The alarming proliferation of American prisons generally, and supermaximum security prisons specifically, intensifies the urgency of analyzing society’s relationship to prisons and their populations. This paper attempts to delineate a novel way of understanding both the American prisoner and the prison system. The paper contends that a comprehensive analysis of American imprisonment must, first, make a distinction between standard prisons and supermaximum security (or camp) prisons, and second, that analyses of camp prisons should be grounded in the camp paradigm, as elucidated by Giorgio Agamben in *Homo Sacer: Sovereign Power and Bare Life*. Having established this distinction, the paper then focuses on camp prisoners and prisons, locating the former at a theoretical juncture of Hannah Arendt’s concept of superfluity, Julia Kristeva’s understanding of abjection, and the historically reoccurring notion of the “dangerous classes.” Camp prisoners and prisons are then understood as liminal subjects and spaces, whose relationship with the remainder of society is best characterized by Agamben’s notion of inclusive exclusion. The paper concludes with an investigation of this inclusive exclusion, focusing the lens of citizenship first on a number of supermaximum security institutions and then on the citizenship practices that are increasingly extending the prisoners’ exclusions beyond the period of incarceration.

**Liminal Subjects and Liminal Spaces** This paper contends that the inhabitants of the liminal space that is the supermaximum security prison are most accurately theoretically positioned at the nexus of the concepts of
superfluity, abjection, and dangerousness. In order to arrive at an adequate appreciation of this nexus, it is useful first to analyze its three components separately, and subsequently to examine their point of intersection.

The essence of superfluity is most comprehensively explained in the closing pages of *The Origins of Totalitarianism*, where Arendt likens the “totalitarian attempt to make men superfluous” with the general experience of “modern masses of their superfluity on an overcrowded earth.”1 Crucial to the notion of superfluity, and perfectly resonating with the act of abjection, is Arendt’s insistence on its violence. Superfluous individuals are not eased out of society, but rather are “spat out” by it and violently abjected from within it. The abjected, however, is never utterly irrelevant or absolutely useless because it comprises the antithetical other in relation to which the abjector self is defined. The notion of thorough superfluity, therefore, seems at first glance to clash with concepts of both abjection and dangerous classes, as individuals subsumed under these categories maintain a crucial, if precarious and uncomfortable, relationship with the society/self. Superfluity then must be recast as a more elastic concept, whereby individuals who are superfluous (exceed what is sufficient) on the “inside” are pulled back from the brink of utter superfluity through their abjection or expulsion. In other words, they are “spat out” as superfluous to the fringes of the “inside,” and paradoxically regain their utility and necessity precisely because of their expulsion. Superfluous and redundant on the “inside,” their utility is wholly dependent on their abjection from society.

While superfluity can serve as the foundation for an examination of prison populations, analysis cannot be restricted to this concept alone. It is here that Kristeva’s notion of abjection attains greater significance. What is perhaps most disturbing about today’s superfluous populations is that they were a part of “us” yesterday, but are expelled from among us as the unnecessary and the redundant, the leftover from humanity’s feast that is instinctively thrown aside. The superfluous is therefore utterly frightening because it is “something like oneself that still under no circumstances ought to be like oneself,”2 and that has the potential to be oneself tomorrow. It is in the moment of this horrifying realization that Kristeva’s “abject” overlaps with the superfluous, for the abject is utterly opposed to the self, yet “the
uncanniness, the threat of the abject is that it used to be (part of) ourselves.”3 Like the superfluous, it was once a part of “us,” but has since been rendered not only unnecessary on the “inside” of “our community,” but also persistently threatening to its cohesion, perfection, and purity.

Superfluity and abjection, therefore, are related in the sense that they both refer to the expulsion, yet continued interaction between a societal self and its extreme other, horrifying precisely because of its recent affiliation with the self. At the nexus of abjection and superfluousness, the camp prisoner is positioned as an individual who is evacuated to the liminal recesses of society in an attempt to rid permanently and completely the social and individual body of an excessive mass and a destabilizing element. Despite the best of efforts, this project is inherently unfinishable, as the superfluous abject always remains within frightening proximity of its abjector.

As a danger to individual and social normalcy, the superfluous abject shares some features of the more mundane notion of the “undesirable citizen,” or the related concept of dangerous classes. The concept of dangerous classes adds a unique dimension to the nexus of superfluity and abjection, contextualizing these more abstract notions by connecting them to the historical marginalization of particular populations, and exposing the class dimension of abjection and superfluity by alluding both to the stratification of the society from which the abject superfluous are removed and to the class character of the abject superfluous themselves. Like Arendt’s superfluous beings, members of this group are economically, politically, and socially useless on the “inside” of “civilized” society. Like the abject, they disrupt its normalcy, challenging its prescriptions of residence, employment, and respectable behaviour. Yet, like the superfluous abject, these dangerous classes are never entirely removed from society, nor (as a potentiality) from within the self. They are the undesirable citizens who cannot be expelled beyond the borders of their state without being welcomed in the neighbouring jurisdiction — an unlikely scenario — yet must be cast out or set aside in the interest of preserving an ever-elusive purity of citizenship. As will become apparent, American supermaximum security prisons are little more than sophisticated spaces of intrastate exclusion.

It is analytically advantageous, therefore, to locate contemporary camp
prisoners at the nexus of superfluity, abjection, and dangerousness. They are usually, but not always, the politically, economically, and socially superfluous, already nearing the margins of the “inside,” slipping out of socially constructed categories of normalcy and civility. Although rendered superfluous on the “inside,” they escape utter superfluity precisely by their removal to the intrastate “outside” that is the camp prison. Unlike the immigrant or refugee who can be turned away at the border, they are already formal (if not substantive) citizens, already on the “inside” but as, if not more, undesirable. As expulsion beyond state borders is unlikely, they are imprisoned, defranchised, immobilized, and stored away, out of sight, out of mind. Yet, as their exclusion rescues them from the brink of utter superfluity, they never become completely and absolutely undesirable, for they are never wholly politically and economically irrelevant. The supermaximum security prisoner, therefore, is included through exclusion, hovering between the inside and the outside, the “self” and the “other,” the citizen and the non-citizen.

Having defined the liminal subject, it is now possible to theorize the liminal spaces to which this subject is consigned. In a revolutionary paradigmatic shift, Agamben insists on the need to replace (or at least supplement) the Westphalian paradigm with that of “camp” as the lens through which to view the global landscape. Agamben defines camp as “the space that is opened when the state of exception begins to become the rule.”4 Not only does the camp emerge from the normalization of the state of exception, but through camp, “the state of exception, which was essentially a temporary suspension of the rule of law on the basis of a factual state of danger, is now given a permanent spatial arrangement, which as such nevertheless remains outside the normal order.”5 The camp, therefore, both emerges from, and embodies the normalization of, the state of exception. Its externality, however, is not synonymous with absolute effacement, nor does it indicate the existence of a non-relation between the camp and spaces of “normalcy.” As Agamben indicates:

The camp is a piece of land placed outside the normal juridical order, but it is nevertheless not simply an external space. What is excluded in the camp is, according to the etymological sense of the term ‘exception’ (ex-capere), taken outside, included through its own exclusion. But what is first of all
taken into the juridical order is the state of exception itself. Insofar as the
state of exception is ‘willed,’ it inaugurates a new juridico-political paradigm
in which the norm becomes indistinguishable from the exception…Only
because the camps constitute a space of exception in the sense we have
examined…is everything in camps truly possible…Whoever enter[s] the
camp move[s] in a zone of indistinction between outside and inside, exception
and rule, licit and illicit, in which the very concepts of subjective right and
juridical protection no longer [make] sense.6

Agamben resists the conflation of camp and prison, arguing that as a
simple space of confinement the prison is topologically different from the
absolute space of exception that is the camp.7 It will soon become apparent,
however, that while not all prisons should be subsumed under the rubric of
camp, American supermaximum security prisoners and prisons epitomize
the subjects and spaces to which Agamben alludes.

