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Captives in Society: The Role of Race in the Carceral Cycle

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Abstract

Though Gresham Sykes identified several aspects of prisoner life in his classic text *The Society of Captives*, he failed to consider the role of race. In this chapter, we offer a critique of this oversight by exploring race from the time Sykes was writing to the present day. We show that race has been and continues to be an organizing principle within American society, including prison society and the free world to which ex-prisoners return. The consequences of discrimination and inequitable treatment have manifested in an intergenerational cycle of captivity, whereby Black, Latino, and Native Americans have been disproportionately subjected to punishment in the United States. Echoing Sykes's own call for reform, we argue that, to move towards an America that has equal treatment under the law and within society, regardless of race, thus breaking this cycle, criminological research must investigate how various individual, social, structural, environmental, and other contextual factors intersect within social phenomena. More importantly, criminological research must encourage social action to improve outcomes.

Key words: incarceration, race, racialized punishment, reentry, intersectionality, prison

Introduction

In some respects, Gresham Sykes was ahead of his time when discussing prisoners in the 1950s. Although he frequently referred to the men he studied in the New Jersey State Maximum Security Prison as "criminals," the term "captives" graced the title of his seminal book, *The Society of Captives*. Deploying the term "captives" in a prominent capacity was important for two reasons. First, "captives" suggests that incarcerated people are not evildoers, but people held outside mainstream, free society. Second, the term "captives" flattens the experiences of incarceration into an "everyman" narrative. Accordingly, Sykes's (1958) account places the captive in a specific but shared and equally-experienced setting, with clear power dynamics, jobs, routines, and unpleasanties. While the captives of Sykes's account of inmate life are differentiated according to their leadership roles, their sexual roles, their

trustworthiness, and their toughness, the incarcerated men are never individualized; thus, they are presented as a set of relative equals, who co-exist together in prison (Sykes 1958, 41, 84-108).

However, the United States in the 1950s was far from being an equal place for non-White people. That fact was neither a mystery nor a secret at the time; several events thrust Black Americans' plight of systematic discrimination into mainstream news coverage. In 1947, Jackie Robinson broke the so-called "color barrier" in Major League Baseball. In 1954, the U.S. Supreme Court ruled unanimously that the long-standing "separate but equal" doctrine that underwrote racial segregation in public schools violated the 14th Amendment's mandate of equal protection. In 1955, Rosa Parks was arrested for violating a segregation ordinance on a Montgomery, Alabama bus. And 1958 itself was a year of impassioned White resistance to the desegregation of Little Rock, Arkansas' Central High School. The 1950s were undoubtedly a time of great civil strife.

As people of color fought for their civil rights, popular, mainstream narratives demonized and stereotyped non-White people – especially Black, Latino, and Native American people – in ways that framed them as outcasts of society or outright criminals who should be removed from society (Chavez 2008; Armour 1997; Knepper 2011; Giommoni, Gundur, and Cheekes 2020; Findling et al. 2019). Moreover, discriminatory policies that disadvantaged non-White people were frequently enacted. These trends were underwritten by the almost exclusively White power structures, which continue to be overwhelmingly White well into the twenty-first century. Mainstream media outlets, which, arguably, serve as the principal "conversational entrepreneurs" who define problems within the public eye, catered exclusively to White audiences (Bennett 2003). In the political realm, the U.S. Congress had only a handful of Black and Latino politicians in its ranks (Armour 1997).

And these White power structures commonly excluded and erased non-White people. Most notably, southern Black Americans were broadly disenfranchised from political participation via voting restrictions and segregation (Tate 2018; Stokes 2003). However, exclusion was the reality for Black Americans across the United States; government policies subjected Black Americans to several restrictions, regarding where they could eat, study, and seek shelter (Wright 1988; Allen and Farley 1986). The consequences of this social and political reality were severe: Black Americans "lagged far behind whites in terms of earnings, health status, and occupational achievement" (Allen and Farley 1986, 278).

