

**Learning from Ferguson:
Welfare, Criminal Justice, and the Political Science of Race and Class**

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In 2015, Americans learned that public authorities had imposed a repressive “predatory system of government” on poor Black citizens.¹ The extensiveness of the repression, harassment, and pilfering of the citizenry looked eerily similar to the practices of failed states and authoritarian regimes. The government in a small inner-ring suburb of Saint Louis, we learned, had designed an aggressive system of ‘poverty traps’ for the citizens. Residents of Ferguson, primarily poor and black, were followed, arrested and summonsed on civil ordinance violations, assessed prohibitive fines and fees, and jailed or threatened with incarceration when they could not pay or comply.² Once targeted in this manner, they would often fall into a cycle of perpetual debt, finding it almost impossible to escape the financial and other encumbrances they acquired, which often led to further entanglements with police and courts. And soon, it became clear that while Ferguson may have perfected these practices of discipline, harassment, and extraction – with its average of three arrest warrants per household and fees enough to sustain a municipal government – it was joined by many other local governments, who similarly regarded their poor black and Latino residents as suspect populations and engaged in substantial projects of oversight and compulsion across a spectrum of local government agencies.³ As a sustained uprising and widespread political dissent emerged in response, and as the Department of Justice assembled damning evidence of thievery and racism in the operations of local government, these events caught our discipline, once again, off guard, just as bewildered and perplexed as it had been in the aftermath of the disastrous governmental responses to Hurricane Katrina a decade before, and in the aftermath of urban riots several decades prior.⁴

The police violence and protests in Ferguson, Baltimore, New York, Cleveland, Atlanta, and other cities showed just how few analytic frameworks (and persuasive empirical studies) the subfield of American Politics had on the rack to understand and investigate them. The journalism that followed revealed our myopia with great clarity, describing governmental practices rarely discussed or measured in political science – practices deeply at odds with both democratic ideals and prevailing models of U.S. politics. Scholars from our subfield did have things to say about Ferguson, of course. In the *Washington Post’s* *Monkey Cage*, a prominent political science blog, for example, several scholars from the subfield wrote about Ferguson. They explained how the timing of elections in municipal governments like Ferguson and the non-partisan ballot structure used in these elections significantly diminish voting turnout and voter knowledge, to the advantage of organized interests. They discussed how electoral rules and procedures explained why the city council did not reflect its majority-black population. They celebrated the protesters’ use of Twitter and other social media to solve collective action problems, and they lamented the cavernous racial divide in public opinion about the police.

All important insights, to be sure, but also a telling demonstration of the preoccupations of a subfield that remains focused on questions of representation, public opinion and participation, national government institutions, and interest group struggles over policy. None drew on research from the subfield to illuminate the intense, proactive role that local government authorities played in Ferguson citizens’ daily lives. No one presented a political science perspective (or even took notice) of the inharmonious portrait of governance that had emerged. None came forward to explain dramatic differences in government treatment across locales or the conditions likely to transform political resistance into a social movement or even the ways government action had affected the extent of racial and economic inequality and conflict in the region. If we had observed the events in Ferguson in another country, concepts from comparative politics surrounding de-democratization, corruption, political manipulations of public goods provision, political violence, and authoritarian rule would surely have been salient topics in the ensuing discourse. Yet in the U.S. context, questions about citizen engagement fit the field’s research agenda far more closely and, thus, overshadowed questions about what kind of citizenship people in Ferguson have actually experienced. For similar reasons, puzzles regarding biased representation on the city council eclipsed

discussion of how power is organized in these communities and how government authorities control, manage, and exploit subordinated populations. Questions about public opinion and responsiveness to the “median voter” prevailed over questions about mass resistance to the state’s exercise of authority. Events that made a serious analysis of political economy and structural inequalities seem ripe for the picking, unsurprisingly, did not bear fruit. The *absence* of desirable modes of government – from the lack of safeguards to control police to the lack of fair representation for black Ferguson constituents – became a key concern for political science observers; the *presence* of government agents actively controlling, preying on, and perpetrating violence against citizens did not.

In Ferguson, Baltimore, and many other places, the state was actively deployed *against* its citizens and residents. To ask, then, how these people are insufficiently mobilized *into* the electoral process and unevenly represented *by* government is not just short-sighted; it offers a view of citizen and state that is fundamentally at odds with what many people in minority communities experience. It is not that our subfield lacks conceptual sophistication, or that good data are not readily available, or that these topics are just better left to other disciplines. Our subfield has been and remains intellectually un-curious about the ways governing authority is practiced in communities positioned at the bottom of the ethnoracial and class order. We failed to ask the most pressing questions about Ferguson because the governance of such communities falls, for the most part, outside the boundaries of our field of view. We failed to listen when over a century ago W.E.B. Du Bois said of his Philadelphia neighborhood that “police were our government and philanthropy dropped in with periodic advice” or when the Kerner Commission a half century ago pronounced “police practices” and “inadequate welfare programs” as two of the top considerations leading subjugated communities into the streets.

In this essay, we explore key features of the disconnect between political science today – specifically, the subfield of American politics – and the political lives of what we will call race-class subjugated (RCS) communities. Our analysis focuses on how the subfield approaches the study of racial and class inequalities and analyzes the welfare and criminal justice systems of the state. In RCS communities, welfare and carceral institutions play pivotal roles in the operations of state power, government, citizenship, and politics. Yet in our subfield, RCS communities are usually analyzed in terms of what they lack politically – for example, their inadequate descriptive representation, their comparatively meager rates of voting, their lack of political organization, and the absence of substantive governmental responsiveness to their needs, preferences, and interests.⁵ But RCS communities do not lack political lives, and state authorities certainly have not ignored the residents of Ferguson. In the day-to-day of RCS communities, government inattention and unresponsiveness are far less salient than the “matrix of domination” enacted by governing authorities who treat them as a suspicious class inherently in need of control and oversight.⁶ The marginalization of RCS communities in American power relations reflects more than just a lack of political resources, organized advocates, and coalition partners; it is actively produced through the stigmatizing and subordinating activities of police, prisons, and welfare officials who turn government into a threatening authority to be avoided. As Cathy Cohen observes, Black youth today believe “that the system is not only closed to them but out to get them.”⁷ The political inequalities experienced by RCS communities flow, not just from a lack of government attention, but from *too much* government oversight, interference, and repression. “People suffer,” Dorothy Roberts rightly argues, “not only because the government has abandoned them but also because punitive policies make their lives more difficult.”⁸

To make these observations and subject them to analysis, however, requires expanding our field of vision beyond the realm of national politics, where most American politics scholarship remains focused, to local levels of governance where welfare, carceral, and other institutions carry

out the work of aiding, surveilling, and managing the citizenry.⁹ It requires decentering the electoral and legislative processes that anchor scholarship in our subfield in order to pay equal attention to the political lives citizens lead outside their roles as constituents of representatives in government. It requires recognizing that welfare and criminal justice policies are more than just outcomes of political competition and objects of public opinion; they are frameworks of governance and structures for power relations in the daily lives of citizens.

Perspectives on Race, Class, and U.S. Politics

To make sense of our subfield's limited ability to illuminate recent events in Ferguson and elsewhere, we begin with race and class themselves – first, as they operate in RCS communities and, second, as political scientists address them in the study of U.S. politics. Our goal is not to adjudicate longstanding debates over how best to conceptualize race and class¹⁰ or to argue for a “superior model”. Rather, we aim to clarify (and unsettle) the particular approach to race and class that prevails in the study of U.S. politics by showing how it differs from both experiences in RCS communities and alternative approaches from fields that have more extensive traditions of scholarship on RCS communities.

Scholars working in such traditions have tended to focus greater attention on *how race and class relations are interwoven* in the lives of RCS communities and analyze the complexities of their interplay.¹¹ Indeed, in our own field studies of citizens' encounters with welfare and criminal justice systems – conducted roughly fifteen years apart – we have been struck by how experiences in RCS communities disrupt the tidy analytic oppositions of race and class found in most political science research.¹² Many of our informants hesitated to impose separate frames of class or race on their lived experiences of what Evelyn Nakano Glenn calls “substantive citizenship.”¹³ Class was central to the lived reality of race for poor Black and Latino informants, just as racial subordination wove its way through their understandings of being lower class. Avoiding such categories altogether and hedging when we asked which “factor” mattered more, many preferred terms that conveyed an overarching sense of being minor and marginal – a sense of being subjects targeted by state power rather than citizens participating in the exercise of power through democratic governance. They often spoke not of predefined categories to which they belonged – e.g., Black, Latino, Asian, poor, wealthy, etc. – but rather of their *experiences* with the state and how these experiences were broadly shared across their communities.

They [state authorities] make decisions that influence or govern the smaller people in the world, people who don't have no say-so or nothing.... I'm what you call the “little man.” I'll always be the small man. I don't have any power. I don't have any say-so.... Power is ... I don't know what word I'm looking for. It's a dominating type of thing. You can move people around like puppets just by making laws and having the police enforce those laws. If you do something that the people with power don't like, they'll have you arrested, and there's nothing you can do about it¹⁴.

The little people are like us, people that live in houses like these, you know transitional housing, I'm talking about men and women alike. If you don't have a job and you getting things from the government or such as welfare or whatever, you're part of the little people. But if you actually going out there and getting a job or actually have a job and you know and pay, you know. If you not paying into the system, you're looked over.^{15,16}

In recent decades, a growing number of scholars have engaged such dynamics via the concept of intersectionality.¹⁷ Conceptualized in this manner, race, class, gender and other dimensions of social structure do not produce disadvantage in “additive” ways (e.g., disadvantages of race *added to* those of class) but rather through a conjunctural logic that constitutes distinctive positions in relations of power and oppression (e.g., the position of a lower-class, Asian-American woman). In recent decades, intersectionality scholarship has flourished in fields such as critical race theory and gender studies, and become prominent in disciplines such as sociology and history, yet it has remained marginal in political science. Indeed, while political scientists have produced a number of acclaimed works in this vein,¹⁸ it is noteworthy that in the fifteen years, 2000-2014, the *American Political Science Review* published only three articles that contained the word “intersectionality” at all.¹⁹

Explicit use of the intersectionality concept, of course, is not required for careful attention to the interweaving of race and class in the lives of poor Americans of color. Indeed, many historians trace the origins of American racial categories themselves to the brutally coercive labor system of slavery,²⁰ and emphasize how exploitative class relations have shaped and conditioned American ideologies of racial subordination over time.²¹ Discourses and practices of racial subjugation, in turn, have played a pivotal role in constructing the American “working class” as a social and political category rooted in Whiteness and “free labor.”²² Historically and today, RCS communities have confronted labor markets structured by race and experienced race differently depending on the structure of labor markets. Indeed, as Cybelle Fox shows in *Three Worlds of Relief*, profound differences in welfare provision across regions of the U.S. in the early 20th century can be traced directly to distinctive configurations of racialized labor relations. To explain how RCS communities experienced the welfare state in this era, one must understand how different labor systems intersected with the particular racial constructions of poor Blacks, Mexicans, and southern and eastern European immigrants. Neither race nor class operated in a manner independent of the other. Blacks in the South and Mexicans in the Southwest were both subjected to domination, exploitation, prejudice, and discrimination, for example, but migratory labor systems in the Southwest produced a racial order that differed markedly from racial subjugation in the Jim Crow South, where more residentially rooted systems of labor extraction prevailed.²³