Understanding the American Liminal Subject  Censuses of the federal
and state prison and jail populations conducted in 1974, 1979, 1984, 1990,
1995, and 2000 by the Bureau of Justice Statistics, US Department of Justice,
point to a persistent decline in the populations of full, “respectable” citizens
and a corresponding incline in excluded populations.8 As of 31 December
2001, 2.7% of the adult population had at some point in their lives served
time in state or federal penitentiaries (5.6 million adults), up from 1.3% in
1974 (in numerical terms, the number of current and former inmates has
increased by 3.8 million between 1974 and 2001). In other words, one in
thirty-seven adults living in the United States has been incarcerated during
his or her lifetime. Presently, nearly one third of former prisoners remain
under some form of correctional supervision, including probation, parole, or
imprisonment in local jails, and as of 31 December 2002, 2,166,260 individ-
uals were incarcerated in the United States.9 More shocking still are future
projections based on present incarceration patterns. If the 2001 incarceration
rates persist, 6.6% of individuals born in 2001 will be confined in federal or
state prisons over the course of their lifetimes, up from the 5.2% estimate
generated in 1991, and the 1.9% prediction for 1974. This is equivalent to
the imprisonment of one in every fifteen individuals.

Not all American citizens, however, stand an equal chance of being
excluded from society through incarceration. In 2001, 64 percent of prison inmates belonged to racialized or ethnicized minorities, an increase of two percent from the previous year. The conflation of age, geography, and skin colour often exposes even larger discrepancies. A study conducted in 1991 by the National Center on Institutions and Alternative Studies revealed that on any given day, 42 percent of all African American 18-35 year old males residing in the District of Columbia were either in jail, prison, on probation or parole, out on bond, or sought on arrest warrants. The lifetime risk of imprisonment for that population hovered somewhere between 80 and 90 percent. If the 2001 incarceration rates were to persist into the future, a black male would have a one in three chance of going to prison during his lifetime, as compared to a one in six chance for a Hispanic male, and a one in fifteen chance for a white male.

Although race frequently dictates a group’s degree of desirability and their resultant relationship with “respectable” society, it is not the sole determining identity. Across all racial groups, prisoners are disproportionally drawn from the poorest sector of society. Statistics gathered by the US Department of Justice reveal that 36 percent of the imprisoned population was unemployed in the month preceding incarceration, while an additional 15 percent worked only part time or irregularly. Of those who were employed, the majority reported incomes at or below the poverty level. Level of education also contributes to one’s chances of being abjected as an “undesirable” citizen. Only about half of all prisoners possess a high school diploma or its equivalent, while 41 percent of young, black high school dropouts are behind bars.

In addition to race, income, and education, it seems that degree of ability is also crucial in determinations of social worth and desirability. While mental illness is frequently acquired or aggravated behind bars, many inmates report prior illnesses. According to the American Psychiatric Association, more than 700,000 mentally ill Americans are processed through jails and prisons each year, one in five prisoners is seriously mentally ill, and up to five percent are actively psychotic at any given moment.

As the dramatic increases in the rates of imprisonment indicate, American society is progressively purging itself of its undesirable elements, and as
abjection beyond state borders is generally not an option for citizens, intrastate expulsions are frequently the answer. More importantly, however, such expulsions are increasingly less temporary and less partial than before. While standard prison confinement is on the rise, more troubling perhaps is the growth in supermaximum or camp prison confinement, where the degree of exclusion is higher, and increasingly permanent. Thus, a growing number of “undesirables” are warehoused within specially constructed intrastate liminal zones, politically almost entirely effaced from society, and included only indirectly in the economic realm through the sophisticated exclusion-management industry. Statistics confirm that a growing number of inmates are housed in maximum and supermaximum security confinement. Statistics acquired by Human Rights Watch from the Corrections Yearbook 2001 reveal that the average percentage of prisoners in segregation and protective custody has increased from 4.5% to 6.5% between 1994 and 2001. The same source indicates that while the exact number of prisoners held in supermax confinement on any given day is not known, as of 1 January 2001 thirty-six states reported a total of 49,348 segregated prisoners, excluding those held specifically in protective custody.

A number of conclusions can be drawn from the above statistics. First, it is apparent that American society is purging itself of its abject, superfluous, and undesirable “others” with increased frequency and efficiency. Individuals allocated into this category are most frequently those who deviate from the “idealized citizen” — they are not white, their performance in the labour market (and consequently in the consumer market) is inadequate, their participation in what are constructed as “dangerous” and “criminal” activities is on the other hand excessive, and they deviate from the manufactured “norm” in their physical and/or mental abilities. As crime and imprisonment statistics indicate, not only is society purging itself of its undesirables but an increasing number of individuals are falling into this category as a result of the continual narrowing of the “acceptable.” Thus, while crime levels are declining, incarceration levels are rising. It can be concluded, therefore, that individuals exhibiting specific identity markers (race, class, level of mental and physical ability) are increasingly marked as abject, superfluous, and undesirable.
The second inference that can be made is that the mechanisms and processes of exclusion are being expanded and refined. Not only are more convicts warehoused in maximum and supermaximum security institutions (where they are more completely and permanently removed from society), but more convicts are managed with increasingly sophisticated technology. Contact between society’s “outsiders” and “insiders,” therefore, is increasingly curtailed. Historically recurring discourses of contamination indirectly reinforce the perceived necessity of segregation between prisoners and the society from which they are abjected, as well as between prisoners themselves. Not only does the separation of prisoner from society signify that physical and social exclusion is the price of nonconformity, but it also protects vulnerable citizens from contamination by the corruptive influences of deviants. As Gresham Sykes notes, this is why “the prison wall, the line that divides the pure and impure, has all the emotional overtones of a woman’s maidenhead. One escape from the maximum security prison is sufficient to arouse public opinion to a fever pitch.”

Contemporary society, therefore, is excluding more individuals, more permanently and more efficiently. As abjection and superfluity are on the rise, and the ranks of “respectable” citizenry are contracting, superfluous individuals become included only in their exclusion.

**Modalities of Exclusion** The history of incarceration, and the relationship between society and its prisoners have frequently reflected the “doctrine of less eligibility,” albeit to varying degrees. At the core of the doctrine lies the assumption that a disjuncture must exist between the living conditions of prisoners and free citizens, with the former necessarily inferior to the conditions encountered by the most marginalized social groups. Richard Sparks argues that the doctrine’s manifestation can be traced to the “Great Confinement,” and the widespread fear that any improvement in the prison environment will weaken the institution’s deterrent effect upon the “lower orders,” whose living conditions were already only slightly superior to those of prisoners.

While rigid adherence to the doctrine generally was maintained during the Eighteenth, Nineteenth, and early Twentieth centuries, its popularity waned towards the end of the Twentieth and beginning of the
Twenty-first Century. During this period, criminologists displayed an overwhelming interest in penal rehabilitation, which necessitated providing goods and services for prisoners that clearly surpassed the threshold of survival adequacy. Combined with a watershed in inmate access to the judicial system (which resulted in a number of favourable rulings with respect to conditions of imprisonment), the interest in rehabilitation was ensuring that prisoners were beginning to climb the ladder of eligibility.