Exclusion also manifested in targeted policing and disproportionate incarceration rates for Black Americans (Hinton and Cook 2021). Data from the time largely ignored non-Black minorities, either excluding them or folding them into “other” racial categories. Nonetheless, the data regarding Black people were clear: not only were Black Americans being incarcerated at a rate that was higher than their White American peers, they were also being incarcerated for longer periods of time (Cahalan and Parsons 1986). Plus, the overrepresentation of Black people on death row and, ultimately, executed was a national trend before Sykes wrote his book and has continued since (Harries 1995). In 2020, about 42% of death row inmates were Black while Black people formed 12% of the U.S. population (U.S. Census Bureau 2020; Fins 2020). Similarly, today, nearly half of all people spending life in prison are Black, while 1 in 6 is Latino (Nellis 2016). At the turn of the twenty-first century, in the United States, roughly 1 in 3 Black men, as compared to 1 in 6 Latino men and 1 in 17 White men, could expect to be imprisoned at some point in his lifetime (Bonczar 2003). Once again, these disparities predate Sykes’s observations (and largely have continued into the twenty-first century, see: Hinton and Cook 2021). As for Latinos, by the late 2010s, although they were incarcerated at half the rate of Blacks, they were incarcerated at higher rates than Whites; consequently, despite being only 18.5% of the country’s population, Latinos represented 23% of the U.S. prisoner population (U.S. Census Bureau 2020; Gramlich 2020).

While New Jersey, in the 1950s, was comparatively progressive in codifying the rights of its Black citizens for employment and lodging, the realities of exclusion persisted. The Garden State remained a place where Black people were systematically excluded from good jobs and power structures, such as unions (Knepper 2011). Although Sykes noted in *The Society of Captives* that, in the mid-1950s, 38% of the prisoners in the New Jersey State Prison were Black, he failed to observe that this figure was a clear indication that Black Americans in New Jersey were disproportionately incarcerated; in 1950, Black New Jerseyites formed only 7% of the state’s population (Wright 1988; Sykes 1958). Moreover, as social psychologist Craig Haney (Chapter 1, this volume) notes in his critique of Sykes’s treatment of race, the state of New Jersey – in line with the national trend – executed significantly more Black people compared to White people in the 1950s. In addition, Sykes would have been aware of the controversial case of the Trenton Six, six Black New Jersey men, some of whom were convicted unjustly of murder in 1948, and who, on appeal, were defended by future Supreme Court Justice Thurgood Marshall on behalf of the NAACP (Knepper 2011). Sykes (1958, 84) also points out that jazz – a decidedly Black cultural phenomenon – was

considered deviant, illustrating how Blackness was criminalized. Nonetheless, given these contemporary realities, Sykes's treatment of race – which he simplified into a duality of “white” and “Negro” and then largely ignored as a dynamic of the carceral experience – is, in a word, curious.¹

Although Sykes noted that the social order of the free world is different from that within prison, he argued that, in the carceral setting, White and Black captives “live under conditions of enforced equality” (xiv). This “color-blind approach,” that serves as a device to homogenize the carceral experience that Sykes documents in his book, was typical of scholars of the time (Jacobs 1979). Nevertheless, this approach is problematic for two reasons. First, it is unlikely that the carceral experience was ever equal: in *The Society of Captives*, Sykes (1958, 116) recognized that Black inmates filed complaints about their treatment within the prison with the NAACP. Moreover, contemporaneous accounts noted that races were cliquing together to form solidarity groups in prison (Schrag 1954). Second, it completely disregards incarceration's impact on the relationship between prisoners (and ex-prisoners for that matter) and their friends and family in free society (Lopez-Aguado 2018).

Sykes's failure to identify race as an important element of prison life was recognized and criticized in the late 1970s by criminologist James B. Jacobs, chronicler of Stateville Prison, a maximum-security state prison south of Chicago. Jacobs saw race as a clear organizing principle of carceral society that dated back to at least the 1950s (Jacobs 1975, 1979). In the 2020s, as in the 1950s, race remains at the forefront of American political attention. Despite several progressive changes in American society, much of the United States remains an inherently politically and socially conservative place. Prison scholar Donald Clemmer's (1940) observation that prison society is a microcosm of free society remains valid today: Conservative America includes not only those people from the heartland who view themselves as the “real America” and the guardians of “traditional values” (Pearson 2015; Inglehart and Baker 2000) but also its prisons where macho demeanors and racist sentiments continue to be common features of everyday carceral life (Lopez-Aguado 2018; Gundur 2020a).

Given this reality, we offer three contributions that build on Sykes's foundation via exploration of the question: “How does race impact not only life for captives within prison society but also life for captives released into free society?” First, we consider the dynamics of prison society, particularly the notions of crisis and equilibrium; the “argot” roles of prisoners; and the pains of imprisonment, and how these unfold in the context of race. Second, we consider the influence these dynamics have on ex-

prisoners of different races and how society treats them upon their return to the free world. Finally, we explore the cycle of captivity, which continues to be underscored by the pains of captivity while amplified by race.

