

THE CHRONICLE OF HIGHER EDUCATION

FROM THE ARCHIVES

Universities Are Hotbeds of Scholarship on Mass Incarceration. But Are They Doing Enough to Fix the Problem?

By *Marc Parry*

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ISTOCK

Elizabeth Hinton believes that Harvard University is falling short in its response to one of the most-pressing moral issues of our time: mass incarceration. Tonight, stepping up to the lectern of a theater on campus, the Harvard historian hopes to change that by bringing her colleagues face-to-face with those who have experienced the prison system firsthand.

Hinton, 35, a self-described “old millennial,” belongs to a new generation of historians examining how the United States created the world’s largest prison system. She established herself as a rising star with a 2016 book, *From the War on Poverty to the War on Crime* (Harvard University Press), which attributed that trend to a surprising origin: the progressive social policies of Lyndon Johnson’s Great Society.

The widely [praised](#) book positioned Hinton among a broader group of black writers, like Ta-Nehisi Coates and the *Get Out* director Jordan Peele, whose work confronts the

racism of white liberals. Capitalizing on its success, she became a national [advocate](#) for criminal-justice reform. She worked with the NAACP Legal Defense Fund on [preventing](#) the execution of a Texas prisoner. She [advised](#) a California police chief on police-community tensions.

“I was overwhelmed with sadness and anger that this was happening ... and that people weren’t talking about it.”

On this March evening, though, the audience she hopes to persuade is local: roughly 200 students, professors, and administrators who have gathered in the vaulted, red-oak Sanders Theatre. They’re here for the culmination of a two-day [conference](#) that Hinton co-organized. Its goal: to scrutinize Harvard’s role in educating incarcerated and formerly incarcerated people.

“To what extent will Harvard contribute to the collateral consequences people face as they navigate their return to society?” Hinton asks. “Will we bar them, imposing what some see as a new form of Jim Crow, or civil death? Or will we open our gates?”

The question is not academic. Seated on a spindle-backed chair beside Hinton is Darren Mack. Incarcerated for his role in a robbery, he graduated from Bard College and became a social-justice [activist](#). Next to Mack is Jose Diaz. Incarcerated for killing someone in a gang fight, he is a Latino-studies [major](#) at New York University. Next to Diaz is Michelle Jones. Incarcerated for the murder of her 4-year-old son, she became an award-winning prison [historian](#) while serving more than 20 years behind bars.

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M. SCOTT BRAUER FOR THE CHRONICLE

Elizabeth Hinton listens to a recent discussion on prison education at Harvard U. Hinton belongs to a new generation of historians examining how the United States created the world's largest prison system.

What Hinton doesn't say, but everyone here knows, is that Harvard administrators rejected Jones's application to the university's history Ph.D. program last year, countermanning the endorsement of the history department. That decision, exposed last year in a Marshall Project [article](#) that ran in *The New York Times*, [outraged](#) many students and faculty members.

For Jones, now a doctoral student in American studies at NYU, the case raised a personal question about the possibility of redemption. But for Harvard, and many other institutions like it, its fallout points to a different question. Over the past decade or so, universities have become hotbeds of teaching and scholarship on mass incarceration. What is their responsibility to help fix the problem?

In recent years, students and professors have repeatedly lobbied Harvard for a fuller engagement with issues of criminal justice. Those efforts have yielded little. Now Hinton, who had recruited Jones, is trying again.

“The biggest obstacle that Hinton faces,” says James Forman Jr., a scholar of mass incarceration at Yale University’s law school, “is the apathy of privileged liberals.”

To reach Hinton’s office in Robinson Hall, the home of Harvard’s history department, visitors cross a templelike common area lined with white columns and animal statuary. On the morning before her Sanders Theatre event, she was there scrambling to revise an [opinion](#) piece that would soon appear in *The New York Times*. The prison world of watchtowers and barbed wire felt remote and abstract.

But the experiences that drove Hinton to study that world were, to a large degree, personal.

The daughter of a writer, Ann Pearlman, and a college-football-star-turned University of Michigan art professor, Alfred F. Hinton, she grew up with all the privileges of life in the college town of Ann Arbor. She also regularly visited her dad’s relatives in nearby Saginaw, an auto town battered by crack and deindustrialization. People she loved were on drugs and in prison. She felt shame about having family incarcerated.

