



## Grasping structural racism from the field: a case study of the French carceral system

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**Abstract:** *Based on a review of literature and field studies in penal institutions, this article proposes ways of analyzing the effects of racializing (di)visions (re)produced by justice actors in France today as in the past. While structural racism leads non-White youth to be over-incarcerated, they become the scapegoat of dysfunctions and failures of the (para)carceral system as the motor of its extension and hardening. Linking the criminal justice system to the national slavery and colonial enterprise helps us see the historical role of the State in this racially selective violence and seize the trickledown racism at play on the field, from higher-level officials to subordinate employees, targeting young poor afro-descendants and defining their trajectories.*

**Keywords:** Structural racism, French prison, territoracialization, juvenile justice, State violence.

### Compreender o racismo estrutural do campo: um estudo de caso do sistema carceral francês

**Resumo:** *Com base em uma revisão de literatura e estudos de campo em instituições penal, este artigo propõe maneiras de analisar os efeitos das (di)visões racializantes (re)produzidas pelos atores da justiça na França hoje como no passado. Devido ao racismo estrutural levar os jovens não brancos a serem encarcerados, eles se tornam o bode expiatório das disfunções e falhas do sistema (para)carcerário como motor de sua extensão e endurecimento. Vincular o sistema de justiça*

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*criminal à escravidão nacional e à empresa colonial nos ajuda a ver o papel histórico do Estado nessa violência racialmente seletiva e enxergar o racismo estatal que está em jogo, de funcionários de nível superior a funcionários subordinados, visando jovens pobres afrodescendentes e definindo suas trajetórias.*

**Palavras-chave:** racismo estrutural, prisão francesa, territoracialização, justiça juvenil, violência do estado.

### **Agarrar el racismo estructural desde el campo: un estudio de caso del sistema carcelario francés**

**Resumen:** *Basado en una revisión de la literatura y los estudios de campo en instituciones penales, este artículo propone formas de analizar los efectos de las (di) visiones raciales (re)producidas por actores de justicia en Francia hoy como en el pasado. Si bien el racismo estructural hace que los jóvenes no blancos son sobre-encarcelados, se convierten en el chivo expiatorio de las disfunciones y fallas del sistema (para)carcelario como el motor de su extensión y endurecimiento. Vincular el sistema de justicia penal con la esclavitud nacional y la empresa colonial nos ayuda a ver el papel histórico del estado en esta violencia racialmente selectiva y captar el racismo estatal en el campo, desde funcionarios de nivel superior hasta empleados subordinados, apuntando a jóvenes pobres afrodescendentes y definiendo sus trayectorias.*

**Palabras clave:** racismo estructural, prisión francesa, territoracialización, justicia juvenil, violencia estatal.

The challenge of addressing racism in the social sciences – as a power structure based on the production of race, racialized<sup>2</sup> groups and racial inequalities, bound to slavery, segregation and colonialism, which recomposes itself through different contexts and periods of history - remains an important stumbling block of our day. While many researchers in English-speaking academia center critical race theory at the core of their investigation, it continues to be a blind spot for most of their French-speaking counterparts.

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2 The term racialized is used here to designate the process of assigning individuals either to dominated groups (i.e., racialized as Black, Arab, Roma etc.) either to a dominant group (i.e., racialized as White), defined by phenotypical, genealogical, cultural criteria. It therefore refers to the political and social production of race with its racial categories and hierarchies and not to its alleged biological foundations.

Paradoxically, the international trend of intersectionality since the turn of the millennium, has not flipped the switch partially due to its “whitewashing” (Bilge, 2015). While this framework of analysis was created by Afro-feminist activists “to combat the manifold and simultaneous oppressions that all women of color face” (Combahee River Collective, 2006 [1977]), the hegemonic science has essentially erased its roots, hijacked its usage, and invisibilized the knowledge and contributions of minorities. This process is particularly felt in the francophone field of research, where “the question of racism then appears to play a secondary, even tertiary role, when it is not simply evacuated from the analysis” (Garneau and Giraud-Baujeu, 2018: 12) along with “(post)colonial history” (Ait Ben Lmadani and Moujoud, 2012) in favor of gender and/or class relations that are considered exclusively paramount (Bourque and Maillé, 2015; Mazouz, 2020).

In France, the study of the penal system has deeply failed to address the structural racism at stake, embodied by material and symbolic mechanisms which persist in (re)producing inequalities between the majority and racial minorities: public policies; institutional procedures, processes and practices; day-to-day classifications; agents’ beliefs, affects, behaviors, etc. As in many participating countries in slavery and colonialism, the overrepresentation of Black and Brown people in French prisons is undeniable, however in the French context, it remains a “public secret” (Fassin, 2015: 122), known but silenced, for various reasons. First, as race is not a category of the state’s statistics (Belkacem et al., 2019), it contributes to the difficulty of revealing racial inequalities on a large scale, whether politically or scientifically. Moreover, the colorblindness specific to the French “republican habitus” (Eberhard, 2010; Le Moigne, 2022), marked by the refusal to recognize the existence of racial minorities, accentuates the tendency to refute the existence of discrimination. French universalism imposes that the only legitimate community is national, and strictly defined by its indivisibility. Finally, the potential scientific, political or moral discredit (Mazouz, 2020) and possible material consequences for researchers manipulating this “traumatic political object” that is “race” (Brun and Cosquer, 2012: 9), are part of the explanation why it’s easier to put aside the racial question, and more notably the state’s implication in it.

In this context, observing firsthand the prison “‘overconsumption’ of French citizens perceived and treated as foreigners” (Wacquant, 2005: 38), and their particular repression along the whole penal chain (police, justice, prison and its alternatives) presents an opportunity to free the elephant in the room. Unfortunately, most empiric research on discrimination seems to be often limited by

the debate on the use of this notion as well as the intentionality of state agents and the purpose of the institution concerned, which they are quick to deny. Furthermore, the fact that the social characteristics of the population racialized as non-White are heterogeneous and different from the population racialized as White is used to disprove racism when the latter are privileged, because all things *are not* equal otherwise. Accordingly, penal institutions would only echo the social inequalities which precede them and repeat the inequities following the law, which is known to mechanically disadvantage poor people. Therefore, this differential treatment would be overall involuntary, indirect but most importantly exterior of where it is taking place. And even when the discrimination, doesn't hold on automatic procedural criteria, but on the direct subjectivity of the judge or the "annex judges"<sup>3</sup> (Foucault, 1975: 26), the arbitrariness would rather arise from an objective social proximity with the person judged rather than the racism at play. This positive identification would then favor people from the same social group as the (White) decision-making person only because they appear more "normal" and, in turn, worthy.

These difficulties to apprehend systemic racism in a colorblind environment, where resources, possibilities and legitimacy are limited and where social, moral and legal reprobation of racial discrimination produced by state agents/institutions will likely affect the scientist who addresses it, are only exceeded by the necessity to overcome them. This need to face systemic racism and state violence become an emergency to unmask it after its reset specific to the "postcolonial and/or post-segregationist era" (Bentouhami and Möschel, 2017: 4). Based on a literature review and ethnographical experiences in the French (para)carceral system, this article aims to identify biases that prevent researchers on the ground from grasping the structural racism that leads Black and Brown people to overexposure to violence and exploitation. It proposes tools to identify State racism, articulated at the different levels of the Nation-State and inseparable from its slave and colonial enterprise, as a reflexive, materialist and genealogical approach. More than understanding the roots and the effects of racist discourses and practices from justice actors, this paper intends to demonstrate how without the racial (di)visions of French youth, the State wouldn't have been able to justify, extend and harden the carceral chain, intended for children, for two hundred years.