Race as an organizing and oppressing principle within societies of captives

Divergent accounts of incarceration and carceral governance structures – particularly outside the United States – indicate that prison social order varies greatly across time and place (Skarbek 2020; Fontes 2018; Lötter 1988; Peirce and Fondevila 2020; Gundur 2018, 2019; Lopez-Aguado 2016). Thus, the social order of any prison is not static and is dependent on a number of factors, including two that Sykes highlighted: the population of prisoners incarcerated and the prison administration’s strategies and behavior (DiIulio 1987; Gundur 2018). Furthermore, an account of a single prison – such as Sykes’s account of the New Jersey State Prison – cannot be deemed to be a general representation of prison life. Consequently, the experiences of any single prison’s inmates cannot be extrapolated to all who are incarcerated. Nonetheless, one constant appears: most carceral societies are inherently socially conservative.

More importantly, given the racial turmoil of his time, Sykes’s failure to consider race and its impacts on incarceration is a glaring omission. This lapse is particularly acute when Sykes explores three of the principal themes within his book: the social order that the prison administration and prison guards impose, the varying “argot” roles that prisoners have within the prison walls, and the pains of imprisonment. Just as Black and Latino Americans experience free life distinctly to White Americans – generally speaking, with fewer rights, privileges, and concerns to their wellbeing, Black and Latino prisoners experience incarceration distinctly to White prisoners (Gee et al. 2019).

Contrary to Sykes’s assertion of racial unity, several authors have recounted the historical role of race in underwriting the unequal treatment of minorities by the criminal justice system and within carceral settings, including, *inter alia*, the treatment of minority teens as adults, arrest and incarceration rates, and severity of sentences received (Davis 2001; Irwin 1980; Jacobs 1979; Weide 2020; Alexander 2010; Friedman 2020; Rios 2007; Allard and Young 2002). Moreover, cultures of segregation, embedded in American history, have remained a significant influence on how formal and informal social controls unfold in several U.S. prison systems. Despite formal desegregation efforts, prisoner administrators (and, often, prisoners) continue to practice (self-)segregation along racial and ethnic lines (Trulson and Marquart 2010;

Lopez-Aguado 2018; Bolden 2020; DiIulio 1987). Despite narratives of equilibrium in reference to social harmony in carceral settings, the inequitable treatment of Black, Latino, and Native American people, and other minorities in American prisons was then and still is a crisis.

This crisis is multifaceted and consists of not only unequal treatment and ethnic segregation but also abuse of non-White prisoners. Throughout the twentieth century and into the twenty-first century, studies have shown that White guards are more likely to hold racist views, engage in more punitive actions, abuse non-White prisoners verbally and physically, and allocate non-White prisoners menial or physically demanding labor tasks (Wright and Barber 1973; Bosworth 2018; Irwin 1980; Pinar 2007; Bolden 2020). Far from the normalcy of equilibrium among prisoners described by Sykes, the racial tensions within prisons throughout the country contributed to the formation of solidarity groups of non-White prisoners, who grew tired of the abuse meted out by the White guards and the unchecked White predatory inmate groups (Weide 2020; Jacobs 1979; DiIulio 1987).

Prisoner solidarity groups are what sociologist Norbert Elias (1978) calls “survival units;” they are able to engage in both attack and defense processes. In many cases, such informal groups are a key to surviving the pains of imprisonment and times of crisis. In these arrangements, prisoners agree not only to refrain from conflict among themselves but also to engage in collective action as a mechanism to fight against abuse from several threats, including prison guards and predatory inmate groups, and to protect each other in the event of riots or other violent episodes (Gundur 2018; Pyrooz and Decker 2019; Skarbek 2014; Irwin 1980; Weide 2020; Zohrabi 2012; Buentello, Fong, and Vogel 1991; Gundur 2020a; Bolden 2020).

At their most advanced, these survival units form prison gangs (Gundur 2020b). Prison gangs are groups that are predatory in nature and that influence life within prison and the criminal underworld outside prison (Skarbek 2014; Gundur 2019, 2020a). Since prison gangs usually organize themselves along racial lines, race affects how prisoners access resources and participate within the carceral community. Thus, prison gangs commonly impose the status quo of enforced racial separation (Bolden 2020). Though most prisoners do not join prison gangs, they are often subjected to the social orders imposed by the prison’s dominant gangs (Pyrooz and Decker 2019; Bolden 2020).

