

Final Thoughts

What Price Are We Willing to Pay for a More Equal Society?

I have used Durkheim's distinction between organic and mechanical solidarity as a starting point to assess the structural and cultural difference between the punitive regimes in Germany and the United States. Durkheim proposed that heterogenous societies, interconnected through the division of labor, operate according to the principles of "organic solidarity." Those more "advanced" societies, Durkheim believed, were more tolerant of differences and therefore less punitive (1964, 112). Homogenous and less developed communities, he argued, are organized according to mechanical solidarity. These societies punish harshly because difference is perceived as a threat to their core functioning (1964, 108). Building on the tension between empirical reality and theory, *The Price of Freedom* has focused on the social institutions and cultural assumptions that define what it means to be an "outsider" in both countries.

Contrary to Durkheim's argument, Germany, the country with lenient punishment structures, is connected by a "solidarity of likeness." Only those who are ethnically German truly

belong (Plamper 2019; Brinkmann and Panreck 2019). First, second- and third-generation immigrants are overrepresented in the prison system, as their families have hovered on the margins of German society for decades.

The United States, a more diverse society, is connected by the common goal of economic success (Messner and Rosenfeld 2007; Merton 1938). Even though the country should be a poster child for Durkheimian “organic solidarity,” punitive structures have remained retributive. Mass incarceration has filled US prisons disproportionately with men and women from disadvantaged African American or Latino communities (Alexander 2010). Race and class intersect to uphold social boundaries, especially for those who fail to succeed in a hypercapitalist market place (Muller and Roehrkasse 2022). A majority of the incarcerated population never has the opportunity to develop the kind of skills that would allow them to build a middle-class life (Contreras 2013).

Comparing welfare governance and the educational system in both countries shows how current processes of exclusion emerge from social institutions that are supposed to open up opportunities for upward mobility. Being embedded in these institutions, the young men I interviewed developed a culturally specific understanding of their marginalization. Poverty, for example, was a relative experience. The German and American respondents measured their own social status in relation to their peers (Hochschild 1989). As Carla Shedd (2015) has observed, young men who never left their segregated Chicago neighborhoods did not perceive their disadvantage in relation to middle-class white society. Similarly, the respondents I met in Pennsylvania judged their own upbringing in relation to their immediate social environment. Everyone around them was struggling and

many had even less than their families did. The German young men, by contrast, contextualized their socioeconomic status in terms of the middle-class and upper-middle-class families that lived around them. Even though the welfare state sheltered them from abject poverty, they felt intensely marginalized. The German welfare system also prevented the kind of traumatic childhood experiences haunting the US sample (Soyer 2018). Unlike the American group, the young men I interviewed in Germany did not have to endure hunger and homelessness. They were able to recall happy childhood memories.

Embeddedness in a social safety net shaped how the respondents narrativized their pathways into crime. As they looked back, the German respondents explained their juvenile offending in terms of psychological burdens caused by the lack of attention, familial tragedies, and dysfunctions. The American respondents, on the other hand, recalled originally resorting to criminal behavior to provide for their families' basic needs. The young men incarcerated in Pennsylvania had lived through an excess of suffering during their childhood. The material and emotional hardships they endured were extreme and provided the backdrop for the abuse and dysfunction they witnessed as children (Soyer 2018).

The attenuating properties of the welfare state also impacted the German sample's experience of incarceration. Again, the German group judged their incarceration in relation to their lives on the outside. Welfare governance had oddly prepared them for their prison stay. The social services on the inside seamlessly connected to the kinds of services they had been exposed to from early childhood on. Incarceration simply elevated the disciplining framework of the welfare state to a new level. Although the boundaries between inside and outside

were more permeable in the southern German juvenile justice system than in Pennsylvania, the young men still experienced incarceration as punishment. Even in a juvenile justice system bending toward rehabilitation and social service provision, incarceration remained a punitive experience at its core (Mead 1918; Zimring 2005).

The trauma of abject poverty, on the other hand, clouded the American group's perspective on incarceration. The principle of "less eligibility"—the assumption that conditions in prisons need to be worse than living standards of the lowest-paid workers—did not reflect the experiences of the US sample (Rusche and Kirchheimer 2003; Bonnet 2018). Despite the popular narrative of mass incarceration erasing rehabilitation, rehabilitative measures have persisted (Phelps 2011). In the absence of a comprehensive welfare state, programs offered in prison turn into a convenient disciplinary tool to manage populations desperately in need of such services (Sufirin 2017; Edin and Shaefer 2015; Wacquant 2009; Piven and Cloward 1993). Group therapy and education in prison build skills, but they also keep incarcerated persons occupied. As the failed experiment of Eastern State Penitentiary has shown, isolation and "contemplation" are not feasible logistically, emotionally, and economically (Rothman 2008; Rubin 2021). Putting people to work—even if it is "busy work"—and offering emotional support in group therapy sessions ultimately make prisons run more smoothly. These things provide incentives for good behavior and they create a safer work environment for correctional personnel. As an unintended consequence of the severe deprivation the young men in the United States had lived through, some of them experienced prison as an opportunity to stabilize their life (Soyer 2016; Soyer 2018).