The current politico-economic environment is ripe for a reversion to the doctrine of less eligibility, and even a cursory glance at the conditions governing American prisons indicates that the trajectory has already been altered. Sparks argues that the entrenchment of the doctrine of less eligibility requires a specific economic and political context, one that is increasingly becoming a reality in American society and has been reflected in political rhetoric since the 1980s. According to Sparks, a sense of the centrality of punishment to the maintenance of the social order must be fostered, together with the perception that a rising tide of lawlessness is threatening the social fabric. Moreover, resentment towards “soft” or “cushy” penal measures must be cultivated through continued comparisons of prison conditions with the hardships experienced by “respectable” and “worthy” law-abiding citizens. The economic environment, consequently, must be one where an increasing gap between the rich and the poor is perceptible, with certain impoverished groups distinguished as hard-working, respectable citizens. The existence of such groups, and their repeated valorization, entrenches the notion that imprisoned individuals make a deliberate choice to stray off the path of hard work and respectability, and as such, should not be rewarded with conditions of imprisonment that resemble the living conditions of those who chose the more difficult path of righteousness. This politico-economic context is certainly in evidence in present day United States, underlined by the increasingly neoliberal economic climate, government policies such as the “War on Drugs,” “Truth-in-Sentencing,” and the “Three-Strikes” initiative, as well as the rhetoric that accompanies them.

The resurgence of the doctrine of less eligibility in American penal philosophy is also apparent in the increasingly severe regulations to which both camp and noncamp prisoners are subjected. First, inmates housed in both
categories of prison must adhere to an extremely regimented schedule that wholly deprives them of the element of choice, a “privilege” exclusively associated with “respectable” and “worthy” citizenship. As such, prisoners have little or no influence over their daily activities, their meals (composition and consumption times), the length, time, and frequency of showers, recreation, and even sleep patterns. Although some institutions couch these regulations in the language of safety and security, strict governance of the aforementioned aspects of existence is clearly not related to security. Although forceful early morning wake-up calls defy logic (if inmates are to spend many years in utter boredom, they might as well try to sleep through them — besides, are not sleeping inmates the least threatening to institutional security?), society seems oddly comforted by the idea that prisoners are made to rise at 5 or 6 am, when most hard-working citizens must start their days. Consequently, many institutions display inmates’ daily schedules on their websites, taking special pride in their early wake-up calls. A cursory perusal of a number of institutional websites can make one feel as through one is witnessing an interinstitutional contest for the title of “most severe morning routine.” A number of penitentiaries in Texas are currently in the lead with a wake-up call at 4:30 am.

Inmates have no choice with respect to their daily menu, save for the last meal prior to execution, which nevertheless remains heavily regulated, with the State of Florida proudly stipulating that in order to guard against inmate extravagance, its ingredients must be locally available and not exceed twenty dollars. They have little choice with respect to the activities in which they engage on a daily basis. Severe regulations exist with respect to the quantity and quality of books and personal property inmates can have in their cell, while the menu of out-of-cell activities is restricted to card games, puzzles, and physical activity that requires little or no equipment. Seemingly, the more abundant and comprehensive the deprivations, the more successful are the penal institutions in the eyes of the public. Inmates on Florida’s Death Row, for instance, are allowed only a “small” black and white television in their cells (a prohibition on colour televisions seems to represent the height of absurdity in prison policies), and as the Department of Corrections website advertises, their unit is not air conditioned.
As well as subjecting prisoners to highly regimented routines and an increasing number of deprivations, great efforts are made to discourage inmate contact with the “outside.” A large number of maximum and super-maximum security prisoners are allowed one 10-minute phone call per month. New Jersey’s Capital Sentence Unit prisoners are allowed two noncontact visits per month, each lasting no more than one hour. The New Jersey State Prison, as well as most other institutions, cites security concerns as justification for the severe limit on contact visits. Such explanations, however, are difficult to believe considering that many institutions strip search inmates prior to and following all social visits. Again, the only reasonable explanation is society’s seemingly unquenchable thirst to suck out of all convicted criminals the last vestiges of humanity, reduce them to the lowest possible denominator of eligibility, and the barest of life.

In addition to the aforementioned areas of “less eligibility,” prisoners are also progressively disenfranchised. Only two states (Maine and Vermont) presently allow convicted felons to vote while incarcerated, and although the permanent disenfranchisement of former prisoners has elicited some opposition, the lack of debate surrounding the right of franchise for prisoners indicates its acceptance as an unquestionable necessity. Prisoners are also barred from accessing many of the economic benefits of citizenship. While imprisoned, inmates are denied access to Social Security Benefits, Supplemental Security Income, and all Title II Benefits, including Disability Insurance Benefits, Childhood Disability Benefits, benefits for disabled widows and widowers, and Surviving Spouse Benefits.23

While both camp and noncamp prisoners are excluded from most benefits of citizenship, discarded, in essence, beyond the symbolic borders of civilized society, noncamp prisoners are nevertheless expected to shoulder some of citizenship’s responsibilities. At the most abstract level, the penal system, as well as the system of corporal punishment that preceded it, are founded on the principles of understanding the social consequences of one’s actions, taking responsibility for these consequences, and paying the necessary price—axioms according to which ideal citizens ought to conduct themselves. It is on these tenets that more specific arguments are built, such as the contention that inmates should pay the costs of their own incarceration.
The notion that prisoners should shoulder some (or all) of the expenses for their prosecution and incarceration is popular among American lawmakers, and continuously resurfaces in American penal discourses and practices. Although Syk’s *The Society of Captives: A Study of Maximum Security Prison* was published in 1958, the current relationship between prisoner and society is still best expressed by his simile:

The criminal in the custodial institution is in a position somewhat like that of a wayward son who is forced to work by a stern father. The troublesome youth may not earn his keep, but at least he is to be employed at honest labor; and if his earnings make up only a portion of his expenses, that is better than nothing at all. The parent…is motivated by a curious blend of economic self-interest, faith in the efficacy of work as a means of spiritual salvation, and a basic, hostile feeling that no man should escape the burden of supporting himself by the sweat of his brow.  

Although convicts are no longer given sentences of “hard labour” to pay for the costs of their prosecution, the notion that penal institutions should function as self-sustaining communities prevails. The increasing number of deductions from the remunerations inmates receive for working in prison industries indicates continuity of attitude. Some institutions are also charging inmates for toilet paper, medical care, and use of the law library, while others have instituted “room-and-board” fees. Berks County Jail in Pennsylvania, for instance, was recently charging inmates ten dollars a day to be there.  

The American penal system, therefore, is replete with both unnecessary and arbitrary rules and regulations guiding the imprisonment and conduct of convicts, as well as with infringements on, and outright denials of, inmates’ constitutional rights. Concurrently, a persistent effort is being made to transform prisoners into highly regimented and perversely distorted replicas of ideal citizens. The paradox is palpable. While stripping inmates of formal and substantive citizenship rights and thus excluding them from full citizenship, the American penal system is designed to simultaneously elicit hyperconformity in terms of citizen obligations.  

