Reentry to What? Theorizing Prisoner Reentry in the Jobless Future

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Abstract Academic research on “prisoner reentry” has been heavily focused upon experimental design and program evaluation rather than broader shifts in race and class relations or underlying economic change. Deeper theoretical attention to the subaltern context of prisoner reentry would offer a more balanced and comprehensive assessment of the challenges facing the highly-marginalized populations of former prisoners now increasingly the objects of “reentry” programming. This paper employs a sociology of punishment perspective to foreground recent scholarship on the prisoner reentry movement and to document the still nascent implementation of a “prisoner reentry” agenda, despite nearly two decades of effort. The paper argues that long-neglected needs of subaltern populations incarcerated over the past several decades in the United States should become a more central focus of prisoner reentry research. The paper highlights the work of several theorists to summarize three theoretical perspectives to help balance the “reentry” research agenda: prisoner reentry as neoliberal punishment; prisoner reentry as peculiar institution; and prisoner reentry as criminological scientism.

The disappearance of entry-level jobs for young underclass males, together with the depleted social capital of impoverished families and crime-prone neighborhoods, has meant that the prison and parole now lack the social supports upon which their rehabilitative efforts had previously relied. Work, social welfare, and family support used to be the means whereby ex-prisoners were reintegrated into mainstream society. With the decline of these resources, imprisonment has become a longer term assignment from which individuals have little prospect of returning to an unsupervised freedom. Like the pre-modern sanctions of transportation or banishment, the prison now functions as a form of exile, its use shaped less by a rehabilitative ideal and more by what Andrew Rutherford called an ‘eliminative’ one.


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Published online: 01 June 2011
Return from Exile: Highlighting the Subaltern Context of Prisoner Reentry

In the mid-1990s, US Attorney General Janet Reno asked Jeremy Travis, then-director of the National Institute of Justice, to begin mapping out a strategy for assisting the record numbers of inmates being released from American prisons (Travis 2007, p. 84). After the completion of lengthy prison terms meted out during the “get-tough-on-crime” era of the 1980s and 1990s, Reno could see that much of America’s still-growing inmate population was comprised of newly-released prisoners being sent back to prison (Travis 2009). Subsequent research was to demonstrate that 67.5% of inmates released from state prisons in the mid-1990s were rearrested within 3 years and that over 50% were re-incarcerated within five (Visher 2007; Langon and Levin 2002). Evidence suggested, furthermore, that the few offenders who do succeed after release from prison, succeed due to factors largely outside the influence of the justice system itself: a network of strong family support, a form of secure housing, some means of accessing health care (including mental health care), and most importantly of all—circumstances that allow a former prisoner to move beyond the caste-like status of “ex-convict” (Naser and La Vigne 2006; Clear 2007; Farabee 2005).

Former prisoner turned PhD and professor of criminology Stephen C. Richards’ work documents the structural impediments to success experienced by released offenders, in his research on the Iowa state prison system. It highlights employment and housing discrimination and the extreme poverty faced by many newly-released prisoners (1997). Speaking about freed inmates dropped in typical fashion at a release center in the middle of winter: “They come in with no clothes. No shoes. January 24th and no shoes, no coat; t-shirt and a pair of pants” (Richards and Jones 1997, p. 10).

The prison system is perpetuating growth by its own institutional failure to properly prepare prisoners for release. The system is a revolving door that shuffles prisoners from one level of custody to another, from probation to prison, from prison to work release and parole, and from parole back to prison. The Iowa state prison system is growing because of its own institutional failure (Richards and Jones 1997, p. 15).

By the mid 1990s, it had become glaringly apparent that a reentry system was needed to help former inmates tap into and maintain the resources and social capital that criminologists know are key to success after release from prison (Hirschi 1969; Young 2005, 2007). Unfortunately, the prisoner reentry movement has made only limited progress according to even its most visible promoters (Travis 2009; Pager 2006). Over a period of just 20 years, between 1980 and 2000, an unprecedented boom in prison construction resulted in a 70% increase in the number of American prisons and a quadrupling of the number of American prisoners. Massive increases in federal, state, and local funding provided new resources for judicial, correctional and law enforcement bureaucracies in a rapid buildup of justice system assets that continued through mid-2009 (Gest 2001; Austin 2010). Because 98% of prisoners are eventually released from prison, however, this massive increase in incarceration also created a subsequent surge in institutionalized returning prisoners completing lengthy sentences (Urban Institute 2004, p. 2). As Steven Raphael notes in his work on the employment prospects of ex-offenders: “Since 1980, the amount of time that a convicted person would serve has substantially increased” (Raphael 2010, p. 23). Today, record numbers of prisoners—to the tune of over 700,000 per year—are being released from American prisons, most often right back into the impoverished communities from which they came (Clear 2007; Travis 2009).

