

CHALLENGING THE PUNITIVE SOCIETY

In the closing lecture of Michel Foucault's 1972–73 course at the Collège de France, Foucault states bluntly the overall question of this year's course: "I am going to try to bring to the fore what I have kept at the back of my mind while I have been talking. Basically, the point of departure was this: why this strange institution, the prison? . . . Why the prison one hundred and fifty years ago, and for one hundred and fifty years since?"¹

We can (and should) pose similar questions in the United States today (the position and location from which we write)²: Why this strange and peculiar institution, the prison? Why, for the last four decades, in the wake of prison rebellions, strikes, and uprisings, has the United States become the leading jailer in the world? Why are women of color the fastest growing demographic group to be criminalized and incarcerated? Why are people of color and disabled people killed extrajudicially in the streets by police? Why are gender nonconforming, queer, and trans people (especially those of color) continually exposed to the violence of the state? Why are the only recognized proposals addressing such violence in the form of the reactivation, the reification, and the retrenchment of the carceral form, whether in the mode of body-cameras for police (instead of disarming and defunding police departments) or ankle bracelets and home monitoring (turning homes into cells and the streets into galleys)? Why do the relentless accounts of the

prison as *always already a failure*,³ as, in Foucault's terms, "dysfunctional from the start," still go unheeded?⁴ And why do the voices of those who know the prison best—the incarcerated, the surveilled, the punished—still go unheard?

Why the prison *still* for the last 40 years?

Foucault's lectures on the *Punitive Society* make plain one of the central points he would subsequently make in *Discipline and Punish*: that the prison form cannot be explained with reference to penal theories from the eighteenth century. Rather, "why the prison?" can only be answered by looking more broadly at the "whole form of society linked to the development of the State."⁵ The title of the lectures gives this away, of course, in that what we must study if we are to understand the prison—its effects, its conditions of possibility, and its after-lives—is the prison-form as a "social form."⁶ And not surprisingly then, we see finally what our real question must become: "In what system of power does the prison function?"⁷ And how do those systems change and overlap across time and geography, especially in our accelerated present?

The *Carceral Notebooks*, since its first volume, has organized itself precisely along such questions, asking how we ought to understand the "space zoned carceral" and asking (implicitly and explicitly) how we ought to question, critique, challenge, and resist carcerality. The essays in this volume again take up these questions, this time putting two specific archives of carcerality—both from the early 1970s—into conversation with the forty years that have followed. First, we turn to *Le Groupe d'information sur les prisons* (the Prisons Information Group, the GIP), a radical prison activist group that operated

in France from 1970 to 1973. In doing so, we build on a set of essays published last year in *Active Intolerance: Michel Foucault, the Prisons Information Group, and the Future of Abolition*.⁸ In that volume, we invited contributors to think critically about the history and legacy of the GIP, Foucault's role in it, and, most importantly, its radical mission to bring into question the prison-form and ultimately render it impossible to sustain.

Second, we turn to Foucault's 1973 lecture course, *The Punitive Society*, which serves as a link between the GIP and his own influential analysis of carceral practices and logic to come, especially in *Discipline and Punish*. These lectures, moreover, were delivered just months after the GIP gave way to the *Comité d'action des prisonniers* (the Prisoners Action Committee, the CAP), a group entirely centered on the lives, experiences, and analyses of incarcerated persons. It is through these multiple archives, staged within the political landscape of 1970s France, that this issue of the *Carceral Notebooks* focuses on prison theory, analyses of carceral logic more broadly, and the status of incarcerated voices.

Yet, the essays collected here also move beyond these two archives. They revisit the legacy of the Attica uprisings, which began forty-five years ago and remain the inspiration for a series of ongoing prison strikes across the United States today. They explore the immigration crisis in 1970s France and its correlatives in the contemporary United States. They unravel the GIP's relationship to French intellectual culture of the time, and the way that French culture (and the scholarship around it) remains deeply disengaged with questions of race. The voices of incarcerated thinkers themselves run throughout

this issue, serving as a cornerstone to understanding the carceral society known as the US Prison Nation. In all, whether historical or contemporary, Francophone or Anglophone, from one side of the prison wall or the other, the voices and threads in this issue coalesce around the GIP's commitment: to "activate intolerance" to intolerable aspects of this society.

These essays are motivated by a specific belief: carcerality is a problem. It is a problem, however, that can only be understood historically (we therefore resist analyses that are entirely presentist or ahistorical) and ideologically (we therefore resist the scaffolding of voice that has consistently reinscribed carcerality, turning instead to frustrate carceral knowledge production). Yes, these essays are thinking in and between the GIP's work and Foucault's thought (striving not to confuse the one with the other), but they do so in a way that prioritizes what we can draw from this period for our own situation more than four decades later. We aim to be responsive to our present and to those who are present (and seemingly absent) in today's carceral-/prison-form. That we find ourselves still grappling to find an effective way to critique, dismantle, and abolish the punitive society is only that much more reason for this work.