The result of this paradox is the establishment of two distinct societies, which nevertheless remain intricately entwined. The “society of captives” is the coarse image of the society of citizens in a distortion mirror at a
carnival fun house — perverted yet still recognizable, alien yet uncomfortably familiar, always within reach, always a replica of the society of citizens, no matter how vehemently the latter denies it. Afterall, the superfluous and abject were at one time part of the social body, and even through they are abjected from it, they are never completely effaced, and maintain with it an uneasy relationship.

While all American penal institutions and all prisoners are, in theory, subsumed under the same judicial and constitutional guidelines, an actual distinction emerges between standard minimum-, medium-, and maximum-security prisons, and what have been thus far referred to as camp prisons. These camp institutions should not be confused with disciplinary cells that have historically been present in most standard prisons, where “disruptive” and “dangerous” prisoners were temporarily confined, to “cool down” before reintegration into the general population. Unlike these disciplinary cells, which functioned as a means of temporary punishment and a control mechanism within the confines of standard penitentiaries, supermaxes represent a qualitative shift in penal philosophy.

The current incarnation of camp prisons has its roots in the Adjustment Centers (ACs) of the 1960s, which were conceived as a rehabilitative tool of last resort, where for a maximum of three months “difficult” inmates would receive intensive, daily, individualized psychiatric assistance, and special education and work programs. As rehabilitative discourses waned, and protests and lawsuits over unsatisfactory conditions proliferated, the character of the ACs changed. By the end of the 1960s, these “prisons within prisons” replaced their rehabilitative mandate with a punitive one, restricted inmates’ access to all programs and activities, and were effectively transformed into long-term warehouses for Black Muslims, jailhouse lawyers, accused gang members, union organizers, “radicals,” “revolutionaries,” and other “problematic” prisoners. In 1972, then California governor Ronald Reagan called for the development of new high-tech, supermaximum security prisons, which could house “troublemakers” and would be loosely modelled on Adjustment Centers, as well as the “permanent lockdown” solution devised by Illinois’ Marion State Prison in response to inmate rioting.

The insulated nature of supermax institutions, combined with the seeming
non-existence of the rule of law on their premises — or at best, a severe disregard for it — situates these institutions within the realm of Agamben’s camp. While it is difficult to assess the extent to which these establishments operate outside of the purview of social scrutiny and law, statements from inmates indicate that at the very least, such is the perception shared by many supermax prisoners, and one that is purposely fostered by the correctional officers. As one prisoner asserted, “The day I arrived I was...told that I was at Red Onion [State Prison in Virginia] now and if I act up they would kill me and there was nothing anyone could or would do about it.”

The perception that supermaxes operate outside of the purview of social scrutiny and judicial review is also substantiated by an array of tangible evidence. First, the decision to move an inmate into supermaximum confinement is usually not subject to judicial oversight and cannot be appealed. If the inmate is present, he or she is not provided with attorney representation and is at best represented by prison staff. Although some institutions have established guidelines for the removal of inmates into supermaximum security confinement and make certain provisions for appeal, these seem to exist in theory only. Moreover, most inmates transferred to supermax units or institutions can be housed there indefinitely, frequently without being told what, if anything, could hasten their release back into the general population.

Second, administrative decisions made within the supermax environment are rarely scrutinized, and remain the exclusive domain of the prison warden and correctional officers. Inmates who disobey, question, or attempt to file suit against the institution are frequently punished. Two favoured methods of quelling dissent and disobedience are “cell extractions” and “strip cell” confinement. The former involves the storming of a cell by riot gear-clad guards, the “overpowering” of the inmate, the placement of the inmate in a five-point restraint, and his or her subsequent removal from the cell to be left hog-tied in the corridor. Alternately, an inmate can be extracted from his or her cell and placed in a “strip cell” (a cell devoid of all furnishings and appliances) until correctional officers deem the inmate fit to return to his or her permanent abode. In one case, it was reported that an “extracted” inmate was tied to an infirmary bed for a total of fifteen days in June of 1992, while another was left hog-tied for hours in the prison...
Finally, routine day-to-day discipline of inmates seems, frankly, not only beyond the scope of the law but also beyond the scope of all moral and ethical behaviour. According to Human Rights Watch interviews conducted at Red Onion State Prison, inmates believe that they can be shot for talking over the wall that separates one recreation yard from another, for crossing the red line used to mark areas of permissible inmate presence, for leaning against a wall, or for not moving quickly enough. As outrageous as these perceptions seem, they are not entirely unfounded. Virginia, California, and Nevada are the only states where firearms are routinely carried within prison perimeters, and judging by the statistics provided by prison administrators and anecdotal evidence offered by inmates, they are deployed with shocking frequency. According to press reports, in the first nine months of operation, Red Onion guards fired their weapons 63 times, injuring ten inmates. In interviews with Human Rights Watch, inmates recounted that prisoners were shot for the most seemingly trivial of offences. One inmate described seeing a fellow prisoner shot for failing to hear an order:

[An inmate] was jogging around the yard, he was wearing closed headphones with a walkman listening to a cassette while jogging. The order to move to the opposite side of the yard did not come over any loud speaker or megaphone device — it was a shouted order from a gun port. The man never heard the order. The first shot knocked him down. He jumped up not knowing why he was shot and was shot again. No one's life was in danger. No staff or prisoner was threatened by this man. In less than one minute he would have been on the other side of the yard where other prisoners would have gotten his attention. The man was jogging in a circle. Had he stopped, turned around, and jogged in the opposite direction, he would have not gotten to the other side of the yard any faster.

Others recounted seeing inmates shot for not returning fast enough to their building and for refusing to exit the shower after their allotted time.

Supermaximum Security Confinement: Tales from the “Inside” In order to comprehend fully the living conditions of inmates housed in camp prisons, it is necessary to view the aforementioned incidents within the
context of inmates’ daily routines. The following section looks briefly at a few supermaxes and the regulations to which their residents are subjected. One of the first supermaxes, the United States Penitentiary at Marion, Illinois, opened in 1963, went into a permanent lockdown mode in 1983, and is currently considered one of the highest security prisons in the United States. In addition to the supermaximum security conditions that prevail within the entire institution, Marion also contains a security control unit, where the most “dangerous” and “disruptive” inmates are held. The findings of a court in which the National Prison Project of the American Civil Liberties Union filed suit on behalf of the prisoners of Marion's B-Range (the control unit) most clearly articulate the conditions of the prison:

The last (10) cells of B-Range in the Control Unit...are equipped with a steel front door (with window), which is kept closed as a disciplinary measure or at the prisoner’s request. [These are the ‘boxcar’ cells that the court ordered closed.] There are no mirrors in Control Unit cells. Control cell prisoners are restricted in the amount of personal property they may have in their cells...Prisoners...are generally confined in their cells for an average of 23 hours and 20 minutes per day...[and are] not allowed to attend educational classes...There is no television...Prisoners in the Control Unit are not allowed in the institution’s library...Prisoners in the unit are required to conduct all visits, except attorney visits, in a controlled visiting room in which the prisoner and visitor are separated by a Plexiglas wall...The Control Unit Prisoners are strip-searched before and after all visits, except attorney's visits...Prisoners are released from the cells for approximately 30 minutes a day of exercise, recreation on a locked tier, sometimes with one other prisoner. Recreation outside in the fresh air occurs approximately one hour per month.37

