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Labour, carcerality and punishment: 'less than human' labour landscapes

Abstract

This paper brings together carceral and labour geographies to highlight new research avenues and empirical gaps. Despite valuable engagements with unfree and precarious work by labour geographers and substantial developments within carceral geography around carceral circuitry and intimate economies of detention, punitive aspects of work remain largely under-theorised within labour geography, while the political economy of carceral labour is relatively side-lined within carceral geography. The paper calls for two interrelated research agendas – the first a punitive labour geographies agenda and the second, a more sustained political economy lens applied to carceral geography in the context of labour and work.

Introduction

This paper will outline the possibilities for a productive conversation and new research avenues between two research sub-fields; labour and carceral geographies. While carceral geographies have recently brought the 'punitive turn' to the fore within geography, it is yet to be addressed in explicit terms by labour geographers (theoretically or empirically), despite clear synergies with well-established foci within labour geography (Peck, 1996; Coe and Jordhus Lier, 2011; Strauss, 2017a). It is our contention here that such a dialogue can offer new insights into the relationship between labour and punishment in the context of neoliberal globalisation. In turn, our intentional use of a political economy framework, informed by labour geography, addresses silences and absences in the carceral geographies literature.

In recent years, the rapidly expanded sub-field of carceral geographies has sought to build upon 'a punitive turn' (cf. Allspach, 2010, Philo, 2012, Moran, 2013, Moran, 2015, Moran Turner and Schliehe, 2018). In doing so, this work has addressed geographers' neglect of carceral spaces and their attendant connections and entanglements beyond the walls and boundaries of carceral institutions in the so-called 'free world' (Turner, 2016). Notably, these works have also pointed to a much broader definition of the punitive turn to identify a 'new punitiveness' whereby 'a punitive state ... operates in places far beyond the prison through pervasive and pernicious policies which incarcerate and confine without actually imprisoning' (Moran, 2015: 110). Building on this, we suggest possibilities for engaging with a wider spatiality of punishment through labour experiences, in order to enrich conceptualisations of punishment within the discipline.

Social controls relating to labour are a key component of this wider view of punishment within geography. As Gill et al (2018) suggest, we need to not only show and understand the permeability of carceral systems, but should illuminate how they are bound up in neoliberal forces driving labour practice and labour market controls. Smith (2017) has similarly pointed to the salience of such works in a recent *Progress report* on population geography, identifying the need for further engagements with

human trafficking. Migrant labour, importantly informal labour, and prison work are significant constitutive elements of these processes, indicating a possibly wider lens for labour geography itself (Lewis et al, 2015; Dwyer et al, 2016; Richardson and Thieme, 2018). With this in mind, we propose labour as a previously marginalised category (as individual and collective workers), process (through labouring) and strategy (as rehabilitative and punitive) that is integral to examining punishment as practiced. We see this intervention as particularly timely given the increasing recognition of experiences such as work within detention centres, modern day slavery, the exploitation of prison labour and wider sanctioning of vulnerable workers (BBC, 2017; Taylor, 2017).

Carceral geography has increasingly developed an understanding of the carceralities of non-prison places such as immigration detention centres (Loyd, Mitchelson and Burridge, 2012; Mountz et al 2012), homes (Moran and Keinänen, 2012), psychiatric asylums (Philo, 2004; Curtis et al., 2013) and hotels (Minca and Ong 2015). In light of these important interventions that have de-centred the focus on institutional carceralities (Moran, Turner and Schliehe, 2018; Cassidy, 2019), it is our argument that labour, with its critical role in the emergence of the modern penal system (Foucault, 1977 [1991]), as well as its location at the heart of contemporary neoliberal state formation, makes for a crucial site for exploring punishment. In particular, it is a perspective where we can explore new spatialities of punitive labour and expand geographers' 'beyond prison' explorations of punishment. Understanding punitive forms of social control resonates with labour geography, which has been founded upon an enduring commitment to engaging with political economy through labour experiences and possibilities for agency (Herod, 2001). Here we call for further recognition of punishment within a theorisation of labour within the sub-fields of both labour and carceral geography.

As such, our paper marks a response to Philo's (2017) call for a focus on 'less than human' geographies. This attention to all things subtractive, limiting, restrictive, is applicable through the lens of work. Our discussion below seeks to bring together the related fields of carceral and labour geography to achieve this by calling attention to

punitive labour geographies, before briefly indicating two ways in which the agenda might be empirically applied. In order to facilitate this, we start with a brief summary of the growing contribution of carceral geographies to the discipline, before linking this framing with works from labour geography to explore labour and punishment more broadly. Following this, we introduce two key contemporary empirical sites that illustrate our agenda: migrant labour controls and prison labour. Although these examples introduce specific empirical reflections they are deployed here to instigate a broader conversation on the relationship between labour and punishment. We conclude by establishing our key arguments before broadening our agenda to indicate a resonance with punitive practices across the spectrum of 'free' and 'unfree' labour.

Geographies of carcerality and punishment

There has been a growing interest in carceral spaces within geography over the last decade; a shift referred to as a 'punitive turn' (Moran, 2015). Although much of this work has been concerned with understanding carceral spaces themselves (cf. van Hoven and Sibley, 2008) and the geographies of carceral systems (cf. Gilmore, 2007) more broadly, Moran (2015) has also expanded this analysis to explore the social construction of 'carcerality' as a set of spaces and practices and the relationship between these processes and the state. Beyond this, carceral geographies has reinvigorated geographers' engagements with the punitive and understandings of punishment, developing not only new empirical bases for analysis, but also making space for the development of conceptual tools with wide-reaching implications for the discipline as a whole.

