents. On the contrary: it is a skewed technique proceeding along sharp gradients of class, ethnicity, and place, and it operates to divide populations and to differentiate categories according to established conceptions of moral worth (as demonstrated per absurdum by the hysterical treatment of sex offenders leading to social excommunication examined in chapter 7).14 At the dawn of the twenty-first century, America’s urban (sub)proletariat lives in a “punitive society,” but its middle and upper classes certainly do not. Similarly, efforts to import and adapt US-style slogans and methods of law-enforcement—such as zero tolerance policing, mandatory minimum sentencing, or boot camps for juveniles—in Europe have been trained on lower-class and immigrant offenders relegated in the defamed neighborhoods at the center of the panic over “ghettoization” that has swept across the continent over the past decade.

Lastly, the crystallization of law-and-order pornography, that is, the accelerating inflection and inflation of penal activity conceived, represented, and implemented for the primary purpose of being displayed in ritualized form by the authorities—the paradigm for which is the half-aborted reintroduction of chain gangs in striped uniforms—suggests that news of the death of the “spectacle of the scaffold” has been greatly exaggerated. The “redistribution” of “the whole economy of punishment”15 in the post-Fordist period has entailed, not its disappearance from public view as proposed by Foucault, but its institutional relocation, symbolic elaboration, and social proliferation beyond anything anyone envisioned when Discipline and Punish was published. In the past quarter-century, a whole galaxy of novel cultural and social forms, indeed a veritable industry trading on representations of offenders and law-enforcement, has sprung forth and spread. The theatricalization of penalty has migrated from the state to the commercial media and the political field in toto, and it has extended from the final ceremony of sanction to encompass the full penal chain, with a privileged place accorded to police operations in low-income districts...
partnerships" and hysterical denial through "punitive segregation." The ensuing reconfiguration of crime control bespeaks the inability of rulers to regiment individuals and normalize contemporary society, and its very disjointedness has made glaring to all the "limits of the sovereign state." For Garland, the "culture of control" coalescing around the "new criminological predicament" pairing high crime rates with the acknowledged limitations of criminal justice both marks and masks a political failing. On the contrary, Punishing the Poor asserts that punitive containment has proved to be a remarkably successful political strategy: far from "eroding one of the foundational myths of modern society" which holds that "the sovereign state is capable of delivering law and order," it has revitalized it.

By elevating criminal safety (sécurité, Sicherheit, sicurezza, etc.) to the frontline of government priorities, state officials have condensed the diffuse class anxiety and simmering ethnic resentment generated by the unraveling of the Fordist-Keynesian compact and channeled them toward the (dark-skinned) street criminal, designated as guilty of sowing social and moral disorder in the city, alongside the profligate welfare recipient. Rolling out the penal state and coupling it with workfare has given the high state nobility an effective tool to both foster labor deregulation and contain the disorders that economic deregulation provokes in the lower rungs of the sociospatial hierarchy. Most importantly, it has allowed politicians to make up for the deficit of legitimacy which besets them whenever they curtail the economic support and social protections traditionally granted by Leviathan. Contra Garland, then, I find that the penalization of urban poverty has served well as a vehicle for the ritual reassertion of the sovereignty of the state in the narrow, theatricalized domain of law enforcement that it has prioritized for "that very purpose," just when the same state is effectively conceding its incapacity to control flows of capital, bodies, and signs across its borders. This divergence of diagnosis, in turn, points to three major differences between our respective dissections of the punitive drift in First-World countries.

First, the fast and furious bend toward penalization observed at the fin de siècle is not a response to criminal insecurity but to social in-

*The denials and expressive gestures that have marked recent penal policy cannot disguise the fact that the state is seriously limited in its capacity to provide security for its citizens and deliver adequate levels of social control. . . . In the complex, differentiated world of late modernity, effective, legitimate government must devolve power and share the work of social control with local organizations and communities." David Garland, The Culture of Control: Crime and Social Order in Contemporary Society (Chicago: University of Chicago Press, 2001), 205.
security. To be more precise, the currents of social anxiety that roll advanced society are rooted in objective social insecurity among the postindustrial working class, whose material conditions have deteriorated with the diffusion of unstable and underpaid wage labor shorn of the usual social "benefits," and subjective insecurity among the middle classes, whose prospects for smooth reproduction or upward mobility have dimmed as competition for valued social positions has intensified and the state has reduced its provision of public goods. Garland's notion that "high rates of crime have become a normal social fact—a routine part of modern consciousness, an everyday risk to be assessed and managed" by "the population at large," and especially by the middle class, is belied by both official crime statistics and victimization studies. We saw in chapter 4 that law breaking in the United States declined or stagnated for twenty years after the mid-1970s before falling precipitously in the 1990s, while exposure to violent offenses varied widely by location in social and physical space. We also noted in chapter 8 that European countries sport crime rates similar to or higher than America (except for the two specific categories of assault and homicide, which compose but a tiny fraction of all offenses), and yet have responded quite differently to criminal activity, with rates of incarceration one-fifth to one-tenth the American rate even as they have risen. In any case, parsing out trends in offending does nothing to resolve the quandary of why the United States became five times more punitive in the closing quarter of the century, holding crime constant.