For RCS communities today, positioned at the intersection of race and class systems, the two dimensions of power relations remain thoroughly entwined in experiences of civic ostracism, economic marginalization, and state-led governance. Race and class blend together in denigrating discourses that construe their neighborhoods as repositories for a disordered “underclass” filled with women deemed “welfare queens” and men deemed criminal “superpredators.”²⁴ Experiences of labor markets remain strongly conditioned by race,²⁵ even as rising class inequalities have intersected with immigration and other recent developments to reconfigure the meanings and implications of racial classifications themselves.²⁶ Interminority conflict in cities continues to be shaped by the twinned experiences of race and class subordination.²⁷

Indeed, when students of politics have focused on RCS communities, they have often parted ways with the disciplinary mainstream’s tendency to address race and class separately, stressing instead the importance of class politics *within* racially subordinated groups (or sometimes, racial conflicts in the context of class subordination). This perspective has proved essential for illuminating the contributions that disruptive poor and working class Blacks have made to the struggle against White supremacy.²⁸ It has played a key role in efforts to explain the suppression of issue agendas through “secondary marginalization,”²⁹ the vexed terrain of “respectability politics,”³⁰ and the construction or destruction of cross-class racial solidarities around the interests and concerns of Black elites.³¹

Yet in the vast majority of political science scholarship on U.S. politics, such interplays of race and class relations remain marginal concerns. Here, the starting point for analysis typically lies

far from the experiences of RCS communities, in ongoing debates about government institutions, party and interest group systems, public opinion and citizen participation, and so on. Focused in this manner, and framed by the field's heavy reliance on multivariate analysis, political scientists typically treat race and class as distinct societal variables used to test alternative explanations for political outcomes. In the process, efforts to study race and class as intersecting political relations in their own right – e.g., efforts to specify the terms of the interplay and the ways they shape, condition, and produce changes in one another – are almost wholly displaced by narrower projects of categorization and coding designed to produce the materials needed for variable-based analysis. Thus, race is typically deployed to specify categories of subjective identity or assigned group membership that differentiate political actors, policy targets, or objects of public attitudes. Class is typically equated with (and reduced to) categories of socioeconomic status, measurable on the basis of possessions such as education or income or on the basis of subjective class identifications.

In treating race and class position as discrete variables, most political scientists today operate at a distance from contemporary innovations in theories of race and class. Across the social sciences, many scholars have turned toward more constructivist and relational theories of race, for example, that emphasize how socially recognized racial “groups” are constructed over time through material and symbolic practices that establish boundaries between “social kinds,” and how such racial boundaries operate as powerful social structures organizing the terms of political, economic, and social relations.³² Many such theories emphasize the need to analyze race “as a political construct that was created and has been deployed in order to pursue power and maintain control.”³³ From this perspective, racial classifications and ideologies must be understood as emerging through, servicing, and shifting to accommodate historical configurations of domination, exploitation, and control – such as slavery or Jim Crow – and thus appear, in the first instance, in concert with the evolving terms of capitalism and class. By contrast, most empirical research in political science, and a large share of work in the REP subfield, continues to rely heavily on theoretical frameworks that focus narrowly on dominant-group attitudes and behaviors, such as racial threat,³⁴ racial contact,³⁵ and racial resentment.³⁶ As Lowndes, Novkov, and Warren rightly argue in a recent critique of the subfield, “much work on racial attitudes and political behavior proceeds as if in a historical, contextual and institutional vacuum devoid of either a causal, constitutive or discursive narrative about racialized politics or racialized development.”³⁷

A primary result of these tendencies has been to obscure the fundamental role of gender in producing and structuring relations of race and class. In reducing race to a discrete reference point for identities and attitudes, shorn of historically specific power relations, the subfield of U.S. politics has largely banished inquiries into “the ways gender is racialized and race is gendered.”³⁸ Uses of gender politics to ward off threats to the racial order, for example – e.g., through alarmed calls for white male solidarity to protect white women from mythical threats of violent sexual predation at the hands of black men – fall beyond the scope of political analysis.³⁹ The gender specificity of the male breadwinner in capitalist class relations is placed under erasure, severed from its historical dependence on women's domestic labor and the gendered modes of social reproduction that have enabled it.⁴⁰ Race and class are analyzed as if their operation, historically and today, could be neatly separated from gender and assumed to have equivalent consequences for men and women.

The divisions of race from class (and both from gender) that arise from theory and method in the study of U.S. politics tend to get reinforced in political science by the structure of subfields and strong pressures toward issue specialization. Thus, in some areas of study, race is taken to be an obvious and essential element of analysis while class is virtually ignored; in other areas, the reverse pattern obtains. Consider, for example, the politics of poverty and inequality. Poverty and inequality are, of course, closely related outcomes, and many government actions that matter for one also affect the other. Accordingly, one might expect to find a high level of cross-fertilization and

continuity across the two political science literatures. Yet in the political science literature on U.S. poverty politics, racial factors take center stage, largely unaccompanied by significant scrutiny of class relations.⁴¹ In the political science literature on economic inequality in the U.S., class power and class biases stand at the forefront of analysis, as racial politics go largely unmentioned.⁴²

The contrast is not simply a matter of different researchers having different concerns; it is constitutive of the intellectual discourse in each domain. On one side, the racialized poor are analyzed in relation to the American “mainstream,” with hardly a mention of class, capital, and relations of production. On the other, one finds analyses framed by “the rich pulling away from the rest,” as if a common trajectory had been shared by the American middle classes and RCS communities in the lower reaches of the social order. Thus, in his landmark intervention in the study of poverty politics, *Why Americans Hate Welfare*, Martin Gilens says little about the terms of class relations or the power of class-based interests.⁴³ His analysis focuses instead on racial biases in media stories on poverty and the ways that White Americans’ stereotypes of Black Americans shape their attitudes toward welfare programs. By contrast, when Gilens engages subfield debates on inequality and democracy in America in his equally acclaimed *Affluence and Influence* (2012), class politics define the terms of analysis while race largely disappears from view.⁴⁴ As an additional wrinkle, the study of race in welfare politics proceeds as if the real barrier is *attitudes* that stymie shared preferences for redistribution across racial groups while the work on the rise of inequality and political influence suggests that the real barrier is *organization* of power at the top that prevents elites from recognizing those not in the upper reaches of the income distribution without a mere mention of race. Indeed, if one checks the indexes of three of the most influential recent political science books on the politics of inequality one finds references to race, racism, or racial politics on only a handful of pages.⁴⁵

A similar contrast can be seen in the literatures on descriptive representation in government, on one side, and governmental responsiveness to mass publics, on the other. In the first literature, one finds steady streams of research on racially representative bureaucracies⁴⁶ and the racial compositions of legislatures.⁴⁷ By contrast, studies of class biases among elected representatives are quite rare,⁴⁸ as are studies that combine race and class in an intersectional analysis of representation in governance.⁴⁹ In the second literature, questions of class bias predominate in studies of governmental responsiveness, regardless of whether these studies correlate policy actions with public preferences⁵⁰ or trace them to power imbalances in the “organized combat” of interest groups.⁵¹ Responsiveness studies that foreground racial bias remain somewhat unusual in the subfield,⁵² and studies that foreground the interplay of race and class in political representation remain rarer still.⁵³

In many cases, separate analyses of race *or* class in the study of U.S. politics can be traced to the underlying structure of disciplinary sections and subfields. In the discipline of sociology, for example, the prominent field of Social Stratification has encouraged theoretical and empirical dialogue across studies of race, class, gender, and other hierarchical social structures. In political science, by contrast, scholarship of this sort has been organized into separate communities of inquiry. Race, Ethnicity, and Politics has largely developed as a distinct area, set off from the largest research areas of U.S. politics and organized as its own APSA section (founded in 1995). REP research started from the position of being a marginal player in the larger subfield (and polity) which regularly diminished the importance of black political actors, discourses, and indigenous institutions and owing to this, understandably proceeded from the argument that black politics should be viewed primarily through the lens of race and through research strategies that emphasized its distinctive ideological traditions and indigenous political sites and information sources. Adolph Reed explained the contextual imperatives at work; black politics emerged from a potent ideology of racial uplift and interest collectivity, itself grounded in the idea that race was “an undifferentiated, corporate entity”:

consolidation of a white supremacist order.... altered the context of black public debate.... The result was a default mode of politics in which individual ‘leaders’ could determine and pursue agendas purportedly on the race’s behalf without constraint by either prior processes of popular deliberation or subsequent accountability. Securing patronage appointments for elite blacks appeared as generic gains for the race partly because of the premise that elevating the best men advanced the group as a whole, as well as because the power of scientific racism in broader American political rhetoric raised the significance of any black achievement, by any individual, as a challenge to the ideological foundations of white supremacy. *The potential for felicitous pursuit of a politics that took class interest as synecdochic for race interest was overwhelming.*⁵⁴

While discussions of class and gender did surface in the REP research, many studies had the tendency to assume an invariant experience of race across the class spectrum, preferring models that presumed interests, goals, and ideas that cohered along racial lines. As a result, even if unintentional, other forms of difference were treated as secondary or even superficial, somewhat of a distraction to the primary status of racial difference. As Reed explains, the tendency to naturalize race-based interests and treat as unimportant (or disruptive) internal differences within the group (or interests and ideas that transcended race) was overwhelming.⁵⁵ The study of black politics entailed “a forgetting” while the practice of black politics entailed a “silencing” of some groups that posed a threat to the pursuit of a positive public image.⁵⁶ Despite the force of Reed’s critique and the boldness of Cathy Cohen’s intervention to embrace black politics’ “struggle with difference”, it is indeed striking how few works within the REP field took it to heart.