Wacquant (2008, 2009), whose work has been instrumental in moving research on the carceral beyond criminology, has illustrated the relationship between disinvested urban neighbourhoods and the prison. This has led to debates among scholars concerning carceral spaces that exist beyond institutions so as to form part of a continuum between the prison and other social and geographical spaces (see also Hamlin and Speer, 2018; Cassidy, 2019; Armstrong and Jefferson, 2017). However,

whilst this increasing focus on carcerality is welcome in human geography, it also challenges geographers to re-consider punishment and its various spatialities, practices and processes across a range of contexts. This raises questions about the practices of punishment in spaces beyond the prison, which is becoming an important part of the carceral geographies' literature.

Carceral geographies have also placed the spotlight on wider issues of socio-territorial control and the disciplining of citizen-bodies. If, as Deleuze (1992) suggested, we have moved away from Foucauldian societies of discipline to control, there is a need to understand how punishment operates within these control regimes. In this regard, there has been a growing body of literature in urban geography since the 1990s, particularly focused on homelessness, which has been concerned with revanchism (Smith, 2001) and rights to the city (Mitchell, 2003). This has also drawn on Wacquant in developing the concept of the punitive city (De Verteuil, May and von Mahs, 2009), which has become an increasingly less just space through the systematic exclusion of the urban poor. Notably in the work of De Verteuil, May and von Mahs, the punitive turn has been characterised as temporal, i.e. the emergence of a 'punitive age', in which all forms of socially deviant behaviour (in this case homelessness) become subject to or at least at risk of punishment (see also Villanueva, 2017). However, neither the processes of discipline and control nor research into them have been limited to urban space. What Peck (2003: 230) has described as the 'social/penal frontier', i.e. growing punitiveness through the welfare state under neo-liberalism, has also impacted rural communities. In her study of the rural American Northwest, Anne Bonds (2009) argues that the criminalization of poverty in these communities legitimates neoliberal economic restructuring, which includes rural prison development.

Gill et al (2018: 185) have proposed 'carceral circuitry' as 'a new way of critically apprehending the causes and consequences of the increasingly interconnected, more-than-institutional landscape of carceral spaces and practices that geographers and others have studied.' Earlier, Moran Turner and Schliehe (2018: 677) drew attention to this more than institutional landscape conceptually with three conditions of

carcerality: detriment, intent and spatiality. These conceptions relating to the agentic 'lived experience of harm' are closely linked to the spatiality of 'more than carceral' punitive experiences of work.

Such conceptions of carcerality are being increasingly deployed across different contexts and we propose a link here to understanding labour controls. In this paper, it is the 'unfreedom' of life for migrants subject to labour market (and other) controls and prisoners involved in paid and unpaid labour, that make this comparative approach both valid, but also stretch across and beyond the carceral/non-carceral binary. It opens up questions relating to the agency of punishment – similar to the class war of revanchism – where we begin to understand who punishes who and why and the resultant spatial implications of this in everyday life.

Stretching carceral geographies is particularly pertinent given how incarceration and unemployment have come to form a cyclical relationship (Bonds, 2013). Incarceration has been used to reduce unemployment levels by literally removing people from the labour market (Tyner, 2013), whilst those who have been incarcerated then experience difficulties in re-entering the workplace (Allspach, 2010; Peck and Theodore, 2008; Barak and Stebbins, 2017), often leading to crimes and re-incarceration. As Gill et al (2018) explain, those who have been incarcerated are frequently 'dispossessed' of future employability. Thus, our approach here is shaped by a geographically informed understanding of punishment that is attentive to not only 'who is targeted and for what purpose' (see Hamlin and Speer, 2018: 801), but also in what types of spaces we can find punishment in contemporary society and how this punishment is being practiced by differentially situated social actors. In the next section, we argue that labour is an important lens through which to expand attention to the 'punitive age' in geography beyond the carceral and towards a political economy of punishment.

Labour and punishment

Reflecting on the geographies of violence, Tyner and Inwood (2014: 780) note that '[i]t is necessary to move beyond treating violence as simply existing and instead to materially ground it within the mode of production of a particular society'. By doing so they stress how related works on violence must be situated in relation to 'unfettered capital accumulation' (see also Tyner and Colucci, 2014). Their account draws upon Harvey (2000) to search for wider explanatory and contextual factors by utilising Marxist understandings of labour to demystify and conceptually deepen understandings of violence. Such commentaries indicate a need to similarly engage with a wider realm of punishment through a political economic lens and place labour and work as a prominent area of interest. In this regard, Peck (1996: 27) has stressed how worker complicity within labour markets must be viewed as in part due to the 'systematic erosion of suitable alternatives'. Such erosions imply a punitive labour experience prevalent within societal structures and here we develop this approach by beginning to unpack the relationships between labour and punishment.

The regulatory role of capital and practices of labour control have been a central component of Marxist approaches to understanding the labour process and more recently within labour geography (Braverman, 1974; Buroway, 1985; Peck, 1996). The associated contributions are arguably implicit in their positioning of punishment within capital and labour dynamics, though, perhaps in preference of stressing the role of class struggle through labour agency (see Herod, 2001). Whilst this agency is undoubtedly influential within the formation of economic landscapes, the potential links between carceral and labour geography remain. Here we argue that the presence of punitive practices exerted upon workers must be recognised. In this regard, contemporary workfare policies have been compared to the carceral literature by Moran (2015), whilst Mitchell (2000) has stressed the less-than-metaphorical role of 'dead labour' by illuminating acts of violence within the labour process.

More recently, research within labour geography has begun to indicate further potential links to carceral geography. Richardson and Thieme's (2018) work for example explicitly links prisoners nearing release and working precarity, by tracing experiences of carceral rehabilitation that, in part, reproduce social and economic

vulnerabilities. These vulnerabilities link to a wider labour geography understanding of the exploitative conditions associated with (im)mobility, gender, race, and class (see Pratt, 2004; Peck and Theodore, 2008; Inwood and Bonds, 2013; Cresswell et al., 2016) . Such exploitations of difference illuminate how labour can be constructed through punitive roles and exploitative practices that intersect with historical and social constructions of gender, race and ethnicity (Harvey, 2000). Indeed, more structural accounts of punishment have notably been more prevalent in relation to race and immigration (cf. Canning, 2017). The following sections more fully unpack these links between labour and punishment, by exploring the political economy of labour related punishment and calling for a shift in language to acknowledge the presence of punitive practices.