Certainly, many of the conditions of prison’s social order are manifested via the “convict code,” which recognizes many of the argot roles that prisoners recognize as occurring within their carceral society and that Sykes illuminated (Sykes’s terms are

italicized in what follows. Mitchell et al. 2017; Trammell 2012; Sykes 1958). Some of these roles persist in maximum security prisons regardless of race. For instance, most prisoners disdain *rats*, prisoners who inform the prison administration; *center men*, prisoners who work with the prison administration, such as the turnkeys in the Texas penitentiary system; “chomos,” prisoners who abused children; and, sometimes, prisoners who are convicted of crimes, such as sexual assault, where the victims are not considered to be fair game (Ricciardelli and Moir 2013). Moreover, male maximum security prisons continue to have *punks*, inmates who by choice or by force receive sexual acts. Sykes’s *real men* are what more recently incarcerated prisoners might call “stand-up” convicts: prisoners who do their own time and do not violate the convict code.

Other roles play out as a function of the racialized social order of prison. For example, prisoners who have better access to goods, such as commissary or contraband, become *merchants*, a role that exists in most prisons. However, much of this trade is governed through the rules of the dominant prison gangs (Roth and Skarbek 2014). More notably, the prison gang leadership structures are a function of the racialized social order of prison; vertically organized prison gangs consist of hierarchies of prisoners of typically the same race; and these prisoners have varying roles (with various names), including gang leader, yard boss, soldier, and prospect. Each role maintains the rules of engagement that the prison gang imposes. Often, prison administrations allow prison gangs to exist and to set the terms of engagement in the prison yard (Gundur 2020b). Sometimes, prison administrations clamp down on these gangs in an effort to re-establish their preeminence in terms of who sets the rules within the prisons’ walls (Gundur 2018). Today, in America’s large prison systems, where White prisoners are in the minority, gone are the days when White prisoners dominated the rules of the prison yard by doing the prison administration’s bidding (DiIulio 1987; Seagren and Skarbek 2021).

Nonetheless, given that the dominance of non-White prisoners in carceral settings is a result of the inequalities of the criminal justice system, the supplanting of White prisoners by Black and Latino prisoners in the *de facto* power structures of carceral society is hardly a victory (Nellis 2016). Some scholars argue that, given how overwhelming racial disparities exist at nearly every decision point in the U.S. carceral system, the systemic nature of mass incarceration indicates that imprisonment is just another type of racialized social control which is designed to inflict the pains of imprisonment on the captives (Alexander 2010; Fleury-Steiner and Longazel 2013).

Sykes neither elaborated on the characteristics or qualities of “pain” nor commented on the comprehensiveness of the pains of imprisonment. This definitional ambiguity predictably resulted in the proliferation of research on the pains associated with imprisonment. Contemporary research has not only described the pains of imprisonment but also identified the pains associated with other areas of the carceral justice system, such as jail, probation, parole, and reentry (Ortiz and Jackey 2019; Haggerty and Bucerius 2020). Research has also investigated how certain populations might uniquely experience certain pains while incarcerated or while reintegrating into society. Sociologists Benjamin Fleury-Steiner and Jamie Longazel (2013) identified pains specific to the institutional and systemic nature of mass incarceration as *containment, exploitation, coercion, isolation, and brutality*. This approach to understanding “the pains of imprisonment” is grounded in legal scholar Michelle Alexander’s (2010) assertion that racial oppression has continued in a systemic way within America’s prison system, despite institutional shifts in how that oppression occurs. This approach contrasts with Sykes’s approach to the pains of imprisonment, which overlooked how some pains of imprisonment may be unique to, and potentially more impactful for, minority populations (Haggerty and Bucerius 2021).

In the United States, the poor and minorities are frequently overpoliced and criminalized (Rios 2007; Perry 2009). A critical examination of the pains of imprisonment within a society of captives needs to acknowledge that the pains of captivity, in the United States, began with the Transatlantic Slave Trade and continued throughout American history as non-White populations, including Black, Native American, and Latino people, were enslaved, incarcerated, systematically murdered, and excluded (Chowdhury and Butler 2019; Rensink 2017). Sociologist Loïc Wacquant (2001) argued that these processes manifest through the actions of U.S. lawmakers and organizational leaders within the criminal justice system, who used the carceral system to marginalize and oppress Black people, by developing institutions which were uniquely designed to manage and regulate Black populations. Black people were enslaved. Jim Crow laws marginalized and criminalized Black people. Convict leasing – the practice of leasing prisoners’ labor – was slavery by another name (forced labor was expressly allowed to persist in the 13th Amendment’s ban on slavery) and disproportionately impacted Black people (Bolden 2020; Mancini 1996). Finally, mass incarceration, often motivated by the U.S.’s “War on Drugs” and “Tough on Crime” policies, destroyed Black communities, devastated Black families, and disproportionately impacted people of color, particularly young Black men (McCoy 2003; Alexander 2010; Western 2006; Williams and Battle 2017; Newell 2013). Though