Works in sociology, by contrast, were keenly attentive to intersections and differences within a racial group; for example, how racial identity formation of young West Indians was mediated by their gender and class position.⁵⁷ Black politics and later, Latino politics, were less eager to embrace this, often showing that the strength of racial identity even at the top of the income distribution was not disrupted by class.⁵⁸ Rarely in the REP area does one find work that treats class or immigration status as important (there is more work on the interplay of race and gender) and research strategies proceeded from the starting point of racial groupness. If sociological discourse found itself fastened to the idea of the ‘underclass’ – lower class blacks with pronounced experiences of incarceration, joblessness, and concentrated poverty – REP found itself quite neglectful of the positioning, consciousness, and political lives of lower-class blacks even as intra-racial class inequality grew and class was very much a part of urban black and Latino politics.⁵⁹ Though our REP surveys rarely try to measure class attachment and identity, one showed an interesting result: more affluent blacks saw their identities as having more to do with other blacks than other upper-income people, a result that was unsurprising given Dawson’s *Behind the Mule*; however, lower income blacks identified more with other poor people than with others in their racial group.⁶⁰

By comparison, the study of class advantage in U.S. politics has held a more central position in American political science. Though the APSA’s formal section on Class and Inequality was founded only recently (2014), its subject matter has long been an important topic of inquiry for some of the leading scholars in the field.⁶¹ Although class-based analysis is less common in studies of government institutions (e.g., the internal workings of the U.S. Congress and presidency), it is a mainstay of political science research on efforts to influence government. Regardless of whether political scientists have focused on the “unheavenly chorus” of organized interest groups⁶² or individual-level patterns of citizen voice and participation,⁶³ they have conventionally treated class bias a primary subject of analysis when studying political influence and responsiveness in American politics. Yet, as the report of the APSA’s Taskforce on Inequality and American Democracy amply

demonstrates, the profession today continues to speak to questions of class inequality in a manner that pushes serious analysis of race and ethnicity to the margins.⁶⁴

For example, in an essay that is very good in other respects, Howard Rosenthal dispatches racial politics as a competing explanation for trends in economic inequality that are better explained by class politics.⁶⁵ The explanatory role for race must be minor, he concludes, because racial prejudices and hostilities did not rise in tandem with inequality trends: “It is hard to see racism as hardening in the last quarter of the twentieth century when inequality increased. Racism and racial tension seem to have been at least as rife when inequality fell.”⁶⁶ Here we see a further peculiarity, characteristic of the field: Scholars tend to conceptualize race in terms of irrational attitudes (mainly of whites) or episodic social tensions that are eventually overcome – rather than as a fundamental, durable and evolving social structure that organizes the polity itself.⁶⁷ Thus, for Rosenthal and others, if racist attitudes didn’t trend upward, racial politics could not have contributed to expanding inequality. No consideration is given to changes in the structure of racial relations that emerged as within-race inequalities rose sharply. No mention is made of the ways key features of American political life – from the party system to voting habits to support for policies – became reorganized around racial cleavages after the 1960s, during the very decades that produced an ascendant conservative coalition, sharp political polarization, and spiraling economic inequalities. From these perspectives, race became *more* powerful as a political force during this time, not less, even though biological racism was on the wane and some indicators of expressed racial prejudice improved.

In other cases, leading scholars write race out of the political picture in a more fundamental way by simply restricting their analysis to Whites. Consider, for example, this passage from *Unequal Democracy*, where Larry Bartels defends this analytic move (and the distortions it produces) as both conventional and expedient:

Throughout this chapter I follow the lead of Stonecash, Brooks, and many other writers in this domain by limiting my analysis to whites. Doing so obviously produces a distorted picture of the contemporary party system, and those distortions are especially significant for an analysis of class-related cleavages, given the strong and persistent correlation between race and economic status in American society. Nevertheless, the distinctiveness of white political behavior over the past half-century and the overwhelming focus on whites in the existing scholarly literature and popular literature make this limitation expedient for my purposes here.⁶⁸

Against this backdrop, one can see more clearly how political science scholarship on the welfare state (and more recently, the carceral state) reflects common practice in the study of U.S. politics as a whole. In historical efforts to explain the comparative weakness of the U.S. welfare state, for example, factors related to race and class are typically counterposed on a roster of explanations that includes other (allegedly separate) factors such as institutional design, historical path dependency, political culture, and so on.⁶⁹ Political analyses of welfare programs for the poor tend to emphasize racial factors,⁷⁰ while those that focus on programs for “ordinary Americans” tend to emphasize class politics.⁷¹ In such analyses, race and class seem to belong to separate domains of analysis, or to define opposing explanations for a given political outcome. Severed from their roots in historical relations of subjugation and exploitation, race and class become abstract variables suitable for correlation – but highly unsuitable for efforts to understand and combat the oppressive conditions that plague RCS communities in America today.

The Places of Politics: Welfare, Criminal Justice, and the Sites of Citizenship

A second barrier to connecting political science scholarship to RCS communities arises from the particular ways citizens' "political" experiences have been conceived and studied in the discipline. Drawing heavily on theories of representative democracy, students of U.S. politics have typically reserved the label "political" for citizen activities that "aim at influencing the government, either by affecting the choice of government personnel or by affecting the choices made by government personnel."⁷² In practice, this perspective has limited inquiry to a fairly narrow subset of citizens' interactions with American government: mostly actions that address electoral or legislative institutions and, within this set, mostly those directed at the national level. Consequently, much of what the field has to say about citizens' political lives focuses on the ways individuals think and behave as *constituents* operating in electoral and legislative arenas.

Scholars adopting this perspective study citizens primarily as sources of input for representative government.⁷³ Thus, political scientists produce heaps of studies that analyze how citizens, as electoral constituents, vary in their political preferences and levels of engagement. The field is equally attentive to citizens when they act as legislative constituents, contacting their elected representatives to prompt action and seeking to sway their legislative choices. Without denying the importance of such political roles, we suggest that overreliance on this citizen-as-constituent model has distorted our understanding of how large numbers of American's actually live and experience political citizenship. When representatives in government are treated as the defining reference point for politics, day-to-day experiences of politics – *personal* experiences of power, authority, membership, injustice, rights, rules, standing, political agency and so on – come to seem less important than citizens' preferences about political candidates they have never met and the policy choices of distant legislative bodies and the registering of their opinions in infrequent elections. The quality of American democracy appears to hinge on how closely public officials resemble the citizenry (descriptive representation) and how well officials' policy choices align with citizens' preferences (substantive representation) and how often the people involve themselves in the electoral process. The political lives of different groups in the polity are compared by asking who got to have a seat at the policymaking table, a role in selecting governing officials, a voice in the formal debate, and a chance to determine legislative outcomes.

Thus, the American politics subfield has dedicated itself to studying barriers to electoral and legislative influence in all its forms.⁷⁴ We learn that many people do not have the time or resources needed to vote for, campaign for, and lobby lawmakers, that only a biased subset of Americans run for office and manage to get elected, that civic associations and organized interest groups today primarily represent the most advantaged, and that elected officials tend to ignore the policy preferences of all but the wealthiest citizens.⁷⁵ With this portrait of political life spread before us, the major threats to democracy are articulated in by now predictable ways: unequal political voice and biases in participation and responsiveness, a frayed social fabric producing disconnected and disengaged citizen-constituents, polarized political elites acting at a distance from voters, the "irrationality" of citizens who appear to vote against their own material interests, and so on.

The assumption that frames this account, rarely noted by political scientists, is that politics (and thus, political agency) occurs in citizens' lives when they take action as constituents. Political citizenship is most often enacted at the voting booth but sometimes happens through contacts with elected officials; it happens indirectly when citizens support interest groups that speak for them or work on behalf of political parties and campaigns. Other activities in citizens' lives may hold political significance as well, but mainly insofar as they impinge on these primary political roles. Thus, political scientists may take an interest in citizens' experiences in schools or bowling leagues, or inquire about their families and social networks, but they do so primarily to figure out how citizens gain the kinds of knowledge and other resources needed to engage in more truly "political" endeavors. The implication (usually left unsaid) is that the lives we lead outside these spaces and

activities are not our *political* lives and, thus, not relevant to the quality of our citizenship or democracy.

Even when political scientists have pushed back against the preeminent focus on electoral politics in the American politics subfield, they have tended to leave this preoccupation with representative government undisturbed. Thus, Jacob Hacker and Paul Pierson, like Robert Dahl and E.E. Schattschneider before them, emphasize the need to move beyond the analysis of “politics as electoral spectacle” and focus more intently on the “organized combat” of pressure groups intent on shaping legislative decisions regarding policy. Hacker and Pierson rightly criticize American politics research for its emphasis on election inputs and outputs – as if the real prizes in political life are electoral victory and a seat in government. Instead, they call for political scientists to attend more closely to organized struggles over “what the government actually does for and to its citizens.”⁷⁶ The most important political actors, they suggest, seek to control public policy because, in the end, it is the ability to use policy for preferred ends that is the real “prize” in political life.

We would go further still. By focusing political analysis on “coalitions of intense policy demanders” who repeatedly duel it out in the halls of power, Hacker and Pierson actually reinforce the field’s tendency to see the real stuff of politics as something that happens in locales far removed from RCS communities. There is much to applaud in their call to decenter elections in the study of U.S. politics, and to pay close attention to the most powerful interests in American political life. In heeding this call to shift emphasis towards the powerful and organized, however, political scientists risk replicating – or even deepening – a major drawback of the field’s conventional focus on “politics as electoral spectacle.” The narrow focus on citizens as constituents is tightened further still, as scholars come to equate the truly important stuff of politics with interactions between policymaking elites and powerful “repeat players” who vie for policy control. The political actors who are able to win disproportionate benefits from government, in this view, also seem to deserve disproportionate attention from political scientists. Thus, Hacker and Pierson’s call to focus on “what the government does for and to its citizens” turns out to be an agenda that, once again, focuses political analysis on actors distant from RCS communities – and on governing activities far removed from those that drew Ferguson protesters into the streets.

Within the REP subfield, a number of scholars have provided valuable correctives to this focus on electoral and legislative incorporation. Their studies have yielded rich portrayals of political life and political *agency* as they transpire in barbershops and churches,⁷⁷ in political struggles for change in Black city neighborhoods,⁷⁸ in the “infrapolitics” of working class Blacks of the Jim Crow South,⁷⁹ in the informal networks that underpin Latina “survival politics,”⁸⁰ in the insurgent, extra-institutional politics of protest,⁸¹ and in arenas of popular culture such as rap music.⁸² Even in the REP subfield, however, the leading journals and most prominent debates continue to be framed by representation in electoral and legislative processes. Access and influence vis-a-vis these institutions continue to provide the major yardsticks for assessing variations in power, citizenship, and governance across racial and ethnic groups. And here, as in the rest of the discipline, large amounts of empirical research demonstrate how deeply people in RCS communities are marginalized in electoral and legislative processes.⁸³

These observations about U.S. politics are critically important, of course. But taken alone (as they have been in political science for decades), they yield a political understanding of RCS communities strongly biased toward themes of absence, passivity, and exclusion. In study after empirical study, political scientists shine a light on what RCS communities *lack*—their underrepresentation in office, their lack of policy influence, the barriers fashioned to stem the tide of electoral influence, or the dearth of social capital in their neighborhoods—or puzzle over why groups lacking in conventional resources tend to participate beyond expectations. Indeed, based on the field’s most cited studies, one could easily conclude that people in these communities lack active

political lives – or at least, the kinds of political lives worth trying to understand. In focusing so effectively on the political marginalization of RCS communities, political scientists have, ironically, made RCS communities marginal to the field’s account of American democracy and citizenship. Thus, when confronted with uprisings in Ferguson and Baltimore, our discipline is able to speak eloquently about the kinds of state-citizen relations that RCS communities do not have and desperately need. It has far less to say about how such communities experience state power and exercise agency in political life. The mainstream of our discipline has done little to theorize race-and-class based marginalization as a political process and a governmental practice. It says little about why, when, and how various actions by state authorities – and especially organized governmental practices of social control – are guided and rationalized through the coordinates of race and class.