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3 Foucault calls "annex judges but judges all the same": "psychiatric experts or psychologists, sentence enforcement magistrates, educators, prison administration officials" (Foucault, 1975: 26).

Based on a French case study, first, we will see how reflexivity helps us to avoid a mainstream ethnocentric and individualizing vision of racism where people of color are made out to be the agent of it more than the object of it. Then, I will propose to look up at the role of high-ranking officials in the construction of racial categories that lead us to consider racial (di)visions as the historical conditions of the development of penal institutions. Finally, I will demonstrate how euphemized racialization, that subtly categorize and hierarchize people depending on their racial assignment, determine the recruitment, the division of labor and the practices of state agents on the field through a trickle-down effect, leading non-White youth to be more likely locked up, and in more difficult conditions.

### Don't look down on subordinates, don't limit yourself to the obvious

The third millennium saw the emergence of numerous ethnographic studies in France of the prison world *from below*, highlighting the inmates' capacities for agency to resist and/or adapt to the imposed punitive order. Field studies have also taken as their subject the professionals who face prisoners, exposing the paradoxical constraints that determine the action of these state agents between their missions and the prisoners' day-to-day situations. More rarely, qualitative research has focused simultaneously on the practices of guards and inmates and the interactions that condition them. These investigative practices have put institutional logics in the background, to the point of invisibilizing the structural racism that underpins the prison institution, as well as the central role of the state, nurturing the participation of the humanities and social sciences in the reproduction of this socio-racial order through a lack of reflexivity.

Researchers working in French prisons have no hesitation in adopting the indigenous category of "suburban youth" ["jeune de banlieue"], commonly encountered in the field, to characterize Black and Brown adolescents in detention. This imprecise characterization, which is also widespread in media and politics, takes a variety of forms, including "housing project youth" ["jeune de cité"], "ghetto youth" ["jeune de quartier"], "suburbanite" ["banlieusard"] and so on. This ordinary categorization designates a population circumscribed by an indeterminate age and occupying a territory with approximate contours; however, it is rarely defined by the scientists who use it, making the reference to race invisible. In this way, the phenomenon of identity assignment occurs implicitly, leaving no visible traces at first glance, in keeping with the "republican habitus" (Le Moigne, 2022), its "abstract universalism" (Mazouz,

2020: 82) and its blindness to racism. In which case the term is outlined, it does not release it of its commonplace connotation, nor the classist and racist social imaginary it conjures up, of a horde of poor Arab and Black youth, responsible for a “balkanization” (Terrio, 2009: 90) or even a “reverse colonization” (Rigouste, 2004: 80) of government housing projects on the outskirts of cities.

The pejorative label of “housing project youth” is presented as coming exclusively from those it designates<sup>4</sup>, as the result of mechanisms of self-identification and self-affiliation, without questioning either the internalization of the stigma, or its possible reversal, and even less its roots, uses or effects within the prison system<sup>5</sup>. This might remain unimportant were it not for the fact that, for decades, the figure of the “housing project youth” has been mobilized by the designers of norms – the Minister of the Interior, the Minister of Justice and legislators – to determine the target population of places of deprivation of liberty for minors, where young people from working-class and former colonies are logically over-represented (Carlos: 2022). By invisibilizing the process of exogenous designation which “determines from the outside” (Fanon, 1952: 93), we are witnessing a shift of responsibility for racism onto those who suffer it: “The problem is no longer ‘our’ racism, but ‘their’ racism, the racialization of society being understood as the effect not of discrimination but of communitarianism” (Fassin and Fassin, 2006).

The category of “suburban youth”, borrowed from common use, became first the object of urban sociology, to be circumscribed, or at least defined as such, before being taken up by researchers in the penal field employing it as an analytical category. Therefore the categorization of “housing project youth” went from being an “object” of study outside the walls, to a “tool” of analysis (Wacquant, 2023: 179) inside the walls, operating an “amalgam [between] indigenous concepts and analytical concepts” (Wacquant, 2023: 126). Rather than attempting to understand what this notion covers – *i.e. who is considered a “suburban youth”, by whom and on the basis of what criteria?* – and its implications – *what are the consequences on the carceral system and the disciplinary careers of the inmates designated as such?* – the unthinking nature of these categorization logics leaves room for the reproduction of caricature representations and its consequences. This brief overview invites us to take up Loïc Wacquant’s observation, made in

4 This process of self-definition and self-appropriation of an identity is neither spelled out nor clearly recorded, which raises doubts about the actual proportion of “young people from housing projects” encountered, and about the criteria used to classify them.

5 Recent work has focused on the issues of identification and classification that determine order management in adult prisons. On this subject, see Veaudor (2020).

the U.S. context, about urban ethnographies of the Black ghetto, plagued by “ethnographism”<sup>6</sup>: “The failure to construct a properly sociological problematic independent of the common sense of agents [...], of the mainstream research on poverty [...] or of journalists and public decision-makers [...] leaves an embarrassing residue that cannot fail to resuscitate stereotypes of origin” (Wacquant, 2023: 160). Not only do “housing project youth” exist mainly as representatives of their supposed group of belonging, but it is above all the characteristics considered intrinsic to this group that justify the inequalities of treatment which they suffer from.

Among these clichés propagated through politics, media and sciences is the idea that young people “from the suburbs” are physically precocious and morally backwards, immersed in a criminal environment where they cultivate violence and become persistent offenders, ultimately seen less as children than “traditional” French youths. The figure of these “ghetto youths” in carceral sociology is constructed around their so-called “warrior capital” (Sauvadet, 2006). As a result of these supposed specificities, aligned with the colonial imaginary, these neo-delinquents would be insensitive to confinement and beyond rehabilitation. This particular idea is still being developed in multiple scientific thesis, reports, books and papers about “ghetto youths” in French prison. Far from the prison shock that is supposed to bring about desistance<sup>7</sup>, they would rather be the actors of a “trivialization” of their experience of detention (Le Caisne, 2009; Bony, 2015; Simon, 2023), which they would perceive as “obligatory” (Le Caisne, 2009), “inevitable” (Bony, 2015), and “inescapable” (Simon, 2023), to which they would be more “adapted” and by which they would be less impacted than their peers.

This kind of conclusion is akin to the stereotyping of “adolescents of color” also over-represented in the U.S. criminal justice system, according to which “minority youth are prone to violence and criminal activity, they are not in school or working, and worst of all they expect to be incarcerated and therefore are not uncomfortable with being securely confined” (Bell James, 2000: 189 apud Nunn, 2002: 709). The American author goes on to say that “Such assumptions reflect an expectation of failure that in turn is internalized by the young people who do in fact fail”. In the French context, the stereotypes conveyed by colorblind research reinforce this racialization and self-fulfilling prophecy mechanisms from

6 The author defines the trap of ethnographism as the tendency to want to describe, interpret and explain a phenomenon based solely on the elements discerned by fieldwork, far from an ethnography that must be enactive, structural and historicized.