the impacts have been less pronounced among Latinos, White policy makers have worked to exclude and demonize Latinos as well (Chavez 2008).

The work of sociologist Patricia Hill Collins and criminologists Hillary Potter and Breea C. Willingham serves to highlight how Sykes's uniform approach to discussing the pains of imprisonment was fundamentally flawed. Their work asserts that academic discourse and examinations of imprisonment and the American criminal justice system must be intersectional due to the interconnected nature of racial, gender, and class disparities that are pervasive throughout American society (Willingham 2011; Collins and Bilge 2020; Potter 2015). Racial inequality and punishment are inextricably linked in the United States (Western 2006). Given that the interconnected and socially embedded nature of racial, gender, and class oppression contribute to many of the racial disparities within the criminal justice system, punishment must be examined "within the intersectional reality of Blackness" (Williams & Battle, 2017, p. 553).

When punishment is viewed through an intersectional lens, then it becomes clear that the consequences of mass incarceration and the individual pains of imprisonment are not distributed equally across race, gender, and geographic location (Williams and Kniffley 2019). While 1 in 3 Black men was incarcerated nationally at the turn of the twenty-first century, five states incarcerated Black men at 10 times the rate they incarcerated White men; in New Jersey, Black prisoners outnumbered White prisoners at about 12 to 1 (Nellis 2016). Prison populations of twelve states were more than half Black (Nellis 2016). This practice removes Black men from their communities: nearly two thirds of Black Americans have had an immediate family member incarcerated (Enns et al. 2019). Ultimately, Black men in the United States are much more likely than men of any other race to experience the pains of imprisonment and the lasting repercussions of incarceration. Contemporary incarceration patterns indicate that, as was the case in segregated America, Black men are much more likely than non-Black men - though Latino men in some western states experience incarceration rates that approach those of Black men nationally - to be deprived of liberty, goods and services, heterosexual relationships, good-paying jobs, social mobility, autonomy, and security (Craigie, Grawert, and Kimble 2020).

Just as Black men have been increasingly imprisoned in the United States, so too have been Black women. Black women account for the greatest proportion of incarcerated women. In 2019, women under control of the U.S. Corrections System numbered 1.2 million; of these, over 220,000 were incarcerated, a figure that was seven times greater than in 1980 (Cahalan and Parsons 1986; Kaeble and Alper 2020; Carson 2020;

Zeng 2020). Notably, Black women are incarcerated almost 2 times, and Latina women 1.3 times, as much as White women (Carson 2020). Black feminist scholars have noted, for decades, how the criminal justice system's punitiveness towards Black women in the United States is interconnected with the societal devaluation, marginalization, and brutalization of Black women (Collins 2000). Narratives of incarcerated Black women highlight how contemporary patterns of oppression contribute to their incarceration, and how racial, gender, and sexual discrimination are so entrenched in American society that they extend into prison (Willingham 2011). As is the case with the overincarceration and exclusion of Black men from free society, the structural violence that is perpetrated against Black women, and which underwrites these practices, can be traced back to historical state-sanctioned practices that disproportionately marginalized, discriminated against, oppressed, and victimized Black women (Willingham 2018).

Some pains of imprisonment are experienced not only by those who are incarcerated but also by the communities which captives leave behind when they are separated from the free world. One pain of imprisonment shared by the incarcerated and members of their families is the formation and maintenance of family life (Wakefield, Lee, and Wildeman 2016). About 60% of incarcerated women and about 50% of incarcerated men are parents of minor children (Maruschak, Bronson, and Alper 2021). Incarcerated parents and their children share mutually experienced knock-on effects, in terms of their family's potential income, future economic opportunity, their social stigmatization, their health outcomes, their experience of trauma from separation, and their social development (Poehlmann-Tynan and Turney 2021; Casey-Acevedo, Bakken, and Karle 2004; Craigie, Grawert, and Kimble 2020).