Much recent criminological scholarship examines the shift toward high incarceration over the past 30 years, particularly as it corresponds to a larger dismantling of the
American welfare state and the simultaneous rise of a big government “security state” (Bauman 2005, p. 99; Beckett and Sasson 2004; Gest 2001). Divergent explanations for the build-up in incarceration suggest it had little to do with rising crime. During gestation of the policy shift toward high incarceration, crime rates were trending downward and illicit drug market violence in urban centers was comparatively low, unlike what would develop later as a result of the drug war (Donziger 1995). In short, it was not by all the evidence a dramatic increase in crime that prompted the political decision to “get tough.” Instead, notes James Austin, “prison populations continued to swell long after crime rates declined and stayed low” (Austin 2007, p. 1). Deeper shifts in economic and social relations were under way that better explain the shifting dynamics of punishment (Garland 2001; Irwin and Austin 1998).

Theorizing Prisoner Reentry

The sociology of punishment examines the dynamics of penalty beyond the individual sanctions imposed upon offenders, to focus instead upon broader patterns in the imposition of punishment and history’s frequent abrupt shifts in penal philosophy and methods. While the guillotine became at once the “humane” alternative to the torturous punishments of the eighteenth century—made “democratically” available to convicts regardless of social class—the birth of the prison came about just as abruptly, with its focus upon proper discipline of souls by way of reverence for an emerging industrial-age work ethic (Garland 1990; Shichor 2006). The sociological study of punishment is not about the behavior of individual offenders per se (Shelden 2007; Sellin 1938, 1976). Instead, it explores how broad social forces influence and structure the philosophies and methods of punishment deemed most appropriate at any historical moment (Garland 1990; Pratt 2006). According to David Garland, wide academic attention to punishment as a topic of study reflects:

...a broader theoretical concern to understand our contemporary practices of crime and punishment in relation to structures of welfare and insecurity involving the changing class, race and gender relations that underpin these arrangements. In studying the problem of crime and crime control we can glimpse the more general problems of governing late modern society and of creating social order in a rapidly changing social world (Garland 2001, p. 26).

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 (Watson 2009a, b; Beckett and Western; Simon 1993). As Katherine Beckett and Theodore Sasson explain it, what happened in American criminal justice policy from 1980 forward was not an increase in the problem of crime, but a shift in society’s response to managing the urban poor. “From an ideological standpoint, the rhetoric and policies of the wars on crime and drugs transformed the symbolic meaning of poverty, thereby legitimating replacement of the welfare state with the security state” (in Simpson 2000, p. 68).

1 “Penalty” * Drawing from the work of Foucault, David Garland’s classic statement on the meaning of “penalty” refers to the complex of laws, processes, discourses, and institutions which are involved in this sphere and is a synonym for legal punishment in this broad sense (1990 p. 10, fn12). He continues: “The suggestion I wish to make here, is that penalty communicates meaning not just about crime and punishment but also about power, authority, legitimacy, normality, morality, personhood, social relations, and a host of other tangential matters” (1990, p.252). See Punishment and Modern Society.
Combined with the fact that today the highest concentrations of unemployment in the US are found among urban African-American males, the continued hyper-incarceration of young black males from urban ghettos corresponds with a stubbornly-recurrent theme of criminological research: that a deeper relationship exists between the social regulation of subaltern populations through use of the criminal sanction than is commonly acknowledged by populist legislative agendas aimed at “fixing” social problems (Garland 2005; Rusche and Kirchheimer 1968; Clear 2007; De Giorgi 2010; Michalowski 2010). In short, the possibility that incarceration began to replace social welfare as the primary means of coping with joblessness at precisely the time when political support for “welfare reform” reached its zenith, is a reality not lost upon the imaginations of many recent scholars (Simon 1993; Western 2002; Sampson and Wilson 2000).

Yet this broader theoretical focus has yet to be widely applied to the topic of “prisoner reentry” itself, despite a growing national focus on the issue in many states and the Federal government (Austin 2010). This paper argues that academic research on “prisoner reentry” has thus far been theoretically shallow and that criminologists must move beyond applied research to additionally focus upon issues of macro sociological change impacting the experience of former prisoners (Travis and Visher 2005; Travis 2005). While a focus on applied research is understandable and indeed necessary, as the crisis in prisoner reentry unfolds, a broader agenda can highlight deeper-level challenges facing many former prisoners whose lifetime experience of poverty, inadequate education and racially discriminatory sentencing practices contributed greatly to their incarceration in the first place.

