

Editor's Introduction

Robert Werth*

WE ARE, FOR A NUMBER OF REASONS, IN AN INTERESTING MOMENT for those focused on how societies govern crime, punishment, and security. First, in the last several years, these phenomena have become objects of increased media attention and public awareness; they are today prominent, urgent, and perhaps even “hot” topics. Second, in the last decade plus, there has been a renewed focus on the deleterious effects—the social harm—exacted by the operations of policing and punishment in the United States and beyond (e.g., Currie 2013; De Giorgi 2015; Gottschalk 2015; Mauer & Chesney-Lind 2006; Wacquant 2001; Western 2006). Whereas recognition of the negative consequences of the operations of criminal justice is far from new, the twenty-first century seems to be experiencing a reinvigorated attention to these concerns not seen since the 1960s. In fact, a growing number of voices contend that the United States’ historically unprecedented scale of mass incarceration—and, in fact, of the entire penal state—represents a social, humanitarian, and/or economic crisis. Reform of the criminal justice system has become something of a national clarion call, not just for academics, activists, and social movements, but also for journalists, politicians (from the left and the right), celebrities, and even business and corporate leaders.

Additionally, the current moment is marked by increased attention to the complex, contingent, and dispersed nature of criminal justice institutions and practices.¹ Although authors noted long time ago the multiform nature of the governance of crime (e.g., Durkheim 1893/2014; Foucault 1977; Rusche & Kirchheimer 1939/2009), in recent years scholars have been increasingly interested in exploring the variegated and even contradictory

* ROBERT WERTH (email: rwerth@rice.edu) is a Lecturer in the Department of Sociology at Rice University. He received his Ph.D. in Criminology, Law and Society from the University of California, Irvine. His current research ethnographically explores how individuals on parole experience and navigate state efforts to regulate their conduct and how parole field personnel deploy technical, moral, and affective knowledges in supervising individuals. His work has been published in *Punishment and Society*, *Theoretical Criminology*, the *British Journal of Criminology*, and in Ruth Armstrong and Ioan Durnescu (eds.), *Parole and Beyond: International Experiences of Life after Prison* (London: Palgrave MacMillan). His upcoming research project will explore how alternative court personnel understand, frame, and regulate “criminality.”

nature of crime control efforts, as well as the ways in which they are deeply entangled with other social forces, processes, and institutions (e.g., Garland 2001; Lacey 2013; O'Malley 1999; Rose 2000; Wacquant 2009; Zedner 2010). In fact, we have seen recent calls for and attempts to theorize the porous and shifting boundaries of punishment (Hannah-Moffat & Lynch 2012; see also Beckett & Murakawa 2012; Hallsworth & Lea 2011). Not only are we troubled by the unprecedented scale of mass incarceration, we are also increasingly attending to the scope of the penal state [e.g., the presence of mass supervision (McNeill & Beyens 2013), the expansion of immigrant detention] and its linkages with non-penal forces such as neoliberalism, racism, and racialization, and the turn toward risk-infused technocratic governance.

This special issue took shape out of a shared conviction that ethnography is well placed to contribute to this current moment in several ways. To be sure, multiple methodologies have made important contributions to the study of criminal and penal governance and will continue to do so; studying these phenomena necessitates methodological flexibility, promiscuity, and experimentation. At the same time, ethnography brings important things to the table, methodologically and analytically.

First, it can help deepen—or, to borrow a term from anthropology, thicken—our analyses by complementing and countering the tendency within penal scholarship to privilege macro-level questions, approaches, accounts, and theories (see Hannah-Moffat & Lynch 2012). A significant amount of scholarship emanating from the fields of sociology, criminology, and punishment and society relies on aggregate data and a “flight into numbers” (Valverde 2012, 247). To be sure, this quantitative work is crucial; it has, for instance, helped document the severity and scale of punishment and highlighted the ways in which it disproportionately targets socially and economically marginalized persons. At the same time, the privileging of broad-level accounts and a heavy reliance on statistics does not further our ability to understand how punitive practices are unfolding on the ground. As Lorna Rhodes (2001) puts it, work documenting the broad contours of punishment has outpaced scholarship exploring its specificities and lived realities (see also Earle & Phillips 2012; Wacquant 2002; Walker 2016). Ethnography is well equipped to address this imbalance; it can help us better explore the microphysics and granular processes of penal practices, thereby serving as a complement to broad-level perspectives.² In fact, given the diversity of contemporary penalty—its varied modes and locations, its contingent and sometimes incongruous goals and operations—examina-

tions that proceed from particular settings or practices and attend to their specificities are crucial for furthering our ability to analyze and theorize crime control efforts.