The trend towards “Marionization” (i.e., total isolation of prisoners from correctional officers as well as from each other) is apparent throughout the country, and is currently evolving beyond simple solitary confinement and towards solitary confinement combined with purposeful and humiliating deprivations, and a fanatical adherence to the philosophy of isolation and the doctrine of less eligibility. An inmate at Pelican Bay’s SHU (a facility opened by the California Department of Corrections in 1989) is guaranteed at least 22.5 hours of solitary confinement a day, in an environment technologically structured to minimize human contact and maximize sensory
deprivation. Prisoners at the unit have almost no contact with guards, as they have been largely replaced by electronic surveillance. The *Los Angeles Times* describes the unit as follows:

Pelican Bay is entirely automated and designed so that inmates have virtually no face-to-face contact with guards or other inmates...For 22 hours a day, inmates are confined to their windowless cells...They don't work in prison industries; they don't have access to recreation; they don't mingle with other inmates. They aren't even allowed to smoke because matches are considered a security risk. Inmates eat all meals in their cells and leave only for brief showers and 90 minutes of daily exercise. They shower alone and exercise alone in miniature yards of barren patches of cement enclosed by 20 feet high cement walls covered with metal screens. The doors to their cells are opened and closed electronically by a guard, in a control booth...There are virtually no bars in the facility...Nor are there guards with keys on their belts walking the tiers. Instead, the guards are locked away in glass-enclosed control booths and communicate with prisoners through a speaker system...The SHU (Secure Housing Unit) has its own infirmary; its own law library (where prisoners are kept in secure rooms and slipped law books through slots); and its own room for parole hearings. Inmates can spend years without stepping outside the Unit.38

Prisoners may not speak to each other, and the tier tender (a prisoner who sweeps the walkways) is not permitted to speak to anyone as he passes the cells. Communication with the outside world is also heavily restricted. The television brings in only six stations from Colorado, and severe restrictions exist with respect to reading materials. Only noncontact visits are permitted. Prisoners may not decorate their cells (which are windowless and consist of a poured concrete sleeping slab, an immobile concrete stool, and a small concrete writing platform), no hobbies are permitted, and no collective educational, vocational, religious, or social activities exist.

Research conducted by the Pelican Bay Information Project (PBIP) indicates that in addition to the severe deprivations that constitute the daily reality at Pelican Bay, inmates are subjected to lockdowns (or, more appropriately, lockdowns within permanently locked-down institutions). PBIP estimates that in 1994, for instance, prisoners were locked down for 40 percent of the year.39 While under lockdown, the minimal rights possessed
by SHU inmates are further retrenched — no yard, no law library, extremely limited showers, and further delays in medical care. Moreover, as the tier tender is not allowed to sweep the tiers or clean the showers and as inmates are permanently deprived of cleaning supplies, tiers and showers quickly become filthy and inmates are forced to use body soap, shampoo, tee shirts, and toilet paper to clean their cells.40 In spite of these conditions (or perhaps because of them), Correctional Digest’s assessment of Pelican Bay boasts that “California now possesses a state-of-the-art prison that will serve as a model for the rest of the nation.”41

The previously mentioned Red Onion State Prison in Virginia does not differ substantially from any of the aforementioned institutions.42 The facility houses both “general population” inmates and “segregation inmates.” Since the facility possesses only an outdoor recreation area, inmates must recreate in all weather conditions or have no out-of-cell time altogether. They are not provided with (or allowed to use their own) gloves or hats in cold weather and are not permitted to come inside early if the weather worsens while they are out. As in other institutions, only infrequent, non-contact visits are permitted, even though inmates are stripsearched before leaving their cells (and must hand their uniforms through the food slot to be inspected), as well as before and after each social visit.

The Administrative Maximum Security (ADX) Unit at the Florence State Prison in Colorado takes a similar approach. What is striking with respect to this facility are the extreme barriers that separate it from the rest of society and its high-tech accoutrements, which guarantee virtually no contact between prisoners and guards. As Robert Perkinson describes in “Shackled Justice: Florence — The Cutting Edge of Social Control”:

The Florence ADX sits in the southeast corner of the four-prison complex. It is an imposing triangle of x-shaped cell-blocks, surrounded by double 20-foot fences, interwoven with razor wire. Two perimeter roads, 8,000 watt lights, microwave sensors, and six sniper towers separate the ADX from the other facilities...Inside, guards control every door, light, intercom and fiber-optic communication lines...The shower [in each cell], along with food slots in the door and individual phone jacks, allows for total isolation. Interlocking doors will allow only one prisoner out of his cell at a time. Totally alone, with nothing but an electronic escort, prisoners will move to the perma-steel
mesh-covered coop for their one promised hour [of exercise] each day.43

Having examined a number of camp prisons, it is useful to revisit Agamben's theorizations regarding the concept of camp, as well as Agamben and Arendt's conceptualizations of the distinction between camps and prison. For Arendt, camp as a spatial construct is always, if only tangentially, associated with Nazi concentration camps, and as such, functions as the warehousing and extermination chamber for the superfluous. Agamben, who theorizes camp in a more comprehensive manner, understands it as both a physical space that is opened when the state of exception becomes the rule, and a paradigm or lens through which to understand the present international environment. As a physical space, Agamben's camp does more than enclose, warehouse, and exterminate. Although the camp does give permanent spatial arrangement to the state of exception, its most important function is its showcasing of “bare life,”44 its illumination of human beings ripped out of their social contexts and gutted of their politics and identities. “Insofar as its inhabitants are stripped of every political status and reduced to bare life,” argues Agamben:

The camp [is] also the most absolute biopolitical space ever to have been realized, in which power confronts nothing but pure life, without any mediation…The correct question posed concerning the horrors committed in the camps is, therefore, not the hypocritical one of how crimes of such atrocity could be committed against human beings. It would be more honest, and, above all, more useful to investigate carefully the juridical procedures and deployments of power by which human beings could be so completely deprived of their rights and prerogatives that no act committed against them could appear any longer a crime. (At this point, in fact, everything had truly become possible.)45

As a lens through which to understand the current international environment, the camp paradigm disrupts the entrenched epistemology, ontology, and methodology of traditional international relations, upsetting its ontological triad of states, institutions, and classes, and exposing the existence and continual proliferation of liminal spaces and subjects.

For Arendt and Agamben, camp is both an extraordinary space and a
methodology for the analysis of humanity’s recent trajectory, where mutually exclusive extremes merge, inside and outside, exclusion and inclusion violently coalesce, and the living are downgraded to bare life. For both authors, however, a prison is never a camp, as prisons are always embedded within social and legal structures, while camps are located outside of them. The fundamental argument of this paper is that while Arendt and Agamben’s fears of too readily conflating camps and prisons are justified, recent trends in American imprisonment have produced an environment where two categories of prisons can be identified, one of which is a clear incarnation of camp. Standard prisons, characterized by proliferating and increasingly valorized prison labour, vestiges of rehabilitative rhetoric, and the retention of citizenship responsibilities in combination with a partial removal of citizenship rights, should not be subsumed under the rubric of camp. While the rights of inmates confined in standard prisons are certainly truncated, and they are partially stripped of their citizenship status, they nevertheless remain at least partly within the purview of legal and social structures that restrict the realm of possibility with respect to their treatment and living conditions. Although less eligible to be treated with the dignity ideally afforded to human beings, they are nevertheless partially protected by legal and social structures, and included through their exclusion in both the economic and political spheres of the society that expels them.