This takes us to the second difference: for Garland, the reaction of the state to the predicament of high crime and low justice efficiency has been disjointed and even schizoid, whereas I have stressed its overall coherence. But this coherence becomes visible only when the analytic compass is fully extended beyond the crime-and-punishment box and across policy realms, to link penal trends to the socioeconomic restructuring of the urban order, on the one side, and to join workforce and prisonfare, on the other. What Garland characterizes as "the structured ambivalence of the state's response" is not so much ambivalence as a predictable organizational division in the labor of management of the disruptive poor. Bourdieu's theory of the state is helpful here in enabling us to discern that the "adaptive strategies" recognizing the state's limited capacity to stem crime by stressing prevention and devolution are pursued in the penal sector of the bureaucratic field, while what Garland calls the "nonadaptive strategies" of "denial and acting out" to reassert that very capacity operate in the political field, especially in its relation to the journalistic field. These strategic tacks are the two complementary components of the same state response of penalization—"adaptation" at the administrative level and "acting out" at the political level—which has trumped the alternatives of socialization and medicalization, and it has proved well suited to governing the new social insecurity.

Garland does report similarities in the recent evolution and aims of social and penal policies. But, like Joel Handler and Jamie Peck coming from the welfare side, he reduces these to simple analogies or to parallel by-products of broad external factors undeserving of an extended analysis. This is all the more surprising since, in his earlier work on the historical transition from late Victorian penalty to the modern "penal-welfare complex" in England a century ago, Garland had fruitfully connected social and criminal policies by tracing how the "techniques, images, and principles" of poor relief, social insurance, moral education, and social work were extended to punishment so that "the institutions of penal reform" came to support and extend those of the social realm. And so, even as he skillfully connects crime control to a vast array of social forces and cultural sentiments, he continues to isolate its analysis from that of the spectrum of state programs which set the life parameters and chances of the (sub)proletariat, whereas *Punishing the Poor* insists on the necessity to bring poverty and justice policies into a single analytic framework. As noted in chapter 1, Garland views changes

*Between 1975 and 1995, the homicide rate for whites remained consistently stuck at one-sixth that for blacks (stable at about 5 per 100,000 versus 28 to 39 per 100,000). In 1995, the incidence of robberies in the suburbs was one-third that in cities; the rate for suburban white females stood at 2.6 per 1,000 compared to 4.6 for black men in urban centers. US Department of Justice, *Sourcebook of Criminal Justice Statistics 2000* (Washington, D.C.: Government Printing Office, 2001). Victimization studies in the United States and Western Europe likewise converge to refute the idea that "the middle classes [have] found themselves becoming regular victims of crime." Garland, *The Culture of Control*, 153.*
in penalty over the past thirty years as primarily cultural, precisely because he overlooks the structural and functional linkages established between astringent welfare and munificent prisonfare, leading to the creation of a novel disciplinary apparatus to supervise the troublemaking poor and submit them to the rule of deregulated wage labor. For him, "the correctionalist apparatus associated with penal-welfarism is, for the most part, still in place." It has been greatly enlarged; it has lost its professional autonomy; and it has been supplemented by a "third sector" of crime control composed of public-private partnerships. But morphological changes in crime management pale before changes in the "cognitive assumptions, normative commitments, and emotional sensibilities" that make up the crystallizing culture of control.\(^\text{22}\) By contrast, I argue that the gargantuan growth of America's penal state has de facto altered its architecture and purpose, sapping the design of "corrections" from within, and that it has been supplemented, not just by "the organized activities of communities and commercial organizations" outside the bureaucratic field but, more crucially, by the restrictive revamping of welfare into workfare inside of it under the aegis of the same paternalist philosophy of moral behaviorism.