Second, and qualifying the previous point, ethnography should not be understood solely as a method for documenting details and complementing macro-level scholarship. Despite its focus on the particular and the micro, ethnography explores phenomena within the dynamic contexts in which they unfold; it attends to the connections, interactions, and frictions between everyday practices and broader forces, structures, and histories. That is, while tracing on-the-ground events, ethnography can attend to how these events resonate with, reflect, reinforce, or obvert forces such as capitalism, the rule of law, technological developments, and welfare retrenchment. This combination—attending to specificities *and* to interactions across analytic levels—makes ethnography particularly well suited to exploring diversity and contradiction within the governance of crime, as well as to tracing its entanglements with other social forces.

Third, ethnography can diversify our explorations of penal governance through its attention to the understandings, meanings, and perspectives of research participants, and in doing so, it can open up new questions and topics for research. Ethnography can, for instance, explore how individuals subject to penal interventions perceive, navigate, reproduce, and/or resist them. It can also help us explore how penal regimes, policies, and practices are constituted; it can be deployed to examine how policy makers and field-level personnel imagine, enact, and evaluate programs. And this attention—not just to practices, events, and social forces, but to how social actors make sense of these things—encourages us to consider other phenomena, ask different questions, and explore new analytic avenues. It can, for instance, allow us to explore the subjectivities, assumptions, and ethics (the moral sense-making) of individuals, as well as the goals, rationalities, and modes of expertise and authority that engender or sustain policies.

Importantly, not only is ethnography potentially well suited to contribute to our current discussions, it is regularly doing so. In the last 10 to 15 years we have witnessed an expansion of ethnographic work. Consistently privileged in sociocultural anthropology, ethnographic methods are being increasingly turned to by other disciplines: They have experienced a resurgence in sociology and an expansion in other fields including geography, science and technology studies, gender studies, and public health, as well as criminology and law and society. In 2002, Loic Wacquant importantly commented on the dearth of ethnographies within prisons and jails in the

United States. Yet, since that time, it would be fair to say there has been a burgeoning of ethnographic explorations of punishment.³ Among other motivations, this special issue is intended to call attention to the proliferation of ethnographic examinations of penalty and the increasingly diverse and interdisciplinary nature of this work.

In fact, the goals of this special issue are threefold. First, it highlights the growth of ethnographic examinations of penal governance across multiple disciplines, while also calling for more scholarship in this vein. Despite the recent flourishing of ethnographic accounts, broad-based and statistical explorations remain far more common in the study of crime and social control. Second, through exploring disparate locations of penalty and taking up varied analytic avenues, these articles engage with and shed light on the dispersed and shifting nature of the contemporary governance of crime and punishment. Third, the articles in this special issue highlight the possibilities and the potential blind spots of ethnography, thereby opening space for reflection on the value and limits of this methodology for studying crime control efforts.

The articles explore divergent forms and workings of the governance of crime and security in contemporary society.⁴ The phenomena under investigation range across pre-trial incarceration and bail, the incarceration of women in a juvenile facility, immigrant detention, a mental health court, and the experiences of parole and life after prison. Similarly, the authors come from different disciplinary backgrounds, including criminology, anthropology, sociology, law and society, and justice studies. At the same time, all authors were present first-hand in the phenomena under investigation and engaged in participant observation and interviews.⁵ Further, these articles attend to the particularities of the phenomena under study while also tracing connections to events, forces, histories, and phenomena that go beyond their fieldsites. This analytic move, connecting micro and macro scales, means that these articles help us explore commonalities and differences across penal practices, the diffusion of penalty throughout society, and its entanglements with other sociocultural, political, and economic forces.

For instance, many of the articles in this special issue explore linkages between neoliberalism and penal practices. Yet, rather than treating neoliberalism as a monolithic form of governance, these pieces engage with it as a set of variegated and contingent policies, forces, and logics. They recognize neoliberalism as a political project promoting minimal economic regulation and social spending, as a cultural logic inciting individual responsibility and autonomous citizenship, and as a tendency to evaluate non-market phenom-

ena via market principles. In exploring this complex landscape, the authors do not shy away from contradictions. For instance, Cooper (this volume) notes that alternative courts challenge the idea of a clear and consistent link between contemporary punishment and neoliberalism, whereas Turnbull's (this volume) investigation of immigrant detention in the United Kingdom calls attention to how neoliberalism entails exceptions for immoderate spending for projects envisioned as promoting national security, sovereignty, and identity (see also Harcourt 2010). Further, rather than proffer neoliberalism as *the* explanation and conclude there, the authors treat it as part of the social context in which contemporary penal practices unfold, thereby highlighting a key value of ethnography: its ability to explore the impacts of social forces in specific ways, locations, and times.