Prisoners of nonstandard or camp prisons (supermaxes), on the other hand, seem to exist outside of the rubric of citizenship, and outside of traditional penal discourses and practices. Inmates of noncamp prisons, for instance, are perpetually assessed according to the doctrine of less eligibility, which leads to the severe regulation of their behaviour and environment. The wages they receive for prison labour, the quantity and quality of social activities they undertake, the length of showers, the size of televisions, and the number of photographs on a cell wall become important markers of the deflation of a prisoner’s standard of living in comparison to that of the general population. Society’s obsession leads to the proliferation of rules and regulations in standard prisons, which ensure with increased precision that the prisoner has just enough, but never too much freedom, choice, and dignity. In camp prisons, however, while prisoners remain less eligible than free and desirable
citizens to all of the trappings of humanity, the doctrine of less eligibility is stretched to an extreme that is almost unrecognizable, at best a severely distorted version of the doctrine and, at worst, a creature altogether different.

While standard prisons tediously balance necessity and comfort, continually refining the equilibrium between what is required and excessive in freedom, choice, education, wages, and physical and mental stimuli, camp prisons avoid much of this tinkering by simply removing all freedom, all work, all education, and all physical and mental stimuli, confining its prisoners to a bare, solitary cell and locking the door. Thus, unlike standard prisons, camp prisons do not simply restrict or eliminate the element of choice, they actually eradicate everything that could otherwise be chosen from. Why struggle over the size of televisions, the quality and quantity of posters on cell walls, or the elaborateness of prisoners’ hobbies, when they can be altogether eradicated? Camp prisoners are thus effectively removed from the realm of humanity, stripped of all of the trappings of a complex human being — as the environment in which they are housed is gutted — and reduced to subsisting in the zone of indistinction between life and death that is bare life. Moreover, whereas prisoners in standard institutions remain partial citizens, retaining some of the responsibilities (and fewer of the rights) of citizenship (through labour, the payment of taxes, restitution, room-and-board etc.) and consequently maintain a relationship with “outside” society, those confined in camp institutions are entirely removed from the realm of citizenship, stripped of both its rights and responsibilities.

It is this absolute deletion from the sphere of citizenship that expands the camp prison’s realm of possibility with respect to its inmates’ treatment and conditions of existence. As Agamben argues with reference to camps, residents of these spaces are so completely deprived of their rights and prerogatives that no act committed against them appears a crime, everything is truly possible, and the state of exception is normalized. As the illustrations of supermax prisons indicate, supermaximum confinement in the United States is analogous to the internment of liminal subjects in Agamben’s camps. Supermax inmates exist entirely beyond the realm of citizenship and thus can be utterly isolated from society, denied contact with each other, with correctional officers, and with their families, housed
for decades in conditions of solitary confinement, without adequate medical treatment or sensory stimuli. They can be shot at, beaten, and left hogtied in prison corridors with few avenues of appeal — except internally, to those sanctioning their treatment — and little sympathy from the society which has evacuated them into these spaces. Indeed, anything seems possible within these liminal zones. Moreover, as the history of the evolution of supermaximum prisons indicates, their entrenchment into American penological culture is literally a case of the exception becoming the rule, or the normalization of a state of exception. After all, the supermax institution represents the entrenchment and normalization of lockdown measures traditionally employed only temporarily and in exceptional situations.

Agamben’s other conceptualizations of camp — in particular, its theorization as a paradigm through which to assess the current international climate — is also eminently useful to analyses of supermaximum imprisonment. The paradigm of camp offers an ontological and methodological foundation not only for the establishment of a theoretical platform from which to study supermaximum security institutions as distinct entities, but also for the insertion of supermaxes into the realm of other liminal spaces. While detailed case studies of particular supermaximum security prisons are invaluable as sources of information on otherwise inaccessible spaces, exclusively analyzing these institutions in isolation from other liminal camp spaces diminishes the potential that these interrogations will expose the collective significance of all such spaces, and the implications of their proliferation.

Inserting supermax prisons into the camp paradigm, therefore, reveals the current social trajectory, which entails the narrowing of the scope of normalcy and acceptability, the proliferation of creative and sophisticated modes of intrastate exclusion of undesirable populations, the resultant multiplication of internal borders and segmentation of society, and the progressive normalization of the state of exception as a method for dealing with this madness.

Entrenching Exclusion The drawback of intrastate exclusion into penitentiary institutions, of course, is its relatively temporary character. Although an increasing number of prisoners in both noncamp and camp institutions are confined permanently, or for long stretches of time, most will be released
back into society at one point or another. As they will be no more desirable and no less superfluous or abject than they were prior to their expulsion, modes for their continued exclusion (if not physical, at least institutional and structural) are necessary. Thus, for those who are not sentenced to death or life imprisonment, both noncamp and camp prisons are increasingly becoming temporary stops on a road to permanent social, political, and economic intrastate exclusion. The United States has perhaps the most extensive and comprehensive guidelines for the permanent removal of former prisoners from “respectable” society. The process is often referred to as “invisible punishment,” “collateral consequences,” or “civil disabilities” and “civil death.” The last reference harkens back to traditions carried into Europe from ancient Greek and Roman civilizations whereby offenders suffered a “civil death” that entailed the loss of all civil rights, confiscation of property, and exposure to injury or even to death, as the outlaw could be killed with impunity. Reduced to bare life and effectively effaced from the realm of humanity (even though still physically present), the offender, like all those reduced to bare life, could be killed without being murdered, as he or she was at best an animal.

Presently, the rescinding of the political rights of citizenship revolves around the disenfranchisement of individuals convicted of felony offences. All but two states (Maine and Vermont, where both prisoners and former prisoners are allowed to exercise their right to vote) disenfranchise those imprisoned on felony convictions. Alaska and a handful of other states have also retained disenfranchisement provisions in regard to crimes of “moral turpitude.” Of the states that disenfranchise prisoners, only thirty-one restore their rights automatically upon release from prison and the completion of parole. The remaining states all institute some form of permanent disenfranchisement. Alabama, Florida, Iowa, Kentucky, Mississippi, Nebraska, Nevada, New Mexico, and Virginia require former felons to obtain pardon from the state’s governor, or in the case of Nebraska and Nevada, from the Board of Pardons. In Delaware, individuals convicted of murder, manslaughter, any felony constituting a sexual offence, or an offence against public administration involving bribery, improper influence, or abuse of office are not eligible to have their voting rights restored. A
similar ban exists in Tennessee where those convicted of murder, aggravated rape, treason, or voter fraud after 1 July 1986, or rape after 30 June 1996, are permanently disenfranchised. Wyoming institutes a lifetime ban for those convicted of one violent felony, while Maryland and Arizona permanently disenfranchise individuals convicted of two violent felonies. For residents of those five states, the only avenue available for the restoration of civil rights is a presidential pardon.