Thirdly, like other leading analysts of contemporary punishment such as Jock Young, Franklin Zimring, and Michael Tonry, Garland sees the punitive turn as the reactionary progeny of right-wing politicians.\(^\text{24}\) But this book has demonstrated, first, that the penalization of poverty is not a simple return to a past state of affairs but a genuine institutional innovation and, second, that it is by no means the exclusive creature of neoconservative politics. If politicians of the Right invented the formula, it was employed and refined by their centrist and even "progressive" rivals. Indeed, the president who oversaw by far the biggest increase in incarceration in American history (in absolute numbers and growth rate of the inmate population as well as in budgets and personnel) is not Ronald Reagan but William Jefferson Clinton.\(^\text{*}\) Across the Atlantic, it is the Left of Blair in England, Schröder in Germany, Jospin in France, d'Alena in Italy, and González in Spain that negotiated the shift to proactive penalization, not their conservative predecessors. This is because the root cause of the punitive turn is not late modernity but neoliberalism, a project that can be indifferently embraced by politicians of the Right or the Left.

The jumble of trends that Garland gathers under the umbrella term of late modernity—the "modernizing dynamic of capitalist production and market exchange," shifts in household composition and kinship ties, changes in urban ecology and demography, the disenchanting impact of the electronic media, the "democratization of social life and culture" (including unbridled individualism and the proliferation of plural identities and "communities of choice")—are not only exceedingly vague and loosely correlated. They are either not peculiar to the closing decades of the twentieth century, specific to the United States, or show up in their most pronounced form in the social-democratic countries of Northern Europe, which have not been submerged by the international wave of penalization.\(^\text{\textsuperscript{17}77-89}\) Moreover, the onset of late modernity has been gradual and evolutionary, whereas the recent permutations of penalty have been abrupt and revolutionary.\(^\text{\textsuperscript{77-89}}\)

*Punishing the Poor contends that it is not the generic "risks and anxieties" of "the open, porous, mobile society of strangers that is late modernity"\(^\text{25}\) that have fostered retaliation against lower-class categories perceived as undeserving and deviant types seen as irreparable, but the specific social insecurity generated by the fragmentation of wage labor, the hardening of class divisions, and the erosion of the established ethnoracial hierarchy guaranteeing an effective monopoly over collective honor to whites in the United States (and to nationals in the European Union). The sudden expansion and consensual exaltation of the penal state after the mid-1970s is not a culturally reactionary reading of "late modernity," but a ruling-class response aiming to redefine the perimeter and missions of Leviathan, so as to establish a new economic regime based on capital hypermobility and labor flexibility and to curb the social turmoil generated at the foot of the urban order by the public policies of market deregulation and social welfare retrenchment that are core building blocks of neoliberalism.

\(^*\text{Under Reagan, the prison population of the United States jumped from 320,000 to 608,000, adding 288,000 convicts, compared to a rise from 851,000 to 1,316,000 for a gain of 465,000 convicts on Clinton's watch. Total direct correctional expenditures grew by $8 billion (from $42 billion to $120 billion) under Reagan, but ballooned by nearly $35 billion (from $87 billion to $123 billion) under Clinton. Bureau of Justice Statistics, Sourcebook of Criminal Justice Statistics (Washington, D.C.: Government Printing Office, 2005), tables 6.1 and 1.9.}
A Sociological Specification of Neoliberalism

The invention of the double regulation of the insecure fractions of the postindustrial proletariat via the wedding of social and penal policy at the bottom of the polarized class structure is a major structural innovation that takes us beyond the model of the welfare-poverty nexus elaborated by Piven and Cloward just as the Fordist-Keynesian regime was coming unglued. The birth of this institutional contraption is also not captured by Michel Foucault's vision of the "disciplinary society" or by David Garland's notion of the "culture of control," neither of which can account for the unforeseen timing, socioethnic selectivity, and peculiar organizational path of the abrupt turnaround in penal trends in the closing decades of the twentieth century. For the punitive containment of urban marginality through the simultaneous rolling back of the social safety net and the rolling out of the police-and-prison dragnet and their knitting together into a carceral-assistential lattice is not the spawn of some broad societal trend—whether it be the ascent of "biopower" or the advent of "late modernity"—but, at bottom, an exercise in statecrafting. It partakes of the correlative revamping of the perimeter, missions, and capacities of public authority on the economic, social welfare, and penal fronts. This revamping has been uniquely swift, broad, and deep in the United States, but it is in progress—or in question—in all advanced societies submitted to the relentless pressure to conform to the American pattern.

