

# Introduction

## *A New Phase for Criminal Justice Reform*

After years of public and scholarly debate, the United States' incarceration rates have finally declined significantly. From their height during the early aughts, when 670 people per one hundred thousand were incarcerated, the numbers are now back to the level of 1995, with 556 out of one hundred thousand people in prison. The trend of a steadily increasing prison population has been reversed, but “the Land of the Free” still incarcerates far more people than any comparable European nation (Fair and Walmsley 2021). This outlier status invites international comparisons, but US scholars have mostly looked inward to understand the specific dynamics of crime and incarceration beleaguering the nation since the mid-1980s.<sup>1</sup>

There are many good reasons to shy away from a detailed comparative approach. The United States is unique in its diversity and size. Consequently, the country's political structure is very different from other Western countries (Prasad 2012). In a theoretically rich analysis of the German and American criminal justice systems, Savelsberg (1994) focused on how knowledge production is institutionalized in both countries.

US institutions, he argued, were less bureaucratized and more easily influenced by public sentiments about crime and punishment. German institutions, in contrast, operated more independently from public discourse and did not bend to popular demands as easily.

Today, US journalists, scholars, and nonprofits longingly point to the Nordic countries and Germany as alternatives to the current state of mass incarceration (Turner and Travis 2015; Rudes 2022).<sup>2</sup> The calls for replicating a similar system in the United States fall on fertile ground. Based on a nationally representative survey conducted by the ACLU and Beneson Strategy, a large majority of Americans (92 percent) now believe that reforming the criminal justice system is necessary.<sup>3</sup> High costs of incarceration, combined with high recidivism rates, have led even former supporters of zero tolerance policies to rethink their approach. After only a few days in office President Biden, for example, took executive action and ordered the phasing out of privately operated federal prisons.<sup>4</sup> Netflix shows like *Orange is the New Black* and media personalities like Kim Kardashian have mainstreamed support for criminal justice reform beyond the once small circle of activists and academics.<sup>5</sup>

Given the broad consensus about the need for change in the criminal justice system, Germany can offer insight into what a less retributive system in the United States could look like. A comparison can be especially useful once we bracket Germany's commitment to rehabilitation historically, and scrutinize exclusionary practices that developed beyond official punitive structures. In short: If we want to reform the criminal justice system in the United States, we not only have to consider the kind of policies we would like to implement; we also have to anticipate potential obstacles.

Setting out to understand what it might entail to end mass incarceration, *The Price of Freedom* draws on repeated in-depth interviews with incarcerated young men in Germany and the United States. Comparing the Pennsylvania criminal justice system to the criminal justice system in the southern German state of Baden-Württemberg reveals historical and cultural contingencies that have impacted the development of punitive structures in both countries. As I will show over the course of this book, the seemingly lenient approach to punishment in southern Germany is implemented in tandem with an assumption of cultural homogeneity that would be indefensible in the United States.

Wacquant (2009) and others have argued convincingly that exploding prison populations cannot be understood independently from other social institutions that manage the poor (Fording, Soss, and Schram 2015). In its many more or less punitive iterations (prisons, jails, probation, parole, drug courts, etc.) the criminal justice system has a firm grip on disadvantaged communities across the United States. Building on this argument, *The Price of Freedom* contextualizes the young men's punitive experience in the larger socioeconomic context they grew up in. Comparing educational opportunities, the welfare state, labeling, and discrimination, I show how "outsider status" is constructed and internalized in both countries. Juxtaposing these two very different societies, I argue, allows us to assess why Germany can afford to be less punitive than the United States. Even more importantly, taking a comparative perspective brings into focus what needs to be done to end mass incarceration without increasing strain on segregated communities that are likely to receive the formerly incarcerated.

Building a more humane system of punishment is a complex undertaking in a country as vast and diverse as the United States—especially when reforming the criminal justice system has to go hand in hand with the expansion of social services (Soyer 2018; Sufrin 2017). The kind of safety net that exists in Germany cannot easily be transferred to the United States. The cultural imperative of individualism is incompatible with the idea of an encompassing welfare state that requires financial transparency and cultural assimilation in return for social services (Koopmanns 2010; Barry 2002).