Neoliberalism and labour related punishment

The contemporary punitive turn needs to be understood in the context of neoliberal globalisation and its associated crisis of governmentality (Yuval-Davis, 2012). This crisis has been brought about by a weakening of the state through neoliberal globalization, which has led in most Western liberal democracies to a strengthening of executive powers and a 'growing disenchantment and alienation from the state on the part of citizens, who accordingly begin to refrain from internalising and complying with the neoliberal state's technologies of governance' (Yuval-Davis 2012: 93). Research by the OECD (2017) has shown that trust in government in OECD countries was profoundly impacted by the 2008 financial crisis and that by 2015 only 43% of citizens had trust in their national government. Consequently, punishment (or the threat of), and indeed its spectacle become increasingly necessary in order for states to retain control over their territories, citizens and non-citizens. The recognition of related connections between control, punishment and labour is not new. Foucault (1977 [1991]) noted in his analysis of the emergence of the modern penal system in the 18th and 19th century, the use of forced labour to punish the idle vagabond. However, just as the crisis of governmentality has implications for punishment across society, so we have seen a shift in the landscapes of labour and punishment, perhaps

most notably through the punitive practices associated with a growth in flexible and insecure work and the stigmatisation of unemployment (see Shildrick et al., 2012).

In this regard, Foucault (1977 [1991]: 109) stated that the convicted individual, 'will be [...] the property of society, the object of a collective and useful appropriation.' For Foucault, the convicted individual's role is not simply to give back through labour, but that this punishment is visible to others as a sign as well. Foucault (1977 [1991]) noted a shift experienced in primarily the 18th to 19th centuries whereby '[t]he right to punish has been shifted from the vengeance of the sovereign to the defence of society.' It is this 'defence of society' that we argue is reflected in punitive labour geographies, through both controls on migrant labour but also in the incarceration of what is often perceived as idle or unproductive members of society. To labour or to be a 'productive' member of society is central to the neoliberal states conceptions of citizens' individualized obligations. Foucault argued that increasing incarceration in Western societies is not the result of growing 'criminality' (Wacquant, 2002), but emerges from a shift towards punitive ways of seeking to resolve 'social problems', as defined by a dominant elite. Mincke and Lemonne (2014) have argued that historically discourses shaping our understanding of incarceration were based upon prisons as institutions in which individuals were confined and underwent rehabilitation designed by 'experts' in order to enable them to take up a position that upholds social order upon their release. They propose that since the 1990s, we have seen a shift in this model, influenced in part by wider processes of neo-liberalism. Their mobilitarian ideology, suggests the prison is now a collective project, a space in which the individual prisoner must actively participate in making the most of the opportunities offered. This not only links the prison more directly to society 'beyond the walls', but also ensures differential outcomes, as it presupposes individual's capacities to participate, which not all prisoners will possess.

Recalibrating labour geography: from controls, constraints and discipline to punishment

Historically, the role of discipline within the workplace has been well considered within labour geography and work-studies. Braverman's (1974) focus on management techniques for example, is perhaps the most notable Marxist work on control, discipline and the alienation of labour (see also Buroway, 1985). His account of Taylorism and the subsequent degradation of the worker illuminated management strategies, which transformed labour into production units that 'operate like a hand, watched, corrected and controlled by a distant brain' (Braverman, 1974:125). This perspective aligned with an acknowledgment of the coercion of the worker being, in part, due to 'the destruction of all other ways of living' (Braverman, 1974: 104), indicated a relationship between the places of work and broader societal practices of discipline and punishment (see also Thompson, 1967). It is this approach to understanding labour relations that we suggest labour geographers can revisit, expand and deepen.

Within labour geography, Coe and Jordhus-Lier's (2011) notion of 'constrained agency' points to alienation and work related control by stressing the need to recognise the limits and boundaries within which labour's agency is formed. This foregrounding of constraints suggests a disciplinary function of work but does not recognise the agency of those enforcing such regimes or the practices of constant renegotiation and contestation within their making (Featherstone and Griffin, 2016). Similarly, the notion of labour control regimes has also hinted at a more punitive element of work by engaging with 'a place-specific network of locally unique institutions and social relations, which are designed to limit the tensions between labour and capital at the same local level' (Jonas 1996: 328; Helms and Cumbers, 2006). We argue that exposing more unacceptable punitive practices, through multi-scalar harmful acts, must be part of any unpacking of work-related social relations. Mitchell has emphasised this point, proposing that 'any labor geography must be tempered with a sober, materialist assessment of labor's geography— the world "as it really is" (Mitchell, 2011: 567). Our engagement with the punitive turn and carceral geography here, argues for a language of punishment as well as constraints.

Migrant labour, punishment and 'missing others'

Introducing punishment here compliments a recent labour geography commitment to engaging with 'missing others' as stressed by McDowell (2015). Her emphasis falls upon the workers and actors beyond the traditional trade union focus of labour geography. She calls attention to the importance of diverse 'everyday embodied experiences' (McDowell, 2015: 18) of labour and we suggest that punishment must be viewed as an important experience through this lens. More broadly, others have called for attention to new social subjects, as 'an ongoing and necessary process', within an understanding of class composition (Gray, 2015: 96). Recent works on prison labour and immigration centres for example has highlighted the 'super exploitable workforces' of such carceral spaces and the manner in which this reinforces, through 'the use, or threat, of physical force', broader disciplinary functions and societal controls (see Burnett and Chebe, 2010: 101). These everyday punitive practices and experiences within and beyond carceral spaces can be introduced by engaging with different labour geography subjects.