Yet Michel Foucault was right to advise us to "take penal practices less as a consequence of juridical theories than as a chapter in political anatomy." Accordingly, the present book has been intended, not as a variation on the well-rehearsed score of the political economy of imprisonment, so much as a contribution to the political sociology of the transformation of the field of power in the era of triumphant neoliberalism. For tracking the roots and modalities of America's stupendous drive to hyperincarceration opens a unique route into the sanctum of the neoliberal Leviathan. It leads us to articulate two major theoretical claims. The first is that the penal apparatus is a core organ of the state, expressive of its sovereignty and instrumental in imposing categories, upholding material and symbolic divisions, and molding relations and behaviors through the selective penetration of social and physical space. The police, the courts, and the prison are not mere technical appendages for the enforcement of lawful order, but vehicles for the political production of reality and for the oversight of deprived and defamed social categories and their reserved territories. Students of American politics, stratification, poverty, race, and civic culture who neglect them do so at huge analytic and policy costs. The second thesis is that the ongoing capitalist "revolution from above" commonly called neoliberalism entails the enlargement and exaltation of the penal sector of the bureaucratic field, so that the state may check the social reverberations caused by the diffusion of social insecurity in the lower rungs of the class and ethnic hierarchy as well as assuage popular discontent over the dereliction of its traditional economic and social duties.

Neoliberalism readily resolves what for Garland's "culture of control" remains an enigmatic paradox of late modernity, namely, the fact that "control is now being re-emphasized in every area of social life—with the singular and startling exception of the economy, from whose deregulated domain most of today's major risks routinely emerge." The neoliberal remaking of the state also explains the steep class, ethno-racial, and spatial bias stamping the simultaneous retraction of its social bosom and expansion of its penal fist: the populations most directly and adversely impacted by the convergent revamping of the labor market and public aid turn out also to be the privileged "beneficiaries" of the penal largesse of the authorities. Finally, neoliberalism correlates closely with the international diffusion of punitive policies in both the welfare and the criminal domains. It is not by accident that the advanced countries that have imported, first workfare measures designed to buttress the discipline of desocialized wage work and then variants of US-style criminal justice measures, are the Commonwealth nations which also pursued aggressive policies of economic deregulation inspired by the "free market" nostrums come from America, whereas the countries which remained committed to a strong regulatory state curbing social insecurity have best resisted the siren's of "zero tolerance" policing and "prison works." Similarly, societies of the Second World such as Brazil, South Africa, and Turkey, which adopted superpunitive penal planks inspired by American developments in the 1990s and saw their prison population soar as a result, did so not because they had at long last reached the stage of "late modernity," but because they had taken the route of market deregulation and state retrenchment.

*Loïc Wacquant, Les Prisons de la misère (Paris: Raisons d'Agir Éditions, 1999), translated as Prisons of Poverty (Minneapolis: University of Minnesota Press, 2003); and L. Wacquant, "Towards a Dictatorship over the Poor? Notes on the Penalization of Poverty in Brazil," Punishment & Society 5, no. 2 (April 2003): 197–205. British developments provide a pellucid illustration of this process of sequential policy transfer from the economic to the social welfare to the penal realm. The Thatcher and Major governments first deregulated the labor market and subsequently introduced US-style welfare-to-work measures, as recounted by David P. DeL大气. Learning from America: Policy Transfer and the Development of the British Workfare State (Eastbourne: Sussex
to discern these multilevel connections between the upsurge of the punitive Leviathan and the spread of neoliberalism, it is necessary to develop a precise and broad conception of the latter. Instead of discarding neoliberalism, as Garland does, on account of it being "rather too specific," a phenomenon to account for penal escalation, we must expand our conception of it and move from an economic to a fully sociological understanding.

Neoliberalism is an elusive and contested notion, a hybrid term awkwardly suspended between the lay idiom of political debate and the technical terminology of social science, which moreover is often invoked without clear referent. For some, it designates a hard-wired reality to which one cannot but accommodate (often equated with "globalization"), while others view it as a doctrine that has yet to be realized and ought to be resisted. It is alternately depicted as a tight, fixed, and monolithic set of principles and programs that tend to homogenize societies, or as a loose, mobile, and plastic constellation of concepts and institutions adaptable to variegated strands of capitalism. Whether singular or polymorphous, evolutionary or revolutionary, the prevalent conception of neoliberalism is essentially economic: it stresses an array of market-friendly policies such as labor deregulation, capital mobility, privatization, a monetarist agenda of deflation and financial autonomy, trade liberalization, interface competition, and the reduction of taxation and public expenditures. But this conception is thin and incomplete, as well as too closely bound up with the sermonizing discourse of the advocates of neoliberalism. We need to reach beyond this economic nucleus and elaborate a thicker notion that identifies the institutional machinery and symbolic frames through which neoliberal tenets are being actualized.