In 2005, while pursuing her Ph.D. at Columbia University, she began visiting a close relative imprisoned in California. She stood on line with other women and children waiting to see their loved ones. She felt the humiliation of guards barring her from entering because of metal in her bra. She saw people stampede to vending machines to buy frozen chicken wings, a rare treat for the prisoners.

“When I stepped into the visiting room to see generations of mostly black and Latino men interacting with their kids under the gaze of guards, I was overwhelmed with

sadness and anger that this was happening in the United States and that people weren't talking about it," she says. "I was just like, I need to understand how this happened."

By "this," she means America's historically unprecedented prison system. Following a half century of stability, America's prison population increased more than fivefold over a 35-year period, reaching a peak of 767 per 100,000 U.S. residents incarcerated in 2007. The growth resulted from a series of policy changes that mandated prison for small infractions, lengthened sentences for violent crimes and repeat offenders, and ramped up policing and punishment for drug crimes. The result is that 2.2 million people are now caged in local jails and state and federal prisons. The United States has 5 percent of the world's population, but 25 percent of its prisoners. Its incarceration rate is five to 10 times as high as comparable liberal democracies such as Germany or Britain.



NY DAILY NEWS VIA GETTY IMAGES

As urban uprisings swept the country in the 1960s, President Lyndon Johnson declared a war on crime that merged with and ultimately overshadowed his war on poverty.

Poor, minority men have felt the greatest impact of this prison expansion. Roughly 60 percent of incarcerated adult men are black or Hispanic. Black men born since the late 1960s have a greater chance of spending time in prison than finishing a four-year college degree. Bruce Western, a sociologist whose [scholarship](#) charts the demographic contours of incarceration, has characterized this as “a profound social exclusion that significantly rolls back the gains to citizenship hard won by the civil rights movement.”

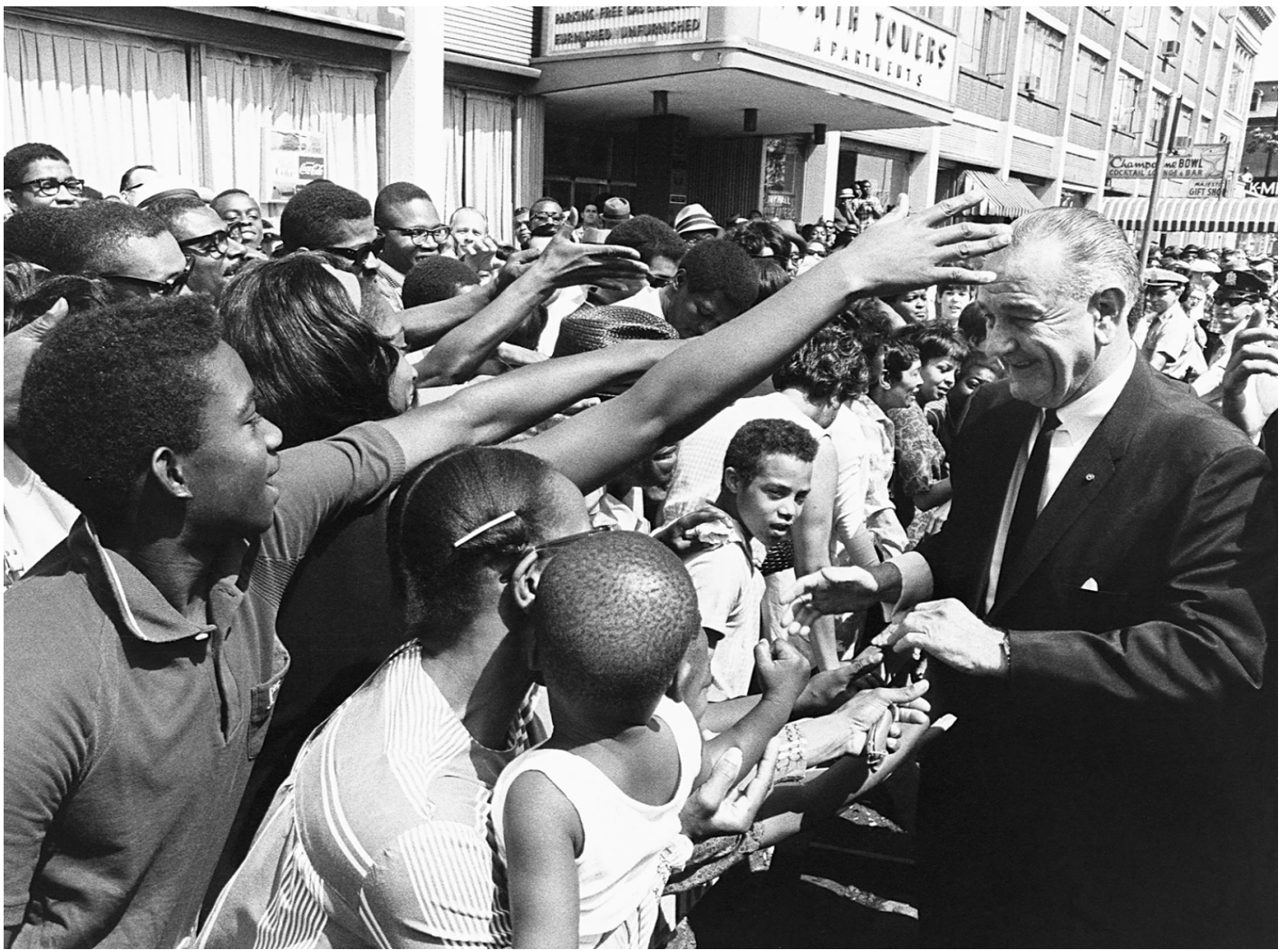
Historians had mostly ignored these developments until fairly recently. In 2010, Heather Ann Thompson, a historian of mass incarceration now based at the