Indeed, the political lives of RCS communities are not defined solely by their lack of integration into the political processes of representative government in America. To the contrary, people in RCS communities routinely interact with state institutions and officials and, relative to more advantaged Americans, do so in fairly direct and intensive ways. The state is a thick presence in these communities, routinely called upon as a target of political agency and routinely experienced as an agent of political subjugation. On a regular basis, people in RCS communities actively seek out government authorities, such as police and welfare officials, to address the problems they confront. In large numbers, they have direct, personal experiences with state officials who have the authority to alter their lives in profoundly damaging or beneficial ways. They are stopped and frisked walking down the street, or perhaps publicly subjected to violence at the hands of state authorities. They claim and receive public resources that allow them to feed their children, or perhaps have this lifeline cut when they are deemed to have violated government rules. In RCS communities, these kinds of events are central to the lived experience of citizenship. They raise fundamental questions of government responsiveness and state power, and they are frequently at the heart of grievances that generate political demands and protests. Yet most political scientists continue to treat them as if they had little relevance for citizenship and democracy in America.

To understand why politics of this sort remains obscure in political science, it is important to see how the field has gravitated over time toward an overwhelming focus on *national* political institutions, modes of political competition, and patterns of citizen opinion and behavior. Students of U.S. politics today frequently note the institutional importance of federalism and, with some regularity, take methodological advantage of the repeated observations provided by state-level variations in political and policy outcomes. In the main, however, serious studies of state and local politics – for example, studies of the sort that anchored debates over community power a half century ago – have largely fallen out of favor. This shift in analytic focus has produced, among other things, a variety of biases in the mix of *substantive political relations and issues* that draw attention from political scientists.

Governance of poverty and criminality – and more broadly, practices of social control related to race, class, and gender – are primarily state and local functions in the American polity. As Theodore Lowi rightly reminds the subfield: “There is a wise old saying in America, that ‘all politics is local’; there is a still wiser corollary, that all social control is local. All of the fundamental policies that regulate the conduct of American citizens and corporate persons have been and still are made by the state legislatures. State [and local] government in the U.S. is a regulatory state, and as a regulatory state it specializes in setting rules of conduct and backing those rules by sanctions.”⁸⁴ Thus, like its narrow focus on electoral and representative institutions, our subfield’s strong emphasis on the national level of U.S. politics pushes to the margins a variety of active and repressive modes of governance that are distinctively critical to the political lives of RCS communities.

Political inequality in the United States inheres, then, not just in what the advantaged have and RCS communities lack, but also in distinctive state and local modes of governance that are pervasive in RCS communities yet largely unknown outside their boundaries. It is a mistake to imagine that all citizens engage the same government, with some able to be more effective than the other. The American state, famously fragmented and decentralized, is also variegated: it presents different citizens with different modes of governance and positions them unequally in relation to its varied institutions.

If we look to the streets of Ferguson and Baltimore, we find citizens who are outraged for reasons that are not, in any simple sense, about whether policymakers are responsive to the median voter. To be sure, many in RCS communities feel ignored by policymakers; they are indeed poorly represented in government; and these political dynamics cry out for both political analysis and political action. Their immediate grievances and their dramatic embrace of political agency, however, have not focused on electoral and legislative outcomes. They have been rooted in people's direct experiences of state authority and the ways they are governed as subjects of the polity. Political scientists' favored remedies for such grievances – and more generally, for the ills of American democracy – focus on deepening the electoral incorporation and legislative representation of marginalized groups. Yet the relationship between the two realms of politics is far from straightforward.

After all, most Americans today feel poorly represented by government, and empirical research lends credence to this view.⁸⁵ Yet outside RCS communities, weak political representation clearly does not produce comparable practices of repressive and predatory governance. Conversely, when representatives supported by RCS communities gain office and seek to represent them in “substantive” ways, it is far from clear that their efforts translate into dramatic changes in governance on the ground. Baltimore is a clear example of this dynamic, an exemplar of what Philip Thompson calls “deep pluralism” under mayors and city elites that rode into office by mobilizing the minority poor and building their civic capacity. It was also a city where empowerment and representation did not lead to better treatment by local governing authorities like the police. Indeed, decades of scholarly research underscore the gaps between legislative outcomes and street-level bureaucratic practices, and the potential for significant changes in the former to be followed by continuity in the latter.⁸⁶

These observations do not cast doubt on the political importance of electoral influence and legislative representation (which we take as a given). Rather, they call into question the widespread tendency in our subfield to treat electoral and legislative incorporation as the obvious and singular remedy for *all* grievances and negative experiences of government. Admonitions to vote and lobby and gain representation on the city council seem trite against the backdrop of experiences in Ferguson and Baltimore: routine violence and abuses of police authority, predatory uses of fines and fees to fund municipal budgets, and so on.⁸⁷ Whatever its value for democracy may be, a tighter correlation between public preferences and policymaking has a loose relationship to efforts to set these distortions of democratic citizenship right. Indeed, under conditions that are easy to envision, greater responsiveness to majoritarian preferences in U.S. politics might be quite consistent with a regime that practices violent subjugation in RCS communities. Thus, as political scientists continue to lament the thin ties connecting RCS communities to “the political process,” and urge greater incorporation, members of RCS communities take to the streets to protest the thick injustices of state authority in their lives. And if history is any guide, their insurgent actions may play an important role in wringing policy concessions from elected officials who otherwise would have ignored them.⁸⁸

Our point is simply that important forms of politics transpire outside the formal institutions of representative government, and cannot be reduced to mere outcomes of representative

government. Dissenting voices, of course, have repeatedly called the profession to account. Since Michael Lipsky's landmark work, students of street-level bureaucracy have consistently called for greater attention to "the frontlines" of governance as critical sites of political citizenship.⁸⁹ Yet as the U.S. welfare state grew over the twentieth century, and as America's massive carceral state emerged at century's end, political scientists rarely acknowledged their growing importance as domains of political life in their own right, a subject to which we now turn.

Governing and Transforming Race, Class, and Citizenship

In the main, political science treats welfare and carceral institutions as if they are apolitical or somehow fall outside the scope of government. Most accounts in American politics tacitly assume that welfare and criminal justice interactions affect only a marginal subset of the population and operate as technical matters of administrative implementation. Welfare agencies are tools that allow government to meet social *needs* by delivering basic benefits, so the argument goes, in contrast to "truly political" government institutions that organize competition and bargaining among political *interests* and register citizen preferences. Police and prisons exist to enforce laws and control crime, carrying out necessary state functions through administrative procedures and the actions of professionalized bureaucrats, not political actors. Such state activities are, in short, politically uninteresting. Indeed, many of us who study these activities share the experience of being told at one time or another that our topic is "not really political science."

One does not need to read very far in the discipline to see evidence of this orientation. In *The Future of Political Science*, a compilation of 100 essays billed as the "most exciting ideas now percolating among political scientists,"⁹⁰ about one-fourth of the contributions focus specifically on electoral and legislative dimensions of state-citizen relations, with many addressing the implications of growing economic inequality for American politics. By contrast, only one contribution (by Traci Burch) addresses the political importance of criminal justice institutions, and not a single essay focuses on the political significance of welfare institutions. "The future of political science," this prestigious volume seems to suggest, will continue to reflect the field's longstanding focus on the national politics of representative democracy, generating few new paradigms for understanding the dimensions of power, sites of politics, and forces of government that figure most prominently in RCS communities.⁹¹

Despite this bias, research on the welfare state has been influential in political science. Guided by the writings of T.H. Marshall,⁹² some have extended their conceptions of citizenship to include social rights and, thus, have found reasons to contemplate the welfare state as a support for modes of political citizenship that are more central to the discipline.⁹³ In political science scholarship on the welfare state, however, three features of analysis stand out as key barriers to comprehending the experiences of RCS communities.

First, in most political science research, the U.S. welfare state is studied as an *object* of political contestation and an *outcome* of the policy process. Students of American political development, for example, have produced a large body of work examining its historical emergence and evolution, and the roles that race, class, and gender have played as factors explaining the U.S. welfare state's categorical architecture, limited scope, and unusually heavy reliance on "hidden" and private modes of provision.⁹⁴ Students of mass politics have analyzed welfare policies as objects of public beliefs and attitudes.⁹⁵ The welfare state, in this guise, is a political issue and an evolving outcome of political competition; it is far less likely to be analyzed as an instrument of governance, a structure for power relations, or a site of political agency and experience.

Second, when political scientists have addressed the U.S. welfare state as an intervention in political life, they have primarily done so through a *distributive* paradigm that focuses on allocations

of positive goods.⁹⁶ Which groups have been able to secure benefits from the U.S. welfare state? Why have some groups been excluded from social protections, while others have been more effectively shielded from risk? Working in this vein, political scientists have addressed race and class primarily as bases of exclusion from the most desirable goods distributed by welfare institutions. Thus, we find close attention to the channeling of poor Americans into inferior public assistance programs that distribute lower benefits under more variable, conditional, discretionary arrangements⁹⁷ as well as keen insight into the political history that made White Americans the primary beneficiaries of social insurance, housing support, veterans benefits, and other programs of the welfare state throughout the twentieth century.⁹⁸ As Stephen Pimpare rightly notes: “Even in analyses specifically focused on the history of race and welfare the narrative rarely begins before the New Deal, and it is *exclusion* that is the focus: African Americans are characters in someone else’s story, bit players in a sub-plot, not protagonists.”⁹⁹

Third, in political science, scholars have almost always analyzed the welfare state in isolation from other governing institutions, and particularly the criminal justice system.¹⁰⁰ Indeed, this tendency has flowed easily from the field’s distributive emphasis on the desirable benefits, protections, and services allocated by welfare institutions, core functions that appear to be distinct from state efforts to police criminal behavior and punish violations of law. Indeed, of the 34 chapters in the excellent *Oxford Handbook of U.S. Social Policy* noted above,¹⁰¹ not one is devoted to the criminal justice system; the index for the 688-page book includes no entry for criminal justice or incarceration, notes only three pages on imprisonment, and lists police only as a special category of beneficiaries discussed on a single page. The equally vast *Oxford Handbook of the Welfare State*,¹⁰² which has a broader cross-national reach, includes no index entries for any of these terms.

Dissenting voices have challenged these features of political science scholarship on the welfare state. Feminist scholars have theorized the welfare state as a powerful tool for regulating the lives of women¹⁰³ and a critical site for women’s access to power and incorporation into the state.¹⁰⁴ Welfare institutions, they have argued, are pivotal venues for state-citizen struggles over “the politics of needs interpretation.”¹⁰⁵ As the welfare state has grown, welfare claiming has become an essential tactic in “the action repertoire of modern political citizenship” – central to the quality of citizenship experienced by poor women, and especially poor women of color.¹⁰⁶ The achievement of more just political relations in the welfare state, scholars such as Kathleen Jones have contended, should be seen as nothing less than pivotal for the pursuit of “citizenship in a woman-friendly polity.”¹⁰⁷

Similar voices of dissent have highlighted the political significance of the carceral state, with its sprawling apparatuses of policing and imprisonment. Scholars such as Marie Gottschalk have argued that correctional growth has begun to “fundamentally alter how key social and political institutions operate and pervert what it means to be a citizen in the United States.”¹⁰⁸ Contemplating how the American state now “governs through crime,” Jonathan Simon concludes that criminalization and criminal justice logics have fundamentally “transformed American democracy.”¹⁰⁹

Our own work, alongside the work of others in the field, has emphasized the centrality of welfare and criminal justice systems for political life in RCS communities.¹¹⁰ Not surprisingly, many of these scholars work across disciplinary boundaries and, thus, engage researchers outside political science – in fields such as sociology, that have focused greater attention on RCS communities and shown greater appreciation for the political significance of welfare and criminal justice institutions.¹¹¹ In fact, it is striking how frequently scholars outside political science assert that welfare and criminal justice encounters are central to experiences of American government in RCS communities.