A minimalist sociological characterization can now be essayed as follows. Neoliberalism is a transnational political project aiming to remake the nexus of market, state, and citizenship from above. This project is carried by a new global ruling class in the making, composed of the heads and senior executives of transnational firms, high-ranking politicians, state managers and top officials of multinational organizations (the OECD, WTO, IMF, World Bank, and the European Union), and cultural-technical experts in their employ (chief among them economists, lawyers, and communications professionals with germane training and mental categories in the different countries). It entails, not simply the reassertion of the prerogatives of capital and the promotion of the marketplace, but the articulation of four institutional logics:

1. **economic deregulation**, that is, deregulation aimed at promoting "the market" or market-like mechanisms as the optimal device, not only for guiding corporate strategies and economic transactions (under the aegis of the shareholder-value conception of the firm), but for organizing the gamut of human activities, including the private provision of core public goods, on putative grounds of efficiency (implying deliberate disregard for distributive issues of justice and equality).

2. **welfare state devolution, retraction, and recomposition** designed to facilitate the expansion and support the intensification of commodification, and in particular to submit recalcitrant individuals to the discipline of desocialized wage labor via variants of "workfare" establishing a quasi-contractual relationship between the state and lower-class recipients treated not as citizens but as clients or subjects (stipulating their behavioral obligations as condition for continued public assistance).

3. the **cultural tropes of individual responsibility**, which invades all spheres of life to provide a "vocabulary of motive"—as C.-Wright Mills would say—for the construction of the self (on the model of the entrepreneur), the spread of markets, and legitimation for the widened competition it sustains, the counterpart of which is the evasion of corporate liability and the proclamation of state irresponsibility (or sharply reduced accountability in matters social and economic).

4. **an expansive, intrusive, and proactive penal apparatus** which penetrates the nether regions of social and physical space to contain the disorders and disarray generated by diffusing social insecurity and deepening inequality, to unfurl disciplinary supervision over the precarious fractions of the postindustrial proletariat, and to reassert the authority of Leviathan so as to bolster the evaporating legitimacy of elected officials.

A central **ideological** tenet of neoliberalism is that it entails the coming of "small government": the shrinking of the allegedly flaccid and overgrown Keynesian welfare state and its makeover into a lean and nimble workfare state, which "invests" in human capital and "activates" communal springs and individual appetites for work and civic participation through "partnerships" stressing self-reliance, commitment to paid work, and managerialism. The present book demonstrates that the neoliberal state turns out to be quite different in actuality.
while it embraces laissez-faire at the top, releasing restraints on capital and expanding the life chances of the holders of economic and cultural capital, it is anything but laissez-faire at the bottom. Indeed, when it comes to handling the social turbulence generated by deregulation and to impressing the discipline of precarious labor, the new Leviathan reveals itself to be fiercely interventionist, bossy, and pricey. The soft touch of libertarian proclivities favoring the upper class gives way to the hard edge of authoritarian oversight, as it endeavors to direct, nay dictate, the behavior of the lower class. "Small government" in the economic register thus begets "big government" on the twofold frontage of workfare and criminal justice. The results of America's grand experiment in creating the first society of advanced insecurity in history are in: the invasive, expansive, and expensive penal state is not a deviation from neoliberalism but one of its constituent ingredients.

Remarkably, this is a side of neoliberalism that has been obfuscated or overlooked by its apologists and detractors alike. This blind spot is glaring in Anthony Giddens's celebrated reformulation of neoliberal imperatives into the platform of New Labour. In his manifesto for the The Third Way, Giddens highlights high rates of crime in deteriorating working-class districts as an indicator of "civic decline" and curiously blames the Keynesian welfare state for it (not deindustrialization and social retrenchment): "The egalitarianism of the old left was noble in intent, but as its rightist critics say has sometimes led to perverse consequences—visible, for instance, in the social engineering that has left a legacy of decaying, crime-ridden housing estates." He makes "preventing crime, and reducing fear of crime" through state-locality partnerships central to "community regeneration," and he embraces the law-and-order mythology of "broken windows": "One of the most significant innovations in criminology in recent years has been the discovery [sic] that the decay of day-to-day civility relates directly to criminality. ... Disorderly behavior unchecked signals to citizens that the area is unsafe." But Giddens studiously omits the punishment side of the equation: The Third Way contains not a single mention of the prison and glosses over the judicial hardening and carceral boom that have everywhere accompanied the kind of economic deregulation and welfare devolution it promotes. This omission is particularly startling in the case of Britain, since the incarceration rate of England and Wales jumped from 88 inmates per 100,000 residents in 1992 to 142 per 100,000 in 2004, even as crime was receding, with Anthony Blair presiding over the single largest increase of the convict population in the country's history (matching the feat of Clinton, his cosponsor of the "Third Way" on the other side of the Atlantic).