Thus, while in all states the right to vote can be regained theoretically, the intricacy of the process and the resources required to follow it through make it extremely difficult in practice. Consequently, the number of former convicts who regain the right to vote is extremely low. For instance, of the 200,000 ex-felons residing in Virginia between 1996 and 1997, only 404 had the right of franchise restored.\textsuperscript{50} Prisoners convicted of federal offences face additional barriers, as at least sixteen states bar these offenders from using State procedure to restore voting rights, necessitating in effect a presidential pardon.\textsuperscript{51} It is not surprising, therefore, that millions of Americans are currently prohibited from voting. The most recent national statistics available indicate that approximately 4.7 million Americans — one in forty-three adults — have currently or permanently lost their right to vote due to a felony conviction.\textsuperscript{52} This represents an increase of 0.8 million from a few years ago, when one in fifty adults were disenfranchised.\textsuperscript{53} Of the 4.7 million disenfranchised Americans, 1.4 million are individuals who have successfully completed their prison sentences.\textsuperscript{54} On a state-by-state basis, fourteen states are currently excluding over two percent of their population.\textsuperscript{55} In most states, a large portion of this population has already “done their time,” including parole. In Alabama, for instance, 80.3\% of the disenfranchised population are ex-felons; in Mississippi, the figure stands at 86.2\%; in Virginia at 80.3\%, and in Wyoming, 73.8\% of the disenfranchised population have fully served their sentence.\textsuperscript{56}

Incarceration-related disenfranchisement disproportionally affects African American and other visible minority populations. Approximately 1.4 million African American men — 13 percent of the African American population — are disenfranchised due to felony convictions.\textsuperscript{57} According to data obtained by Human Rights Watch, two states have disenfranchised one in
three African Americans, while eight states have disenfranchised one in four.58 States with the highest rates of African American disenfranchisement include Alabama, which disenfranchised 31.5% of its black population; Delaware 20.0%; Florida 31.2%; Iowa 26.5%; Mississippi 28.6%; New Mexico 24.1%; Texas 20.8%; Virginia 25.0%; Washington 24%, and Wyoming, which refuses the right to vote to 27.7% of its black population.59 According to projections, given the current rates of incarceration, more than 30% of the next generation of African Americans will be disenfranchised at some point in their lives.60

The “civil death” of ex-felons is not achieved by disenfranchisement alone, even though it seems that the majority of research and agitation by human rights organizations and prison rights activists is dedicated to this cause. In addition to being disqualified from one of the fundamental political rights of citizenship, former felons are also ineligible for many of the economic rights accorded to “worthy” and “respectable” American citizens. First, Section 115 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (more commonly referred to as the Welfare Reform Act of 1996) allows states to permanently disqualify anyone convicted of a felony drug offence from receiving welfare and food stamp benefits.61 While states can opt out of this provision, forty-three states currently enforce the ban in full or in part. Twenty-two states deny both welfare and food stamp benefits entirely and permanently to all individuals previously convicted of felony drug offences;62 three states deny both benefits to those convicted of the sale of drugs only;63 seven states deny benefits partially or for a temporary period,64 and in ten states, benefits are dependent on the ex-convict’s participation in drug treatment.65 Only nine states have opted out of the ban completely.66 According to a study by Patricia Allard, which analyzed the specific impact of the ban on women, African American women (and surely by extension, the African American population in general) are disproportionately affected: more than 48 percent of those affected by the ban are African American women (approximately 35,000 women).67

Second, individuals convicted of felony drug offences are also subject to discrimination with respect to public housing. A 1996 government policy
called the One Strike Initiative authorized local public housing authorities to obtain criminal conviction records of adult applicants or tenants for screening and eviction purposes. In accordance with the initiative, local public housing authorities are empowered to deny housing to individuals previously convicted of drug offences, or those presently “suspected” of drug involvement. Since the implementation of this law, the number of applicants denied public housing due to criminal backgrounds doubled, from 9,835 to 19,405.

Third, a 1998 Amendment to the Higher Education Act suspended eligibility for student loans for anyone convicted of a drug offence. The amendment promises to deny or delay all federal financial aid (including grants, loans, and work assistance) for postsecondary education. During the 2000-2001 school year, more than 43,000 students were adversely affected by the amendment.

Fourth, a lifetime public employment ban exists in several states, including at least six of the states that also fully or partially enforce the welfare and food stamp ban. While other states do not technically impose the ban, broad discretionary powers in hiring procedures increase the likelihood that previously convicted felons will not be hired in public service. In addition, a number of states prohibit ex-felons from obtaining occupational or professional licenses in fields such as education, childcare, social work, nursing, dentistry, health, physical therapy, and accounting.

The trend towards more symbolic exclusions of former convicts from the communities into which they are released is also gaining wider acceptance. The web-based prisoner and parolee search engines, which provide the user with all of the personal information of ex-prisoners (including their addresses upon release) are one example. Even broader postdetention exclusionary measures are imposed on sex offenders. Under the regime of “Megan's Laws” entrenched by federal and state governments in 1996, federal and state authorities are permitted to not only keep a registry of all former sex offenders in their jurisdiction for periods extending from ten years to life, but also to notify the public of their whereabouts through mailings, posters, media announcements, and CD-ROMs containing the files of all ex-offenders coded by geographical area. By 1998, convicted sex offenders in every state were
subject to registration, with some states enforcing the law retroactively — as of that year, nearly 280,000 sex offenders were listed in registries across the country. In Louisiana, former sex offenders must notify their landlords, neighbours, and the directors of the local school and municipal parks (in writing) of their penal status. They must post warnings of their presence in a community newspaper within thirty days of their arrival. In addition, the law authorizes “all forms of public notification,” including posters, handbills, and bumper stickers, and a judge may even request that former sex offenders wear “distinctive garb” that readily identifies them as such.

The consequences of such draconian deprivations are not difficult to comprehend. In 2001 alone, 600,000 individuals — roughly 1,600 a day — were released from state and federal prisons. With little or no government assistance, restricted access to public housing and postsecondary education, and with extremely limited job opportunities, the staggering rates of recidivism encountered by many counties are not surprising. In Allan County, Indiana, where recidivism rates mirror the national average, 63 percent of offenders are returned to prison for technical violation of parole or on new charges within the first year of release, 78 percent within two years, and more than 90 percent within three years. Other studies reveal that a large number of prisoners are drawn from a relatively small number of neighborhoods. In Baltimore, for instance, 15 percent of the city’s neighborhoods account for 56 percent of prison releases. Combined, the studies suggest that offenders, former offenders, and those soon to be imprisoned not only come from the same neighborhoods, but are indeed the same individual. Thus, as Michel Foucault aptly argues, recidivism seems to represent a triumph rather than a failure of the prison system, as it produces an “enclosed illegality” of criminals who are perpetually recycled through the penal system and are consequently incapable of contaminating “respectable” citizens and their neighborhoods, while at the same time functioning as an example for these citizens of the dangers of nonconformity. Making a similar argument, Loïc Wacquant notes that the vicious circle of imprisonment, ghettoization, and reimprisonment contributes to the ongoing construction of American identity:

Around the polar oppositions between praiseworthy ‘working families’ —
implicitly white, suburban, and deserving — and the despicable ‘underclass’ of criminals, loafers, and leeches, a two-headed antisocial hydra personified by the dissolute teenaged ‘welfare mother’ on the female, and the dangerous ‘gang banger’ on the male side — by definition dark skinned, urban and undeserving. The former are exhaled as the living incarnation of genuine American values, self-control, deferred gratification, subservience of life to labor; the latter is vituperated as the loathsome embodiment of their abject desecration, the ‘dark side’ of the ‘American dream’ of affluence and opportunity for all...And the line that divides them is increasingly being drawn, materially and symbolically, by the prison.79

Conclusion The inclusive exclusion of superfluous, abject, and dangerous populations has reached a feverish pitch in contemporary American society. Perhaps the first step to challenging the increasing frequency of such intrastate expulsion, and the related attempt to purify the ranks of citizens, is the realization that the state of exception is gradually becoming the rule. Through an analysis of the exclusion of certain populations into the liminal spaces that are camp prisons, this paper attempts to do just that.