Given the racial disparities in America's jails and prisons, Black and Latino families are disproportionately impacted by the shocks of parental incarceration (Turney 2018; Coates 2015). And given the U.S.'s world-high incarceration rate, 1 in 25 American children has a parent in prison or jail at any given time (Sykes and Pettit 2014). By age 17, about 1 in 4 American Black children and 1 in 10 American Latino children experience parental incarceration; only about 1 in 20 American White children has this experience (Sykes and Pettit 2014). Compounding the pains of imprisonment experienced by minority families are the historically persistent racialized stereotypes that minority women are subjected to within the criminal justice system. Whereas White women benefit from leniency, Black and Latino women are cast as "bad" mothers who are undeserving of that same leniency (Williams, Spencer, and Wilson 2021; Moronez 2020).

Despite decreasing rates of incarceration in the United States, the racialized narratives that continue to cast Black and Latino people – particularly young people – as criminogenic persist (Rios and Vigil 2017; Abrams, Mizel, and Barnert 2021). These narratives manifest in policing policies and sentencing outcomes, leading to ongoing cycles of incarceration and disruption to prosocial developments in these communities. Often, the labels, restrictions, and stigmas that former prisoners carry as they attempt to reenter society create significant barriers to participating in prosocial ways and contribute to the sustainment of the pains of incarceration for former prisoners in the free world.

Race as an organizing principle as captives return to society

In the United States, racial inequality underwrites much of American life. Compared to White Americans, non-White Americans are poorly represented politically, have worse economic and educational opportunities for upward social mobility (and are more likely to experience downward social mobility), and have poorer health outcomes (Chetty et al. 2020; Lang and Kahn-Lang Spitzer 2020). These deficits reflect the legacies of slavery, Black codes, Jim Crow laws, convict leasing, redlining, and other forms of racial oppression.

The intersection of race, economic opportunity, and contact with the criminal justice system is manifested in the overpolicing of poor communities, which are disproportionately populated by non-White people, which is a factor for initial contact with the criminal justice system (Drakulich and Rodriguez-Whitney 2018). The setbacks released prisoners experience as a result of their incarceration sustain these patterns; moreover, ex-prisoners continue to experience the pains of imprisonment even upon release as they often remain “captives” in society (Lyons and Pettit 2011).

Though carceral-induced pains vary in intensity, priority, frequency, and duration, if the pains of imprisonment are intense, important, frequent, and long-lasting, then individual adaptations to these pains may result in persistent, deleterious effects that impact former prisoners and how they interact with society once released (Haggerty and Bucerius 2020). These pains of incarceration are compounded post-release by structural factors, such as health deficiencies, poverty, insecure housing, insufficient education, and a lack of access to the services that may reduce those burdens (Halsey 2006; Bolden 2020; Stewart and Uggen 2020; Wallace et al. 2016). These effects may manifest in a number of ways, including the persistence of antisocial behavior and renewed contact with the criminal justice system (Windzio 2006). Sykes’s lack of attention to race as an organizing principle within prison means that his work cannot

adequately explain how people with different racial backgrounds experience the pains of imprisonment. Nor can it explain the lasting repercussions of those painful experiences as prisoners re-enter the free world upon their release, where, most often, their roles, opportunities, and statuses are changed due to their incarceration (Craigie, Grawert, and Kimble 2020; Mbuba 2012). As a result of these barriers to reintegration, former captives, despite being “returned citizens,” are not restored to the point where they are able to fully participate in pro-social, free society. Instead, they are forced into a transient status where they remain captive to the negative labels they carry, despite being out of prison.

Because race serves as an organizing principle in American society, both within a society of captives and the society to which those captives return once released, non-White ex-prisoners face acute barriers to reintegration. Non-White ex-prisoners struggle more than their White peers to find post-release employment (Pager 2008; Western and Sirois 2019; Spohn and Holleran 2000; Strickland 2016; Lockwood et al. 2015; Johnson 2001; Ortiz and Jackey 2019) and housing (Couloute 2018), to develop social capital (Strickland 2016; Flavin 2004), to be afforded education opportunities (Lockwood et al. 2015; Stewart and Uggen 2020), and to receive adequate healthcare (Lee and Wildeman 2013; London and Myers 2006; Schnittker, Massoglia, and Uggen 2011). Even in the free world, the pains of incarceration often persist.