By ignoring these critiques, political scientists have failed to internalize a variety of key insights that are critical to understanding political life in RCS communities. Three strike us as particularly fundamental for bridging this gap.

First, encounters with welfare and criminal justice systems are *political* experiences that are both prevalent and profoundly consequential in RCS communities. Criminal justice and social welfare apparatuses (e.g., police, courts, and prisons; welfare agencies, schools, disability services) are clearly among the most prominent and influential state-led institutions in RCS communities. More than just outcomes of politics, welfare and criminal justice agencies have operated as agents of politics who actively pursue agendas of state surveillance social control. They have equally served as targets for the political agency of community members who direct demands at them both individually¹¹² and as contentious collectives.¹¹³ “Experiences in these settings bring practical meaning to abstract political concepts such as rights and obligations, power and authority, voice and civic standing.”¹¹⁴ They play a central role in government’s “presentation of self” to citizens;¹¹⁵ they are the sites where citizens are ordered, disciplined, and taught their place, where they learn formative lessons about how government works and their own political standing.¹¹⁶ They are sites of state power and sites of citizen agency. They play a critical role in the political subordination of RCS communities,¹¹⁷ but they are also places where people with few conventional political resources make effective claims on government, resist state power, and “mobilize the state” against threats to their autonomy.¹¹⁸

Indeed, we have been struck by the centrality of welfare and criminal justice systems in interviews about politics and government that we have conducted in RCS communities. In separate research projects, our interviewees returned time and again – not to City Hall, Congress, or political parties – but rather to their experiences with welfare offices, police, jails, and prisons as they tried to explain how government works and what their political lives are like.¹¹⁹ “That’s the *only* government I know,” one interview said, after remarking on his interactions with criminal justice authorities.¹²⁰ In RCS communities, criminal custody has become a normal mode of interaction with government, and an expected experience of the state.¹²¹ Given these repeated findings from field research in RCS communities, it is telling that there are as yet no recurring questions in either of our subfield’s primary surveys of American citizens, the ANES or the CCES, that seek to provide insights into citizens’ encounters with criminal justice and welfare systems.

Given the stunning rise in American incarceration since the 1970s, it’s not surprising that criminal justice has begun to be given a second look in American politics research. Historically, however, the emergence of mass incarceration is only the most recent chapter in a longer experience of governance by police and penal authorities. Beyond the Jim Crow south, police – alongside public and private social welfare agencies – were central to the lived experience of citizenship in RCS communities across the country. Indeed, observations to this effect weave their way through the writings of many leading Black intellectuals of the twentieth century. In *The Philadelphia Negro* (1899), W.E.B. Du Bois described his neighborhood in the seventh ward by recalling, “police were our government, and philanthropy dropped in with periodic advice.” In 1966, writing four decades before stop-question-and frisk came under attack and at the very moment mainstream intellectuals roundly celebrated the end of the prison, James Baldwin wrote of how his Harlem community was “forbidden the very air,” as Blacks were kept indoors through police stops.¹²² The civic consequences of these experiences were highlighted by one early Black sociologist, writing after Du Bois but before Baldwin, who wrote: “Too often the policeman’s club is the only instrument of the law with which the Negro comes into contact. This engenders in him a distrust and resentful attitude toward all public authorities and law officers.”¹²³

Much like they were for Miller, Baldwin, and Du Bois, these sorts of welfare and criminal justice practices are not only methods of poverty response or crime control; they are *productive forces* in the ordering and disciplining of RCS communities and the construction of race, class, gender, and citizenship. The effects we refer to here include but go well beyond the observation that paternalist-welfare and criminal justice experiences tend to cultivate negative views of government and depress

civic and political engagement.¹²⁴ They also extend beyond the important representational biases produced through felon disenfranchisement and the counting of inmates as residents where they are housed, and other issues closely related to the citizen-as-constituent.¹²⁵ Such effects have received outsized attention in political science because they fit so smoothly into the discipline's preoccupation with the citizen-as-constituent. But they make up only a small part of the profound ways governance through welfare and criminal justice institutions has remade the political lives of RCS communities.

State institutions, policies, and practices are more than just political outcomes influenced by race and class; they are equally political forces that construct categories of race and class, invest them with meaning, and define their operations as social structures. As welfare programs, police, courts, and prisons define central political experiences for RCS communities, they work to create, reproduce, and transform race and class themselves.

The material and symbolic boundaries of race, class, and nationality citizenship are not natural givens or exogenous forces in political life. They are shaped and reshaped over time as political actors use institutions to divide populations in various ways, define the terms of their relations, and subject them to different modes of governance.¹²⁶ Thus, RCS neighborhoods in places such as Ferguson and Baltimore do not simply exist as sites where political action may take place. They are politically constructed spaces built over time, in part, by raced and classed government policies, such as the housing, education, and public assistance programs of the welfare state and the surveillance and punishment practices of the carceral state.¹²⁷ Such policies segregate and stigmatize, constructing understandings of groups and “their places” that come to seem normal, natural, and even legitimate. Thus, many RCS neighborhoods become understood as “bad places” that “ordinary Americans” should avoid going or living – shrouded in images of danger and degradation that cannot be explained by their objective conditions alone.¹²⁸ The governing practices that saturate these places – such as police frisk, arrest, and search – display for the public the suspiciousness of their targets in ways that fuel, reinforce, and sometimes transform long-standing racial and class ideologies.

Through its activities of penal control and poverty management – under the guise of responding to crime and poverty – the state helps construct RCS communities in a variety of ways. The carceral and welfare policies and practices of the disciplinary state shape the boundaries of racial categories and membership;¹²⁹ they reproduce the material conditions of RCS communities and create durable “classification[s] of social status”¹³⁰; they restrict and channel the flow of people across space;¹³¹ they confer standing, legitimate exclusions from societal institutions, and authorize private discrimination;¹³² they assert blackness, communicate race- and class-inflected knowledge about groups, and regulate the meaning and salience of race and class differences; they single out RCS groups as needing oversight, contrasting them against citizens who “play by the rules” and need protection from RCS communities; they resuscitate racial ideologies and shore up their invidious presumptions when they are challenged by new norms¹³³; they engage RCS communities in constructive projects of identity-making, social valuation, internal labeling of ‘decent’ and ‘law-breaking’ (deserving/undeserving);¹³⁴ they socialize RCS communities into and out of political life,¹³⁵ and insinuate themselves into prevailing patterns of collective consciousness.¹³⁶ In short, criminal justice and welfare governance “invests race with meaning”¹³⁷ and functions as a *race-making* institution.¹³⁸

While political scientists have focused mainly on the presence or absence of racial animus in support for disciplinary welfare and criminal justice interventions, scholars in many fields have argued that these systems function not only as mechanisms of discipline but as powerful forces in the first-order projects of manufacturing race and configuring its intersection with class relations.¹³⁹ Punishment is not just the deployment of physical force by the state in response to objective offense

patterns, just as welfare operations are more than just acts of provision in response to social needs. Punishment produces, as Glenn Loury terms it, “the violence of ideas,” wherein the act of punishing itself comes to “seem natural, inevitable, necessary and just” as an institutional response to RCS communities, and the composition of the punished group likewise becomes viewed as normal and right.¹⁴⁰ Active government efforts to impress work, marriage, and sexual responsibility on welfare recipients convey to the broader public that specific groups – widely understood in terms of race and class – would not work, marry, or behave in a sexually responsible manner unless compelled or guided to do so.¹⁴¹ These ideas gain momentum and whether intentional or not become lodged in media constructions of poverty and criminality, electoral campaign strategies, policy rationales, employer hiring decisions, and most broadly, in the minds of individual Americans and public choices of their representatives.¹⁴²

Criminal justice and welfare interventions construct what we might term the *public reputation* of RCS groups – communicating powerful stories and images about who is suspicious, who can be trusted with freedoms, and who deserves the benefits that governments provide for citizens in full standing. Through these encounters, citizens are swept into a process of the “state assigning worth.”¹⁴³ As Tracey Meares and Ben Justice describe, this process “offers Americans race- and class-based lessons on who is a citizen deserving of fairness and justice and who constitutes a group of dangerous others deserving of severe punishment, monitoring, and virtual branding.”¹⁴⁴ Such state-led processes are supported by many instruments – on the criminal justice side, for example, by gang databases that envelop whole communities (i.e. in the city of Denver of over half of young minority boys are in the database), criminal records to label potential job seekers, racial incongruity and pretextual stops, the criminalization of certain substances and not others, or police practices that focus on certain neighborhoods.¹⁴⁵

As the constructed public understandings of RCS communities, such governing practices also shape patterns of thought and behavior within RCS communities. They demand that RCS communities regularly perform, or as Bennet Capers terms it, “negotiate the script,” to avoid aggravating the police contact. Such performance is “a full-time endeavor” that asks its subjects to engage in citizenship-limiting practices, like consenting to unlawful searches or limiting their travel through white neighborhoods.¹⁴⁶ This work on the part of RCS communities becomes “analogous to a trial” where in effect, they must “take the stand” to describe their law-abidingness before ever going to court.¹⁴⁷ In performing against the script, say by not asserting rights of due process or to not let the search proceed, the suspect is actually “assuming the position of a second-class citizen, or three-fifths of a citizen, or a denizen, or an at-will citizen allowed autonomy only at the discretion of the law officer.”¹⁴⁸ And as governments engage in processes of “symbolic branding” – labeling individuals the processes of arrest, conviction, and imprisonment – they mark individuals as occupants of a social status that defines and limits access to other social, political, and economic goods.¹⁴⁹ Thus, race-making through state activities of surveillance and punishment actually provides a foundation for race-making and racial subjugation in private domains; for example, employers making use of the state’s criminal labels to distinguish the hireable from the unhirable.

This race-making evokes and draws power from the past as it molds the polity in the present, working through the legacies of earlier (and in some cases, now-discredited) instruments that designated and segregated RCS communities as a suspect group. The criminalization of blackness, as Muhammad’s impressive account reminds, stretches far beyond DiIluio’s thrill-seeking invocation in the 1990s crime wars of “superpredator” juveniles roaming the streets but goes as far back as the post-slavery era when practices of racial subjugation, violence, isolation and neglect developed in tandem with ideas about black criminality, heuristics that became central to the nation’s racial imagination and expansive notions of what constituted blackness.¹⁵⁰ As David Garland writes, “the penal excess of the lynching spectacle said things that a modernized legal process could not....