The opening article is a methodological and analytical reflection on ethnography. In it, Robert Werth and Andrea Ballestero make a case for the value of ethnography—especially in the current social, political, and epistemological moment—for exploring the ways in which societies understand and act on crime, punishment, law, and security. Although ethnography is often seen as a way to gather detailed, on-the-ground data, the authors also highlight its potential to traverse locations, processes, and scale. As a result, they contend that ethnography is well suited to exploring the complexity and contingency inherent to the governance of il/legality, and they highlight the potential of ethnography to foster patient, flexible, and critical analyses that can help change the parameters of existing conversations about legal and penal governance.

In the second article, Kaya Williams draws on ethnographic work with community members and municipal government employees in New Orleans to explore efforts to reform the use of bail and pretrial detention through increased reliance on actuarial risk assessments. Williams stays close to the tenor and substance of municipal discussions while also tracing the ways in which those discourses are shaped by the logics of for-profit industries (bail bonds companies and the corporate insurers who underwrite them) and by racialized imaginaries of threat. In following these connections, Williams highlights how something proffered as a reform to address over-incarceration (i.e., risk assessment) actually reflects the rationalities that helped produce a massive and racialized penal state in the first place.

The third article, by Randy Myers, explores how the lived realities of social marginality and the withdrawal of state services structure how individuals imagine and prepare for life after release from incarceration. Based on observation and interviews with a group of young women incarcerated

in two county juvenile justice facilities, this article traces the uncertainties and difficult choices these women face as they attempt to arrange for material and social support in the face of their impending return to harm-filled social ecologies. In tracing connections between welfare retrenchment under neoliberalism and the understandings and survival strategies of individuals subject to punishment, this article enjoins us to consider how neglect can operate as a form of punishment that promotes responsabilization while also fostering state distrust and disengagement from existing (albeit meager) rehabilitative and recovery services.

In a related vein, Alessandro De Giorgi draws from ethnographic fieldwork to explore the challenges faced by formerly incarcerated individuals in Oakland, California. The rich ethnographic data shed light on the everyday lived realities of individuals who reside, simultaneously, at the margins of late capitalism and inside the penal state. Despite being entangled in a net of post-carceral control (e.g., surveillance, intrusive parole conditions, aggressive policing), what formerly incarcerated individuals mostly experience is programmatic abandonment and institutional indifference. De Giorgi further shows how these experiences tend to be normalized by research participants—and ultimately seen as deserved—through their acceptance of neoliberal ideologies of individualized responsibility and autonomous citizenship.

Jessica Cooper's ethnography of a mental health court in California disrupts common understandings of the relationship between neoliberalism and mass incarceration, as this alternative court provides mental health services, fosters ongoing interpersonal relationships, and engenders an ethos of care. At the same time, Cooper traces how the mixture of care and control within this setting can make it extremely difficult for individuals to meet all of the court's requirements. In this way, alternative courts operate as a temporal analog to mass incarceration: Extricating oneself from the penal state proves challenging and elusory, as these "alternative" interventions can become interminable features of individuals' lives.

Drawing from a multi-sited ethnography in Immigrant Removal Centres in the United Kingdom, Sarah Turnbull explores how individuals are subjected to a form of indefinite detention at the intersection of border security, migrant management, and criminal justice. Although immigration policy and institutions are officially race neutral and disconnected from Britain's colonial and imperial past (and present), this article explores how race, racialization, and racism are integral to the governance of migration and the production of (il)legality. The burgeoning fusion of practices of

immigration and criminal justice limits the mobility of (non-white) people from the Global South and fortifies their over-policing and incarceration in the Global North. By shedding light on the everyday practices and lived realities of immigrant detention, Turnbull's article seeks to disrupt the emerging hegemony of carcerality as an appropriate response to capitalist dispossession and mass migration.

The last piece is an afterword by Will Garriott that reflects on each of the preceding articles, as well as on the place and value of ethnography as a method for studying the governance of crime. Further, noting the revanchist overtones and the politicized discourses about crime, immigration, and law and order of the Trump campaign and administration, Garriott highlights that ethnography's ability to trace connections between penal practices and broader legal, political, and social forces can operate as a research modality *and* a means of political engagement.

ACKNOWLEDGMENTS

I would like to thank the contributing authors, the anonymous reviewer, and, especially, Stefania De Petris at *Social Justice* for making this special issue possible. I am also grateful to many people for continued insights and inspiration related to ethnographic explorations of the social world, especially Andrea Ballesterio, Elliott Currie, George Marcus, Susan Coutin, and Kaushik Sunder Rajan.

NOTES

1. One example of this interest in the heterogeneity of punishment is the recent blossoming and diversity of terms that attempt to name, conceptualize, or even demarcate the object of inquiry for those interested in exploring penalty: for instance, mass incarceration, hyper incarceration, penal state, carceral state, security state, and assemblages of penal governance.