University of Michigan at Ann Arbor, published an influential [article](#) exhorting her colleagues to join the journalists, legal scholars, criminologists, and other social scientists who had begun to contend with the phenomenon. Hinton and others responded with an outpouring of new research that elevated the study of mass incarceration into what the historian Daniel Geary last year [described](#) as “one of the discipline’s most exciting subfields.”

At the core of Hinton’s book is a simple question: What was the federal government’s role in bringing about the punitive turn?

As Forman [points out](#), the usual origin story emphasizes conservatives’ sway over the crime issue: Ronald Reagan’s war on drugs, the racially coded “law and order” campaign rhetoric of Richard Nixon. But when Hinton began combing through Nixon’s presidential archives, researching a doctoral dissertation advised by Eric Foner, she found herself unraveling a more complicated story. A story that began at the apex of liberal policy making and civil-rights activism.

The book she ended up writing is a copiously sourced narrative whose 400-plus pages parse the evolution of crime policy in presidential administrations ranging from Kennedy to Carter. At root, it’s the story of how the government responded to a transformation in demography and race relations that reshaped the nation between World War I and Vietnam. More than six million rural African-Americans fled the segregated South for new lives in Northern cities during that period. The migration coincided with a flourishing African-American civil-rights movement that challenged segregation and demanded economic justice nationwide.



CORBIS VIA GETTY IMAGES

Johnson visits youth at a Philadelphia employment center. Research by the Harvard historian Elizabeth Hinton attributes the origin of mass incarceration to Johnson’s social policies.

By the early 1960s, Hinton writes, federal officials and public figures viewed the build-up of unemployed black youths in congested urban neighborhoods as “social dynamite.” The result was a new emphasis on fighting crime, poverty, and discrimination. It began when Kennedy declared a “total attack” on delinquency in targeted low-income areas. Johnson enlarged those programs — counseling, job training, remedial education — and recast them as a “war on poverty.”

Then the dynamite exploded. Harlem. Watts. Newark. As urban uprisings swept the country in the 1960s, Hinton writes, Johnson declared a war on crime that merged with and ultimately overshadowed his war on poverty. He heightened policing and

surveillance of black neighborhoods by pumping hundreds of millions of dollars into the modernization and militarization of police forces. It was the first time the federal government had involved itself in local law enforcement. And it laid the foundation for Nixon's more aggressive push to build prisons, lengthen sentences, and deploy undercover police squads.

Hinton makes the case that federal policies, rather than responding to a spike in crime, were pre-emptive. The officials who designed the war on crime, she says, concluded that a generation of black kids were delinquent or potentially so. They invested in policing programs based on ideas about where future crime would occur.

“To what extent will Harvard contribute to the collateral consequences people face as they navigate their return to society?”