A similar oversight of the centrality of the penal institution to the new government of social insecurity is found in the works of eminent critics of neoliberalism. David Harvey's extended characterization of "the neoliberal state" in his Brief History of Neoliberalism is a case in point, which appositely spotlights the obdurate limitations of the traditional political economy of punishment which the present book has sought to overcome. For Harvey, neoliberalism aims at maximizing the reach of market transactions via "deregulation, privatization, and withdrawal of the state from many areas of social provision." As in previous eras of capitalism, the task of Leviathan is "to facilitate conditions for profitable capital accumulation on the part of both domestic and foreign capital," but now this translates into penal expansion:

The neoliberal state will resort to coercive legislation and policing tactics (anti-picketing rules, for instance) to disperse or repress collective forms of opposition to corporate power. Forms of surveillance and policing multiply: in the US, incarceration became a key state strategy to deal with problems arising among the discarded workers and marginalized populations. The coercive arm of the state is augmented to protect corporate interests and, if necessary, to repress dissent. None of this seems consistent with neoliberal theory.21

With barely a few passing mentions of the prison and not a line on workfare, Harvey's account of the rise of neoliberalism is woefully incomplete. His conception of the neoliberal state turns out to be surprisingly restricted, first, because he remains wedded to the repressive conception of power, instead of construing the manifold missions of penality through the expansive category of production. Subsuming penal institutions under the rubric of coercion leads him to ignore the expressive function and ramifying material effects of the law and its enforcement, which are to generate controlling images and public categories, to stoke collective emotions and accentuate salient social boundaries, as well as to activate state bureaucracies so as to mold social ties and strategies. Next, Harvey portrays this repression as aimed at political opponents to corporate rule and dissident movements that

challenge the hegemony of private property and profit, whereas this book shows that the primary targets of penalization in the post-Fordist era have been the precarious fractions of the proletariat concentrated in the tainted districts of dereliction of the dualizing metropolis who, being squeezed by the urgent press of day-to-day subsistence, have little capacity or care to contest corporate rule.

Third, for the author of Social Justice and the City the state "intervenes" through coercion only when the neoliberal order breaks down, to repair economic transactions, ward off challenges to capital, and resolve social crises. By contrast, Punishing the Poor argues that the present penal activism of the state—translating into carceral bulimia in the United States and policing frenzy throughout Western Europe—is an ongoing, routine feature of neoliberalism. Indeed, it is not economic failure but economic success that requires the aggressive deployment of the police, court, and prison in the nether sectors of social and physical space. And the rapid turnings of the law-and-order merry-go-round are an index of the reassertion of state sovereignty, not a sign of its weakness. Harvey does note that the retrenchment of the welfare state "leaves larger and larger segments of the population exposed to impoverishment" and that "the social safety net is reduced to a bare minimum in favor of a system that emphasizes individual responsibility and the victim is all too often blamed." But he does not recognize that it is precisely these normal disorders, inflicted by economic deregulation and welfare retrenchment, that are managed by the enlarged penal apparatus in conjunction with supervisory workfare. Instead, Harvey invokes the bogeyman of the "prison-industrial complex," suggesting that incarceration is a major plank of capitalist profit-seeking and accumulation when it is a disciplinary device entailing a gross drain on the public coffers and a tremendous drag on the economy.

*Harvey lists as the main targets of state repression radical Islam and China on the foreign front and "dissident internal movements" such as the Branch Davidians at Waco, the participants in the Los Angeles riots of April 1992 (triggered by the acquittal of the policemen involved in the videotaped beating of motorist Rodney King), and the antiglobalization activists that roamed the G-8 meeting in Seattle in 1999. David Harvey, A Brief History of Neoliberalism (New York: Oxford University Press, 2005), 83. But squashing episodic and feeble mobilizations against corporate power and state injustice hardly requires throwing millions behind bars.

***The rise of surveillance and policing and, in the case of the US, incarceration of recalcitrant elements in the population indicates a more sinister turn toward intense social control. The prison-industrial complex is a thriving sector (alongside personal security services) in the US economy," Ibid., 165. We saw in chapter 5 that the growth of private incarceration stopped cold with the stock market crash of 2000, that it is a phenomenon derivative of the expansion of the penal state, and that the weight of corrections in the national economy is negligible in any case.

*For Harvey, neocorporatism is a rival political formation which "veers away from the principles of pure neoliberalism" in "its concern for order as an answer to the chaos of individual interests" and "for an overweening morality." It might replace the neoliberal state, as the latter is "inherently unstable." Ibid., 81-82. Garland adopts a similar tack to resolve the empirical contradiction between the libertarian ethos of late modernity and the authoritarian tendencies of neoliberalism: "While the neoliberal agenda of privatization, market competition and spending restraints that shaped much of the administrative reform that government imposed on criminal justice agencies behind the scenes, it was the very different neo-conservative agenda that dictated the public face of penal policy." Garland, The Culture of Control, 131.