Moreover, despite nearly two decades of applied research on “reentry” programs themselves, little in the way of definitive research exists to precisely document the effective treatments necessary for “successful” reentry as matched to the appropriate combination of inmate characteristics and community resources necessary for effective rehabilitation (Lattimore et al. 2010, p. 255; see also Clear 2007). Put directly, criminology’s “secret formula” has yet to be discovered. More importantly, generations of sociological researchers have found the definitions of “success” for punishments—and the stakeholders promoting those definitions—to be important objects of sociological research in their own right. Theorizing prisoner reentry is thus well within a long sociological tradition of punishment scholarship.

Unfortunately, the legal, economic and social circumstances faced by most ex-offenders have thus far not lent themselves to clean random assignment of treatment options for experimental design research (Pager 2006; Visher 2007). In a policy situation described as “anomic,” many ex-offenders who secure employment and other reentry services are still chronically “violated” and sent back to prison for minor behaviors such as drinking alcohol or possession of marijuana, even after making substantial qualitative progress on parole (Caplan 2006). Joan Petersilia notes the irony and self-fulfilling prophecy of large populations of strictly-monitored but under-resourced reentry programs having their funding cut due to poor performance (Petersilia 2000, p. 4). “The fear is that reentry programs that target a clearly difficult population (e.g. serious and violent offenders) will be judged negatively because of high recidivism rates and ultimately accused of compromising public safety. The programs and services will then be vulnerable to attack because they will not appear to work” (Listwan et al. 2006, p. 23).

Meanwhile, the needs of released prisoners returning to communities today are in fact greater than ever before. According to Urban Institute: “In comparison to a decade ago, men and women leaving prison are less prepared for reintegration, less connected to community-based social structures, and more likely to have health or substance abuse issues” (Visher 2007, p. 99). By losing sight of the subaltern context of prisoner reentry at
the close of this most recent period of hyper-incarceration of our poorest and politically weakest citizens, mainstream criminology's tendency towards fetishism and methodological sophistry may work to obscure the broader challenges facing former prisoners as they emerge from prison (Ferrell et al. 2004; Austin 2009).

Current reentry policies are still quite primitive; the field is just now beginning to develop an approach to reentry based on evidence of best practices. At this moment, it is critically important to invest in rigorous evaluations to identify which interventions are effective at promoting public safety and inmate reintegration. Perhaps more important, government support is needed in the development and testing of new ideas, particularly those that recognize that successful reentry is more than an individual act of will (Travis 2009, p. 39).

How We Got Here: From "Workfare" to "Prisonfare" to "Prisoner Reentry"

A key characteristic of the security state is a focus on its opposite—"insecurity" and the management of risk. In a prescient article documenting changes to what they viewed as an emergent "new penology," Malcolm Feeley and Jonathan Simon (1992) suggested a radical transformation was occurring in punishment as well, away from the individualized focus of rehabilitative sanctions toward strategies for managing whole populations matched by characteristics of dangerousness. "The new penology is neither about punishing nor about rehabilitating individuals. It is about identifying and managing unruly groups. It is concerned with the rationality not of individual behavior or even community organization, but of managerial processes" (Feeley and Simon 1992, p. 452; Simon 2007). As the industrial wage economy collapsed and communities re-segregated with expanding suburbanization, middle class voters came to view ameliorative social programs as ineffective and contrary to their interests, demanding instead harsher punishments in light of weak evidence favoring rehabilitation (Garland 2001; Petersilia 2000).

Despite some promising advances over the last two decades, it is clear that prisoner reentry remains an important—and unresolved—national issue. During 2008, the number of prison releases reached an all-time high and at year-end 2008 (the most recent data available) more people (1.6 million) were in federal and state prisons than at any other time. Also, while more than 735,000 prisoners were released, 739,000 were admitted. Most of those admitted will be released. If current practice continues, exacerbated by the economic downturn of the Great Recession, few of those released will have received services and programming to address chronic and serious deficits—even though research is beginning to provide better information on what works (Lattimore et al. 2010, p. 255).

Over the past 30 years, the suburban middle class—removed from the travails facing the inner city—turned a blind eye toward evidence that racialized crackdowns on urban dwellers masked growing unemployment amid shifting labor markets and carried spiraling costs of their own (Wilson 1997). As political leaders of the Left such as Bill Clinton and Tony Blair promoted the importance of crime fighting and trimming "big government" welfare programs in favor of "workfare," "privatization" emerged to more cost-effectively "manage" large swaths of humanity in need of processing through late modern systems of health care, public education and prison (Selman and Leighton 2010). The "hollowing out" of the post-industrial welfare state had begun in earnest (Vogel 2007;
Lynch 1998). Loic Wacquant and his mentor Pierre Bourdieu (2003) concentrate their analysis on the "neoconservative" political right, but save special disfavor for what they see as the complicit political Left.