7 The term describes the process that gradually leads to the cessation of delinquent behavior.

the top. While these theories are disseminated among the legal actors in charge of deciding or applying public policies, they are used to provide scientific backing for the differentiated treatment of defendants.

This blindness to, or lack of interest in, the racial power relations at work in (crypto)prisons, which also obliterates the institution's history and foundations, seems to be based on and fed by researchers' lack of reflexivity. Prison research in France, particularly on minors, is legion, reifying the figure of the "suburban youth" and the racializing assignment it implies, and is often funded by the Ministry of Justice (Le Caisne, 2008; Solini, 2017; Simon, 2023) or one of its subcontractors in the associative sector (Farcy-Callon, 2020). These studies push the concept of "suburban youth" to its limit when this group is portrayed as a homogeneous population within the (para)carceral confines, bound and defined by fixed norms and values. As in the journalistic and political spheres, the social sciences reproduce racial prejudices against the "housing project youth". They then appear, without exception, to be subject to a deviant culture, which would exclusively guide their actions and could, moreover, explain their remarkable presence within the walls rather than penal selection filters. The "suburbanite" would furthermore become the ambassadors of this "street culture", since their predominance would make them capable of disseminating these values or even prescribing the code of conduct, until it dominates.

While the people encountered throughout the penal chain, and *a fortiori* at the end of the chain "are predominantly Black and Arab" (Bouagga, 2015: 124), and therefore vastly over-represented particularly among the under-30s where they can represent more than two-thirds of people locked up (Fassin, 2015: 130-131; Carlos, 2022), the historical and institutional racism towards these inmates is not addressed. Likewise, in place of an analysis of the "effects of more subtle forms of institutional discrimination" that take place and define the prison universe and its history, is "an interpretive framework in which White explanations of inequality focus on the cultural characteristics of subordinated groups" (Mills; Brun and Cosquer, 2022: 108). This culturalist approach purports that behaviors of these majority inmates can be referred back to habitus incorporated within urban relegation zones dependent on a "street culture" (Lepoutre, 1997), leading them to make detention "an annex of the ghetto" (Le Caisne, 2009; Farcy-Callon, 2020: 313) creating an environment of "intimidation, aggression and physical confrontation" (Farcy-Callon, 2020: 175). This use of import theory exoticizes the behavior of young, poor, detainees of color (Cunha, 1995) and holds them primarily responsible for the violence that deprivation of liberty is based on. This "reflection theory", according to which "inmate violence is merely a



reflection of the violence taking place outside” (Chauvenet, 2011: 121), leaves in the shadows, if not the specificities of the (crypto)prison organization<sup>8</sup>, the social makeup of both staff and ethnologists themselves and the racial (di)visions at the foundation of the (para)carceral system and its inequalities.

The culturalist argument that dominates the social sciences in France today, very often comes to focus on the vulnerability or marginality of “some” detainees who would be ostensibly at odds with the supposedly hegemonic violent culture of the “ghetto youths”. The “vulnerable” inmate profile, who meets the criteria for whiteness, is defined by researchers as well as professionals by their physical and cultural otherness: more childlike and less dangerous as the typical prisoner. They are considered outsiders in prison and seen as the negative of the “suburban youth”, thus subjected to their “warrior capital” (Sauvadet, 2006). These so-called defenseless juveniles in custody - whether unknown to the justice system before getting involved in “criminal matters”, such as rape or murder (Le Caisne, 2008; Solini, 2017; Farcy-Callon, 2020; Simon, 2023) or involved in delinquent activities - seem to never belong in the prison setting due to their notable alterity, according to the researchers. Their unique physical appearance (perceived as White, described by their small stature and lack of “virility”), lack of local territorial anchorage, and imagined weakness in taking medication, drugs, or self-mutilating (Le Caisne, 2008; Solini, 2017; Farcy-Callon, 2020) would make them a subaltern in the new local social order benefiting only the detainees racialized as “ghetto youths”, i.e. Black and Arab.

This inverted social-racial order would overturn relationships of domination outside the walls and be dictated by the young people “from the suburbs”, who supposedly possess physical strength and strength in numbers<sup>9</sup>. With this mirror-image reasoning, the archetype of the “French”, “White youth”, takes shape in contrast to that of the “housing project youth” whose figure of an ordinary (or even expected) prisoner is in turn reinforced by that of their<sup>10</sup> White counterpart whose presence is considered abnormal *inside* prison. On the one hand, then, there are those young people “who don’t have the codes”, and “are on the whole less likely to be involved in violent interactions because of their lesser

8 These include at least the deprivation, “prohibition of action” (Chauvenet, 2011: 146) and “legal violence” (Chauvenet, 2011: 144) on which its structural organization is based.

9 “As for the ‘French’ [inmates] - i.e., the puny boys with French surnames (less than a dozen out of nearly seventy inmates) - their mistake is that they are the least numerous - so without the support of a group - and do not, a priori, have the same social destiny as teenagers of North African or sub-Saharan origin” (Le Caisne, 2009: 539).

10 The gender-neutral pronoun “they/them/their” is used here and after to include girls, trans, non-binary and gender non-conforming youth in the analysis.

propensity to resolve conflicts through physical confrontation” who, as a result, are “less often punished than other young people and suffer less often from the resulting isolation” (Simon, 2023: 93). On the other hand, there are the young natives of the prison environment, agents of the “trivialization of violence” (Simon, 2023: 44), who indulge in it or even spread it, and therefore deserve to be punished and ostracized.

This circular, self-sustaining demonstration, while justifying the privileged treatment of the White youth by their (good) attitude, at the same time reduces the unfavorable treatment reserved for the Black or Brown youth, such as their over-penalization, to a corollary of their values, integrated long before seclusion. By superimposing individual behaviors, “cultures” and groups, these investigations oppose and essentialize young people “from housing projects” and the others (neither Black nor Arab). In turn, these affiliation groups seem particularly homogeneous, caught up in “social relations” devoid of any power relations of race, class, gender, age, sexuality, nationality, disability etc., except when it’s to portray the “ghetto youths” as racist, sexist and homophobic. Moreover, the educational and disciplinary trajectories of these young people, starting with school, could be very different and might provide clues about their social background but are rarely noted in these analyses.

The supposed negative attitude of Black and Arab inmates, potentially targeting “Chinese” and “Romanians” (Le Caisne, 2009: 110), singling out “the French” “even more than others” (Le Caisne, 2009: 120), is interpreted as a form of “melanistic discrimination” (Solini, 2017: 44), “based on ‘race’” (Le Caisne, 2008: 120), which would lead to the victimization and exclusion of White people. These analyses take up and disseminate the idea of the existence of “anti-White racism” or even “reverse racism”, popular myths that have been sociologically deconstructed, such as “anti-male sexism”. To continue the dismantling of this legend, researchers would have to reflect on their ethnocentrism which leads them to show a particular interest in the fantasized unfavorable fate of the White and/or the middle-class inmates with whom they seem to identify. Beyond the de-historicized, astructural, even moral, and clearly biased definition of racism on which this type of demonstration is based, this myth of the inverted socio-racial order in prison needs to be criticized in view of the confusion it maintains between those for whom the (crypto)carceral system is intended and those who occupy a privileged position within it.