It reestablished the correlative status of the troublesome black man, which was as nothing, with no rights, no protectors, no personal dignity, and no human worth.”¹⁵¹

Today, instruments of punishment continue to mark the black body as criminal and project this view both outward to “law-abiding” society and inward to RCS communities – constructing a status that some political theorists describe as a kind of social and civic death and banishment from the public square.¹⁵² In fact, this racialized death is explicit in the Constitution which prohibits slavery except in one condition: “as punishment for crime whereof the party shall have been duly convicted.” The prison system and practices of the carceral state not only help shape broader discourses around race- and class-subjugated “criminals,” it also ripples outward to “cast a shadow of criminality across the black population¹⁵³”. Criminal stigma becomes a wellspring of racial stigma as race and racialized residence come to “signify” criminality,¹⁵⁴ enveloping whole groups and labeling them as “potential criminals” regardless of their transgressions or adherence to rules. So extensive is this idea – or ideology – that blacks are “saddled with a provisional status” until their law-abidingness can be proved while white membership “denotes civility, law-abidingness, and trustworthiness”.¹⁵⁵ Just as it was during the time Muhammad wrote about, societal narratives and ideas about crime – whether in the media, social interactions, employer decisions – are often ideas about RCS communities. This two-way arrow – that blackness is suspicious and criminality is raced-classed – begins to blur the boundaries. Thus, scholars have identified the deeply embraced ideas of dangerous populations in “shooter” games of individuals deciding quickly who is wielding a weapon and who to take out;¹⁵⁶ they have found that once a young person has been arrested, survey interviewers perceive his race differently than at a prior time;¹⁵⁷ and that our memory tends to fail or it takes us much longer to process when confronted with information that goes against the black-cum-predator stereotype.

Race-making is seen not only in processes of symbolic branding and stigmatizing ideas about “others”, but in the habits, narratives and norms, and modes of resistance found in RCS communities themselves. Criminal justice helps configure the internal politics, processes of identity formation, and community dynamics of RCS groups themselves. Indeed, while most scholarship in REP has rightly focused on distinct levels of trust, processes of opinion formation, and the pivotal role of racial identity and group consciousness in shaping policy preferences and voting behaviors among RCS communities, it is indeed curious that the heft and coercive treatment criminal justice regularly exerts on RCS communities has until very recently not been considered as a critical force in the black ‘counterpublic.’¹⁵⁸ In a pattern that will now be familiar to readers, scholars in sociology and law have been keenly attuned to such dynamics. Victor Rios, an urban ethnographer, described the ways RCS youth in the juvenile system in Oakland developed identity through the criminalization they experienced in schools, detention centers, in police encounters and even in the neighborhood’s community center. By being imagined and treated as thugs and deviants, youth “developed identities that they often wished they could renounce” – embracing being “hard” as a failed sort of resistance to authority figures.¹⁵⁹ More abstractly, Tracey Meares and Ben Justice describe how these encounters offer a “hidden curriculum” to RCS communities that counters the mainstream conception of criminal justice as egalitarian, procedurally fair, and just.¹⁶⁰

The emotional force of a minority youth’s first experience of the police baptizes them, in a way, giving a significant and lasting memory of the state exerting power over them and of their position as a suspect. These experiences, far from being neutral, come to shape an individual’s interpretations of events, how one moves through the world, and what one comes to believe.¹⁶¹ The legal scholar Devon Carbado, drawing on his own experience, calls it a “racial naturalization”. Experiences with police and being arrested or jailed not only were important (and often, early) in communicating “ideas about who should be where, how they should look and act, and what constitutes ‘suspicious behavior,’” but they contributed to an involuntary and broad race-class

socialization, building on and consolidating ideas about racial equality, the position of their group, the salience of their identity and connection to the group.¹⁶² Weaver and her coauthor, Amy Lerman, found that these interactions strengthened racial learning; specifically, these encounters served to bend ideas away from faith in the American Dream, reduced their sense of equal worth, exacerbated their sense of discrimination against themselves and their group, and provided them with “serious misgivings about the extent of equality”. At the same time as they made race salient, they also made the role of race and class ever harder to identify by communicating lessons of individual guilt and agency.¹⁶³

Criminal justice interventions do not just socialize habits of behavior when in an immediate situation with police, but broader individual ideas and collective narratives. Criminal justice interventions are also “the seedbed for historical consciousness – a kind of socially and politically charged remembering through which people transform experiences of pain into collective narratives.”¹⁶⁴ The experience of arrest or force can become part of the communal narrative of suffering and resistance in RCS communities as stories of police encounters are shared and become part of a broader narrative about what it means to be a member of an RCS community.¹⁶⁵ Beyond contributing to collective memory, policing can serve the goal of segregating physical space through “racial incongruity” stops, a practice that takes as suspicious people who are “out of place” racially.¹⁶⁶

Because they are so central to the governance of RCS communities, changes in welfare and penal institutions have the power to rewrite the most fundamental terms of political incorporation and standing for these communities. “Thus, it matters greatly that the balance of interactions between the state and [poor people of color] has shifted to the controlling terrains of prison, probation, and parole. It matters as well that corrections and welfare provision have both been restructured to emphasize directive authority, surveillance, and compliance.”¹⁶⁷ Aggressive “broken windows” policing, pervasive stop-and-frisk procedures, and routine investigative stops of drivers have fundamentally altered the texture of civic life in RCS communities – in ways that affect large numbers of citizens who have no entanglement with crime.¹⁶⁸

Even these observations, however, understate the civic transformation of RCS communities in our era of mass incarceration. For virtually every indicator one might consider relevant to a community’s social and civic well-being, scholars (mostly outside political science) have documented the disruptive and deleterious effects of passage through the prison system. Penitentiaries turn people into social, economic, and civic outsiders with few prospects and abundant exposures to harm. Such people suffer long-term wage penalties, chronic joblessness, and suspended social mobility; greater homelessness and housing instability; longer spells of poverty; heightened exposure to infectious diseases and increased transmission of AIDS; lower prospects of marriage and stable family formation; and greater likelihood of family instability and domestic violence.¹⁶⁹

Contemplating these brutal facts, it is increasingly evident to scholars how they compound inequalities, how their social and spatial concentration alter community dynamics and stability, how their effects must ripple outward through networks of kin and community. After all, estimates suggest that 68 percent of Black men without a high school degree pass through prison before the age of 35¹⁷⁰ and, by the time they are fourteen years old, 25 percent of black children¹⁷¹ and half of black children of lowly educated fathers see their father sent to prison. Noting how mass imprisonment and reentry interact with the social problems created by race- and class-based residential segregation and grim labor market prospects for low-skilled workers, Todd Clear summarizes the research findings as follows: “Concentrated incarceration in those impoverished communities has broken families, weakened the social control capacities of parents, eroded economic strength, soured attitudes toward society, and distorted politics; even, after reaching a certain level, it has increased rather than decreased crime.”¹⁷²

Finally, welfare and criminal justice institutions, though studied in isolation, are not distinct, separable modes of governance. For residents of such communities, police, courts, and welfare agencies have traditionally worked alongside one another as interconnected state authorities and instruments of governance. And although the goods distributed by welfare programs are desperately needed in RCS communities, exclusions from benefits have never stood alone. They have been part of a much broader political experience that has included the midnight raids and moral uplifting of welfare caseworkers, paternalist social services demanding various forms of behavioral compliance, extensive policing of private as well as public spaces, discretionary uses and abuses of legal authority, and so on.

Analytic distinctions between the welfare state and carceral state are necessary if scholars are to understand their differences and specify their relationship. (For example, we should not lose sight of the fact that welfare caseworkers – however much they may pursue surveillance and punishment – are not police who walk the streets with discretionary authority over the use of deadly force.) The problem lies in our discipline’s limited efforts to understand how, in the lives of RCS communities, these two systems interact and relate to one another. Today, for example, prisons are the largest public providers of mental health services in the United States, with an especially outsized role in RCS communities.¹⁷³ Among the most disadvantaged Americans, prison rehabilitation and re-entry programs often serve as critical entry points for access to social services and transitional work supports.¹⁷⁴ In agencies such as Child Protective Services, the pursuit of child welfare goals blends seamlessly into the policing and prosecution of criminal negligence and abuse.¹⁷⁵ In traditional means-tested welfare programs, officials employ criminal logics of “penalty for violation” to discipline clients and aggressively investigate and prosecute clients for potentially felonious cases of welfare fraud.¹⁷⁶

When scholars choose to look beyond the differences between these two systems – which are important, to be sure – they often discover a densely woven fabric of “collaborative practices and shared information systems between welfare offices and various branches of the criminal justice system.”¹⁷⁷ In RCS communities, core functions of social provision – such as housing, employment, health and mental health, and education – are now carried out on a substantial scale by agencies of the carceral state.¹⁷⁸ Indeed, the best among us would have trouble distinguishing the employment-focused interventions pursued in welfare-to-work programs and prisoner reentry programs.

Such interconnections of the two systems, in fact, have deep historical roots. The welfare and carceral capacities of the American state developed alongside each other and have always been entwined. Throughout the twentieth century, for example, labor regulation strategies designed to ensure work compliance in RCS communities operated through a division of labor between welfare and criminal justice authorities. In the Jim Crow South, welfare officials facilitated the exploitation of black agricultural workers by offering a bare-subsistence level of support only when the fields lay idle: When hands were needed for planting or picking, local officials moved the poor off relief by applying vague eligibility rules, inspecting homes for moral violations, and sometimes simply shuttering the welfare office.¹⁷⁹ Welfare officials promoted work among poor Black women through “employable mothers” rules, implemented mostly “in areas where seasonal employment was almost exclusively performed by nonwhite families.”¹⁸⁰ Working through different means, police secured compliance with the sharecropping system by using vagrancy laws to arrest Blacks deemed to be “in idleness” – frequently channeling them into the exploitative labor arrangements of the penal system, where chain gangs and convict-leasing programs were widespread.¹⁸¹

Such social control functions were hardly restricted to the South or to the sphere of work. As welfare programs operated as tools of labor regulation in RCS communities,¹⁸² they were deployed as well to impose dominant groups’ preferred models of domesticity, police sexual and reproductive practices, place parenting under surveillance, and regulate gender and race relations.¹⁸³

In many of these activities, the welfare state functioned in RCS communities as an entity separate from the police or immigration bureau (as a formal category) but nevertheless as an instrument of policing citizen behavior.¹⁸⁴ Yet these sorts of practices have rarely been analyzed in political science, where the welfare state's "decommodifying" benefits and protections have continued to draw far more attention than its contributions to controlling communities subordinated by race and class. In most political science research, the welfare state continues to be framed as a collection of policies that, at their core, are efforts to help those in need – benevolent and charitable in the best cases, misguided or perhaps submerged or privatized in the worst. Steven Pimpare offers an insightful historical critique:

We should consider programs that serve to commodify labor (those that reduce choice) and not just those that decommodify it (those that increase it) when evaluating the reach of the welfare state. Slavery, its successors (sharecropping, tenancy, convict labor), and the prison have been as important throughout American history in the lives of (poor) African Americans as have, say, Social Security, homeless shelters, or Medicaid. By excluding them because they are malign in intent, we make all but inevitable a distorted view of the history of the American welfare state.¹⁸⁵