Crucially, much of federal officials' thinking derived from scholars — Harvard scholars. Harvard social scientists like James Q. Wilson, Edward Banfield, and Daniel Patrick Moynihan “came to see black poverty as a fact of American life and crime and violence as somehow innate among African Americans,” Hinton writes. Their views “helped push the Nixon administration toward an understanding of black cultural pathology, rather than poverty, as the root cause of crime.”

Some of Hinton's claims are controversial. Reviewers have faulted her book for [failing](#) to reckon with the reality of crime and for [overemphasizing](#) the impact of federal, rather than state and local, policy.

But her basic criticism of the justice system is consistent with other scholarship. In 2014, a comprehensive National Research Council [report](#), produced by more than a dozen academics from various disciplines, concluded that decades of punitive penal policies “may have had a wide range of unwanted social costs” even as the extent of

their crime-reduction benefits was “highly uncertain.” The report urged policy makers to significantly reduce the incarceration rate.

When Harvard hired Hinton in 2014, she was excited to work alongside one of that report’s editors, Bruce Western, plus other faculty members studying related issues, like Devah Pager, [Matthew Desmond](#), Lawrence D. Bobo, and [William Julius Wilson](#).

“Harvard academics helped get us into this mess,” Hinton remembers thinking. “So maybe now, in this kind of community of scholars, I can be a part of helping to figure out how to get out of it.”

That process, as she sees it, starts with people like Michelle Jones.



M. SCOTT BRAUER FOR THE CHRONICLE

Michelle Jones, who was incarcerated for the murder of her 4-year-old son, became an award-winning prison historian while serving more than 20 years behind bars. Harvard

administrators rejected her application to the university's history Ph.D. program last year, countermanding the endorsement of the department.

Had this year worked out as Hinton hoped, she would be advising Jones's doctoral research at Harvard. Instead, a few hours before her Sanders event, she pulls on a fur-lined hood and crosses Harvard Yard to hear Jones castigate the university at a campus rally.

In the fading sunlight of a frigid afternoon, Hinton huddles among sign-wielding demonstrators outside University Hall, a white granite building that houses deans' offices. The event has been organized by Harvard Organization for Prison Education and Reform, known as HOPE, a student group that tutors in correctional facilities. When it comes to prison teaching at Harvard, HOPE is it. All of it.

The point of this rally is to pressure administrators into doing more. As if on cue, a door opens, and Harvard's president, Drew G. Faust, steps out of University Hall. She walks away without speaking.

The crowd erupts when one of Hinton's students, Sonya A. Karabel, invites Jones to the microphone. *We love you Michelle!*

“The biggest obstacle that Hinton faces is the apathy of privileged liberals.”

With one glove removed, Jones reads a short message off of a cellphone. Prisons, she says, can be hell. Access to education helps people survive them. Prisoners should be allowed to complete degrees both behind bars and upon release. Universities need their unique perspectives.

“It is tragic for public and private universities — especially with graduate programs — to practice exclusion and disqualification of post-incarcerated people,” Jones says. “You have a responsibility to be on the cutting edge of critique in all your fields.”

Hinton first encountered Jones's critique of the criminal-justice system through an unusual history initiative at the institution where Jones was incarcerated, the Indiana Women's Prison in Indianapolis. The [project](#), begun in 2013 by a correctional-officer-turned-prison-teacher named Kelsey Kauffman, involved students in that facility's college program writing the history of their prison from the inside.

Jones and her fellow researchers analyzed primary sources to revise the origin story of an institution that had been established in 1873 by purportedly benevolent Quaker reformers. As Slate detailed in a 2015 [article](#) about their work, the incarcerated scholars unearthed evidence suggesting the prison may have been the scene of violent abuse and medical experimentation in its early years. The scholars also challenged its reputation as the first prison for women in the United States. Jones and a collaborator, Lori Record, published a journal [article](#) documenting an even older network of private Catholic prisons for women convicted of sex offenses. Their research won an award from the Indiana Historical Society.

They accomplished all this despite a lack of internet access and a prison library that Jones has [described](#) as “minuscule and primarily stocked with romance novels.”

In Hinton's experience, people like Jones, who have experienced the criminal-justice system firsthand, tend to be marginalized in academic and policy discussions about mass incarceration. The consequences can be significant.