On the other hand, mass incarceration of the poor, disproportionately African American and Latino populations, has shaken the American project of freedom and equality for everyone at its core. Criminal justice reform in the United States therefore needs to balance the different needs of a culturally heterogeneous and ideological divided society with offering easily accessible services to those who have been institutionalized for decades. To achieve a more just society, the United States will be required to be more inclusive, more tolerant, and more generous than Western European countries that seem to have built more equal societies, but are still mostly advancing their own ethnically homogenous population.

#### METHODOLOGY AND FIELDSITES

When I drove through Pennsylvania for the first time in 2013, I was struck by how familiar the landscape felt. The rolling hills, farms at the edge of small towns, and mixed woodlands immediately reminded me of the area I grew up in southern Germany. As I made my way to my new temporary home in State College, I wondered whether the Amish immigrants, who came from

southern Germany three hundred years ago, settled here because central Pennsylvania reminded them of the old world they had left behind. The similarity of the landscape is deceptive. In the decades following World War II, the automobile industry turned southern Germany into an economic powerhouse. Large parts of Pennsylvania never recovered from the deindustrialization that devastated once prosperous towns like Allentown or Pittsburgh (Gimple 1999). Unexpected differences hiding behind a familiar façade may be the most adequate way to summarize the cultural and institutional differences between the United States and Germany. *The Price of Freedom* makes use of this particular constellation of likeness and difference to develop a comparative perspective on the processes of marginalization and criminalization in both countries.

As a native German, using Germany as a counterexample to the United States is a natural choice for me. Aside from my personal proclivities, Germany also offers several interesting points of connection. Germany's history has been deeply intertwined with the United States. After World War II, Allied forces under the guidance of the United States allowed Germany to recover and to establish robust democratic structures. For decades US troops were stationed on German soil offering security guarantees against a looming threat from the Soviet Union. Even when the Trump presidency created a rift between both countries, the transatlantic cultural and political exchange remained intact.<sup>6</sup> The persisting cultural difference, in spite of strong political, economic, and cultural connections between the United States and Germany, I argue, offers a unique analytical opportunity. It allows us to conceptualize the potential obstacles the United States might encounter should it emulate a more lenient criminal justice system akin to Germany's.

Data collection for this book proceeded differently at both fieldsites, given the specificity of each criminal justice system. The young men in Pennsylvania faced long prison sentences while the young men in Germany were released within the time frame of this study. As a result, I was able to interview seven of the German respondents again after their release. Depending on their release date, the community interviews in Germany took place between six months to a year after the young men in question had left prison.

At the Pennsylvania fieldsite, I interviewed thirty young men aged between eighteen and twenty-one over the course of three months between April and June 2014. All respondents were incarcerated at the State Correctional Institution (SCI) Pine Grove in central Pennsylvania.<sup>7</sup> They were housed in a unit that is specifically designed for young men who are adjudicated for crimes committed before they turn eighteen.<sup>8</sup> In 2014, approximately three hundred young men were held there. According to the Pennsylvania Juvenile Act, adults remain incarcerated at Pine Grove until they are twenty-two. If they have not finished their sentences by then, they are relocated to adult prisons across the state for the remainder of their sentences.<sup>9</sup>

I recruited participants through an internal communication system that sent a digital call for participation to those people who had a television in their cell. Thirty people agreed to be interviewed and I met with all but one participant three times over the course of three months.<sup>10</sup> A majority of the respondents from Pennsylvania grew up in abject poverty and experienced a high level of childhood trauma. Housing instability, hunger, parental drug use, and being exposed to violence in their homes and neighborhoods were integral parts of the young men's upbringings (Soyer 2018).

The second field site for this project is the juvenile prison located in Adelsheim, a small town in Baden-Württemberg, Germany. In 2017, the German prison housed on average 340 youths aged between fourteen and twenty-four. It is the only juvenile prison left in Baden-Württemberg.<sup>11</sup> Thirteen out of the seventeen German youths who enrolled in this study had a so-called “migration background” (*Migrationshintergrund*), whereas four considered themselves to be ethnically German.<sup>12</sup> The setup of the juvenile prison, as well as the limited number of long-term prisoners, prevented an exact replication of the recruitment strategies utilized in Pennsylvania.