In a recent discussion of poverty governance in urban "main stem" districts, sociologist Forrest Stuart emphasizes how social reformers from the 1880s to the 1930s developed "two-pronged tactics" of social control, deploying assistance and rehabilitation, on one side, and penal incapacitation, on the other.¹⁸⁶ Noting "the nineteenth century police role developed via a symbiotic relationship with private welfare organizations,¹⁸⁷" Stuart highlights several key dimensions of integrated practice:

Police were either formally charged with or quickly assumed the burden of not only controlling crime, but also overseeing a plethora of social welfare services.¹⁸⁸ This included taking censuses, regulating health standards, providing ambulances, and giving overnight lodging in police stations; functions that provided broad and amorphous powers to deeply intervene into the daily lives of the urban poor.... [Social welfare] organizations used their political influence at the state and city levels to draft ordinances prohibiting vagrancy, loitering, begging, and drunkenness... [and then] demanded that police departments behave much like surrogate organization employees. Most notably, the COS [Charity Organization Society] enlisted the police to investigate the homes of anyone receiving relief, draw up central registers of the poor, and report back to COS officials as to whether or not a recipient should continue receiving aid.... They enlisted the police to discover child abuse and neglect, as well as assist in locating and returning lost children.... This coupling was unmistakable for its targets. Managers and customers of the Main Stem's vaudeville theaters quickly learned to keep "a weather eye open for the social worker, with policeman in tow, out to preserve the integrity of the American home."^{189,190}

Now as in the past, welfare and criminal justice function as distinct systems with separate missions that are nevertheless deeply entwined. Indeed, the contemporary system of incarceration in America grew directly out of the collapse of mental health institutions in the mid-twentieth century,¹⁹¹ and many scholars suggest that the comparatively weak U.S. welfare state has played a foundational role in the country's development of an outsized carceral state.¹⁹² In the U.S. today, stigmatizing political discourses frequently assimilate race-and-class-identified "welfare queens," "gangbangers," "thugs," and "superpredators" in threatening narratives of underclass pathology,¹⁹³

and public attitudes toward means-tested welfare and criminal justice policies exhibit remarkably similar dynamics.¹⁹⁴ Budgets for welfare and carceral systems tend to be strongly correlated,¹⁹⁵ and governing logics and practices routinely migrate from one system to the other.¹⁹⁶

To make sense of the deep and shifting interplay of welfare and carceral systems in recent decades, and their consequences for RCS communities, one must draw an analysis of race and class politics into intersectional dialogue with gender. Soss, Fording, and Schram summarize a broad and growing literature that has emerged mostly beyond political science when they write:

[In recent decades], the penal and welfare systems have converged as symbiotic elements of a “double regulation of the poor” (Wacquant 2009). This convergence can be understood as gendered in four senses. First, its institutions have been built, politically, around gender-specific cultural images of poor racial minorities: the lawless, violent male of the underclass ghetto and the lazy and licentious welfare queen. Second, the system operates through gender-segregated institutions, with women making up roughly 90 percent of adult welfare recipients and men making up roughly 90 percent of prisoners (Haney 2004). Third, the direction of change on both sides has been toward a “masculinizing of the state” as a paternalist, behavior-enforcing custodian (Wacquant 2009: 15). The “nanny state” of welfare protections and prison rehabilitation programs has been supplanted by a “daddy state” emphasizing direction, supervision, and discipline (Starobin 1998). Fourth, historically masculine images of the worker-citizen have been elevated and universalized as a behavioral norm (Collins and Mayer 2010; Korteweg 2003). For former welfare recipients and prisoners, the sine qua non of civic reinstatement is the same: formal employment and wage-based support of one’s children.

That political scientists rarely study these two systems in relation to each other is telling given that, in RCS communities today, their interaction is so easily observed. The relationship between school suspensions and later experiences of incarceration, for instance, is but one example of a common pattern in which sites of social policy implementation – child protective services, foster care, Trespass Affidavit programs, and so on – introduce young people in RCS communities to the penal system and channel them toward its machinery. When residents experience crises related to drug addiction, domestic violence, or a host of other social problems, they turn to social welfare workers and police – who often communicate and collaborate, regardless of which one has served as the point of first contact. Involvements with both systems are common for families in RCS communities and, regardless of whether “mandatory reporting” rules apply, residents tend to assume that information yielded in one venue will be available to authorities in the other.

In a recent book exploring criminal justice effects on RCS communities, one of us (Weaver) was struck by how often and easily people shifted between the two systems as they discussed the role of government in their lives. A man named Marcus, for example, explained a welfare caseworker’s disregard for him by pointing to stigmas related to both domains: “Cause it’s, I believe it’s my caseworker, cause of the fact that I have a felony, she wanna overlook me but wanna scold me from time to time: ‘you’re not looking for a job and this, that and the third.’” Later, when recalling a criminal court judge, he brings the two together again: “In 2001, I got some tickets which weren’t mine, they were my brother’s but I didn’t wanna tell on him so I took the blame for it and like I’m paying for them now and trying to pay them off.... The amount of the fines is no biggie but it’s the principal, and the judge going to say, cause I told her I was on GA [general assistance], ‘GET A JOB!’ [that’s what the judge said?] Yeah. That’s another person, don’t have the data in front of them, just figured that I’m on GA all my life.” While Lerman and Weaver entered the field wanting to make a distinction between welfare and criminal justice systems,¹⁹⁷ for Marcus and many others

this distinction mattered little. When asked which was more stigmatizing, having a conviction or being on GA, Marcus responded: “A little of all of it.”

Conclusion

Notes

¹ Chait 2014.

² DOJ 2015.

³ Report by Arch City Defenders. Another found that practices in California were similar: “The report, by the Lawyers’ Committee for Civil Rights in San Francisco, concludes that ‘a litany of practices and policies in California turn a citation offense into a poverty sentence.’ The group found that more than 4 million Californians have lost their driver’s licenses because they failed to appear in court or pay a citation — some of which have nothing to do with driving at all. The report notes that budget shortfalls in recent years have caused public agencies to raise fees and to increasingly rely on them to balance their budgets.”

⁴ Frymer, Strolovitch, and Warren 2006.

⁵ Similarly, outside political science, RCS communities are often analyzed in ways that focus on “deficits” such as underdeveloped cultural norms related to work and marriage, inability to access advantageous resources and social networks, deficient powers of self-control and capacities for delaying gratification, and so on; see e.g., Valencia 2010.

⁶ Roberts 2014.

⁷ Cohen 2010 (151).

⁸ Roberts 2012 (1479).

⁹ Lowi 1998; Piven and Cloward 1993.

¹⁰ see e.g., Wright 2005; Bak and Solomos 2009.

¹¹ see e.g., Sugrue 1996; Wilson 1997; Kim 2000; Gordon 2008; Gowen 2010; Hayward 2013; Sharkey 2013.

¹² Lerman and Weaver 2014; Soss 2000.

¹³ Glenn 2011.

¹⁴ Soss 1999 (368).

¹⁵ Lerman and Weaver’s interview transcripts for their 2014 book; this quote did not appear in the book.

¹⁶ In addition to the concept of the “little” person, one can also see here a theme we will return to later in the essay: the integration of welfare and criminal justice institutions. In an interview focused on experiences with the welfare system, the first individual describes his “small” status by talking about police and arrests (Soss 2000). Conversely, in an interview focused on criminal justice encounters, the second individual uses welfare programs as a way to explain the meaning of “little people” (Lerman and Weaver 2014).

¹⁷ see e.g., Crenshaw 1991; Cho, Crenshaw, and McCall 2013.

¹⁸ e.g., Cohen 1999; Hancock 2004; Strolovitch 2007.

¹⁹ Search conducted on May 22, 2015 via University of Minnesota Library JSTOR archives.

²⁰ Wood 2003.

²¹ Fields 1982.

²² Roediger 1999.

²³ Fox 2012.

²⁴ Hancock 2004; Reed 1999; Beres and Griffith 2001.

²⁵ Pager 2007.

²⁶ Hoschschild, Weaver, and Burch 2012.

²⁷ Kim 1999.

²⁸ Kelley 1994.

- ²⁹ Cohen 1999.
- ³⁰ Harris 2012.
- ³¹ Reed 1999; Thompson 2006.
- ³² see e.g., Bonilla-Silva 1997; Kim 1999; Loveman 1999; Loury 2003; Brubaker 2004; Wimmer 2008; Desmond and Emirbayer 2009; Fox and Guglielmo 2012.
- ³³ Frymer, Strolovitch, and Warren 2006 (41).
- ³⁴ Blalock 1967.
- ³⁵ Allport 1954.
- ³⁶ Kinder and Sanders 1996.
- ³⁷ Lowndes, Novkov, and Warren 2008, 13.
- ³⁸ Nakano Glenn 1999, 4.
- ³⁹ e.g., Kantrowitz 2000.
- ⁴⁰ Fineman 2005.
- ⁴¹ e.g., Neubeck and Cazenave 2001; Gilens 1999.
- ⁴² e.g., Bartels 2008.
- ⁴³ Gilens 1999.
- ⁴⁴ Gilens 2012.
- ⁴⁵ Gilens 2012, six pages; Hacker and Pierson 2010, zero; Bartels 2008, one
- ⁴⁶ e.g., Rocha and Hawes 2009; Meier, Wrinkle, and Polinard 1999.
- ⁴⁷ e.g., Gay 2002; Pantoja and Segura 2003.
- ⁴⁸ see Carnes 2013.
- ⁴⁹ Watkins-Hayes 2011.
- ⁵⁰ e.g., Bartels 2008; Gilens 2012.
- ⁵¹ Hacker and Pierson 2010; Schlozman, Verba, and Brady 2012.
- ⁵² e.g., Frymer 1999.
- ⁵³ e.g., Thompson 2006.
- ⁵⁴ Reed 2004 (111); italics ours.
- ⁵⁵ c.f. Hochschild 1995.
- ⁵⁶ Cohen 1999.
- ⁵⁷ Waters 1999.
- ⁵⁸ Dawson 1994.
- ⁵⁹ Thompson 2006; Hochschild and Weaver 2014; Fortner 2015.
- ⁶⁰ Harris and Langer 2008.
- ⁶¹ for a review, see Jacobs and Soss 2010.
- ⁶² Schlozman, Verba, and Brady 2012.
- ⁶³ Verba, Schlozman, and Brady 1995.
- ⁶⁴ see Jacobs and Skocpol 2007.
- ⁶⁵ Rosenthal 2004.
- ⁶⁶ Ibid. (868).
- ⁶⁷ Frymer, Strolovitch, and Warren 2006.
- ⁶⁸ Bartels 2008 (68).
- ⁶⁹ e.g., Wilensky 1975; Skocpol 1992; Steinmo and Watts 1995; Huber and Stephens 2001; Hacker 2002.
- ⁷⁰ e.g., Pefley, Hurwitz, and Sniderman 1997; Gilens 1999; Neubeck and Cazenave 2001.
- ⁷¹ e.g., Hacker 2006; Mettler 2011.