This amalgam confuses the majority position of Afro-descendant inmates “in the quantitative and numerical sense of the term” (Guillaumin, 1985: 101), resulting from the “over-confinement and overt confinement” of poor Black and

Brown youth (Carlos, 2022: 501), and their majority position, in the sense of a position of power. Yet, as we shall see, the diffraction of the trajectories of young people “from the suburbs”, from the others refutes the idea of the “socio-economic, socio-political, customary and legal” (Guillaumin, 1985: 103) superiority of the former over the latter: Afro-descendant are a dominated racialized group. And this is as true on the *outside* as it is on the *inside*, when in both contexts, over the long term, poor and non-White people experience the most difficult living conditions, characterized by their overexploitation and overexposure to violence, including that of the State, which I will expand on.

Today, the myth of an inverted socio-racial order in places of deprivation of liberty is still widely disseminated by field research. This imaginary, which owes much to the pitfalls of interactionism and presentism (Wacquant, 2023: 200-222), synonymous with the omission of social structure and its history in favor of a simple description of interaction, helps to reproduce the inegalitarian social order at work. Firstly, these analyses evade the question of structural racism<sup>11</sup>, which determines the homogeneity of the prison's target public in terms of territorial origin, age, gender<sup>12</sup>, class and race. Then, imbued with orientalism (Said, 2005 [1978]), they reinforce the inferiorization of these young, poor people of color, already portrayed beyond the walls as particularly racist (Guénif-Souilamas and Macé, 2004; Hamel, 2005; Tissot, 2007), sexist (Hamel, 2003; Lemercier, 2007), homo/transphobic (Gabriel, 2016; Dalibert, 2018) and *in fine* “vectors of uncultured, backward and toxic patriarchal masculinities” (Bridges and Pascoe, 2014: 253). Lastly, these conclusions support the thesis, widely (re) produced at the highest levels of government, that the “invasion” of (para)carceral institutions by young people from the suburbs encourages forms of “moral contamination”, factors of dysfunction and failure, making it necessary to separate them from others and even isolate them, with the help of more restrictive punishments and establishments.

In what follows, I will attempt to demonstrate how “studying up as well as down” enables us “to ask many ‘common sense’ questions in reverse” (Nader, 1972). Instead of reinforcing the “housing project youth” category by presenting them as privileged actors in the discrimination, oppression and acculturation of

11 In Le Caisne's case, structural racism is even dismissed out of hand: “As if it were more difficult to be poor and of immigrant origin than poor and French” (Le Caisne, 2009: 539).

12 This is true for both male and female. Studies have shown, for example, that the gender of Romanian minors does not protect them from the (over)penalization usually reserved for male defendants (Vuattoux, 2015). I would add that their gender does not spare “suburban girls” when they are characterized as such, notably because of their African descent (Carlos, 2022).

“the ‘other youth,’ [...] the ‘White youth’” (Solini, 2017: 45), this classification will be interrogated as the designated object (the guarded) and tool (the guards) of prison violence. Similarly, this up-bottom approach makes it possible to think of the (crypto)prison universe less as “an annex of the ghetto” where its “backwards” values would be spreading, than as an historical instrument of the State and its city policy. Starting with a bird’s eye view is necessary to consider the label “housing project youth” less as a creation of the group racialized as such than a renewed territoracializing category of public intervention that associates the target populations of urban policy with the most repressive penal policies.

### Look up at the State, start at the top

Breaking with the “dominant epistemology” (Mills; Brun and Cosquer, 2022: 97), and its socially and racially biased ways of understanding the world, implies substituting the study of the visibly hostile interpersonal relations of subordinates, wrongly characterized as racism, with the study of the race-based classifications of juveniles in custody. This approach requires us to turn away from the “problematic focus” on the violence of imprisoned bodies, to instead concentrate critical attention on that of the “high ranking officials” who imprison (Saleh-Hanna, 2015). Rather than limiting our gaze to what the field (and its investigations dominating the field) lets us see and hear from a superficial and scanty point of view (Dubois, 2008), we need to take the necessary step back to denaturalize and historicize the institutional categories of action that motivate and justify the desire to repress more severely. Understanding the way in which racializing assignments have been constructed and used at the highest levels of the State and its collaborators, over several centuries, makes it possible to objectify the racial categorizations mobilized in the field through the prism of their actualization, their euphemization and their articulation with other power relations.

Examining the racial order at work in the penal field could benefit from prioritizing an intersectional, materialist and genealogical approach. Racial hierarchies distribute the positions of power and the differentiated trajectories of all actors in places of deprivation of liberty (including researchers). They are fundamental to addressing at least two questions specific to prison and its alternatives: *Who gets locked up? Who does the “dirty work”*<sup>13</sup>? This “color line” (Mills, 2022 [1997]: 91), which determines disciplinary and professional careers,

13 We will see later that the answer to the question “What’s a dirty job?” is not free of racial bias.

connects with other power relations, such as class and gender. Their interweaving conditions the ways in which White privilege is expressed, and often its impact. In this context, the ethnologist's challenge is to move away from the easy identification of ostensibly racist individual discourse and behavior, resonating in the public arena and allegedly the monopoly of subordinates (whether inmates or guards), towards the detection of a far more subtle racism, which structures the way in which the inmates are treated as well as the institution's organizational chart. More difficult to identify, this historical and everyday principle of ordering the guarded (and the guards) often has far-reaching consequences in terms of social destiny. It's up to the researcher to discover its origins, as well as its key players, i.e. those who have the power to materialize this racial order, as well as the interest in doing so to preserve or even extend their authority.

In addition to repeated observations and/or interviews with staff and juvenile inmates in a dozen prisons, the methodological discussion proposed here is based on an ethnographic survey in a Closed Educational Center (CEF), in France, from October 2015 to December 2018. The latter was carried out during three periods, including one period of total immersion: 23 days and nights. The material mobilized combines the exploitation of documentary resources found in two CEFs, *in situ* observation of the daily interactions of all the occupants of the place, numerous informal discussions as well as some thirty interviews of which half were conducted with professionals (managers, educators, night supervisors) and half with adolescent inmates. The over-representation of Black and Brown people from post-colonial immigrant backgrounds among the adolescents and the professionals in contact with them, as well as the racialization processes at work, were particularly evident in the space of the closed educational center. However, in order to deconstruct the naturalization of race and re-elaborate the concept I was going to use, I had to leave the field and return to it after a long detour through history and political philosophy.

In order to answer the question - *Why and how does the confinement of minors continue to be perpetuated although it constitutes an illegitimate social object with proven failures over the past two centuries?* - I am embarking on a historiography of places of deprivation of liberty for minors, starting with the creation of special wards exclusively reserved for children in the 1820s. This plunge into the past is based first and foremost on existing works, i.e. historical or sociological research, sometimes by professionals working in the legal system. Quite quickly, and often by reading page notes or appendices, I realize that racial categories are mobilized by the actors of justice, but that this dimension is

neglected in the analysis. I therefore reread these materials and, whenever possible, the sources on which they are based. In this way, I discover a link between the disciplinary (para)carceral project targeting young people, and the national and imperial project of creating a healthy population, from which the sorting of offenders is based on racial criteria.