With the support of Wolfgang Stelly, a research associate at the Criminological Institute at the University of Tübingen and member of the Kriminologischer Dienst in Baden-Württemberg, I approached potential respondents individually and presented the research project to them.<sup>13</sup> The young men recruited into the study had a comparable criminal record and similar age range to the Pennsylvania group. Their case files indicated that a majority was not able to complete even the most remedial school work, and several respondents were diagnosed with ADHD. The German young men who participated in the study served between one and five years in prison. Like their counterparts in Pennsylvania, they had been convicted of serious crimes, such as armed robbery, rape, or attempted murder. They were considered to be among the most serious cases in the state.

In addition to interview data, I rely on secondary sources and archival material from the Central Office of the State Justice Administrations for the Investigation of National Socialist Crimes in Ludwigsburg, Baden-Württemberg. This historical perspective traces the development of Germany’s criminal justice system post-World War II. The respondents’ narratives are

contextualized culturally and historically to explore how current constructions of “otherness” relate to Germany’s fractured development as a nation (Brubaker 1992).

As is the case for many qualitative studies, this book trades off the number of respondents for in-depth engagement with them. At both sites, respondents were interviewed repeatedly. Owing to time constraints, data collection in Germany took place over the course of three consecutive summers. I observed and interviewed the respondents in different settings—in prison, at group homes, and at home with their families. I was able to document their reentry trajectory, their frustrations, adjustments of expectations, and, in some cases, their disillusionment.

Since most of the young men in Pennsylvania served long sentences, it was not feasible to follow up with them on the outside. However, interviewing the young men repeatedly in prison, and meeting their relatives and friends on the outside, allowed me to build trust and get a deeper understanding of the circumstances of their upbringing. As I have laid out elsewhere, some of the young men disclosed to me for the first time their experience of abuse in the juvenile justice system (Soyer 2018).<sup>14</sup>

The small sample size and the localized data collection do not allow me to draw conclusions that are applicable nationwide in the United States or Germany. In *The Price of Freedom* I take a case-study approach to present theoretical insights into culturally specific processes of the construction of deviance and mass incarceration (Ragin and Becker 1992). The young men shared a variety of narratives that are not representative but indicative of the kind of mechanisms at play in two different judicial systems. Following Max Weber, I consider the two cases “ideal types” that illuminate the contradictions and challenges of two

different approaches to social welfare provision and punishment (Weber 1949).

The interpretation of the narratives was a reflexive and hermeneutic exercise. The data were transcribed by research assistants and I coded both data sets using the qualitative word processing software Maxqda. In analyzing the data I referred to my prior work with the Pennsylvania data set and specifically looked for similarities and differences in the categories of childhood trauma, experience of childhood poverty, and provision of social services on the outside. I also added the category of “experience of racism and discrimination” to my analytical tool kit. In contrast to my prior work, this book draws extensively on the experience of discrimination and the young men’s identity construction in relation to being “othered.” While I deliberately excluded discussions of race and racism in my book *Lost Childhoods*, *The Price of Freedom* utilizes the opportunities inherent in a comparative study to demonstrate how historically contingent constructions of otherness shape young men’s understanding of themselves and their social positions.

Again, working in the Weberian tradition, I have focused on the most extreme cases of juvenile crime in both states. The young men I met do not represent the average struggling teenager in both countries. They are extremely disadvantaged, traumatized, and had been institutionalized in various ways multiple times before I met them. Although I make no claims about the generalizability of the data, I do believe that this comparative case study can offer theoretical insights that may broaden the perspective of US scholars, activists, and politicians on the possibilities and challenges of criminal justice reform. Tables 1 and 2 summarize the demographic characteristics of both samples.

TABLE 1  
American respondents

Name*	Race	Year of birth	Conviction	Sentence <sup>†</sup>
Alexander	Latino	1993	Theft	2–4 years
Andrew	Mixed	1993	Burglary	2–6 years
Austin	Black	1994	Arson	1–5 years
Blake	Black	1992	Drug manufacture / sale / deliver	1–5 years
Bryan	Black	1993	Carrying firearm w/o license	2–5 years
Connor	Mixed	1994	Robbery	3–10 years
Dylan	Black	1993	Murder 3rd degree	25–50 years
Elijah	Black	1992	Drug manufacture / sale / deliver	3–7 years
Gabriel	Black	1993	Robbery	4–8 years
Henry	White	1994	Theft	2–4 years
Issac	Black	1994	Murder 3rd degree	20–40 years
Jaxon	Black	1994	Robbery	2–8 years
Jeremiah	Black	1993	Aggravated assault	4–8 years
Jesus	Latino	1994	Aggravated harassment	2–4 years
John	Mixed	1994	Robbery	2–3 years
Jordan	Black	1993	Robbery	4–8 years
Joshua	Black	1993	Robbery	2–5 years
Josiah	Black	1993	Burglary	3–6 years
Julian	White	1992	Aggravated assault	4–17 years
Kayden	Black	1994	Aggravated assault	2–4 years
Luke	White	1994	Robbery	3–10 years
Marc	Black	1994	Aggravated assault	9–20 years
Mateo	Latino	1993	Aggravated assault	2–5 years
Miguel	Latino	1992	Robbery	5–10 years
Nate	Asian	1993	Theft of motor vehicles	4–8 years
Oliver	White	1994	Receiving stolen property	9 months–3 years
Robert	White	1993	Sale or transfer of firearms	15–30 years
Samuel	Black	1994	Robbery	2–4 years
Tyler	Black	1992	Robbery	5–12 years
William	White	1994	Aggravated assault	4–8 years