Put in capsule form: the ruling elites of the nations seduced—and subsequently transformed—by the Chicago Boys of Milton Friedman in the 1970s were bound to become infatuated with the New York Boys of Rudy Giuliani in the 1990s, when the time came to deal with the ramifying consequences of neoliberal restructuring and to face the endemic social instability and broiling urban disorders spawned by market reform at the bottom of the dualizing class structure. (Wacquant 2009a, p. 167).

While several conservative American think-tanks are highlighted by Wacquant as spreading the "gospel" of neoliberal penalty, including the American Enterprise Institute, CATO Institute, the Manhattan Institute and the Heritage Foundation—along with their "allied" conservative organizations in the UK, such as Adam Smith Institute and the Institute of Economic Affairs—the political Left played a role as well (2009a, pp. 11–13). It is important to note that it was the political Left, not the Right, that ushered the welfare state from the legislative stage in both Great Britain and the United States. As this took place, incarceration rates skyrocketed. In fact, the American incarceration rate grew faster under Bill Clinton than either of his two Republican predecessors.

Left-leaning and centrist groups such as the Council of State Governments, National Governors Association, National Conference of Mayors and other non-profit organizations such as Pew Charitable Trusts, Urban Institute, and the Soros Foundation, have also devoted significant attention to prisoner reentry. While such organizations like the Urban Institute are intent on the mechanics of how to implement and facilitate successful reentry programs, others, such as the Pew Center on the States, SOROS, and the Annie E. Casey Foundation are developing agendas for a broader-based "justice reinvestment" strategy aimed at job training and education. But the larger dynamics of punishment suggest this agenda highlights only the surface level challenges ahead for former prisoners and that a deeper-level focus—particularly on the issue of race and punishment—must also become a priority.

The sectors of the population effectively excluded from the worlds of work, welfare and family—typically young urban minority males—increasingly find themselves in prison or in jail, their social and economic exclusion effectively disguised by their criminal status. Today’s reinvented prison is a ready-made penal solution to the problem of social and economic exclusion (Garland 2001, p. 199).

In sum, as we have seen many times over in the history of punishment, the punitive turn in the United States had less to do with offenders per se than with larger social dynamics in the economy and race relations (Garland 2001, 1990; Erikson 1966). It remains to be seen if the emerging prisoner reentry agenda develops into a genuine full swing of the "pendulum" back toward a bona fide rehabilitation movement (see Austin 2010)—or simply becomes an exercise in corrections budget recapture by politically powerful constituencies also experiencing fiscal crisis (e.g. suburban schools, Medicare, etc). While many states are in the early stages of trying to achieve sentencing reform and reduce prisoner populations, implementation of that agenda has thus far been very uneven (Austin 2010).

Incremental Progress

In Texas, for example, the difficulties of getting judges, prosecutors and parole/probation officers to change their behavior and help effectuate lower incarceration have been
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substantial (Fabelo 2010). The “Madisonian” structure of American local government, anchoring the greatest authority over and stake in justice programming at the local level, poses real challenges for the national prisoner reentry movement. While gains have been made, these have been achieved more directly through reform of mandatory sentencing laws rather than through modifications to probation or parole enforcement (Fabelo 2010; Austin 2010).

Inasmuch as prosecutors and judges have incentives to demonstrate to their local constituencies that they are “tough on crime,” imprisonment is a relatively attractive punishment. Even if they recognize that their actions add to the prison crowding problem, the political support they get from their “tough” image should exceed their political costs. ...Their job is not to avoid crowding in state prisons, but to protect local citizens and punish criminals who attack them (Benson 1998, p. 135).

Finally, realistic assessments of the impact drug treatment programs actually have on reducing corrections costs, moreover, also show only very modest gains. In a piece titled “Myths and Realities in Correctional Cost Benefit Analysis,” James Austin notes: “In practical terms it is unlikely that increasing the funding of rehabilitative services will have a dramatic impact on recidivism rates. The most comprehensive analysis of such services shows that effective programs can only reduce recidivism rates by 3–8%” (2010, p. 57; see also Raphael 2010). In short, the profound needs (in education, substance abuse treatment and family breakdown) have only been exacerbated by the era of mass warehousing of prisoners. Finally, as Urban Institute’s Christy Visher and colleagues soberly note after completing the largest-to-date evaluation of ex-offender employment programs:

Suppose the employment program boosts post-release employment by 20% and that without the program 50% of released prisoners would find a job. A 20% improvement means that 60% of program participants would find employment. So if you randomly assigned 100 of 200 individuals to receive the program, you would expect that 50 of those in the control group would find employment. Now suppose that being employed reduces the recidivism rate by 20% and that the recidivism rate for the unemployed is 50%. With these parameters, the recidivism rate for the unemployed will be 40%. So what is the effect of the employment program on recidivism? 2.2%!

Under this scenario, there will be 45 recidivists in the control group and 44 in the treatment group! (Lattimore et al. 2010, p. 261).