Recent geographical work on human trafficking and modern day slavery is illuminating here. Smith (2017: 302) has indicated the need to engage with and unpack the 'chaotic concept' of trafficking. He considers the research challenges with regards to the limited visibility of trafficking practices, and notes the continued importance of engaging with 'the plurality and the non-linearity of trafficking processes' whilst also 'bringing into direct question the range of individuals and groups involved'. Similarly, in her work on UK anti-trafficking measures, FitzGerald (2016: 182) has commented on the vulnerabilities and possibilities for sexual harm within the regulatory practices surrounding mobilities. Her use of a feminist approach here indicates how 'discourses of sexuality, gender and vulnerability interact with neoliberal systems of border and immigration control' noting the problematic nature of 'blanket assertions about coercion'. Such unpacking of human trafficking, and an identification of key actors and practices within these processes, is key to developing a nuanced dialogue between carcerality and labour. We suggest that this conversation presents opportunity to capture the diverse and uneven experiences of punitive labour,

particularly regarding modern day slavery, as well as the wider associated discourses, practices and outcomes.

Wider historical works exemplify the need to acknowledge the political economy of such interactions. Tyner's (2018: 102) work on the *Politics of Lists* foregrounds connections with the 'larger circuits of Democratic Kampuchea's political economy' in his analysis of the relationships between bureaucracy and violence within the Khmer Rouge regime. He saliently notes how carceral subjects 'were expected to produce much of their own food stuffs and indeed produce sufficient surpluses for distribution.' Wachsmann's (2015: 411) work on Nazi concentration camps revealed similar connections by noting the use of forced labour within carceral spaces 'aimed at economic gain through the unrestrained subjugation of social outcasts'. The interplay of incarceration and labour noted here, alongside those works directed towards carcerality and human trafficking are productive in two regards. Firstly, they begin to indicate the plural and intimate geographies of 'carceral conditions' across multiple sites such as prisons, security centres, farms, care homes, car washes etc. (e.g. Lawrence, 2016, Moran et al., 2018). Secondly, such works also point to a wider link between private interests and punitive labour, in terms of the productiveness of a political economic lens which can reveal a network of potential beneficiaries, across both public and private interests, of these processes.

Labour geographers themselves have produced a substantial body of work and evidence that examines labour market participation, composition, and oppression (Lewis et al., 2015a, 2015b; Strauss, 2012; Dwyer et al., 2016). This has been accompanied by a large body of evidence that has revealed a variety of labour practices, experiences and organizing in constraining circumstances (Anderson, 2010; Jepson, 2005; Coe and Jordhus-Lier, 2011). It is notable, though, that the sub-field has not been as assertive in linking these experiences to punishment, or examined the types of labouring that are undertaken by incarcerated people within such institutions.

Whilst studies of migrants have formed a major part of the labour geography canon (May et al., 2017), the labour of incarcerated people and punitive elements of contemporary work places have not been similarly explored (for an exception see Conlon and Hiemstra, 2017). Our aim here is to work within and beyond more formal definitions and guidelines of ‘forced labour’ (see International Labour Organisation, 2012) to more fully explore the punitive and exploitative conditions associated with work (see Bales and Mayblin, 2018). In particular, our agenda notes the concerns of Lebaron (2015: 2) that:

[I]n isolating the worst forms of exploitation from the broad matrix of unfreedom that characterizes the bottom rungs of the global labour market, such accounts leave unfree labour’s social, political and economic foundations unquestioned.

Our engagement with the punitive turn, shaped through engagements with migrant labour controls and carceral labour, deepens and expands labour geography (see also Peck and Theodore, 2008; Rogaly and Qureshi, 2016; Buckley, McPhee and Rogaly, 2017). It echoes Strauss’s assertion that ‘[w]ho counts as a worker, what counts as work, and where work is understood to happen’ is ‘integral to understanding extreme exploitation in contemporary labour markets’ (Strauss, 2017a: 142). Whilst the following vignettes provide an empirical focus for our paper, the emerging political economy of punitive labour experiences is, we argue, applicable to both the more marginal and traditional elements of labour geography’s research focus. Lloyd’s (2018) reflections on the ‘harmful arrangements’ found within the insecure conditions of service employment for example, begins to indicate such crossovers. In this regard, our approach links to Bales and Mayblin’s (2018: 3) critique of the liberal binary of ‘voluntary’ and ‘involuntary’ labour that may fail to ‘account for economic pressures’. The paper now turns to briefly mapping out these possibilities through engagements with two areas where such an agenda may be visible.

Punitive labour geographies

In this section we introduce two empirical settings, which offer potential for geographers in exploring the relationship between labour and punishment in contemporary settings. The first setting relates to an area, which has long been the focus of research within human geography – labour controls on migrants. The second concerns an area yet to be expanded upon within the carceral geographies’ literature – carceral labour.

Punishment and migrant labour controls

My Lords, does the Minister accept the irony of providing menial, albeit voluntary, work—as she says, it is to meet detainees’ recreational and intellectual needs and provide relief from boredom—when asylum seekers are not allowed to work at all? Is the rate of £1 an hour for people who have committed no crime something that as a society we can be proud of?

(Baroness Hamwee, 4th July 2017, HL Deb)

The criminal justice system is increasingly being used by states to both police and deter immigration (Stumpf, 2013; de Genova, 2013; Wemyss, 2015). Aside from introducing a raft of immigration-related offences (Yuval-Davis et al., 2018), countries across the Global North and South frequently use access to the labour market as a key site for internal borders (ibid; Wemyss and Cassidy, 2017; Lewis et al., 2015). States are often not able to enforce these policies themselves and instead rely upon punitive regimes that coerce employers into administrating them. In this section, we explore these processes to elucidate our call for a productive dialogue between labour and carceral geographies and a punitive labour geographies agenda.