I cross-reference these secondary sources with primary, period sources from grey and scientific literature. This corpus includes reports, dissertations, theses, conference papers, professional journal articles, etc., using the lexical field of *race*, *counter-evolution* and the risks of *contagion* or *invasion* for the social body, its biology and/or its morals. The collection highlights the recurrence of racializing assignments that construct four archetypes of the savage throughout French history: the Gamin de Paris [Parisian Kid], the Apache, the North African and the Jeune de banlieue [Suburban Youth]. These inferiorized racialized figures, reduced to their intellectual, physical and/or moral defects, serve to justify the extension and hardening of the penal chain. Numerous qualitative and quantitative data document the logical over-representation of this targeted clientele in places of deprivation of liberty. This (post)Foucauldian analysis of the conceptualization of race (Dorlin, 2009; Doron, 2011), based on its use and elaboration in the penal system, sheds light on its co-construction and consequent (re)definition by scientific and political fields. This historical review reveals the institutional apparatus that mobilized, instrumentalized and even promoted racist theories and hierarchies, when juvenile detention facilities served as laboratories for the production of this knowledge. And these theories provide scientific backing for an institution in constant search of legitimacy.

In the new sequence of capitalism that opened up after the French and Haitian revolutions at the end of the 18<sup>th</sup> century, biopolitics and discipline took over from sovereign power, which had become obsolete, in order to make the urban poor productive and docile. In the face of industrialization and the demographic explosion, race took on an essential role in the state's repertoire of actions to purge the French continental population of its perceived harmful elements. Having subjugated natives and slaves overseas to domination, oppression and exploitation, reducing them to an inferior position to White people, the state apparatus became an operator of theories of degeneration that racially divided the proletariat in France. On one side is the child of the city, a member of the "urban race", with an altered physique and morals, and on the other the "child of the countryside", a member of the "rural race", representing the vigor and customs of the country to be defended. The faults of the former, due mainly to heredity and environment, threaten to spread to the rest of the population

and harm “its quality and type” (Doron, 2011: 492). There are now, among French citizens, “two distinct races and two eras of civilization” (Faucher, 1838: 7), justifying the elimination of one for the salvation of the other.

Like the barbarians of faraway lands, the savages within the state embody the decay of the population and its environment, the decadence of the nation, the decline of the race, and even more so the risk of retrograding humanity as a whole. The Gamin de Paris in the mid-19th century, the Apache in the early 20th century, the North African after the Second World War, and the Suburban Youth at the turn of the 21st century - for two hundred years, these models of deviation have followed one another, as have the territorial references used to designate them. This recourse to territorial origins to define them both euphemizes and reinforces their racial assignment. These *bad seeds* are thus the object of a “circular condemnation” (Mills, 2002 [1997]: 83-84): like the space from which they originate, they are both object and agent of contamination. In this way, the individual as well as the territory to which they are supposed to belong are essentialized and disqualified. As a result, the racialization at play legitimizes territorial action towards these poor, urban and savage youths, moving them from one territory to another to keep them away from any healthy population to be preserved, in and between facilities, from the city to the prison. At the turn of the third millennium, closed centers were reimplemented in France as part of urban policies. To describe this back-and-forth between territorial and racial assignments, which affects the young suburbanite as much as their predecessors, and which structures the operation of the prison chain, I propose the term *territorialization*.

When facing this *depraved* and *depraving* youngster, the territorial intervention deployed is twofold: “keep away and contain” (Gagneux et al., 1998: 10). On the one hand, the aim is to uproot them from their environment of origin, both to remove the child from the influence of this harmful context, and to free this environment from the youngster’s hold. On the other hand, the goal is to assign them to specific territories, designed for them, far from conventional public and educational spaces, to restrict their potential influence, if not to transform them. This fight against degeneration is waged both at the level of the population and its environment, whose preservation against these pathogenic elements needs to be handled by the state apparatus, and at the level not of the mass public but of the individual, whose depravity needs to be dealt with by the institution, armed with its disciplinary techniques. The director of the penal colony of Sainte Foy la Grande described this double task as follows: “‘The amendment of the child by the land and of the land by the child’, which has been the program

of all penitentiary colonies since Mettray; however to fulfill this program [...] the main work is the work of the soul, on the soul itself, the direct and persistent effort to cultivate the most ungrateful soil: human beings without anything human, so to speak, from their first years and often from birth” (Marlin-Dupont, 1878 apud Beaussire, 1878: 465).

However, throughout institutions at the end of the penal chain, where kids are locked up, the dichotomy reappears between healthy beings to be defended, and impure beings from whom the former must be protected, if not the staff and/or the system. And the solution proposed is very often the same as that at the origin of the penal institution itself: sort out and separate the harmful elements from the others by allocating them a new territory defined by a more restrictive framework, adapted to the nature and/or culture of these future occupants. This compartmentalization of space-time according to assigned identities takes place first at the level of the institution, then by means of referral to a higher level of the carceral ladder, until prison. As an example, after being locked up in the penitentiary colony system, the youth perceived as “incurable” gets sent to its correctional unit before they get kicked out to the new correctional colony of Eysses, designed for the occasion: “I consider that the correctional unit in the [penal] colony is a permanent subject of undisciplined protest and I would rather uproot the weed and send it far away than let it rot on the spot” (Inspector General, 1900: 425 apud Cuche, 1905: 136). Soon more of these (crypto)prisons will be created because: “[...] even if one is in favor of correctional colonies, one must find very unfortunate the current practice of cramming all the waste from other colonies into a single colony” (Cuche, 1905: 136).

These mechanisms of “cascading rejection” (Gaillac, 1991 [1971]: 102) of offenders deemed irrecoverable justify the creation of differentiated regimes and establishments with additional restraint. This two-track system, one of which is ever more repressive, is the hallmark of the evolution of juvenile justice. The young person from the suburbs, like their predecessors, thus becomes a category of public intervention, employed by those who discuss, draw up, apply, put into practice or evaluate public policies. Ministers, legislators, consultants/advisors<sup>14</sup>, directors of establishments, heads of departments, representatives of patronage societies, inspectors, magistrates, judges, educators - countless actors of justice mobilize these territoracial categories: “These marginalized

14 These included many scientists – doctors, psychiatrists, ethnologists, anthropologists, criminologists, philosophers and sociologists – members of learned societies such as the Paris Anthropology Society and the Academy of Moral and Political Sciences, known for its influence on “laws and morals”.



young people come from the poorest fringes of society, often have an immigrant background and live in areas where urban policies have failed. [...] We need to take action on these young people to bring them back to civilization” Jean-Louis Daumas, director of the National School of the PJJ [Judicial Protection of Juveniles] and future director, of the PJJ in 2011 (UNICEF, 2009: 28).

Firstly, they are used to justify the failures and dysfunctions of every criminal justice institution (and to amplify the punishments and isolation measures) that target these inferiorized racialized figures, since they would be the ones who transform them into *crime schools*. Secondly, they legitimize the use of retrograde and ferocious methods (of which solitary confinement is the most extreme expression), on the grounds that, for these types of minors, the *modernization* of the penal system would be inappropriate and even counterproductive. Finally, it is in the name of a civilizing ideal, which aims to improve the fate of the population or even of the species, that this racially selective State violence is unleashed, since while it is necessary to organize the elimination of threatening minors, unfit for civilization, it is only to preserve the (real) child assimilated into the Nation, worthy of protection. State racism is not only necessary to re-establish public and educational order, it appears indispensable for the biological and/or moral benefit of humanity. Institutionalized barbarism becomes the condition for progress.