Consider, for example, the role played by policy-oriented academic institutions like Harvard's John F. Kennedy School of Government, CUNY's John Jay College of Criminal Justice, and Princeton's Woodrow Wilson School of Public & International Affairs. By bringing together researchers and public officials, such places can wield substantial power over government decision making. Yet the elite scholars employed in them “are often very far removed from the communities that sometimes they explicitly claim to be trying to help,” says Khalil Gibran Muhammad, a historian of

racism and criminal justice at the Kennedy School. Muhammad points out that his faculty colleagues at the Kennedy School are mostly white men.

“You can be a policy agenda-setter, and contribute to a set of draconian policy choices, and there’s no consequence to your lived experience or the people you care most about, for the most part,” Muhammad says. “A major shift in the activist community, and in the nonprofit sector, and for a smaller group of academics, is to close the gap between the policy-research community and the actual people who will feel the consequences of those policy outcomes.”

Hinton is part of that shift. When Kauffman approached her about commenting on papers that Jones and two other women were presenting via video conference at the American Historical Association’s annual meeting in 2016, she was impressed by the originality of their research and the passion they brought to it. Hinton kept the relationship going, sharing early chapters of her book with Jones’s class and participating in another panel with Jones at a conference of the American Studies Association.

When Hinton learned Jones was applying to graduate programs, including Harvard’s, she encouraged her. Unlike the typical applicant, Jones had already contributed to her field, already published in a peer-reviewed journal, and already presented at major academic conferences. Hinton considered her a “dream candidate.” The history department agreed, recommending that the Graduate School of Arts and Sciences — the body that actually admits the applicants — accept her. The American-studies program, to which she also applied, recommended waitlisting her.

What Hinton didn’t know, and didn’t care to find out, were the details of Jones’s criminal conviction. “Michelle was deemed ready for release,” she says, “and that’s all we really needed to know.”

Not everyone shared that view. In this divisive case, accounts clash over who did and said what, and several key players, including Jones, declined to speak with *The Chronicle*. But the bottom line is that professors affiliated with the American-studies program, feeling Jones had downplayed her crime, wrote a memo to the graduate school requesting more details about it. And, as *The New York Times* reported, Harvard administrators rejected her.

The decision was notable in part because Harvard's graduate-school application [does not require](#) disclosure of criminal convictions. Asked why Jones was rejected, a Harvard spokeswoman, Anna Cowenhoven, said the university cannot comment on individual applicants. The graduate school, she said, "is committed to recruiting and enrolling students from groups underrepresented in graduate study."



M. SCOTT BRAUER FOR THE CHRONICLE

Marchers rally for prison education at Harvard. In recent years, students and professors have repeatedly lobbied the university for a fuller engagement with issues of criminal justice, with little result.

For Hinton, the rejection of Jones was devastating. Except for one thing: the surge of activism spawned by its exposure.

As the rally at University Hall wraps up, the students begin to chant.

Beyond the gates!

Schools not prisons!

Books not bars!

Then they march to the theater for Hinton's prison-education event.

After the Jones case went public last September, students and faculty members fired off a [petition](#) and other [public appeals](#) demanding that Harvard offer classes in prisons, include criminal histories in nondiscrimination policies, and institute a prison-studies concentration in its curriculum. Hinton and her colleagues are now engaged in the harder task of channeling that momentum into something more lasting than letters and chants: a prison-to-college pipeline.

As envisioned by Hinton and one of her collaborators — Garrett Felber, a prison educator and historian at the University of Mississippi — the core of that pipeline would involve professors going into prisons to teach courses that combine incarcerated students with students brought in from Harvard College, a [pedagogy](#) known as “inside out.” Both groups would receive equal credit for those courses.

Ideally, says Hinton, Harvard's program would emulate the one that NYU set up in 2015 at Wallkill Correctional Facility, a medium-security prison about two hours north of New York City. That program allows prisoners to earn an NYU associate degree in liberal studies. NYU's re-entry coordinator also helps those who want to continue their education upon release. For students who haven't yet earned enough credits for the associate degree, that might mean transferring to a community college. For some individuals who started taking NYU courses behind bars — a total of six people to date — it has meant going on to pursue a bachelor's degree at NYU's main campus in Greenwich Village.

Part of the story of mass incarceration's rise is that [college prison programs dwindled](#) as prison populations boomed. As recently as the early 1990s, nearly 800 programs operated in almost 1,300 prisons. Then came the federal Violent Crime Control and Law Enforcement Act. This expansive piece of "tough on crime" legislation, signed by President Bill Clinton in 1994, blocked prisoners' access to Pell Grants. By 2010, just 47 prison programs continued to operate. The vast majority of incarcerated people lack even a high-school degree.