In the UK there are multiple layers of punishment embedded in labour market restrictions for migrants. We argue that there is a need to understand these practices not solely as a way to control migration or an extension of the UK’s border(ing) regime (Wemyss and Cassidy, 2017; Yuval-Davis et al., 2019), but also as punitive in numerous ways. Firstly, the refusal of the right to labour at all, for example for asylum seekers

or those without definite status; secondly, by restricting access to the labour market so that certain migrants are not able to compete equally with citizens and their labour is able to be devalued; and finally that employers also find themselves increasingly subject to punishments for failing to adequately enforce bordering regimes on behalf of states. These processes are complex and have been referred to elsewhere as ‘the punitive trap’ (Cassidy, forthcoming).

Migrant labour controls, such as those introduced above, raise questions about the relationship between control and punishment. As Moran, Gill and Conlon (2013) have identified, there is considerable overlap in experiences between ‘mainstream’ imprisonment and the detention of migrants. Indeed, these experiences are often combined as foreign national offenders spend time in prison for their crimes before then being detained in preparation for deportation (Bosworth, 2012). These connections demonstrate a clear link between immigration and formal, state-sponsored punishment. There are two key elements to this punitive approach from a political economy perspective – they highlight the growing geo-economic logic in certain countries’ approaches to immigration, i.e. whilst there has been a focus on giving preferential treatment to migrants that bring economic benefits to countries for some time (Yuval-Davis et al., 2019), there has also been a shift in some states to the introduction of fees and other regimes that extend the state’s role in immigration to a profit-making enterprise (Cassidy, 2018).

In the UK, when engaging in debates surrounding immigration, many organisations often perpetuate these framings by demonstrating the economic benefit of migrants to the economy. This is problematic for migrants who are unable to work – through restrictions imposed on them – or who are unable to do so for the same reasons as the general population, i.e. ill health, parental leave, etc. Secondly, the approaches discussed below also reveal a protectionist approach to the labour market itself, which often sits at odds with discourses of the economic contribution migrants are expected to make. As states limit access to the labour market for certain groups they often force them into precarious work or state dependency that further supports anti-migrant tropes and deserving/undeserving distinctions.

Punishment and the removal of labour rights

Labour has historically been at the heart of discourses around belonging to most societies in the Global North and those who do not labour without just reason, or 'the idle' have been subject to punitive measures that often seek to force them to labour. Foucault (1977[1991]) has argued that this is bound up in the ways in which reformists sought to make punishment related to the crime and in doing so made this visible so that those who might potentially commit such a crime would be deterred by the risk of the punishment. While mobility has always haunted punishment, for example via historic sentences such as 'banishment' (Beckett and Herbert, 2009) and 'transportation', (im)mobilities of certain populations have increasingly become related to particular punitive or carceral systems. In this framing, the 'punitive' nature of immigration policies and in particular asylum system has long been established. Indeed, Gill et al (2018) have incorporated borders into their exploration of the connections associated with carceral circuitry. Immigration controls act as a firewall to filter out and construct 'undesirable' migrants (Yuval-Davis et al., 2019; Rumford, 2008) and the right to labour, and more precisely, in the context of the right to access the UK's labour market legally, have become bound up in this filtering process.

For example, the UK currently restricts access to the labour market via the construction of three different groups of migrants: i) visitors/tourists, whose visa restrictions give them no rights to work ii) those who have no status in the country, e.g. migrants who have overstayed their visa and iii) asylum seekers who for the first twelve months after they apply for asylum or submit an appeal or a fresh claim are not allowed to work. After twelve months, if asylum seekers are considered not to be responsible for the delay to their decision, they may apply for permission to work, but this is restricted to jobs on the government's shortage occupation list. The right to labour has been a key site of resistance to government policies in the Global North. For example, Ireland has recently announced a change in law that will permit asylum seekers to work whilst their claim is under consideration (Bardon and Pollock, 2018).

In Germany, support has also been growing for failed asylum seekers to have the right to work (Nasr, 2018):

They don't let her work, they can't deport her to Iran, and so they make her a burden on the welfare system. (Florian Englmaier, May 2018)

Florian's comment refers to a woman whom he had previously employed whilst she was an asylum seeker, but who had lost her job when her claim failed. In Germany, local governments provide support to 'Duldung' – a status, which permits rejected asylum seekers to stay in the country (Bierbach, 2018). In the UK, those without dependent children will find that they have no recourse to public funds and will be left destitute. When entitled to state support, asylum seekers in the UK receive only half of the sum paid to the unemployed and up until recently, this support was often not given in cash but in the form of a payment card that could only be used at restricted outlets (Cassidy, 2019).

If, as Wacquant (2001, 2009,) has argued, the rise in penal reform is linked to neoliberal governance of social insecurity and the punishment of the poor, then punitive welfare regimes in the UK have not only become increasingly punitive as part of the austerity agenda (MacLeavy, 2011), but have extended and expanded inequalities within them determined by immigration status. Those with insecure or undetermined immigration status are seemingly punished more than other citizens as they are not only prohibited from legally labouring, but are expected to survive on a clearly below-subsistence level of state support. Therefore, any work in this field needs to pay attention to the intersectional nature of punishment and labour and how differentiated social positionings shape experiences of punitive labour regimes.