Studying the conditions of emergence of these four racialized figures who have marked the evolution of juvenile justice enables us to apprehend race for what it is, i.e. a socio-historical construct, determining a racial order with shifting boundaries that go beyond skin color. The racialization of the Gamin de Paris and the Apache, citizens born on French soil of French parents, refers “to *intra*-European varieties of ‘racism’” (Mills, 2002 [1997]: 130), reminding us that “Phenotypical whiteness and European origin were not always sufficient for full whiteness” (Mills, 2002 [1997]: 132). The Gamin de Paris, then the Apache, are perceived as beings degraded by unfavorable living conditions (epidemics, alcoholism, prostitution etc.), sources of hereditary defects, which do not oppose the innate and the acquired. Their civilizational backwardness can be clearly seen in the characteristics of their bodies: “They’re barely fifteen years old; they’re little degenerates, with pale, scrofulous faces and skeletal bodies. They look quite pitiful” (Delzons, 1909: 886). Their existence proves not only that whiteness criteria evolve with context, but also that the White/non-White dichotomy is insufficient to grasp the complexity of the hierarchies at play. Indeed, “these cases of ‘borderline’ Europeans” – for which Charles Mills proposes the

“off-white” category – although belonging to “inferior whites” remain classified “above genuine nonwhites” (Mills, 2002 [1997]: 130).

The historiography of juvenile justice highlights the vertical racial continuum established with the ultimate White person at the top, destined to embody the march of progress; then the degenerate White person, agent of counter-evolution in the hexagon<sup>15</sup>; and then at the bottom the non-White person, archetype of the primitive being with an archaic nature. The project to open an annex to the Mettray penal colony in Algeria by its founder, and the expatriation of Le Gamin de Paris to this overseas territory in the mid-nineteenth century, aimed to reconcile both the colonization of these territories and the regeneration of the race. The aim was to reinforce the Nation’s civilizing achievements, by permanently removing inferior Whites from the continental territory while employing them in the colonial conquest. By occupying North Africa, these French youth took part in the agricultural and imperial colonization of the region, thus becoming agents of civilization. Similarly, during the Belle Epoque, Apaches contributed to French military and colonial operations, via the French army’s disciplinary and penitentiary structures in North Africa. Access to property was granted to them when they survived relegation to the penal colonies of French Guiana and New Caledonia. Following the example of the Irish in the United States, whose oppression of the (descendants of) slaves was the condition of their Whitening (Ignatiev, 2012; Mazouz, 2020), it is at the price of participation in the domination and colonial exploitation of the natives that the “regeneration of this fallen race of French convicts” can take place (Bonneville, 1854: 313).

And these are the fundamental differences between the inferior White youth and the non-White youth in the history of the penal chain dedicated to minors in France. In addition to the fact that the French citizen, however degenerate, remains superior to the native, the degeneration of both the Gamin de Paris and the Apache is reversible until proven otherwise. It’s only as they climb the prison ladder that their incorrigibility is objectified by the actors of justice, from one facility to the next, after having been suspected and expected by virtue of their territoracial assignment.

For the natives, on the other hand, the process of alteration is not long in coming. Unlike the savages of the State, the colonized were deemed irrecoverable *a priori*. On the other side of the sea, for the *indigenous* youth the juvenile justice system is radically different. A harsher disciplinary regime was systematically applied to Africans. At issue was the lack of resources available to keep

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15 Continental France.

colonized youth out of prison, and the racializing and racist vision that preceded these political choices: While “the precocity and criminality of Arabs and Berbers” (Larcher, 1900: 633-634) are noted in North Africa, it is stated that “in Black Africa [...] valid solutions for young Whites cannot always be extended to the natives” where “the need to intimidate the young delinquent is noted” (Besnier, 1955: 24-25). It was in this colonial vein that the lowering of the age of criminal responsibility from 18 to 16 for “young Muslims from Algeria” was proposed when the Ordinance of ‘45 was drafted.

The figures of the North African and the Suburban Youth are inseparable from this colonial heritage. After the Second World War, the native, primitive by nature, was transformed into the *young immigrant*, then into the *second-generation immigrant* incapable of evolving, always because of their supposedly unsurpassable archaic culture. The psychiatry of the Algiers School, which defined Afro-descendants by their psychobiological make-up, was succeeded by the social sciences, imbued with orientalism (Saïd, 2005 [1978]), which defined the Suburban Youth’s otherness and inferiority “in psychopathological and cultural terms” (Fassin, 2000: 48). The French nation and this territorialized youth are even more so irreconcilable, as the latter is said to invade and contaminate the public space and institutions, threatening the progressive values of the Republic.

## Look at how structural racism trickles down

- *Some educators have told me that other educators don't want to work with young people of color. Do you think that's true?*

- No, I think it's more... they don't want to work with the ones who are a pain in the ass. But, logically, the young people of color are more a pain in the ass (laughs). I don't think it's racism, because if you're racist [in the CEF], you must not feel very good at work every day. Most of the educators... they're all Arab, the kids are all Arab and Black, so if you're racist, you must not feel very good at work. I think it's more a question of pain in the ass or not.

Interview with Mounir, 34, former educator at the CEF X, November 5, 2018

The educator answers my question in the negative, asserting that the workers are not racist, since they show neither hostility nor discomfort in their day-to-day interpersonal relations with the CEF's predominantly young people and adults of color. While denying the existence of individual and intentional racism, the professional nevertheless reveals the structural racism at work by addressing the following three questions: *Who's locked up? Who does the "dirty*

*work*”? and, above all, *What is the “dirty work”*? Mounir, like all the staff at the CEF, considers that young people from immigrant/housing project backgrounds are the most difficult to deal with, and represent the most unglamorous tasks. Like most of his colleagues, Mounir’s North African origins do not prevent him from acting as a mouthpiece for the public institutions and policies that surround him, nor do they prevent him from becoming an operator of state racism<sup>16</sup>. The territoracialization of young people from the suburbs does indeed help turn them into “institutional pariahs” (Carlos, 2022: 244), but more importantly this system of categorization is at the heart of the CEF project, to the point of defining its constraining action (containing and confining this typical clientele) as well as the profile and professional identity of those likely to carry out this program.

After their closure in 1979, due to their unanimously recognized failure, closed juvenile centers started making a comeback at the turn of the third millennium. The legitimacy of these places of deprivation of liberty rests on a “racially coded rhetoric” (Alexander, 2017) in the political, media and scientific fields, describing their target audience as intrinsically different from the post-war juvenile: “In 1946 or 1947, we didn’t have what we have today, i.e. an excessive concentration of young people, often of immigrant origin, in sensitive neighborhoods. Furthermore, should a seventeen-year-old child, measuring one meter ninety and weighing eighty-five kilos, be considered an adult or still a child?” (Clément, 2006). The suburban youth is presented, notably by successive Left wing and Right wing governments, as a neo-delinquent, defined by their precociousness, amorality and particular dangerousness, indistinguishable from their neighborhood of origin (synonymous with the harmful influence of their peers, family and country of origin), at odds with and even the antithesis of Western modernity. To address this situation, it would be necessary to regain control of the French territory and “reconquer” the “[suburban] neighborhoods”, then described as “lawless zones”, which is why in 1996 the urban revival pact created the “unités à encadrement éducatif renforcé” (UEER – Units with Reinforced Educational Supervision). In an effort to remedy traditional educational methods, which appeared to no longer work, the use of restraint was intensified by multiplying the number of prisons and their sister institutions: Reinforced Educational Centers (CER) and Immediate Placement Centers (CPI) implemented

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16 A number of prison researchers have hastily concluded that there is no “openly racist remarks” among prison staff (Bouagga, 2013: 219) and no “institutional racism” in prisons (Fassin, 2017 [2015]: 303), specifically because of the high proportion of guards from overseas French territories.

in 1999, Closed Educational Centers (CEF) in 2002, Juvenile Prisons (EPM) in addition to Juvenile Quarters in Adult Prisons (QM) in 2007.