While we do not speak for all our contributors here, as editors we carry a brief for prison abolition—itsself a political practice and ethos that self-consciously identifies and rejects carceral logic beyond the prison-form itself, which attends to how this logic is linked to and reinforces forms of domination and oppression, including but not limited to the rule of capital, settler-colonialism, heteropatriarchy, and white supremacy. Abolitionist politics directs us toward building what W. E. B. Du Bois termed "Abolition-Democracy"⁹ and ought not be

reduced to the prison as its only object. Nevertheless, we here begin from the prison because it sits at the intersection of interlocking oppressions.

This volume of the *Carceral Notebooks*, “Challenging the Punitive Society,” proceeds in three parts. Part I collects a set of essays that focus specifically on the GIP and its legacy. These essays are drawn from presentations delivered at a 2015 workshop held at DePaul University in Chicago, IL: “Foucault and the Legacy of the Prisons Information Group (GIP).” These essays draw from several previously published essays in *Active Intolerance*, but go further to build connections between the GIP and contemporary struggles against prisons and our means of evaluating the success and failure of those struggles. As Kevin Thompson puts it succinctly in his introduction to Part I, these essays seek “to explore the unique nature and history of the Prisons Information Group . . . and to consider its legacy for current struggles around imprisonment and the various carceral techniques that have historically been associated with this distinctive form of punishment.”

Part II of this volume collects essays from a roundtable held in the summer of 2016 at Columbia University in New York City, NY, entitled, “Foucault’s Punitive Society and the Prisons Information Group (GIP).” Foucault’s 1972–73 Lectures at the Collège de France, *The Punitive Society*, were delivered in the early part of 1973, just months after the GIP formally disbanded. In his course summary, Bernard Harcourt writes that these lectures “offer . . . a first outline of the regime of truth associated with generalized confinement and emphasize . . . its centrality throughout contemporary society.”¹⁰ On this account they are a beginning point through which to see

Foucault working out many of the ideas that would eventually find a place in *Discipline and Punish* and continued to be developed in the lectures given in the late 1970s. But their relationship to the GIP and its practices of information gathering, publicity, and knowledge production is far less clear. The essays found in Part II take up this possible relationship specifically, reading the GIP archive with and against the 1973 lectures in order to offer insights into how the “prison-form” shapes our continued understanding of both Foucault’s thought as well as present social forms.

Part III of this issue departs from Foucault and the GIP (while nevertheless keeping them close) and takes up broader questions of how the carceral operates in and functions through contemporary formations of power/knowledge. These essays seek to tease out what is at the core of carceral logic, tracing how that carcerality reaches beyond the prison-form and into other spaces. It would be disingenuous to follow the work of the GIP, of Foucault’s lectures, and the claims made by those silenced within carceral society and yet still limit our analyses to the prison-as-such (if there even is such a thing). These final essays speak from multiple academic disciplines (Philosophy, Africana Studies, Ethnic Studies), and from overlapping practical locations (inside and outside the prison, for instance). Yet they, and all the essays collected here, work toward articulating what precisely is intolerable about carceral society and point toward ways of challenging that society.

NOTES

- 1 Michel Foucault, *The Punitive Society: Lectures at the Collège de France 1972–1973*, ed. Bernard E. Harcourt, trans. Graham Burchell (New York: Palgrave Macmillan, 2015), 225–26 (translation modified); Michel Foucault, *La Société punitive: Cours au Collège de France*, ed. Bernard Harcourt (Paris: Seuil, 2013), 229–30.
- 2 We do not note this position to exclude consideration of other locations, times, or contexts but rather to honestly state our own position concretely and think modestly from that position, with its limitations in mind.
- 3 Michel Foucault, *Discipline and Punish: The Birth of the Prison*, trans. Alan Sheridan (New York: Vintage Books, 1995), 272; Michel Foucault, *Surveiller et punir: Naissance de la prison* (Paris: Gallimard, 1975), 277.
- 4 Foucault, *The Punitive Society*, 226; *La Société punitive*, 230.
- 5 Ibid., 226; *ibid.*, 230.
- 6 Ibid., 227; *ibid.*, 231.
- 7 Ibid.
- 8 Perry Zurn and Andrew Dilts, eds., *Active Intolerance: Michel Foucault, the Prisons Information Group, and the Future of Abolition* (New York: Palgrave Macmillan, 2016). For a discussion of the volume, see Eugene Wolters, Perry Zurn, and Andrew Dilts, “Michel Foucault, Prisons and the Future of Abolition: An Interview,” *Critical-Theory* (blog), June 25, 2016, <http://www.critical-theory.com/michel-foucault-prisons-and-the-future-of-abolition-an-interview/>.
- 9 W. E. B. Du Bois, *Black Reconstruction in America* (New York: Simon Schuster, 1995). See also Angela Davis, *Abolition Democracy: Beyond Empire, Prisons, and Torture* (New York: Seven Stories Press, 2005).
- 10 Foucault, *The Punitive Society*, 266.