Punishing migrant workers

We can also see differentiated positionalities in relation to those migrants who do have legal routes into work. This includes, particularly, those who have the right to live and work in another country, e.g. when exercising EU treaty rights, but as well as

existing socio-cultural barriers to finding work (Ryan et al., 2008; Parutis, 2014), are also subjected to other mechanisms of control over their rights to labour equally with so-called 'native' or 'autochthonous' (Cassidy et al., 2018; Yuval-Davis et al., 2019) populations. Historically (2007-2014) the British government placed controls on labour market engagement for some EU Nationals (Romanian and Bulgarian nationals, often referred to as the A2 countries). Unlike those who had come to the UK following the 2004 (A8) enlargement, A2 nationals were restricted in accessing both the labour market and state welfare benefits through transitional controls. Until 2014, A2 nationals had to gain worker authorization for employment and after 12 months of paid employment were discharged from the scheme and gained the 'right to reside', which enabled them to claim state benefits. A2 nationals also had to pass the Habitual Residence Test, (HBT) which in addition to 'right to reside' sought to establish intention to remain in the UK for the foreseeable future. Without the 'right to reside' A2 and A8 nationals had no recourse to public funds.

However, even following the removal of the transitional controls on 1st January 2014, the UK government retained a link between work and inclusion for EU nationals by again enacting the 'right to reside' mechanism in the 2014 Immigration Act. This legislation gave EU nationals looking for work in the UK access to Universal Credit (which is gradually replacing a range of welfare benefits) for three months. If they failed to find work in this period they would not gain the 'right to reside' and would be unable to access state support. Those who find work have the 'right to reside' after this period and are able to claim state support, such as Child Benefit. Poole and Adamson (2008: 33) describe this approach as consistent with those taken by previous British governments in that it attempted to 'maximise the benefits of labour migration without incurring its costs'. Here we see a complex operationalization of EU membership mechanisms, which partially restrict formal employment opportunities but then also impose employment conditions on migrants in order to access other elements of state support. The message here is one of punishment for not finding employment within a specified timeframe. It is clear that these emerging state technologies for governing migration and diversity (Yuval-Davis et al., 2018) frequently focus on labour in order to adhere to underlying logics of deriving only

economic advantage for the state from migration. Profiting from migrant labour is no longer solely about the filtering of migrants at the border, but punishing those within states who do not continue to boost state revenues.

Punishing employers

Control of labour market access and the rights to labour is embedded in the politics of governance of the nation-state and its use of criminal justice to punish migrants and deter immigrants. However, enforcement is often difficult. The UK has seen a rise in two new mechanisms of punishment: the first is the punishing of state co-opted enforcers, which in the case of labour is frequently employers; the second is in deterrence by creating a 'punishment spectacle' that seeks to encourage employers to comply with these regimes. The result has been that governments are using increasingly punitive measure to force employers to comply with restrictions to labour for migrants. These punishments take a number of forms – some of which present direct actions within the criminal justice system, but others entail a less tangible impact upon the business of the employer itself primarily through reputation. In the UK, for example, since 1996, successive legislation has imposed fines on employers who take on those not authorized to work. These fines have now reached £20,000 per employee. Since 2006, there has also been the threat of a custodial sentence for those knowingly employing unauthorised migrants (Webber, 2012: 156).

Criminalisation and enforcement have also been increasing, with enforcement operations growing by fifty per cent between 2001 and 2005 (Ryan 2006:33) and to 15,500 raids and 10,750 arrests during 2007-8 (Ryan, 2006). The 2016 Immigration Act introduced criminal sanctions for employers and categorized the wages of 'illegal' workers as 'proceeds of crime'. In addition, the UK Home Office has also used the media as an important site of exerting control and making visible the punishments of those migrants and employers who do not comply with these regulations. This has included direct payments - in 2008 the Home Office paid £400,000 to help fund the Sky Television programme UK Border Force (Davidson, 2008 cited in Philo, Briant and Donald, 2013: 167) – as well publicising raids and arrests across the country on its

website and via press releases to local news media that included requests to the public to report suspected immigration crimes (Wemyss, 2015). Such practices begin to reveal how migrant labour controls, whether from the perspective of the migrant or the employer, form a key element of the punitive labour geographies agenda.

Carceral labour: labour as remedy, labour as punishment

Labour is used in multiple, complex ways to achieve particular state-desired outcomes, which in turn shape the lived experiences of free/unfree people. While in the case of migrant labour controls, the denial of the opportunity or right to labour for some migrants serves to punish, segregate and isolate plus deter future immigration, in other contexts, labour is used as a way to integrate, transform and rehabilitate. In short, labour is used as both remedy and punishment by state authorities. Here, we further explore these complexities by considering the variable role of labour within the carceral system.

It is notable that in some parts of the UK penal system the focus has been on the reduction of re-offending rather than punishment. The Rehabilitation Revolution announced by the then Justice Secretary in 2010 was dependent upon prisoners labouring while incarcerated. Labour was framed as an important and much needed prerequisite, not just to disrupt the boredom and 'enforced idleness' of prisoners but as a mechanism associated with 'instilling a regime of hard work' (Ministry of Justice, 2010). This, it was argued, would help prisoners to experience an 'orthodox working situation' (The Howard League for Penal Reform, 2011) that would prepare prisoners for their integration back into society whilst helping them to become a productive and disciplined member of society ready to labour (Geoghegan, Boyd and Gibbs, 2011). There are numerous assumed benefits for prisoners engaging in some type of waged work (Blackburn, 2016; Fine Cell Work, 2018; Geoghegan, Boyd and Gibbs, 2011; The Howard League for Penal Reform, 2011; Sexton 1995; Shilton, Lindsay and Vail, 2005, Moran et al 2016; Shemkus, 2015) although the empirical lacuna on the lived experience of prisoners makes these benefits difficult to fully qualify, indicative

perhaps of prison labour being constructed as an 'othered' and potentially less-than human workforce (McDowell, 2015; Philo, 2017).

Some types of prison labour also afford greater spatial mobility and less surveillance than some migrants or asylum seekers or others already working in the labour market. For example, prisoner run enterprises often include interaction with members of the public and pivot on bringing the outside inside the prison (Turner, 2016). These freedoms are in stark contrast to the relative unfreedoms and punitive labour and surveillance practices enacted in some parts of the labour market (Bloodworth, 2018). Likewise, through 'flow mechanisms' such as release on temporary license (Richardson and Thieme 2018), some prisoners are able to experience mobility and labour in waged and unwaged situations beyond the prison boundary. While this does not mean that the labour performed is neither exploitative nor punitive, this illustrates that the relationship between labour and punishment is variable. The most punitive and harmful labour practices are not necessarily in carceral spaces and it is this variability - spatially, temporally and institutionally - that underpins our call for a more-than-carceral punitive labour geographies agenda.

