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978-0-521-83096-6 - The Crisis of Imprisonment: Protest, Politics, and the Making of the American Penal State, 1776-1941

Rebecca M. McLennan

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THE CRISIS OF IMPRISONMENT

In the Age of Jackson, private enterprise set up shop in the American penal system. Working hand in glove with state government, by 1900 contractors in both the North and the South would go on to put more than half a million imprisoned men, women, and youth to hard, sweated toil for private gain. Held captive, stripped of their rights, and subjected to lash and paddle, these convict laborers churned out vast quantities of goods and revenue, in some years generating the equivalent of more than \$30 billion worth of work. By the 1880s, however, a growing cross-section of American society came to regard the prison labor system as morally corrupt and unbecoming of a free republic: it fostered torture and other abuses, degraded free citizen-workers, corrupted the government and the legal system, and defeated the supposedly moral purpose of punishment. *The Crisis of Imprisonment* tells the remarkable story of this controversial system of penal servitude – how it came into being, how it worked, how the popular campaigns for its abolition were ultimately victorious, and how it shaped and continues to haunt America’s modern penal system. The author takes the reader into the vital, robust world of nineteenth-century artisans, industrial workers, farmers, clergy, convicts, machine politicians, and labor leaders and shows how prisons became a lightning rod in a determined defense of republican values against the encroachments of an unbridled market capitalism. She explores the vexing moral questions that prisons posed then and that are still exigent today: What are the limits of state power over the minds, bodies, and souls of citizens – is torture permissible under certain circumstances? What, if anything, makes the state morally fit to deprive a person of life or liberty? Are prisoners slaves and, if so, by what right? Should prisoners work? Is the prison a morally defensible institution? The eventual abolition of prison labor contracting plunged the prisons into deep fiscal and ideological crisis. The second half of the book offers a sweeping reinterpretation of Progressive Era prison reform as above all a response to this crisis. It concludes with an exploration of the long-range impact on the modern American penal system of both penal servitude and the movement for its abolition.

Rebecca M. McLennan is Associate Professor of History at The University of California, Berkeley. In 1999, she received Columbia University’s Bancroft Award for her doctoral dissertation on the rise of the American penal state.

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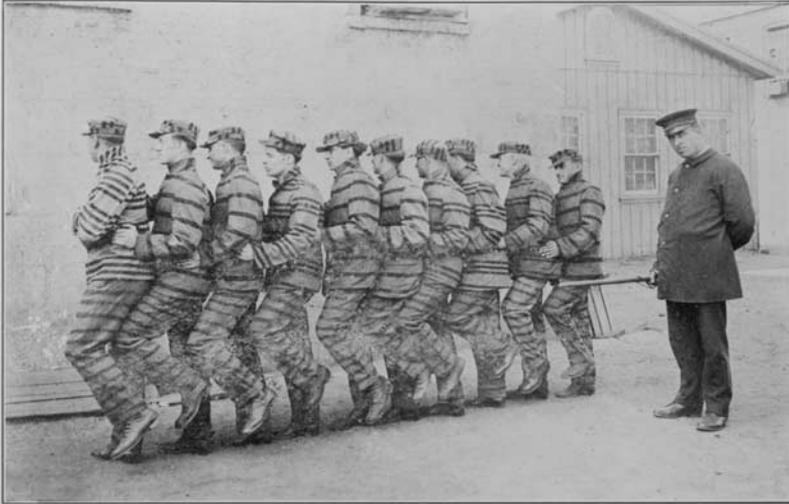
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The Old System—and



The New

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For Ásta, Felicity, and Roy

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Acknowledgments

This book originated, more years ago than I care to admit, as a doctoral dissertation in Columbia University's Department of History. It matured as a book manuscript at Harvard University and was finally put to rest at the University of California, Berkeley. Each of these institutions generously funded its research and writing. Columbia's Richard Hofstadter and Whiting fellowships provided funding and release from teaching for the first phase of the work. Subsequently, faculty research grants from the History Department at Harvard University, the Charles Warren Center for Studies in American History, the Committee on Degrees in Social Studies, and Harvard's Cooke-Clark and Dunwalke funds enabled me to undertake the fresh research needed to turn a doctoral dissertation into a book manuscript. A sabbatical and research funding from the UC Berkeley History Department made it possible for me to write up the new material and to completely overhaul, polish, and, finally, dispatch the manuscript.

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