Fourth and last, Harvey views the neocorporative stress on coercion and order restoration as a temporary fix for the chronic instability and functional failings of neoliberalism, whereas I construe authoritarian moralism as an integral constituent of the neoliberal state when it turns its sights on the lower rungs of the polarizing class structure. Like Garland, Harvey must artificially dichotomize "neoliberalism" and "neocorporatism" to account for the reassessment of the supervisory authority of the state over the poor because his narrow economicistic definition of neoliberalism replicates its ideology and truncates its sociology. To elucidate the paternalist transformation of penal policy at century's turn, then, we must imperatively escape the "crime-and-punishment" box, but also exercise once and for all the ghost of Louis Althusser, whose instrumentalist conception of Leviathan and crude duality of ideological and repressive apparatuses gravely hamstring the historical anthropopology of the state in the neoliberal age. Following Bourdieu, we must fully attend to the internal complexity and dynamic recomposition of the bureaucratic field, as well as to the constitutive power of the symbolic structures of penalty to trace the intricate meshing of market and moral discipline across the economic, welfare, and criminal justice realms. For the spread of economic deregulation and the about-turn in social policy observed in nearly all advanced societies, away from broad-based entitlements and automatic benefits toward a selective approach promoting private operators, contractual incentives, and targeted support conditional on certain behaviors aimed at closing the exit option from the labor market, have been accompanied everywhere by the enlargement and reinforcement of the facilities, activities, and reach of penal bureaucracies effectively pointed at the lower end of the class, ethnic, and spatial spectrum. The so-called enabling state that dominates policy making at the top on both sides of the Atlantic at century's
dawn turns out to be a disabling state for those at the bottom who are adversely affected by the conjoint restructuring of the economy and polity, in that it acts toward them in ways that systematically curtail social opportunities and cut off social ligatures—to recall the two components of "life chances" according to Ralf Dahrendorf.

In his meticulous comparison of eugenic measures in the 1920s, compulsory work camps in the 1930s, and welfare schemes in the 1990s in England and America, Desmond King has shown that "illiberal social policies" which seek to direct citizens' conduct coercively are "intrinsic to liberal democratic politics" and reflective of their internal contradictions. Even as they contravene standards of equality and personal liberty, such programs are periodically pursued because they are ideally suited to highlighting and enforcing the boundaries of membership in times of turmoil; they are fleet vehicles for broadcasting the newfound resolve of state elites to tackle offensive conditions and assuage popular resentment toward derelict or deviant categories; and they diffuse conceptions of otherness that materialize the symbolic oppositions anchoring the social order. With the advent of the neoliberal government of social insecurity mating restrictive welfarefare and expansive prisonfare, however, it is not just the policies of the state that are illiberal, but its very architecture. Tracking the coming and workings of America's punitive politics of poverty after the dissolution of the Fordist-Keynesian order and the implosion of the black ghetto reveals that neoliberalism brings about, not the shrinking of government, but the erection of a centaur state, liberal at the top and paternalistic at the bottom, which presents radically different faces at the two ends of the social hierarchy: a comely and caring visage toward the middle and upper classes, and a fearsome and frowning mug toward the lower class.

It bears stressing here that the building of a Janus-faced Leviathan practicing liberal paternalism has not proceeded according to some master-scheme concocted by omniscient rulers. To reiterate the warnings sounded in the book's prologue: the overall fitness of punitive containment to regulate urban marginality at century's dawn is a rough post-hoc functionality born of a mix of initial policy intent, sequential bureaucratic adjustment, and political trial-and-error and electoral profit-seeking at the point of confluence of three relatively autonomous streams of public measures concerning the low-skill employment market, public aid, and criminal justice. The complementarity and interlocking of state programs in these three realms is partly designed and partly an emergent property, fostered by the practical need to handle correlated contingencies, their common framing through the lens of moral behaviorism, and the shared ethnoracial bias stamping their routine operations—with (sub)proletarian blacks from the hyperghetto figuring at the point of maximum impact where market deregulation, welfare retrenchment, and penal penetration meet. The coalescing government of social insecurity is neither a preordained historical development, propelled by an irresistible systemic logic, nor an organizational constellation free of contradictions, incongruities, and gaps. Indeed, both welfare and the penitentiary as we know them at the outset of the twenty-first century are riven by deep irrationalities, glaring insufficiencies, and built-in imbalances, and their coupling is doubly so. The refusal of "the functionalism of the worst" is inseparably a rebuff of the conspiratorial view of class rule and a rejection of the flawed logic of structural hyperdeterminism which transmutes the historically conditioned outcome of struggles, waged over and inside the bureaucratic field to shape its perimeter, capacities, and missions, into a necessary and ineluctable fact.