2. The article by Werth and Ballesterio in this issue explores and expands upon specific ways in which ethnography accomplishes this.

3. At the same time, it should be noted that while ethnographies of confinement have expanded, a considerable amount of the growing ethnographic work on punishment has focused on other locations in what Foucault terms the carceral archipelago: probation, parole, community-based service providers, families of incarcerated individuals, alternative courts, and immigrant detention.

4. Prior to coming together in this special issue, five of the contributors participated in a multipanel session entitled "Ethnographic Explorations of Penalty, Risk and Security" organized at the 2016 Law and Society Association conference in New Orleans.

5. Some authors also utilized historical and archival/document analysis. As Werth and Ballestero (this volume) note, ethnography can and often does include more than participant observation and interviews.

REFERENCES

- Beckett, Katherine, and Naomi Murakawa
 2012 "Mapping the Shadow Carceral State: Towards an Institutionally Capacious Approach to Punishment." *Theoretical Criminology* 16(2): 221–44.
- Currie, Elliott
 2013 "Consciousness, Solidarity, and Hope as Prevention and Rehabilitation." *International Journal of Crime, Justice, and Social Democracy* 2(2): 3–11.
- De Giorgi, Alessandro
 2015 "Five Theses on Mass Incarceration." *Social Justice* 42(2): 5–30.
- Durkheim, Emile
 1893/2014 *The Division of Labor in Society*. New York: Simon and Schuster.
- Earle, Rod, and Coretta Phillips
 2012 "Digesting Men? Ethnicity, Gender and Food: Perspectives from a 'Prison Ethnography.'" *Theoretical Criminology* 16(2): 141–56.
- Foucault, Michel
 1977 *Discipline and Punish: The Birth of the Prison*. New York: Pantheon Books.
- Garland, David
 2001 *The Culture of Control: Crime and Social Order in Contemporary Society*. Chicago: University of Chicago Press.
- Gottschalk, Marie
 2015 *Caught: The Prison State and the Lockdown of American Politics*. Princeton, NJ: Princeton University Press.
- Hallsworth, Simon, and John Lea
 2011 "Reconstructing Leviathan: Emerging Contours of the Security State." *Theoretical Criminology* 15(2): 141–57.
- Hannah-Moffat, Kelly, and Mona Lynch
 2012 "Theorizing Punishment's Boundaries: An Introduction." *Theoretical Criminology* 16(2): 119–21.
- Harcourt, Bernard
 2010 "Neoliberal Penalty: A Brief Genealogy." *Theoretical Criminology* 14(1): 1–19.
- Lacey, Nicola
 2013 "Punishment, (Neo)Liberalism and Social Democracy." In *The Sage Handbook of Punishment and Society*, edited by Jonathan Simon and Richard Sparks, 68–80. Los Angeles: Sage.
- Mauer, Marc, and Meda Chesney-Lind, eds.
 2006 *Invisible Punishment: The Collateral Consequences of Mass Imprisonment*. New York: The New Press.

- McNeill, Fergus, and Kristel Beyens
2013 "Introduction." In *Offender Supervision in Europe*, edited by Fergus McNeill and Kristen Beyens, 1–14. Basingstoke, UK: Palgrave MacMillan.
- O'Malley, Pat
1999 "Volatile and Contradictory Punishment." *Theoretical Criminology* 3(2): 175–96.
- Rhodes, Lorna
2001 "Toward an Anthropology of Prisons." *Annual Review of Anthropology* 30: 65–83.
- Rose, Nikolas
2000 "Government and Control." *British Journal of Criminology* 40(2): 321–39.
- Rusche, Georg, and Otto Kirchheimer
1939/2009 *Punishment and Social Structure*. New Brunswick, NJ: Transaction Publishers.
- Valverde, Mariana
2012 "Analyzing Punishment: Scope and Scale." *Theoretical Criminology* 16(2): 245–53.
- Wacquant, Loïc
2001 "The Penalisation of Poverty and the Rise of Neo-Liberalism." *European Journal on Criminal Policy and Research* 9(4): 401–12.
2002 "The Curious Eclipse of Prison Ethnography in the Age of Mass Incarceration." *Ethnography* 3(4): 371–97.
2009 *Punishing the Poor: The Neoliberal Government of Social Insecurity*. Durham, NC: Duke University Press.
- Walker, Michael
2016 "Race Making in a Penal Institution." *American Journal of Sociology* 121(4): 1051–78.
- Western, Bruce
2006 *Punishment and Inequality in America*. New York: Russell Sage.
- Zedner, Lucia
2010 "Security, the State, and the Citizen: The Changing Architecture of Crime Control." *New Criminal Law Review* 2: 379–403.