Notes

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3. Ibid., p. 212. Italics in original.
5. Ibid.
6. Ibid., p. 142.
7. Ibid., p. 20.
9. This represents the total number of prisoners housed in: federal and state prisons (1,361,258,
excluding federal and state prisoners housed in local jails); territorial prisons (16,206), local jails (665,475); facilities operated by or for the Bureau of Immigration and Customs Enforcement, formerly the US Immigration and Naturalization Service (8,748); military facilities (2,377); jails under Aboriginal jurisdiction (1,912, as of midyear 2001), and juvenile facilities (110,284 as of October 2000). Paige Harrison and Allan Beck, "Prisoners in 2002," US Department of Justice, Bureau of Justice Statistics (July 2003), http://www.ojp.usdoj.gov/bjs/pub/pdl/p02.pdf.

10. Ibid.
11. Ibid.
12. Ibid.
13. Ibid.
17. The National Commission on Correctional Health Care issued a report to Congress in March 2002, which found that: on any given day, between 2.3 and 3.9% of inmates in State prisons are estimated to have schizophrenia or other psychotic disorders, between 13.1 and 18.6% have major clinical depression, between 2.1 and 4.3% have bipolar disorders, between 22.0 and 30.1% have anxiety disorders, and between 6.2 and 11.7% display symptoms of posttraumatic stress disorder. For these and other statistics regarding imprisonment and mental health, including state-by-state analyses of mentally ill prisoners, see Sasha Abramsky and Jamie Fellner, "Ill-Equipped: U.S. Prisons and Offenders with Mental Illness” (New York: Human Rights Watch, September 2003), http://www.hrw.org/reports/2003/usa1003/.
18. Ibid.
19. As with general imprisonment statistics, research conducted by Human Rights Watch exposed a significant variation in supermaximum security confinement between states. Arkansas, for instance, reported that 15 percent of its population was in either administrative or disciplinary segregation; Texas reported 6.8% in administrative segregation (and provided no data on disciplinary segregation); and New York reported that 7.8% of its prison population was in disciplinary segregation (and none in administrative). Ibid.
22. Ibid., p. 79.
26. The phrase is borrowed from Sykes, Society of Captives (1958).
27. Under the rubric of camp prisons are subsumed all stand-alone institutions as well as units within institutions ("prisons within prisons") that are rated above the level of maximum security. These include secure housing units (SHUs), supermaximum security prisons (supermaxes), intensive management units (IMUs) and administrative segregation units (ASUs), all of which are characterized by virtually perpetual solitary confinement.
29. In October 1983, after years of mounting tensions, Marion experienced a week of violence
during which two guards were knifed to death and one inmate was murdered. In response, prison officials instituted a “permanent lockdown” in the facility. Marion prisoners spent 23 hours in their cells, exercised in small groups, were denied all work and social programs, were permitted one ten-minute social phone call per month, three showers per week, and could not exit their cells without being handcuffed and shackled. The Bureau of Prisons has noted that since that time, most inmates have been downgraded from Marion and moved to standard institutions. However, the twenty-one original prisoners who remained have been under lockdown conditions for over a decade. Robert Perkinson, “Shackled Justice: Florence – The Cutting Edge of Social Control,” in Elihu Rosenblatt, (ed.), Criminal Injustice: Confronting the Prison Crisis (Boston: South End Press, 1996), pp. 334-336; Jamie Fellner and Joanne Mariner, “Cold Storage: SuperMaximum Security Confinement in Indiana” (New York: Human Rights Watch, October 1997), http://www.hrw.org/reports/1997/usind/.

31. Ibid.
33. Fellner “Red Onion State Prison.”
34. Ibid.
35. Ibid.
36. Ibid.
40. Ibid.
42. Fellner, “Red Onion State Prison.”
44. Although Agamben does not provide a precise definition of “bare life,” his reflections on this condition indicate that it is the state of existence wherein a human being persists in the abyss that is the liminal space, stripped of everything (identity, politics, rights) but his or her corporeal being, effectively effaced from among humanity.
47. In many jurisdictions of the United States, a felony is any offence carrying a potential penalty of more than one year in prison. In Massachusetts, on the other hand, a felony is any offence that carries any prison time.
48. According to the State of Alaska, felonies and crimes of moral turpitude are “those crimes that are immoral or wrong in and of themselves.” The Alaska legislature states that these include: murder; manslaughter; assault; sexual assault; sexual abuse of a minor; unlawful exploitation of a minor; robbery; extortion; kidnapping; incest; arson; burglary; theft; forgery; criminal possession of a forgery device; receiving a bribe; perjury; endangering the welfare of a minor; escape; promoting contraband; interference with official proceedings; receiving a bribe by a witness or a juror; jury tampering; misconduct by a juror; tampering with physical evidence; hindering prosecution; terrorist threatening; rioting; criminal possession of explosives; unlawful furnishing of explosives; promoting prostitution; criminal mischief; misconduct involving a controlled substance or an imitation controlled substance; permitting escape; promoting gambling; possession of gambling records; distribution of child pornography; possession of child pornography; stalking; endangering the welfare of a vulnerable adult; fraudulent use of a credit card; and criminal use of a computer. The State of Alaska website
cautions that the list is not exhaustive and that many more crimes can be considered crimes of moral turpitude. US Department of Justice, Civil Rights Division, Restoring Your Right to Vote, http://www.usdoj.gov/crt/restorevote/Alaska2.pdf.

49. In North Carolina and Washington the process is essentially automatic, although a formal application for the restoration of civil rights is required. In Connecticut, a former convict must additionally provide written proof of having paid all fines stemming from the conviction, and in Pennsylvania ex-felons must be registered as voters prior to their conviction (in which case the restoration of the franchise is automatic). Alternately, the mandatory waiting period is five years following release.

50. Fellner and Mauer, “Losing the Vote.”


55. Alabama; Arizona; Delaware; the District of Columbia; Florida; Georgia; Iowa; Maryland; Mississippi; Tennessee; Texas; Virginia; Washington, and Wyoming. From statistics obtained from “Fact Sheet: States that Bar Ex-Offenders from Voting” (New York: Human Rights Watch, October 1998), http://www.hrw.org/press98/oc t/vote_fact1022.htm.

56. Ibid.

57 Fellner and Mauer, “Losing the Vote.”

58. Ibid.

59. “Fact Sheet.”

60. Reid, Amendment.


62. Alabama; Alaska; Arizona; California; Delaware; Georgia; Idaho; Indiana; Kansas; Maine; Mississippi; Missouri; Montana; Nebraska; New Mexico; North Dakota; Pennsylvania; South Dakota; Tennessee; Virginia; West Virginia, and Wyoming. See Allard, “Life Sentence.”

63. Arkansas, Florida, and Rhode Island.

64. In Colorado; Illinois; Iowa; Louisiana; Massachusetts; North Carolina, and Texas, ex-convicts must either wait a set period before being eligible for benefits or, alternately, are denied either food stamps of welfare benefits, but not both.

65. Hawaii; Kentucky; Maryland; Minnesota; Nevada; New Jersey; South Carolina; Utah; Washington, and Wisconsin.

66. Connecticut; the District of Columbia; Michigan; New Hampshire; New York; Ohio; Oklahoma; Oregon, and Vermont.


68. Ibid.

69. Mauer, “Invisible Punishment.”


71. Alabama; Delaware; Iowa; Mississippi; Rhode Island, and South Carolina.


74. Loïc Wacquant, “Deadly Symbiosis: When Ghetto and Prison Meet and Mesh,” in David

75. Travis, Solomon, and Waul, “From Prison to Home.”


77. Travis, Solomon and Waul, “From Prison to Home.”