The important extra-legal dynamics of the prisoner reentry experience such as the labor market consequences of incarceration, racism, and the dangers of criminological myopia must be kept a central focus of academic research (Petersilia 2008). “Poor labor market prospects make ex-prisoners more likely to fall into a vicious cycle, a revolving door of prison, crime and reincarceration” (Bushway et al. 2007, p. 1). Thus, a long-term effort is going to be required to assure that meaningful fractions of any “decarceration dividend” generated by sentencing reform will be delivered to former prisoners in a sustained agenda of community-building and self-empowerment (Gilligan and Lee 2004).

Might the fact that jurisdictions are simply no longer able to afford heedless spending on incarceration have something to do with a shift in political winds about the worthiness of ex-offenders for assistance, even among conservative advocates of harsh punishment such as Newt Gingrich now advocating prison reform (Gingrich 2008, pp. 209–213)? Does less spending on prisons automatically translate into more resources for poor former prisoners? By the same token, what is specifically meant on the Left by a “rehabilitation” agenda beyond low wage jobs and access to public housing from constituencies such as the
Urban Institute or the Soros Foundation’s Open Society Institute? Mapping the precise rhetorical cross-currents and interest group politics associated with the prisoner reentry movement will be a useful exercise for researchers of prisoner reentry. Below, three theoretical lenses are put forward that will help balance the academic discourse on prisoner reentry: prisoner reentry as neoliberal punishment; prisoner reentry as peculiar institution; and prisoner reentry as criminological scientism.

Prisoner Reentry as Neoliberal Punishment: From “Unemployment” to “Redundancy”

Several scholars trace the propagation of hyper incarceration to an overlay of “neoliberal” policies through which economic markets came to dominate penalty by way of privatization and “reducing the size of government,” particularly in the area of welfare reform. From the 1970s through today, deep level changes in the economy and social relations between urban centers and suburbs impacted cultural modes and understandings of the purpose of punishment (Garland 2001). While urban ghettos remained isolated and dysfunctional, with failing schools, entropy in family, persistent unemployment, and isolated neighborhoods producing record numbers of prisoners, middle class voters removed from urban decline were promised a set of “solutions” promoting toughness on crime and an end to “permissive” social policies. Structural, historical, and macro-sociological research became less prominent in American criminology with research taking an “actuarial turn” toward a “culture of control” (Garland 2001; Feeley and Simon 1992).

Drawing from William Julius Wilson’s (1989) classic work The Truly Disadvantaged, Loic Wacquant chronicles decline of the industrial wage economy in urban environments as it transformed the lives of impoverished residents in both America and Europe (Wacquant 2009a, b). Coming out of the 1970s, a “fragmentation of wage labor, the hardening of class divisions, and an erosion of the established ethno-racial hierarchy guaranteeing an effective monopoly over collective honor to whites in the United States” developed and structured a changing penological landscape (Wacquant 2009b, p. 303). With an emphasis on risk management, “hot-spot” policing, “target hardening” (making potential victims less vulnerable), and criminological focus on the predictive validity of selective incapacitation, incarceration rates skyrocketed (Feeley and Simon 1992). Attention to addressing the underlying causes of crime was displaced by “controlling risk” and managing threats (Garland 1991). Social equality, Civil Rights and integrationist agendas faded from prominence, while scaling back the welfare state through outsourcing and private contracting became a priority. Wacquant’s metaphor “prison as surrogate ghetto”—prison as the primary means of “disappearing” poverty—fits into a larger resurgent “neoliberal politics” and regulation of marginal populations through markets rather than government programs (see also Bauman 2005).

Faced with aggressive policing, severe courts, and the likelihood of brutally long prison sentences for drug offenses and recidivism, many shrink from getting or staying involved in the illegal commerce of the street and submit instead to the dictate in insecure employment. For some of those coming out of the pen, the tight mesh of postcorrectional supervision increases pressure to opt for the straight life anchored in work, when available. On both counts, the criminal justice system acts in concordance with workfare to push its clientele onto the peripheral segments of the job market (Wacquant 2009a, p. 80).
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Beckett & Western point out regarding the supposed success of welfare reform as it relates to “smaller government”: “Reduced welfare expenditures are not necessarily indicative of a shift toward reduced government intervention in social life, but rather a shift toward a more exclusionary and punitive approach to the regulation of social marginality” (2001, pp. 46–47; see also Wilson 1997). Prisoners emerging to freedom after release from prison experience a new form of hyper social control which blends their status as ex-convict into the larger dynamic of market forces.