From “missing link” (designating the UEER and then the CER) to “intermediate link” (designating the CEF) needed between “educational structures and prison” to complete the penal chain, group homes have become more and more restricted, places of confinement are proliferating, and the passage between the different levels of the disciplinary ladder is greatly facilitated, if not systematized, in the case of the transfer of youth from CEFs to prison. In parallel with this punitive escalation, from the end of the 1970s onwards, there were difficulties in recruiting and retaining staff in accommodation facilities and then in places of deprivation of liberty. The official explanation focuses on the workers’ opposition to these outdated, top-down measures, reducing their initiative and leverage, already limited by the current economic crises. In addition to this widely disseminated institutional account, it seems important to add that changes in the public, with the exacerbated presence of young “immigrants” in the justice system, contributed to the educators’ sense of powerlessness and failure: “the perception of pedagogical difficulties perceived by educators in their work also carries a strong cultural connotation [...] This distance is particularly great between young people from Maghreb countries of Islamic religion, and educators who are all French of Judeo-Christian culture” (Malewska-Peyre, 1982: 16). Since at least the early 1980s, the culturalist and racializing approach to these young people in scientific and professional literature has provided staff with new ways of interpreting the situation. “Immigrants”<sup>17</sup> are considered more difficult to supervise by boarding school educators, and their supposed cultural particularities are increasingly used as an explanatory factor for their delinquent behavior.

Faced with the flight of the statutory educators of the PJJ (Judicial Protection of Juveniles) and their refusal to work in the criminal justice system, the recruitment of neo-educators, characterized by their social properties (age, gender, class, race) and their background (migratory, educational and/or judicial) which mirror that of the target public, is presented by the Ministry of Justice as a more appropriate supervision for this type of *difficult* and *violent* public. This replacement of traditional educators, most of whom were young women with degrees, by neo-educators who are described elsewhere as “big brothers” with an assumed natural authority and cultural proximity to the young people, is as

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17 The research report carried out for the Ministry of Justice, quoted above, specifies the definition given by the educators to “immigrants”: “the immigrant is not defined in terms of nationality, but in terms of culture (concretely, the ethnic origin of the parents)” since “French Caribbeans” or French “Harkis” are also designated as “immigrants” by the professionals (Malewska-Peyre, 1982: 16).

much a reflection of the casualization of social work as it is of an ethnic reading of gender and a racialization of sexism. The aim is to provide a controlled environment for the predominantly teenagers of color at the end of the penal chain, whose archaism could be reduced to sexism and communitarianism, with staff seen as necessarily more threatening and virile because of their working-class and foreign origins. This rhetoric of more efficient social proximity would spread from the top to the bottom of the organization chart. This argument was first mobilized at the level of the Minister of Justice and the Deputy Director of the PJJ, before trickling down to the heads of establishments and even to the educators themselves, to justify the hiring of neo-educators *better suited* to dealing with neo-delinquents.

This social, gendered, generational and racial division of labor in the supervision of juveniles in conflict with the law means that, unlike in the open environment, supervision in the closed environment is carried out by contractual, untrained and inexperienced neo-educators. In order to facilitate the hiring of these precarious staff, the task of managing alternative accommodation facilities to prison is largely outsourced by the State to the private sector. The authorized associative sector manages most of the CPI, CER and CEF facilities, as is the case of the CEF X studied. And this division of labor, with its hierarchies also takes place within each facility. In the CEF X, this division of labor can be seen on at least three levels: between managers and educators (a social, gendered and racial division, with older, predominantly White, qualified<sup>18</sup> women managers on one side, and younger, predominantly Black and Brown, precarious educators on the other); within the educators themselves: between technical educators and round-the-clock educators (a racial and generational divide, with older, predominantly White men on permanent contracts on the one hand, and younger, predominantly precarious men of color on the other); and, finally, among the round-the-clock educators themselves (gendered and racial division, with, on the one hand, White educators specialized in caring for young people considered fragile and amendable, and, on the other, Black and Brown precarious educators who deal mainly with young people perceived as dangerous and unamenable).

This organization of the CEF, which responds to logics of avoiding *dirty work* and maintaining order, creates spaces of *entre soi* separating White adolescents and adults from non-White adolescents and adults. However, there is no symmetry between these associations on either side of the racial demarcation line:

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18 The director, however, is a White, middle-aged man, with the least education in the managerial category.

it is because racialized-as-White exclusive space-time exists that racialized-as-non-White exclusive space-time is maintained. White professionals thus prefer to look after young people who meet the criteria of whiteness, those who are worthy of protection, who are usually few in number, and whose supervision can be entrusted to them by the hierarchy. The assignment of White professionals to this public deemed vulnerable<sup>19</sup> leaves these groups of adolescents of color, who are kept at a distance from the defenseless adolescents, to educators of color, who are often alone, sometimes newly hired and in any case summoned to embody authority if not to exercise constraint. As a result, Black and Brown youths are supervised by those who cannot avoid them, who have rarely chosen them, and for whom close contact with these teenagers represents the arduous nature of their profession, adding to the precariousness which limits their professional options. So, it's not so much the professionals who have to deal with "difficult" youths, but rather the most discriminated adolescents who have to deal with the professionals facing particularly difficult working conditions often having the least experience or training in the field.

In this context, there is a risk that adolescents will take up these segregation practices, the racial divide and the identity assignments on which they are based. However, it is above all the case that, faced with this differentiated treatment, defendants of color do not have the same opportunities as others to benefit from the advantages of the relational and emotional economy at work. The relational economy raises the importance of the type and stability of the bond established between the young person and the professional, a proximity which determines the teenager's ability to redefine their identity, in word and deed, beyond that assigned *a priori* by the adult. This closeness, as the interaction progresses, also fosters the emotional economy that conditions the trust, empathy and possible identification of professionals with the adolescent. In other words, the development of a privileged relationship between the adult and the adolescent benefits the latter, since by eliciting the affects and positive predictions of the caregiver, the young person is assured of beneficial repercussions on the course and outcome of their placement. On the contrary, the distance caused by a lack of communication can lead to professional detachment, disinvestment in the relationship, and indifference towards the young person, their daily life and their future.

For the non-White youth, the conditions of the encounter, in a group rather than one-on-one, do not seem to be right for *opening up* and *forging special*

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19 This is particularly true of White people, women and the elderly, as well as people with disabilities.