Hinton [thinks](#) expanding programs would benefit incarcerated people, making them less likely to recidivate and more civically engaged. It would also benefit Harvard students, sensitizing them to mass incarceration and fostering empathy for those behind bars. The sort of empathy that might, say, lead one to respond differently to a qualified applicant coming off a 20-year sentence.

But can Hinton sell that level of commitment to a university whose brand is built on exclusivity?

To get their views on whether Harvard has an obligation to address the problem of mass incarceration, *The Chronicle* sent interview requests to five deans: Claudine Gay (social science); Rakesh Khurana (Harvard College); Michael D. Smith (Faculty of Arts and Sciences); and Xiao-Li Meng and Emma Dench (outgoing and incoming leaders,

respectively, of the Graduate School of Arts and Sciences). None consented to interviews.

Harvard's recent history doesn't bode well for Hinton. During the Obama administration's second term, Harvard leaders declined to participate in a White House [initiative](#) to reduce educational barriers faced by people who have been incarcerated. The point of that campaign was for colleges to show they were taking some step — like limiting use of criminal-history questions in applications, or teaching in prisons — by publicly committing to what came to be called the Fair Chance Higher Education Pledge.

The sociologist Bruce Western, who was on Harvard's faculty at that time, felt that the institution's involvement would send a powerful signal to disadvantaged groups: the greatest university in the world, standing up for the free opportunities of people to apply, regardless of their backgrounds. Western says that he contacted President Faust, who referred the matter to Harvard's Office of the General Counsel. Multiple meetings, he recalls, went nowhere.

"It was very frustrating," says Western, who is leaving Harvard to join the faculty at Columbia, one of the 61 higher-education institutions and systems that did commit to the White House pledge. "I wish I could have made the case more effectively that this was relevant to Harvard."

Cowenhoven, the Harvard spokeswoman, did not respond to a question about why Harvard declined to sign the Fair Chance pledge. Harvard College, in contrast to the Graduate School of Arts and Sciences, does continue to [ask](#) applicants about past convictions.

"Harvard academics helped get us into this mess. So maybe ... I can be a part of helping to figure out how to get out of it."

That is not unique. National surveys show that 60 to 80 percent of private institutions and 55 percent of public ones compel undergraduate applicants to answer criminal-history questions, according to a [report](#) by Judith Scott-Clayton of Columbia's Teachers College. Universities, she notes, must weigh issues of access against student safety concerns. In recent years, though, some have begun to rethink their policies. Public higher-education systems in Louisiana and New York, for example, have stopped asking applicants about criminal histories.

Likewise, some colleges, backed by private donors, have stepped in to fill the void opened up by the post-1994 retrenchment of prison education. For example, there are more than 6,000 people incarcerated within an hour's drive of Cornell University in upstate New York. In the mid-1990s, some Cornell professors began trying to serve that population by offering noncredit classes at Auburn Correctional Facility. Their efforts gradually expanded into a college [program](#) that now operates in four prisons and awards associate degrees through a partnership with Cayuga Community College.

Prison education got a boost in 2015, when the Obama administration announced a pilot [program](#) to open up Pell Grants for prison inmates at a limited number of sites.

Hinton, however, is urging Harvard to join this movement in a new political climate. Donald Trump campaigned on a law-and-order platform and installed a drug-policy hard-liner as attorney general (his education secretary, Betsy DeVos, has expressed [qualified support](#) for allowing prisoners to receive Pell Grants). At Harvard's policy school, Trump's election fed a sense of urgency around understanding issues of class — namely, the white working class. “Race,” says Muhammad, “moved down a notch or two.”

Back at Sanders Theatre, Hinton attempts to recenter that subject by linking mass incarceration to another form of systemic racism that many colleges have [grappled](#) with lately: slavery. The event's program notes that in 2011, after the release of a [report](#) on Harvard's ties to slavery, Faust exhorted the university

to “do its part to undermine the legacies of race and slavery that continue to divide our nation.” Mass incarceration, the program says, is “one of the most tangible of those legacies.”

“Here at Harvard, we champion the importance of diversity, inclusion, and belonging,” Hinton says. “And that commitment requires us to think deeply and critically about models of prison education.”