\*Names are anonymized.

†Numbers are rounded.

TABLE 2  
German respondents

Name*	Parental Country of Origin	Year of Birth	Conviction	Sentence†
Carlo	Italy / Togo	1999	Aggravated assault	3 years
Conrad	Germany	1995	Theft, property damage	2 years
Burat	Turkey	1999	Robbery and extortion	4 years
Miro	Kosovo	1996	Aggravated sexual abuse of minors, theft	3 years, 3 months
Thaman	Sri Lanka	~1996	Rape and extortion	3 years
Sahib	India	1996	Attempted murder	6 years
Arslan	Turkey	1994	Attempted murder	5 years, 6 months
Marcel	Germany	1998	Robbery, theft, aggravated assault	2 years, 2 months
Jens	Croatia / Germany	2000	Extortion, aggravated theft	2 years
Martin	Germany	1996	Receiving of stolen property	1 year, 1 month
Achim	Germany	1997	Assault and battery	1 year, 6 months
Johannes	Germany / USA	1997	Assault and battery	1 year, 5 months
Eren	Turkey	1996	Assault, DUI, driving without a license, resisting arrest	3 years, 9 months
Armend	Kosovo	1999	Harassment, theft, trespassing, damage to property	1 year, 6 months
Alexander	Uzbekistan	1997	Aggravated robbery, carrying a firearm	2 years, 9 months
Marko	Roma from Serbia	1995	Assault, DUI, Driving without a License, Resisting Arrest	1 year, 6 months
Adam	Poland	1997	Aggravated assault with a weapon	2 years, 5 months

\*Names are anonymized.

†Numbers are rounded.

## GUNS, VIOLENT CRIME, AND INCARCERATION RATES

An important difference between the two cases is the ready access to guns respondents had in Pennsylvania. The number of people in southern Germany who have a license to own a firearm is negligible in comparison to Pennsylvania, where weapons are for sale at Walmart. According to the Firearms Annual Report by the Pennsylvania State police, among a population of roughly thirteen million people, 1,141,413 firearms were officially purchased or transferred in 2020 alone.<sup>15</sup> In 2022, Baden-Württemberg, with a population of about eleven million, counted about 262,000 registered firearms.<sup>16</sup> As is evident from these numbers, Germany's regulation of gun ownership is much more restrictive. Receiving the permission to own a handgun or rifle is limited to those who hunt or are sport shooters. Owners need to get certified regularly and have to present a psychological evaluation as well. Semiautomatic guns are banned. Not having easy access to guns undoubtedly limited the kind of physical violence the German respondents were able to inflict. They were never involved in shootings or the accidental deaths related to handling loaded weapons. Their neighborhoods were not plagued by gun violence either.

Overall, violent crime is a very rare occurrence in southern Germany. In 2020, Baden-Wuerttemberg had a homicide rate of 2.8 per one hundred thousand people. Pennsylvania in contrast counted 8.5 homicides per one hundred thousand people.<sup>17</sup> On a more local level, Stuttgart, with a population of six hundred thousand—the largest city in Baden-Württemberg—registered four incidents of murder in the first degree in 2021. Seventeen cases were classified as manslaughter. Pittsburgh, the second

largest city in Pennsylvania, which is half the size of Stuttgart (approximately three hundred thousand inhabitants) counted fifty-one homicides in 2021.