*bonds*, and all the more so as the educator in question does not have the means or even the tools to facilitate communication. In the event that a relationship does unfold and the teenager is able to gain sympathy, the educator's subordinate position and status (lack of experience, diploma, seniority) considerably reduces their weight and credibility in evaluation meetings where they could plead on behalf of their protégé. What's more, as the non-White youth shares neither social properties nor trajectories with the judges and "annex judges"<sup>20</sup> of the CEF (Foucault, 1975: 26) who hold decision-making power over their disciplinary trajectory, the likelihood of them arousing the empathy, identification and trust of the judges appears extremely reduced. This objective social distance is compounded by physical distance, linked to the phenomena of avoidance and division of labor in the CEF, referred to earlier, which redoubles the separation between the non-White adolescent and these annex judges. This particular social position further limits their chances of benefiting from forms of attachment, and therefore from extenuating circumstances, clemency or even a second chance, particularly when it comes to their referral to prison (or not), unlike their White peers.

The point here is not to naturalize affect - quite the opposite - but rather to consider it both as a tool of knowledge and as a veil that wrongly individualizes social behavior and makes power relationships invisible by psychologizing action. In turn, *feeling* becomes the alpha and omega of the *relationship* and often of care, and in so doing, it conceals the sociological forces that determine it, which include the social properties and trajectories of the actors involved, the position they occupy and the role they are expected to play, in view of the power relationships at work. The differentiated treatment of adolescents, if it can be reformulated by professionals as *affect*, should be primarily explained by the racial (di)visions consubstantial with the prison system. This territoracialization, based on a system of racializing assignment linked with unequal distribution of constraint, is as old as children's prisons themselves:

"In prisons, convicts of urban race are like the natives of the place; convicts of rural race are hardly more than strangers there. The former have the traditions and vices of the prison; they take the upper hand there, direct the mutual education, and tailor the habits to their

20 Such as the psychologist, the teacher, the CEF management team including the director and the heads of department or the educators who hold degrees, have experience and/or stable contracts.



uses. This corruption, that is initially a shock to the rural prisoners' way of being, sooner or later changes them. They don't have the principle, and they were unaware of it before their imprisonment. They are docile, religious and hard-working prisoners" (Faucher, 1838: 60-61).

This racial reading of the country, and of the (crypto)carceral universe in particular, that will "serve as a basis for the classification of penitentiary houses" (Faucher, 1838: 57), as desired by Léon Faucher, Inspector General of Prisons who later became Minister of the Interior, contrasts the handling of the youth of color, perceived as a *leader*, violent and incorrigible, with that of the White youth, considered vulnerable, defendable and educable. While the Black or Brown teenager undergoes a process of adultification, through which they appear to be insensitive to constraint (which must therefore be exacerbated), probably guilty and responsible for their own faults and those of others, the White teenager is infantilized, seen as an undoubted victim whose delinquency is only ever the consequence of their close contact with non-White youths. This historical racial (di)vision which makes youths of color "local natives" - irreducible delinquents and typical prisoners - in contrast to White "foreign" youths, permeates the interpretation schemes of professionals and researchers alike. From then on, it's not just the emotions of the penal institution staff that are socially and racially biased, but their "frame of intelligibility" of events (Butler, 2004; Dorlin, 2019 [2017]), which is socially bound and "racially saturated" (Butler, 1993: 15; Dorlin, 2019 [2017]). This field of sensitivity, visibility and audibility, specific to their situated position and the racist structure in which they evolve, operates as a filter that determines the ways in which they understand the world in terms of and in favor of the socio-racial order at work.

This filter renders the youth of color's point of view inaudible, the structural constraints surrounding them invisible and their conduct unintelligible and therefore illegitimate<sup>21</sup>. This "grid of legibility" (Butler, 2004; Dorlin, 2019 [2017]) ultimately results in the intervener's negative "feeling" towards the non-White young person, rather than their objectively detestable behavior. That said, the incomprehension, distrust and otherization engendered by this racially determined perception of CEF users fatally reinforces the negative affects and distancing of the individuals (not to say the group) who trigger them. What's more, this bad "feeling", which could also be interpreted as the mere formulation of

21 The exception is the "real delinquent", who retains his status as a unique non-White person, different from the others, only if he becomes a "positive leader", serving his interest as well as that of the institution.

an excuse to justify differentiated treatment for adolescents of color, reinforces their stigma as “difficult” teenagers. The more the lack of cooperation and the dangerousness of this population in particular are highlighted, the more “its neutralization and isolation are justified [...] as other” (Chauvenet, 2011: 122), inside and outside the walls. This differentiated treatment motivated by *affect* and *relationship* accentuates the legitimacy of the repulsion and fear produced by the CEF’s target populations, namely young people from the suburbs/young people of immigrant backgrounds and justifies not only “more repressive penal policies” (Chauvenet, 2011: 122) but also exacerbated punitive practices towards them, throughout the establishment.

This structural racism, possibly without racists, is not without consequences for the adolescents and their trajectories. In addition to the fact that three quarters of the teenagers I met at the CEF X were racialized as non-White, I examined the trajectories of the one hundred or so young people who had passed through this facility over the five years prior to the survey. My analyses of the data revealed that a White teenager has a one-in-four chance of being sent back to prison following their placement, while a teenager of color has at least a one-in-two chance. The probability of ending up in prison from the CEF is therefore twice as high for *Black, Arab and Roma* youth than for *French* youth (if we use the categories from the field). This over confinement and overt confinement of youth perceived as foreigners, is part of the trend over the last two hundred years to separate, isolate and, *in fine*, reserve ever harsher conditions of confinement for racialized as off-White and non-White minors, considered as corrupt and corrupting elements, in order to protect children racialized as White perceived as vulnerable and amendable. This implementation of harsher regimes in the facilities is never-ending, as it often ends in disciplinary referrals to another establishment, where once again those who can be saved must be preserved. As a result, new establishments are required with additional levels of constraint to enable this diffraction of healthy and unhealthy pathways. While there is no shortage of objectives to rehabilitate youths racialized as non-White, their disciplinary trajectory reinforces their initial stigma by objectifying their irredeemability and the need to punish them. All that remains is to remove these bad seeds, these rotten fruits, in order to educate the amendable elements away from moral contamination. The rehabilitation of some becomes consubstantial with the elimination of others.

In conclusion, this article questions the legacy of French slavery and colonialism in the apprehension of the penal population running counter to the colorblindness of the actors of the justice system and the researchers studying

places of deprivation of liberty. Addressing the fundamental political, social, and historical divisions between people racialized as White and people racialized as non-White, where the latter are overexposed to violence and exploitation, resulting in the high turnover of the guards and the guarded, provides a key to understanding the expansion of the penal chain in France. This text proposes ways of seeing and seizing racializing categories in the penal field, through the prism of their construction, their euphemization, their actualization and their effects. Identifying the production of racial inequalities is best done by adopting a radical approach, in the etymological sense of the term, by getting to the root of the problem. To do this, even in qualitative research, we need not only to uncover the history of racial hierarchies at work, but also to consider the vertical organization, from the top to the bottom, to which they are articulated and which gives them form. Taking a step back from the field enables us to put the racism of individuals into perspective with that of the institutions they simply act as vectors of. Analysis of the racial (di)visions that run through the criminal justice field seems to be the condition for their deconstruction, or at least their non-reproduction. This task seems all the more necessary when the existence of race is the *raison d'être* of the (crypto) carceral universe for minors.

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