With each successive turn of economic cycle the promise which the concept of ‘unemployment’ contained was ever more blatantly betrayed, and hopes it aroused appeared ever less realistic. Relentlessly, enough experience accumulated to prompt a genuine paradigm shift: the replacement of the term unemployment with a new word—redundancy. Unlike the ‘unemployed,’ who are temporarily out of a job but are presumed to be ‘employable’ and are expected to return to the ranks of the producers once the conditions return to normal and are ‘right’ again—the ‘redundant’ are superfluous, supernumerary, un-needed (Bauman 2005, p. 69; emphasis added).

In the 2010 update of their book The Jobless Future, Stanley Aronowitz and William DiFazio discuss problematic unemployment in terms beyond the “post-industrial” employability of workers in a newly global economy. Instead, they reveal a deeper transformation of the American economy based on a system of “fictitious capital” and “failure of the Left” to resist fealty to financial elites. Second, and more importantly, in the jobless future the mounting impact of technology and automation will render even powerful trade unions “dependent variables” in the shifting dynamics of global capital flows. In short, the jobless future in America threatens the evaporation of careers, more so than “jobs.” According to Aronowitz and DiFazio, a small but vibrant high-tech, science based, employment structure in medicine, several types of engineering, science and finance will thrive but be combined with a wider and much more tentative and volatile service economy.

What is disappearing is not work but real jobs: the assumption of long-term employment that entailed pension, health insurance, and other benefits; the prospect of ‘careers,’ in which people could expect progressively greater responsibility on the job and more income as a reward for hard work. Since the turn of the twenty-first century, we have entered an era when contract labor overwhelmed significant parts of the formerly salaried middle class. Even many professionals have lost secure positions. They too have encountered offers that only guarantee employment and income for limited duration (Aronowitz and DiFazio 2010 p. xi).

While captivity in the service economy is nothing new to former prisoners—the prospect of former prisoners competing successfully against educated and un-convicted members of the shrinking middle class, for diminishing employment opportunities in the service economy, is ominous indeed. As Western notes in his 2002 article “The impact of incarceration on wage mobility and inequality,” “there is strong evidence that incarceration reduces the wages of ex-inmates by 10–20%” (p. 541). When only 3% of white males but 20% of black males have served time in prison at some point in their lives, real differences in life outcomes become permanent features of social groups. “Such rates of incarceration do not bode well for the economic and social prospects of minority men and
their partners, children, and communities” (Raphael 2010, p. 21). Put simply, the dynamics of American punishment by the year 2000 revealed that whether citizens caught in the penal matrix of the ghetto-prison found themselves incarcerated or not, they were still objects of specialized control and “regulated” to the lower echelons of the poverty-wage labor structure.2

Today’s contingent labor opportunities for ex-offenders must be seen by criminologists, then, as part and parcel of a larger apparatus of social control. “Because employers commonly discriminate against minorities and also against ex-convicts, our current crime control strategy dooms many people who start life with major disadvantages,” writes Austin (2007 p. 18). The larger point is that for advocates focused upon prisoner reentry programs delivering “jobs” and “rehabilitation,” broader forces working against subaltern populations of former prisoners may overwhelm the success of even the best individual programs. What Wacquant terms “stingy welfare” and “punitive prisonfare” agendas are today properly seen as a unified reality of social control experienced by former prisoners trying to survive and succeed with limited resources after release.

To the extent that a “jobs” agenda become and remains the “answer” to the crime problem, employment programs may not result in transformational opportunities for ex-offenders, but simply perpetuate and reinforce preexisting patterns. Indeed, this was ironically the strategic function served by Jeremy Bentham’s famed Panopticon. “Notably, Bentham made no distinction between the regimes of ‘houses of industry’” writes Zygmunt Bauman. “Workhouses, poorhouses and manufactories as well as prisons, lunatic asylums, hospitals and schools for that matter all played the same ‘regulatory’ role” (Bauman 2005, p. 14).

First and foremost, it sorted out the ‘true paupers’ from those who were suspected of merely masquerading as such in order to avoid the discomforts of regular work. No one but a ‘true pauper’ would choose confinement to the poorhouse if the conditions inside were made sufficiently horrifying. The limitation of assistance to such as could be obtained in the drab and squalid interior of the poorhouse made the ‘means test’ redundant, or rather administered by the poor themselves: whoever agreed to be locked up inside a poorhouse must indeed have no other way of staying alive (Bauman 2005, p. 13).