One of the pains of incarceration that a prisoner experiences is separation from pro-social society. Former prisoners returning to society experience a labeling effect that continues to define them as being apart and unwelcome (Kavish 2017; Kavish, Mullins, and Soto 2016). Just as early labeling theorists posited, punishment is inherently retributive, stigmatizing, and exclusionary (Tannenbaum 1938; Lemert 1951; Becker 1963). Labeling theorists posit that formal labeling can potentially increase deviant or criminal behavior particularly as formal labeling fundamentally changes people’s identities and creates barriers to accessing conventional others, such as peers, community members, and authority figures, like teachers or employers, and mainstream opportunities. While labeling theorists have primarily focused on formal labeling, measured by arrests and criminal convictions, simply getting stopped by police during adolescence – an event that is more likely to occur to a non-White child than a White child – has a significant indirect effect on criminal and non-criminal outcomes later in life (Lopes et al. 2012; Wiley, Slocum, and Esbensen 2013). For instance, criminal justice scholar Giza Lopes and colleagues (2012) found that an arrest, or mere contact with police, during adolescence significantly affected education, employment, financial stability, and subsequent criminality later in

adulthood. Moreover, criminologist Stephanie Wiley and colleagues (2013) found that being stopped or arrested in adolescence by police not only increased subsequent delinquency but also amplified deviant attitudes, suggesting that the influence of police contact becomes more pronounced as the severity of police contact increases. Discriminatory practices that target non-White people and former prisoners, such as stop-and-frisk, likely contribute to the disproportionate impact these practices have on minority populations (Bowling and Phillips 2007).

Formal labels are differentially applied based on extralegal factors, including gender, sex, class, and race (Becker 1963; Barrick 2014). Criminologist Ted Chiricos and colleagues' (1972) observations persist: the individuals most likely to be labeled are older, Black, poorly educated, have a prior record, and are defended by a court-appointed attorney during criminal justice proceedings. One large-scale study of withholding of adjudication – the withholding of placing a formal label – indicated that Latino and Black men were significantly less likely than White men to have adjudication withheld (Bontrager, Bales, and Chiricos 2005). Thus, consistent with labeling theory, and as it was in Sykes's time, Latino and Black men were and are significantly more likely than White men to be formally labeled.

In short, to be disproportionately labeled – as is the case with people of color with histories in the criminal justice system – means to be disproportionately disenfranchised, to disproportionately lose rights, and to be disproportionately impacted by other collateral consequences of felony convictions. The disadvantages of being both an ex-prisoner and a person of color create significant differences in reentry success, official recidivism, and actual desistance between White and non-White people. Many of the racial disparities that reduce individual opportunities and access to structural resources are part of everyday American life. These disparities simultaneously mean that non-White people in the U.S. face increased law enforcement scrutiny, formal criminal justice responses, and collective inequality, which, in turn, bolster the increased likelihood that formerly incarcerated minorities will return to the society of captives. Racial inequality has a compounding effect and leads people released from prison, and their families that experience those effects, to feel “trapped” in the “ghetto” as they struggle to access services and opportunities and as they remain unable to experience upward social mobility (Drakulich and Rodriguez-Whitney 2018). For some, this reality encourages a return to unlawful behavior, thrusting returned citizens into a cycle of captivity (Wikoff, Linhorst, and Morani 2012). Accordingly, any rehabilitation or reentry effort must first address the structural forces that have resulted in the unequal incarceration of minorities in the United States.

A Cycle of Captivity

Sykes's observation that "prison, somehow, is expected to turn men from the path of crime to the path of conformity with the law" (1958, 132) has remained an unrelenting driver of incarceration in the United States. Nonetheless, the carceral system has persistently failed to achieve this goal as evidenced by the cycle of captivity that exists for many. In the United States, roughly 1.8 million people are incarcerated in prisons and jails on any given day (Kang-Brown, Montagnet, and Heiss 2021). An additional 3.6 million people are on probation, and 840,000 people are on parole (Zeng 2020; Sawyer and Wagner 2020); thus, around 6.2 million are under some form of correctional control every day. Additionally, in the United States, another roughly 19 million people live with felony convictions (Shannon et al. 2017).