From a perspective of direct deterrence, the large difference in violent crime rates could explain the discrepancy in incarceration rates between both states. In March 2020 Baden-Württemberg incarcerated 4,537 people in state prisons and held sixty-one people in so-called security confinement, an incarceration rate of approximately 41.2 per one hundred thousand people. (Staatistisches Landesamt 2020).<sup>18</sup> During the same month, Pennsylvania's state prison population was 44,230, which equals an incarceration rate of about 340 per one hundred thousand people. The state government in Pennsylvania had a homicide rate that was about three times the size of Baden-Württemberg with an incarceration rate that was approximately 8.25 higher than in southern Germany. The large variance in incarceration and crime rates raises the question of how comparable the two field sites actually are. I maintain that the numerical differences can make a comparative case study more compelling. Understanding how punishment, violence and incarceration relates to the historical and cultural idiosyncrasies of both societies, points to the challenges of reforming the US criminal justice system.

Given the analytical goals of this book, I decided to bracket the question of why the United States has higher crime rates than other comparable Western nations. This decision does not imply that I consider the differences in violent crime to be irrelevant. On the contrary, they deserve to be investigated in depth and they go beyond the scope of this book.<sup>19</sup> The objective of *The Price of Freedom* is not to establish causal mechanisms

between violent crime and incarceration rates. On the contrary, the following chapters investigate the meaning of punishment not just as a retributive or deterrent tool of governance but as a form of meaning making and boundary maintenance (Erickson 2004; Durkheim 1960). The following section provides a brief overview of the main arguments and a summary of the different chapters.

CHAPTER 1. HOMOGENEITY, PUNISHMENT,  
AND THE WELFARE STATE

Chapter 1 introduces the theoretical framework guiding the data analysis. *The Price of Freedom* draws on Durkheim's writings on punishment in *The Division of Labor in Society* (1960). Durkheim proposes that focusing on how societies sanction behavior reveals their general organizing principle (1960, 128). Highly developed and heterogeneous societies that operate according to the principles of "organic solidarity" are more tolerant of differences and therefore less punitive (1960, 112f). Homogenous and less-developed communities that are organized according to mechanical solidarity punish harshly. Difference is perceived as a threat to their core functioning (1960, 108).

A comparison of Germany and the United States adds to these classic assertions in unexpected ways. Germany has a seemingly lenient punishment regime that is comparable to the Nordic countries. Like those countries, Germany is a fairly homogenous society less willing to tolerate expressions of different ethnic identities (Plamper 2019; Panreck and Brinkmann 2019; Koopmans 2010; Joppke 1999). The United States, on the

other hand, is more flexible when it comes to accommodating different ethnic communities. Visible difference is accepted as long as individuals operate effectively within the logic of capitalist society (Merton 1938; Messner and Rosenfeld 2007). Punitive structures in the United States therefore tend to have the greatest impact on those who have fallen through cracks of the hypercapitalist economic system.

Investigating these tensions, chapter 1 uses Durkheim's theoretical construct to explore the differences between the punitive traditions in both countries. Durkheim's assumptions about the connections between punishment and social solidarity provide a blueprint for exploring how punishment connects to general social, political, and economic practices in the respective countries. While Durkheim's theoretical apparatus can seem reductive, its simplicity clarifies how both countries have historically managed and punished "outsiders." Contradicting the widespread assumption of US scholars that Western European countries like Sweden, Finland, or Germany could be a model for more humane punishment in the United States, this chapter shows that a seemingly more lenient system of punishment does not necessarily imply a more tolerant and inclusive society.

CHAPTER 2. THE UNCERTAINTY OF BELONGING:  
NARRATIVES OF DIFFERENCE AND EXCLUSION  
IN GERMANY AND THE UNITED STATES

Chapter 2 focuses on how social constructions of race and citizenship have shaped the respondents' identity in both locations. To illustrate how the young men narrativize their experience,

this chapter compares multiple cases of German-Turkish and German-Russian young men with Latino and African American respondents from the United States. Since 1999, the reform of the German citizenship law has offered children of immigrant parents a pathway to citizenship. This official movement from *ius sanguinis* to *ius soli* nevertheless maintains firm boundaries for those deemed undeserving of citizenship (Anil 2007). Even children who are able to become German citizens are not considered part of the German community. The German census defines second- and even third-generation immigrants as people living in Germany with a “migration background” in perpetuity.