Criminologists must therefore work to extensively document the experiences of former prisoners as they negotiate the “neoliberal penalty” of employment markets, so that the “invisible hand” which may render aspects of former prisoners’ experience also invisible may be brought to light. The sociological concepts of “transcarceration” (Spitzer 1987) and the “carceral continuum” (Wacquant 2005) apply here directly and must become a central focus. They mean to suggest that a broader symbiotic relationship exists between

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2 By setting the standards of living for those punished ‘below the situation of the lowest socially significant proletarian class’ (Ruesch, 1933/1978: 4), the principle of less eligibility would ensure that the most marginalized fractions of the proletarian class will accept any level of exploitation in the capitalist labor market, as this will be in most cases preferable to being punished for refusing to work at the given conditions (De Giorgi 2010, p 149). This is not dissimilar to an earlier articulation of the panoptic notion of “transcarceration” developed by Marxist criminologist Stephen Spitzer and others. See “Security and control in capitalist societies: the fetishism of security and the secret thereof.” In: TRANSCARCERATION: Essays in the sociology of social control. John Lowman, Robert menzies, TS Palys (1987). Wacquant later referred to the “carceral continuum,” in reference to the ghetto and the prison-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”. 
the social control of former prisoners through the social control exerted by markets. This is particularly true for scholarship exploring the “prisoner reentry” phenomenon.

Prisoner Reentry as Peculiar Institution: “Trans-carceration” and the “Carceral Continuum”

Emile Durkheim taught us that punishment is a communicative device, a ‘language’ delivering messages not so much to offenders as to the witnessing public—in this case the working citizenry. For the latter, the punitive makeover of social policy signifies without equivocation that nobody can opt out of wage labour without exposing themselves to a material and symbolic degradation worse than the most demeaning job. And it reminds all that you must count on no one but yourself in this ‘war of all against all’ that is life in a society subordinated to the market. (Wacquant 2009b, p. 108).

Broadly speaking, from the perspective of the sociology of punishment, prisoner reentry programs emerged at the conclusion of two failed eras of American social control of the poor—the failed programs of the welfare state which left public housing residents isolated from labor markets and too few resources to transform their lives from the bottom up (Wilson 1997); and now the unfolding failure of America’s hyper-incarceration security state, defined by unsustainable spending on “warehouse” incarceration and profoundly high rates of recidivism. A recurrent theme of sociological punishment research has been the use of criminal sanctions to control marginal and politically reviled groups of citizens and “foreigners.” The making of “prisoner reentry” a sociological object of study must surely also include close attention to the issue of race as a continuing variable in the dynamics of punishment, whether inside or outside the prison.

The massive disproportion of poor black males from urban ghettos incarcerated over the past 30+ years in the United States has been the focus of much academic research. During the period in question, “black men were twenty-five times more likely than white men to be sent to prison on a narcotics charge” (Wacquant 2009a, p. 77). The specific focus on the racial dynamics of punishment must now obviously also be extended to the prisoner reentry movement itself, as populations of formerly-imprisoned minorities are released from prison and funneled into the associated “programming” of prisoner reentry agendas.

While the term “peculiar institution” is a common American euphemism for pre-Civil War slavery, sociologists of punishment have seized upon the concept as it applies to American criminal punishment (See Garland 2005; Wacquant 2005; 2009a, b). “Put succinctly, the task of defining, confining, and controlling African Americans in the United States has been successively shouldered by four ‘peculiar institutions’: slavery, the Jim Crow system, the urban ghetto, and the novel organizational compound formed by the vestiges of the ghetto and the expanding carceral system” (Wacquant 2000, p. 98). In the schematic below, Wacquant directly ties high rates of neoliberal incarceration to the longer-term project of social control of African Americans across several generations, ultimately by way of the prison system.
The Four “Peculiar Institutions” and their Basis (Wacquant 2000, p. 98)

<table>
<thead>
<tr>
<th>Peculiar institution</th>
<th>Form of labor</th>
<th>Core of economy</th>
<th>Dominant social type</th>
</tr>
</thead>
<tbody>
<tr>
<td>Slavery (1619–1865)</td>
<td>Unfree fixed labor</td>
<td>Plantation</td>
<td>Slave</td>
</tr>
<tr>
<td>Jim Crow (South, 1865–1965)</td>
<td>Free fixed labor</td>
<td>Agrarian and extractive</td>
<td>Sharecropper</td>
</tr>
<tr>
<td>Ghetto (North, 1915–1968)</td>
<td>Free mobile labor</td>
<td>Segmented industrial manufacturing</td>
<td>Menial worker</td>
</tr>
<tr>
<td>Hyper-ghetto &amp; prison (1968–)</td>
<td>Fixed surplus labor</td>
<td>Polarized post-industrial services</td>
<td>Welfare recipient &amp; criminal</td>
</tr>
</tbody>
</table>

By the mid-1990s when Janet Reno found herself troubled by America’s high rates of recidivism, the functional equivalence between prison and the ghetto had already become the most salient feature of American punishment. As post-Fordist economic change eliminated urban jobs and social migration of middle classes to the suburbs expanded, prisoners returning to urban ghettos had few options (Anderson 1999).