- ⁷² Verba and Nie 1972 (2).
- ⁷³ cf. Disch 2011.
- ⁷⁴ Rosenstone and Hansen 1993; Verba, Schlozman, and Brady 1995.
- ⁷⁵ see e.g., Verba, Schlozman, and Brady 1995; Skocpol 2003; Strolovitch 2007; Bartels 2008; Gilens 2012; Butler 2014; Carnes 2013.
- ⁷⁶ Hacker and Pierson 2010 (108).
- ⁷⁷ Harris-Lacewell 2004; Harris 2001.
- ⁷⁸ Hunter 2013.
- ⁷⁹ Kelley 1994.
- ⁸⁰ Hardy-Fanta 1993.
- ⁸¹ Gillion 2013.
- ⁸² Iton 2008; Bonnett 2015.
- ⁸³ Guinier 1994; Tate 2003; Griffin and Newman 2008.
- ⁸⁴ Lowi 1998; Soss, Fording, and Schram 2011.
- ⁸⁵ e.g., Gilens 2012.
- ⁸⁶ Brodtkin 2012; Handler 1986, 1995; Lipsky 1980; Edelman 1964.
- ⁸⁷ DOJ 2015.
- ⁸⁸ Fording 1997, 2000; Piven and Cloward 1977; Piven 2006.
- ⁸⁹ Lipsky 1980.
- ⁹⁰ King, Schlozman, and Nie 2009.
- ⁹¹ cf. Frymer, Strolovitch, and Warren 2006.
- ⁹² Marshall 1964.
- ⁹³ In the case of criminal justice, political scientists have generally failed to consider even such an ancillary role. Indeed, based on the field's leading publications, it is unclear that many scholars of American politics consider policing and the penal systems to be a significant component of government or governance at all. Like the military (and in some respects, welfare institutions), police and prisons have been acknowledged as state apparatuses but, curiously, left aside when political scientists have asked what government is, how it works, and what it does – and thus, what citizenship means in the United States and how it is practiced.
- ⁹⁴ see e.g., Skocpol 1992; Noble 1997; Mettler 1998; Lieberman 1998; Hacker 2002; Katznelson 2005.
- ⁹⁵ see e.g., Shapiro and Young 1989; Cook and Barrett 1992; Feldman and Zaller 1992; Gilens 1999; Jacoby 2000; Feldman and Steenbergen 2001; Goren 2001.
- ⁹⁶ Lasswell 1936.
- ⁹⁷ Noble 1997.
- ⁹⁸ Lieberman 1998; Katznelson 2005.
- ⁹⁹ Pimpare 2007 (314).
- ¹⁰⁰ cf. Lacey 2008; Soss, Fording, and Schram 2011.
- ¹⁰¹ Béland, Howard, and Morgan 2015.
- ¹⁰² Castles et al. 2010.
- ¹⁰³ Gordon 1988, 1994; Abramovitz 1999; Mink
- ¹⁰⁴ Piven 1997.
- ¹⁰⁵ Fraser 1987.
- ¹⁰⁶ Nelson 1984.
- ¹⁰⁷ Jones 1990.

- ¹⁰⁸ Marie Gottschalk 2012 (364).
- ¹⁰⁹ Simon (2007).
- ¹¹⁰ Soss 2000; Soss, Fording, and Schram 2011; Weaver and Lerman 2010; Lerman 2013; Burch 2013; Lerman and Weaver 2014; Miller 2008; Murakawa 2015; Cohen 2010; Justice and Meares 2014; Fortner 2015; Owens 2008.
- ¹¹¹ Piven and Cloward 1993; Roberts 2004; Clear 2007; Manza and 2006; Western 2006; Beckett and Herbert 2010; Wacquant 2009; Simon 2007; Schram 1995; Rios 2011; Haney-Lopez 2010; Loury 2008; Thompson 2010; Pettit 2012; Pimpare 2007; Goffman 2014
- ¹¹² Gordon 1988; Soss 2000.
- ¹¹³ Piven and Cloward 1977, 1993.
- ¹¹⁴ Soss; Fording; and Schram 2011 (284).
- ¹¹⁵ Soss 2000 (156).
- ¹¹⁶ Lerman and Weaver 2014; Soss 2000.
- ¹¹⁷ Roberts 2004; Clear 2007.
- ¹¹⁸ Soss 2000 (26-59); Butler 1995; Cohen 2004.
- ¹¹⁹ Lerman and Weaver 2014; Soss 2000.
- ¹²⁰ Lerman and Weaver 2014.
- ¹²¹ Western 2006; Roberts 2004; Lerman and Weaver 2014.
- ¹²² “But the police are afraid of everything in Harlem and they are especially afraid of the roofs, which they consider to be guerilla outposts. This means that the citizens of Harlem who, as we have seen, can come to grief at any hour in the streets, and who are not safe at their windows, are forbidden the very air. They are safe only in their houses - or were, until the city passed the No Knock, Stop and Frisk laws, which permit a policeman to enter one’s home without knocking and to stop anyone on the streets, at will, at any hour, and search him. Harlem believes, and I certainly agree, that these laws are directed against Negroes. They certainly are not directed against anybody else.” James Baldwin. “A Report From Occupied Territory” in *Baldwin: Collected Essays* (New York: The Library of American, 1998), pp. 722-738, p. 735
- ¹²³ Quoted in Muhammad 2010 (251).
- ¹²⁴ Weaver and Lerman 2010; Bruch, Ferree, and Soss 2010; for a review of such “policy feedback” effects, see Campbell 2012.
- ¹²⁵ Brown-Dean 2007; Manza and Uggen 2006.
- ¹²⁶ Loveman 2014; Somers 2008; Brubaker 2004.
- ¹²⁷ Hayward 2013; Massey and Denton 1993.
- ¹²⁸ Sampson 2012.
- ¹²⁹ Wacquant 2009.
- ¹³⁰ Pager 2013, 267; Western 2006.
- ¹³¹ Beckett and Herbert 2010; Capers 2009.
- ¹³² Pager 2013.
- ¹³³ Muhammad 2010.
- ¹³⁴ Anderson 1999; Lerman and Weaver 2014.
- ¹³⁵ Lerman and Weaver 2014.
- ¹³⁶ Laurence Ralph argues that police torture and the experience of racially-selective infliction of pain “are crucial centers for creating forms of historical consciousness – or communal ‘remembering’....” Ralph 2013, 105. The torture has a legacy, “frequently invoked” in a small community of Chicago where the infamous Jon Burge tortured over a hundred blacks, leading the community to understand

the meaning of “my son was Burge-d.”

¹³⁷ Capers 2011, 22.

¹³⁸ Lipsitz 1998; James 1994; Omi and Winant 1994; Haward 2013. Several scholars have described race-making of the criminal justice system specifically: Wacquant 2001: prison “plays a pivotal role in the remaking of ‘race’ and the redefinition of the citizenry via the production of a racialized public culture of vilification of criminals”; Epp, et al. 2014 (24): “police stops shape the meaning of race in an ongoing way.” Loury speech at Harvard: Punishment becomes “a site for the (re)production of social stratification, for the (re)enforcement of various social stigmas, and for the (re)enactment of powerful and uniquely American social dramas.”

¹³⁹ Carbado 2005; Roberts 2004; Rios 2011; Wacquant 2005; Muhammad 2010; Capers 2009.

¹⁴⁰ Loury “The Responsibilities of Intellectuals in the Age of Mass Incarceration.”

¹⁴¹ Soss and Schram 2007.

¹⁴² Gilliam and Iyengar 2000; Peffley and Hurwitz 2010; Entman and Rojecki 2001; Mendelberg 2001.

¹⁴³ Capers 2011.

¹⁴⁴ Justice and Meares 2014.

¹⁴⁵ Beckett, Nykrop, Pfingst 2006.

¹⁴⁶ Capers 2011; see also Capers 2009.

¹⁴⁷ Capers 2011, 22. “When race is used as a proxy for criminality, the presumption [of innocence] fails and the burden of proof shifts.”

¹⁴⁸ Capers 2011, 28.

¹⁴⁹ Wacquant 2009; Pager 2007.

¹⁵⁰ Muhammad 2010.

¹⁵¹ Garland 2005: 817.

¹⁵² Cacho 2012; Dilts 2014.

¹⁵³ “By marking large numbers of young men with an official record of criminality,” Devah Pager argues, “the criminal justice system thus serves to formalize and legitimate long-standing assumptions about blackness and crime...” Pager 2013, 258.

¹⁵⁴ Eberhardt, et al. 2004; Kang 2005.

¹⁵⁵ Anderson 2012, 80.

¹⁵⁶ Kang 2005.

¹⁵⁷ Saperstein and Penner 2010.

¹⁵⁸ Cohen 2010 is an exception.

¹⁵⁹ Rios 2006, 44.

¹⁶⁰ Justice and Meares 2014.

¹⁶¹ Peffley and Hurwitz; Hagan, Shedd, and Payne 2005; Capers 2011.

¹⁶² Lerman and Weaver 2014.

¹⁶³ Murakawa and Beckett 2010; Lerman and Weaver 2014.

¹⁶⁴ Ralph 2013, 112.

¹⁶⁵ Davis 1988.

¹⁶⁶ Capers 2009.

¹⁶⁷ Soss, Fording, and Schram 2011 (284).

¹⁶⁸ Lerman and Weaver 2014; Epp, Maynard-Moody, and Haider-Markel 2014.

¹⁶⁹ for an extensive review, see Travis et al. 2014.

¹⁷⁰ Pettit 2012.

- ¹⁷¹ Western 2008.
¹⁷² Clear 2009 (5).
¹⁷³ Torrey et al. 2010.
¹⁷⁴ Raphael 2011.
¹⁷⁵ Roberts 2001.
¹⁷⁶ Gustafson 2011.
¹⁷⁷ Ibid. (2).
¹⁷⁸ Wacquant 2009; Stuart 2014.
¹⁷⁹ Piven and Cloward 1971.
¹⁸⁰ Bell 1965 (46).
¹⁸¹ Mancini 1996.
¹⁸² Piven and Cloward 1993.
¹⁸³ Mink 1995; Gordon 1994.
¹⁸⁴ 2012
¹⁸⁵ Pimpare 2007 (315-16).
¹⁸⁶ Stuart 2014.
¹⁸⁷ Marquis 1992.
¹⁸⁸ Monkkonen 1981; 1982.
¹⁸⁹ McLean 1965 (86-87).
¹⁹⁰ Stuart 2014 (4-6).
¹⁹¹ Harcourt 2007.
¹⁹² Gottschalk 2014; Lacey 2008.
¹⁹³ Reed 1999; Hancock 2004; Beres and Griffith 2001.
¹⁹⁴ Peffley, Hurwitz, and Sniderman 1997; Kinder and Sanders 1996.
¹⁹⁵ Western and Guetzkow 2007.
¹⁹⁶ Soss, Fording, and Schram 2011; Gustafson 2011.
¹⁹⁷ Lerman and Weaver 2014.

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