Carceral labour

A further reason for focussing on the prison as an empirical setting in this paper is that labour within the penal system has been relatively neglected by both carceral and labour geographers. This is despite the variety of waged and unwaged work practices that take place within them, and the multi-scalar, geographically varied, regulatory and institutional frameworks that govern, shape and mediate such labour practices. Although often hidden from view, there is a continuum of waged work that prisoners can undertake while incarcerated.

In the UK opportunities range from 'prison housework', work done to reproduce and maintain the prison such as wing cleaners and kitchen hands, to providing procurement services for other state utilities such as processing industrial laundry for the prison or hospital complex. Further along the continuum, are prisoner-run

enterprises and further still are private companies and contractors paying to use prison labour to undertake routinized, low-cost work such as packaging books for high street book stores, assembling disposable aircraft headphones, making furniture or sewing underwear (Atkinson and Rostad, 2003; Sexton, 1995).

Elsewhere on this continuum, within the UK, there has been a further distinction on prisoners undertaking 'real work' (The Howard League for Penal Reform, 2011; Geoghegan, Boyd and Gibbs, 2011) where prisoners go through a job application and interview process, are paid 'proper wages and pay taxes' and perform a job that could be done by a non-incarcerated worker with largely the same conditions (pay, holiday, sickness pay). Such 'real world' jobs can be undertaken inside or outside of the prison boundary. Finally, there is also a range of more hybrid work-based training schemes for prisoners through firms such as Timpsons, the National Grid and charities such as the Clink restaurants in the UK (James, 2016; Allison, 2009).

Neoliberalism and carceral labour

Despite the framing of some prison labour as emancipatory and transformative, issues of exploitation, low wages and dangerous working conditions persist in many types of penal labour practices (Lowe, 2017). This raises important questions around whether prison labour is any more or less exploitative or coercive than those that labour geographers have drawn attention to in other parts of the formal/informal economy. In the UK, for example, prisoners are exempt from either the minimum or living wage and are subject to the Prisoners' Earnings Act (1996). This Act gives freedom to the individual prison governor to impose a levy of up to 40% on earnings over £20 per week (after any tax, national insurance or court ordered payments) to be directed to the Victim Support Fund. At the same time, prison governors themselves are at liberty to set their own prison pay policies (albeit against national guidelines) that are well below the national or minimum wage.

We argue that in-depth analysis of such low and exploitative wages, or indeed no wages at all, should be at the heart of a punitive labour geographies agenda; this

approach poses multiple questions about how or where prisoners sit within conceptual discussions and analytical distinctions of forced and unfree labour (Strauss, 2014; McGrath, 2013; Bales 1999, 2005; International Labour Organisation, 2009; Rogaly, 2008). Exactly how free are prisoners to be able to commodify their labour if they are 'working to exit' or are compelled to undertake waged work for exploitative pay if it expedites their release from prison and integration back into society (Barak and Stebbins, 2017)? This connects to broader questions concerning how legal frameworks create definitions of who and what counts as a worker but also who is forcibly included and excluded from such frameworks (Strauss, 2017b; Zatz 2009).

There are also concerns that the attractiveness of prisoners as an alternative cheap labour source increases competition with similar businesses beyond the prison boundary (i.e. car valeting or café services) or undercuts and transfers jobs usually available in the labour market to the prison system (Lafer, 2003; Francis, 2013; Schwartzapfel, 2009). Malik (2012) highlighted how members of staff at call centres have been made redundant to make way for prisoners earning £3 per day. Relatedly, Trade unionists have expressed their concern that there are 'two million people on the dole looking for work and the idea of bypassing them and undermining the national minimum wage is frankly ludicrous and unacceptable' (King, 2012). Thompson (2012) expands this analysis to reveal that US prisoners are now performing jobs formerly located outside of the carceral setting, highlighting connections to the high unemployment and poverty for prison workers' families in some parts of the US. It is these experiences that not only reassert our call for a punitive labour geographies agenda, but that the interlinkages between carceral labour and wider labour market dynamics underpin our call for a more pronounced political economy lens to be applied to carceral geography.

In the quest for unfettered capital accumulation, and as many private companies seek to exploit ever more marginal, flexible and low cost labour, prisons are framed as a convenient spatial fix, housing a compliant and cheap research army of labour, which Zatz (2009) argues recasts the prison space as a temp agency or sub-contractor. The

way carceral systems are bound up in neoliberal forces mediating labour practices and labour market controls is indicative of carceral circuitry and the porosity of the prison boundary (Turner, 2016; Gill et al, 2018). Moreover, the way prisons have become sites of wealth extraction reflects the increasing commodification of detainees themselves where 'an array of public and private entities save or profit' (Hiemstra and Conlon, 2017: 127).

Evidence of neoliberal governance can be seen by state owned labour market intermediaries that directly serve to broker relations between prisons and private companies and to foster private sector interest in prisons (i.e One2One Solutions in the UK or the US Prison Industry Enhancement program). Just as informal and often hidden labour market intermediaries organise unfree or coerced labour within the carceral system, a similar role is explicitly taken up and sanctioned by the state. In the UK, the emphasis on attracting private business into prisons means that there are recommendations in place for prison governors to receive training on how to put together a tender to present the 'best' business case so as to compete for private sector contracts in their prison (The Howard League for Penal Reform, 2011). In this respect, prison governors are becoming key interlocutors shaping potentially punitive labour regimes by dictating pay and working conditions and actively enmeshing the carceral institution in to an ever more privatised, flexible and de-regulated labour-scape.