So when the capacity of the ghetto to ensure caste domination was undercut in the 1960s by economic restructuring that made African–American labor expendable and by the mass protest that finally won blacks full voting rights, the carceral system began to function as a substitute apparatus for enforcing the shifting color line and containing segments of the African–American community devoid of economic utility and political power. As the ghetto became more like the prison and the prison became more like the ghetto, the two institutions increasingly fused to form the fast-expanding carceral system that constitutes America’s fourth ‘peculiar institution’ (Wacquant 2005, p.5).

The important point for scholars of prisoner reentry is that, today, with the prison and ghetto being constitutive elements of the same experience of social control for many former prisoners, the academic boundary between the prison and ghetto has been practically eliminated (see Wacquant 2009a, b). Meeting the long-neglected needs of released prisoners streaming back into ghettos from prisons must become a central focus of prisoner reentry policy and research. And meeting these needs must not be co-opted by an academic or policy focus upon the “risks” associated with ex-offenders’ presence in communities, which would amount to a reductionist step backward.

The ‘problem of the poor,’ once considered as social, has been to a large extent redefined as a law and order issue. The prime, defining purpose of the state’s concern with poverty is no longer keeping the poor in good shape, but policing the poor, keeping them out of mischief and out of trouble: controlled, surveilled, monitored, disciplined. Agencies dealing with the poor and indolent are not a continuation of the ‘social state’; in everything but name they are the last remaining vestiges of Jeremy Bentham’s Panopticon (Bauman 2005, p. 36).

Prisoner Reentry as Criminological Scientism

Finally, while a growing body of applied research on prisoner reentry continues to emerge, its leading proponents continue to note the embryonic state of its development and a
central realization that in order to positively impact the deep-level sources of recidivism a more than just "add programs and stir" approach will be necessary (Halsey 2007 p. 1255; see also Travis 2007; Travis and Visher 2005; Lyneh 2006). As Christy Visher of the Urban Institute puts it:

The traditional approach to reducing recidivism is individual-oriented, aiming to alter offender behavior through a justice system that generally ignores an individual's broader social context. In this approach, much attention is paid to an individual's personal characteristics—age, criminal record, substance use history—in assessing risk of future criminal behavior. In contrast, a newly evolving strategy recognizes the role of both the ex-offender's family and the community to which the ex-offender returns. Families and communities can provide important social and economic support and transitional services to assist former prisoners. A comprehensive reentry strategy must be cognizant of the positive and negative influences of family and community (Visher 2007 p. 97).

While prisoner reentry programs emerged only as it became painfully obvious that recidivism was increasing not decreasing, the real lesson is that "getting tough" on offenders did just that—made it harder, not easier, for criminals to return to a normal life. Put more accurately perhaps, the horrendous policies of the past three decades made it tougher for former prisoners to construct anything approximating a normal life for the first time. Criminology itself arguably contributed to that reality. Recent doubts expressed by one of America's leading criminologists, Joan Petersilia, raise questions about the optimistic scientism of criminology. After completing her lengthy stint working on sentencing reform for the California legislature she explained: "In the final analysis, I learned that scientific knowledge does not drive crime policy and probably never will. There are other powerful, legitimate players at the table—for example, staff, legislators, the public, and offenders themselves—and scientific knowledge is just one important consideration. Criminologists have a role to play in this mosaic, but we should not delude ourselves of our centrality". Ferrell and colleagues put a slightly finer point on it:

The criminological production of numeric summaries, cross-correlations, statistical residues and second-hand data sets may serve the needs of the crime control industry, the campaigns of politicians, or the careers of academic criminologists—but let's no longer fool ourselves that they serve to make sense of crime and crime control, or move us toward social arrangements less poisoned by fear, violence and exploitation (Ferrell et al. 2004).

For the reasons detailed above, theorizing prisoner reentry is vitally important for the future of criminology. Theoretical discourse on the experience of former prisoners returning from what David Garland terms the "exile" of mass incarceration can help criminologists structure academic research on prisoner reentry in ways that are inclusive of the broader concerns impacting subaltern populations of former prisoners. Harshness on crime has bloated our national incarceration budgets, leaving America today with the world's largest prisoner population, the world's highest rate of incarceration, and a tragically-high recidivism rate: nearly 70% of released prisoners are rearrested within 3 years and over 50% re-incarcerated within five. Now well into our fourth decade of gulag-style prison usage, the lengthy prison terms imposed even as recently as the late 1990s are now coming to expiration. Today, as prisoners are released only to return to the failing ghettos from which they came, it is vital to ask, as criminologist Dennis Sullivan puts it: "Reentry to what?" (Sullivan and Tifft 2005; Pepinsky and Quinney 1992).
Acknowledgment  M. Hallett thanks Dion Dennis, Hal Pepinsky, Dennis Sullivan, and anonymous reviewers.

References


Reentry to What?