All told, almost half of American adults report having an immediate family member who has been incarcerated, indicating that about half of America struggles, to varying degrees, with pains inflicted by the U.S. carceral system (Enns et al. 2019). Of the people released, the Bureau of Justice Statistics estimates that 77% are rearrested within five years of their release (Alper, Durose, and Markman 2018). Even as incarceration rates appear to be decreasing from the 2010s, the numbers are alarming (Kang-Brown, Montagnet, and Heiss 2021). Yet, all of these figures gloss over the fact that Black and Latino men continue to be overrepresented in these data, meaning that they and their families disproportionately confront the pains of incarceration and they do so time and again. When we consider the carceral experience to be a cycle that repeats not only within individual lives but also from one generation to the next, and when we recognize that people of color continue to be overrepresented in the carceral experience, then we must conclude that we have failed to rectify the ills of the past.

Prison is only one location in the cycle of captivity that occurs within the United States, and Sykes provided a snapshot of this location. In his chapter "The Defects of Total Power," Sykes reminds us that, within prison walls, order is prioritized over rehabilitation, and prisoners are usually severed from any sort of contact or participation with the pro-social society outside those walls. Sykes's observation some seventy years ago holds true in many prisons: most prison personnel are charged with the task of keeping prisoners in line and maintaining the carceral status quo (Thompson 2011). As Sykes notes, even when prisoners behave according to the prison administration's expectations, the rewards they receive are limited to the carceral setting; the benefits of good behavior do not transfer into the free world. Society offers a clear rejection with no clear avenues to rejoin; prisoners are forever labeled as

deviant. The adage “Do the crime, do the time” has no currency; the time never stops for most ex-prisoners, especially if they are people of color.

As Sykes further observed, the pains of imprisonment, in the form of “deprivations, particularly as they involve a threat or an attack at a deep psychological level,” are realities that people face while incarcerated (1958, 131). This observation is equally applicable to what happens upon release. As such, it is important to understand what incarceration does to released captives, particularly when they are not assisted in gaining employment, pursuing further education, developing pro-social relationships, and maintaining healthy lifestyles (Pratt et al. 2016). It is also important to understand the drivers of sustained failure which push people into prison initially and – as we explored in the last section – often push them back into a society of captives (Pratt et al. 2016). As incarceration rates continue to grow in the United States, race remains a significant determinant as to a person’s likelihood of initial incarceration (Nellis 2016). Race also affects how easily a captive sheds that label upon release from prison and reintegrates into free society, a society where White felons are viewed more positively than Black people without a record and where politicians still extract political currency from “tough-on-crime” narratives that have been damaging to communities, especially those of color (Pager 2008; Wakefield, Lee, and Wildeman 2016). To that end, race also influences the risks formerly incarcerated people face in being removed from their communities and returned to a society of captives (Davis 2001).

The predominantly color-blind approach that Sykes offered must be relegated to the past. Sykes should have recognized the disproportionate captivity of people of color – particularly Black men. Since the abolition of slavery, a litany of laws and practices, including Black Codes, vagrancy statutes, convict leasing, and Jim Crow laws, had been enacted to discriminate against people of color (Chowdhury and Butler 2019). Nonetheless, Sykes’s calls for reform still ring loudly.

Sykes’s (1958, 134) final words of *The Society of Captives* can be recast to recognize the impact of race: the particular pattern of social interaction, into which a person who is incarcerated enters and then is returned to upon release, is part of a complex social system with its own norms, values, and methods of control; and any effort to reform the carceral system—and thus to reform the criminal—which ignores the social systems of not only prisons but the societies that harbor them is as futile as the labors of Sisyphus. The extent to which the existing social system works in the direction of prisoners’ deterioration rather than their rehabilitation; the extent to which these

systems can be changed; the extent to which we are willing to change them -- these are the issues which confront us and not the recalcitrance of the individual inmate.

Despite Sykes's oversight regarding race, his words illustrate that we cannot leave the past behind us until we recognize how its racist roots are hardcoded in the outcomes of the present and the future and how carceral experiences continue as cycles that repeat within individual lives and from one generation to the next. To move forward, criminological research must not only investigate how various individual, social, structural, environmental, and other contextual factors intersect to explain social phenomena but also encourage social action to improve outcomes. And race is an inescapable factor that – consciously or not – underwrites many narratives of incarceration and reincarceration that are formed from the intersection of these factors, thereby making their more precise study necessary.

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Footnotes

1. Du Bois, W.E.B. (1899). *The Philadelphia Negro: a social study*. University of Pennsylvania Press. Sykes used the term "Negro," which was the term advanced by Black sociologist W.E.B. Du Bois and that was in common usage as a polite word in academic contexts, such as *The Society of Captives*, at the time. Having weighed several views on which word should be used in the contemporary context, we have chosen the term "Black." [↵](#)