The US respondents do not have to worry about their status as US citizens. Their exclusion manifests economically as they are subject to institutional racism and segregation (Sharkey 2013; Alexander 2010; Pattillo 1999; Massey and Denton 1994). As a result, the narratives of the young men reflect security in their American identity even though their life-course history testifies to the marginalization they have suffered.

Taking cultural and structural differences seriously, chapter 2 sheds light on the complexity of US society in comparison to a homogenous country like Germany. To this day, Germany defines belonging in terms of ethnicity that is inherited across generations. As the legacy of the atrocities committed during the Third Reich recede into the background, demands for harsher punishments, especially for immigrants and their children, have become more socially acceptable (Walter 2003). The influx of refugees has given rise to an anti-immigrant political rhetoric. The so-called *Alternative für Deutschland* (AfD), a party explicitly running on a law-and-order, anti-immigrant platform

has been elected by a large margin to the state parliament in Baden-Württemberg. Those who are not ethnically German never truly belong (Yurdakul and Korteweg 2013; Korteweg and Yurdakul 2014). Understanding the explicit and implicit exclusionary mechanism prevalent in southern German society challenges the country's progressive image, often cited as a counterexample to the racist system of mass incarceration in the United States (Alexander 2010).<sup>20</sup>

CHAPTER 3. "HERE, I GET THREE MEALS A DAY":  
SEGREGATION AND THE RELATIVE EXPERIENCE  
OF POVERTY

The different narratives presented in this chapter expose the relativity of suffering and poverty. Poverty and incarceration in both field sites were experienced in relation to the living standard of the surrounding environment (Hochschild 1989). German respondents initially perceived their outsider status more intensely than the American sample did. They had been confronted with the lifestyle of the majority white middle class on a daily basis before they were sent to prison. While punitive measures were comparatively mild, the young men understood very well that incarceration entrenched their marginalization. American respondents, in contrast, had lived in segregated, poverty-stricken neighborhoods before they were sent to prison. The American sample was so far removed from middle- and upper-middle-class life, that the young men only conceptualized the full scope their disadvantage after the fact (Shedd 2015).

The narratives of the US respondents also revealed that extreme poverty and segregation in the United States undermine the principle of "less eligibility" (Rusche and Kirchheimer 2003).

The “upper limit,” the living standard of the poorest worker on the outside, is now so low that prisons—following the constitutional mandate of preventing “cruel and unusual punishment”—cannot keep pace (Bonnet 2019). For the young men in the United States, life on the outside had reached such desperate proportions that being incarcerated elevated their living conditions. In prison they were able to access at least minimal social services that had been out of reach on the outside (Soyer 2018; Sufrin 2017).

CHAPTER 4. RETRIBUTION AND DOMINATION:  
LIVING THROUGH PUNISHMENT IN GERMANY  
AND THE UNITED STATES

Chapter 4 develops a comparative historical perspective on the different punitive mechanisms applied in southern Germany and Pennsylvania. Contextualizing the narratives of the young men historically and culturally illustrates that lenient punishment in Germany is a fairly new development that needs to be understood in terms of Germany’s unique path of nation-building and the catastrophe of World War II. Secondly, this chapter argues that criminal justice in Baden-Württemberg has to be analyzed in tandem with the welfare state. Through their parents’ entanglement with the welfare state, the young men in Germany had been integrated in the disciplinary apparatus of welfare governance from early childhood on. Unlike their American counterparts, the German respondents did not report committing crimes out of desperation. Likewise, their punishment was lighter than the punitive experience of the American sample. In aggregate, however, they were subject to disciplinary mechanisms and homogenizing pressures long before they entered prison.

Germany's punishment regime is juxtaposed with the US system of mass incarceration. Retracing the paradox of a society that is at once committed to free market economy while maintaining an inhumane and costly system of mass incarceration, this chapter draws on work by Loïc Wacquant (2009) and others (Garland 2002; Edin and Shaefer 2015; Sufrin 2017). Synthesizing these prior contributions, chapter 3) argues that the carceral state in the United States has haphazardly filled the void of a dismantled welfare system (Soyer 2018). Contradicting PRWORA's (Personal Responsibility and Work Opportunity Act) intentions to minimize state intervention and increase participation in the workforce, mass incarceration has removed a significant number of people from the labor market. Managing a population with decade-long sentences, prisons have inadvertently resorted to the kind of permanent and more extreme government maintenance the welfare reform was supposed to counteract.