Carceral labour pre- and post-release

Despite the emphasis on labour as a form of remedy and rehabilitation, work and skills training within prisons has been criticised for being largely ineffectual in preparing inmates for a life of reintegration into the mainstream labour market (Marinetto and Pandeli, 2015). Although there are instances of successful examples of prison work that have proven to reduce recidivism (Marinetto and Pandeli, 2015; Shemus, 2015), improvements to employability have been less evident (The Howard League for Penal Reform, 2011). In Pandeli's (2015) ethnographic study of 'orange-collar- work' such interventions (in this case private companies contracting prison

labour) rarely provide appropriate skills for the outside world. This is by virtue of training and skills primarily in manual and unskilled assembly based work that is generally concentrated within declining industries such as textiles and manufacturing or in the low skilled and paid personal services industry – a sector well known for its precarious conditions (Atkinson and Rostad, 2003). In fact Pandeli argues that the mundanity of this work ‘deters many’ inmates from the real world of work and can have the opposite effect of inmates ‘learning not to labour’ (Pandeli 2015: 213-214). Therefore ‘whilst prison labour continues to be a key feature of the modern prison its marketed rehabilitative purpose still sits on the back-burner whilst occupation, profit and other motives take precedent’ (Pandeli, 2015:19).

We argue that how prison work intersects with broader labour conditions and markets at multiple spatial scales is a key area for future research. Not least as Richardson and Thieme observed how prisoners planning for the end of their custodial sentence and subsequent release into the community are essentially priming themselves for contemporary conditions of working uncertainty and navigating ‘precarious working futures’ in a way that often serves to reinforce their social exclusion and economic vulnerability (2018: 17). This vulnerability intersects with commentators noting how regardless of the skills, employability or work experience ex-offenders have, they regularly face legalised discrimination and struggle to find work once released from prison (Marinetti and Pandeli, 2015; Ryan, no date), potentially pushing ex-offenders into unemployment, criminal activity and/or more hidden parts of the labour market.

Conclusions

The purpose of this paper was to bring into productive conversation two sub-fields of geography: carceral and labour geographies, in order to highlight new research avenues and empirical gaps across both fields. Despite engagements with unfree and precarious work by labour geographers, alongside substantial developments within carceral geography around the punitive turn, carceral circuitry and intimate economies of detention (Conlon and Hiemstra, 2017), the punitive aspects of work

remain largely under-theorised within labour geography, whilst the political economy of carceral labour within carceral geography has also been somewhat marginalised. By initiating a much needed conversation, we call for two interrelated research agendas. Firstly, our engagements here demonstrate the need for a punitive labour geographies research agenda; secondly, we indicate that sustained engagement with a political economy lens is required within carceral geography. Below, we map out two central elements to our punitive labour geographies agenda before turning our attention to our second contribution around political economy.

Our first claim is that punitive labour geographies attends to the connections between seemingly disconnected acts and experiences, as it shifts geographical conceptualisations of punishment to the forefront. The focus enables researchers to explore synergies across seemingly differentiated and unrelated empirical settings and will drive forward changes in conceptualisation, which will aid punishment to be considered in new ways. References to 'free' work places as 'jail', workers as 'slaves' (Padmanabhan, 2012: 980), complaints of management not caring for staff and workers being 'treated like robots' (Shildrick et al., 2012: 134) and the control strategies of employers towards unfree migrant workers (Yea, 2017) are prominent within accounts of workplaces, both considered along the spectrum of 'free' and 'unfree' labour. Yet framing these experiences and acts as structural constraints does not articulate the punitive realities of such practice. Thus, our intervention here is not to undermine the power of labour but rather to acknowledge the lived realities and political economy of punitive conditions within which such negotiations are found. We call for greater attention to punishments by acknowledging the importance of describing them in such terms. Such a holistic approach recalibrates previous debates regarding discipline within and beyond the workplace to illuminate unacceptable punitive realities.

Second, our agenda critically explores the spaces and practices found at the intersection of work and punishment to question how labour itself is conceptualised and positioned. Our engagements have revealed similarities and differences within labour experiences across a 'continuum of unfreedom' (Lewis et al, 2015b) through

the empirical foci that we have discussed. We have also briefly indicated the way in which labour has been used by the state as both punishment (through withdrawal and restrictions) and transformative device (when framed as remedy within prisons), indicating spatial and temporal variation in the presence of punitive practices. These tensions pose challenges for how labour and work are conceptualized and foregrounds further moral complexities of the nature of work within labour geography that require further attention (Castree, 2007; Hastings, 2016). Our exploration of variable punitive practices also rethinks what counts as work and who counts as a worker to encourage engagements with hidden voices and to provide a more rounded account of punitive labour geographies. This repositioning requires an engagement with a variety of punitive experiences from the 'missing others' (McDowell, 2015) of labour geography, such as those of imprisoned workers or detained migrants, to expand understandings of the lived experience of punishment and to more fully characterise the relationship between work and punishment.

Our final intervention, influenced by our engagement with labour geography, has been to highlight the need for a more sustained political economy lens to be applied to carceral geography (Hamlin and Speer, 2018). It is our contention that carceral geography may still fall short of taking a broader and more sustained examination of the political and economic decisions shaping, mediating and impacting on the entanglements underpinning carceral circuitry, prison labour or the experiences of transitional phases in geographically grounded ways. To that end, we argue for greater reflection on the decisions, values and commitments of intermediaries, such as prison governors in the context of prison work and employers with regards to migrant workers. Investigating how these decisions and strategies play out in spatially uneven and variegated ways would be a useful compliment to the micro-level processes and practices of intimate economies of detention (and by extension, carcerality) that enmesh with broader macro transnational relationships and global capitalist regimes (Conlon and Hiemstra, 2017).

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