Whatever the modalities of their advent, it is indisputable that the linked stinginess of the welfare wing and munificence of the penal wing under the guidance of moralism have altered the makeup of the bureaucratic field in ways that are profoundly injurious to democratic ideals. As their sights converge onto the same marginal populations and territories, deterrent welfarefare and the neutralizing prison foster vastly different profiles and experiences of citizenship across the class and ethnic spectrum. They not only contravene the fundamental principle of equality of treatment by the state and routinely abridge the individual freedoms of the dispossessed. They also undermine the consent of the governed through the aggressive deployment of involuntary programs stipulating personal responsibilities just as the state is withdrawing the institutional supports necessary to shoulder these and shirking its own social and economic charges. And they stamp the precarious fractions of the proletariat from which public aid recipients and convicts issue with the indelible seal of unworthiness. In short, the penalization of poverty splinters citizenship along class lines, saps civic trust at the bottom, and sows the degradation of republican tenets. The establishment of the new government of social insecurity discloses, in fine, that neoliberalism is constitutively corrosive of democracy.

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In 1831, Alexis de Tocqueville and his friend Gustave de Beaumont were dispatched to the United States by King Louis-Philippe to gather evidence on the workings of the American prison system and make recommendations for its application in France. Much as with zero-
tolerance policing in the 1990s, the US penitentiary had then captured the imagination of policy-makers in Western Europe who wished to learn from it how to stem the brewing disorders associated with the massing of the emerging proletariat in and around the industrializing cities. It is in the course of that journey of penal exploration that Tocqueville gathered the materials for his celebrated tome on Democracy in America. In it, the master-thinker of liberalism marveled at the fluidity and vibrancy of a society stamped by the "prevalence of the bourgeois classes" driven by the love of commerce, industry, and consumption, which illumined the future of modernity in the glow of capitalist optimism. In a darker corner of his writings from that trip, Tocqueville also extolled the American prison as an efficient and benevolent variant of despotism, capable, by the sheer press of the social isolation and anxiety it puts on inmates, of stripping criminal dispositions and inculcating in their stead wholesome habits of labor, thrift, and submission to conventional morality among the recalcitrant poor. He was positively struck that, whereas "society in the United States gives the example of the most extended liberty, the prisons of the same country offer the spectacle of the most complete despotism." Some one-hundred and seventy years on, America's relapse into what Tocqueville christened the "monomania of the penitentiary" has combined with the shift to punitive workfare to effectively extend the formula of despotic control from the prison to the neoliberal regulation of social marginality.

The present book draws upon investigations of urban marginality, penalty, and welfare carried out across a decade (1996–2006). This long stretch of research, extending deep into domains initially foreign to me, was made possible by the support of a MacArthur Foundation Fellowship, a Mellon Fellowship from the Center for Social Theory and Comparative History at UCLA, Russell Sage Foundation backing for an interdisciplinary conference called "Probing the Penal State" (organized in collaboration with Bruce Western, then at Princeton University), and small grants from the Committee on Research and the Center for European Studies at the University of California, Berkeley. Special thanks are due to Robert Brenner and Iván Szelenyi for facilitating the 1998 sojourn in Los Angeles during which I carried out the pilot fieldwork on big-city jails and to the New School for Social Research for a similar stint in New York City the following year. Punishing the Poor is the second volume in a sort of trilogy seeking to unravel the tangled triangular connections between class restructuring, ethnoracial division, and state crafting in the era of neoliberal ascendancy. The first book, Urban Outcasts: A Comparative Sociology of Advanced Marginality (Cambridge: Polity Press, 2008), centers on the class/race nexus in the postindustrial city. In it, I trace the sudden implosion of the black American ghetto after the acme of the civil rights movement to turns in public policies and contrast it to the slow decomposition of European working-class territories. I refute the thesis of the transatlantic convergence of neighborhoods of relegation on the pattern of the dark ghetto; and I diagnose the emergence of a new regime of urban marginality abetted by the fragmentation of wage labor, the retrenchment of the social state, and territorial stigmatization. The sequel, Punishing the Poor, takes up the class/state nexus on both the social and penal fronts. It charts how public officials responded to this emerging marginality (which their own economic and social policies have spawned) through punitive containment. It shows that the new politics and policy of poverty wedding restrictive workfare and expansive prisonfare, invented in America over the past two decades, partake of the neoliberal project, properly reconceptualized. The