CHAPTER 5. "I WANNA BE SOMEBODY":  
EDUCATION AND UPWARD MOBILITY  
IN GERMANY AND THE UNITED STATES

This chapter focuses on how education in Germany and the United States has shaped the respondents' ideas about their opportunities and ability to achieve their goal of living a middle-class life. Narratives of the young men are scaffolded by a structural analysis of both educational systems.

Germany has a long tradition of a dual educational system that offers less academically inclined teenagers the opportunity to receive formal training in a trade (i.e., as a mechanic, hairdresser, plumber, and so on). Decisions about a child's future are made in fourth grade, when students, aged nine or ten, are either

sent to vocational schools or academic high schools. Although it is possible to switch between tracks, moving from the vocational school system to the academic high school system remains the exception (Bernhard 2017). To enter a German university, students have to pass the *Abitur*, thereby obtaining a degree that is roughly equivalent to the American high school diploma or the British A-levels. Those who come from immigrant families are less likely to achieve this milestone than children of native German families (Baumert, Maaz, and Trautwein 2010; Diehl and Granato 2018). While teenagers who did not finish high school have many opportunities to find gainful employment, their earning potential and upward mobility are curtailed (Aybek 2008).

Similar to Germany, minorities in the United States are disadvantaged when it comes to accessing high-quality education. African American and Latino students are more likely to attend underfunded schools in high-crime neighborhoods with low graduation rates (Shedd 2015). High school dropouts in the United States are more likely to be unemployed than high school graduates. If they find work, they tend to get paid lower salaries than those who finished their high school diploma (McCaul et al. 1992; McFarland, Rathbun, and Holmes 2019).

The difference between both samples manifests itself in the young men's hopes and dreams for their future. In the absence of institutional pathways to success, several American participants subscribed to a vague idea of entrepreneurship. This allowed them to maintain the illusion of agency while they were in a holding pattern, waiting to be transferred to another institution (Soyer 2016). German participants who were unable to secure an apprenticeship focused on a specific skill—for example, forklift driving.

The German young men had already leveled their expectations, while the young men at SCI Pine Grove seemed to hold out hope that the “American Dream” of upward mobility and property ownership could still become a reality for them (Soyer 2016). In the end, optimism was difficult to sustain for both samples. Even as they expressed hope for a better future, past experience had taught them how difficult it would be for them to live successful and engaged lives.

#### SUMMARY

Comparing two societies and their approaches to managing difference, *The Price of Freedom* argues that both countries can learn from each other as they conceptualize a more equal and tolerant future. Despite their experience of racism and segregation, Latino and African American respondents are secure in their identity as Americans—even as American society fails to deliver on its promise of equality and opportunity. Germany, in contrast, does not promise upward mobility and unlimited opportunities to its minority populations. Instead, the country offers social citizenship for everyone, thereby preventing the abject poverty that haunted the American sample. At the same time, the narratives of the German young men show that being entangled in the welfare state comes at a cost as well. Growing up surrounded by middle-class and upper-middle-class prosperity, the respondents knew that they had to live on what the government had allocated to their families, while the white German majority thrived around them.

The southern German sample felt restricted in abstract terms, while the confinement of young men in Pennsylvania was a concrete experience. Those who served long sentences had to

learn how to cope with the psychological burden of knowing that they would be spending most of their young adulthood in prison (Soyer 2018). For others with shorter sentences, reentry into the community brought the fear of economic uncertainty. They expected minimal government support and had no clear path to achieving even modest goals, such as stable employment (Soyer 2016). Expanding the social welfare net may ease significant suffering in the United States, while expanding the notion of citizenship and belonging would be transformative for those that have been labeled outsiders in Germany for generations.

In the same manner, the German apprentice system could be a model for the United States, regardless of the early leveling the German educational system seems to promote. Almost paradoxically, while someone who has been recently released from prison in the United States may struggle to find gainful employment, his or her opportunities to obtain a four-year college degree are better than they are for a young person in Germany who has been tracked into vocational training. Obtaining a GED offers a clear path to community college and eventually a four-year degree. While the community college pathway is shaped by resource scarcity, community colleges open doors to higher education for economically disadvantaged students of color (Goldrick-Rab 2010). As I will show over the course of this book, both societies have their blind spots, as well as racial and social divisions, which are taken for granted and have not been addressed adequately.