Finally, comparing the educational systems in both societies and their intersection with incarceration contrasts overt exclusion in the United States with subtle leveling in Germany: The interviews in Germany highlighted the strength of the German apprenticeship system. This allowed the incarcerated teenagers to conceive concrete career goals rather than holding on to the vague idea of “finding a job.” On the other hand, the narratives also emphasized important shortcomings of the German system: Those who struggle with the most remedial form of schooling—as a majority of the Adelsheim respondents did—have difficulties finding an apprenticeship. The German participants were relegated to manual labor and, in consequence, to low-paying professions. Their educational deficits were often so large that it was impossible for them to find the kind of employment that would secure a comfortable middle-class lifestyle.

Almost paradoxically, while someone who has been recently released from prison in the United States may struggle to find gainful employment (Pager 2003), his or her opportunities to attain a four-year college degree are better than for a young person in Germany 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 to a college degree may be shaped by resource scarcity, community colleges can open doors to higher education, especially for economically disadvantaged students of color (Goldrick-Rab 2010).

The common denominator of both groups was their entrenched outsider status. They did not measure up to the behavioral and occupational standards of the middle and upper middle class, and they faced an uphill battle trying to become self-sufficient members of their societies.

BECOMING A MORE EQUAL SOCIETY

Based on the assumptions of Germany as a homogenous community, Germans expects minorities to embrace a so-called German virtues and cultural practices. Yet, despite their best efforts these perpetual immigrants will never be considered part of the German Volk. Their presence is tolerated, but not welcome. Taking this kind of approach to the integration of newcomers would be unthinkable in the United States. For all its history of racism and discrimination against immigrants, the United States embraces—at least in theory—the coexistence of different ideologies and cultural traditions. Rather than emulating homogenous European countries, the United States therefore needs to provide for disadvantaged populations in ways that respects the country's cultural heterogeneity.

Creating a more just society does not entail ending mass incarceration but it also has to include reconceptualizing the welfare state. For a population that struggles to find work, the current welfare policies of incentivizing employment ring hollow. To enter the labor market successfully, people first need to have a stable place to live. Likewise, worrying about putting food on the table or having access to transportation is not conducive to prioritizing long-term goals (Desmond 2016). To curb the permanent crisis pervading the lives of the most disadvantaged families, resources need to be redistributed effectively (Edin and Shaefer 2015). Rather than going to extreme ends to distance themselves from the social problems haunting the poor, those who have profited from inherited advantage need to start sharing institutional and financial resources (Reeves 2017).

In the spirit of serious economic redistribution, unconditional cash transfers could supplement the current patchwork

of in-kind support usually provided by local nonprofits. In-cash distributions require complex policy considerations that need to be weighed carefully, but the evidence for their positive impact is unequivocal (Sun et al. 2021.) At the beginning of the twentieth century cash transfers did significantly increase the life expectancy of children (Aizer et al. 2016). Most recently, the COVID-19 pandemic offered the latest test case for broad nonstigmatizing, no-strings attached distribution of monetary support. Generous stimulus payment averted what could have easily turned into a humanitarian crisis. The expanded child tax credit lifted children out of poverty. These payments allowed parents to care for their children with dignity while managing an unpredictable pandemic (Hamilton et al. 2021).

Finally, to create a more equal society, both countries have to reframe their ideas about belonging and deservedness. Germany, in particular, has to confront how its self-understanding of a homogenous country impacts stratification. Subtle leveling of those who are not ethnically German has skewed the allocation of resources and systematically alienated immigrants from the center of society. To truly defy their history, Germans need embrace the coexistence of different cultural traditions within their borders. The incessant labeling of second- and third-generation immigrants as non-Germans, their overrepresentation in the criminal and juvenile justice system, and their educational marginalization have to be addressed top-down, both politically and legally.

The policy suggestions I have offered in these last few pages are necessarily vague. I have no illusions about how difficult it is to change social practices that are deeply embedded in a country's national identity. Social change requires social action, but—to end with Max Weber's famous statement—it is “ideas”

that have, “like switchmen, determined the tracks along which action has been pushed by the dynamics of interest” (Weber 1946, 280; Lizardo and Stoltz 2018). Comparing Germany and the United States shows how ideas about deservedness, belonging, and worth shape social institutions and, by extension, the self-understanding of those embedded in them. To move beyond well-established mechanisms of “othering,” both countries need to stop defining those who struggle as “defective,” as lacking the right skin color, work ethic, resilience, or grit. The United States and Germany need to consider the cultural frames and resulting practices that have systematically marginalized those who do not embody the norms and values of the ruling class that has been in power for generations (Erickson 1966).