She drives that message home with a mix of shame and hope.

The shame comes in a roll call of universities already offering prison courses: NYU, Yale, Cornell, Princeton, Georgetown, Wesleyan, and Columbia. The hope comes with the screening of a documentary that narrates some positive moments in Harvard’s nearly two-century-long relationship to prisons. Notably, inside-out classes taught by Western and the prison educator Kaia Stern between 2008 and 2013, when the money needed to support those classes, which had been cobbled together from Western’s research funds and a one-year Harvard teaching-innovation grant, ran out.

It also comes in testimonies shared by the formerly incarcerated.

“I am one of 70 million Americans who have a criminal conviction,” says one panelist, Darren Mack.

Mack is also, like students in this audience, the product of an elite education. He was one of 15 people selected from roughly 150 applicants to Bard College’s program at the Eastern Correctional Facility in New York. Taking a U.S. women’s history course, he found inspiration in the stories of young immigrant New York City factory workers who organized to fight for better labor conditions. After graduating in 2013 — one of 450 people to earn degrees via the [Bard Prison Initiative](#) — he became active in the campaign to close the troubled jail complex on Rikers Island. He is pursuing a graduate degree at the Silberman School of Social Work at CUNY’s Hunter College.

He is optimistic about Hinton’s prison project. “Bard College’s endowment is like a drop in the bucket compared to Harvard’s,” he says in an interview. “They could probably reach 10 times as many students.”

For now, Hinton points to a smaller victory. After the Sanders prison-education event, Harvard awarded her \$50,000 to start a research program that is expected to involve prisoners at two Massachusetts facilities writing the histories of those institutions. One of its models: the Indiana history project that kicked off the career of Michelle Jones.

Marc Parry writes about scholars and the work they do. Follow him on Twitter [@marcparry](#) or email him at marc.parry@chronicle.com.

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SCHOLARSHIP AND RESEARCH



Marc Parry

Marc Parry wrote for *The Chronicle* about scholars and the work they do. Follow him on Twitter [@marcparry](#).

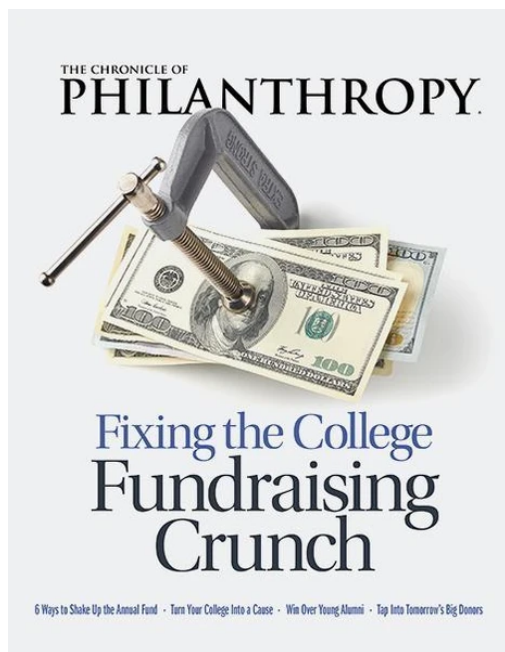
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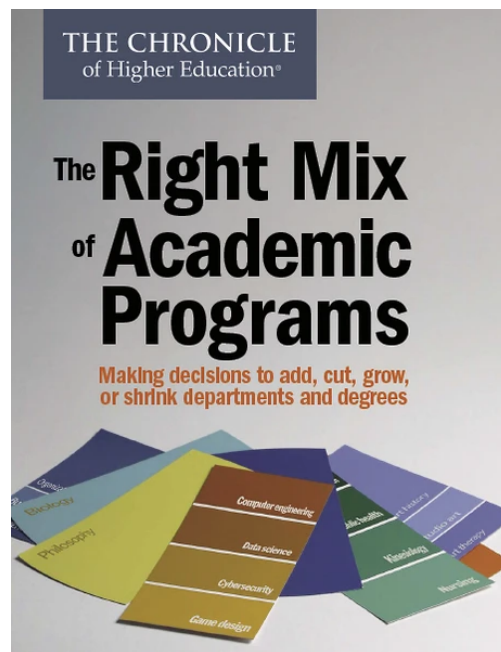
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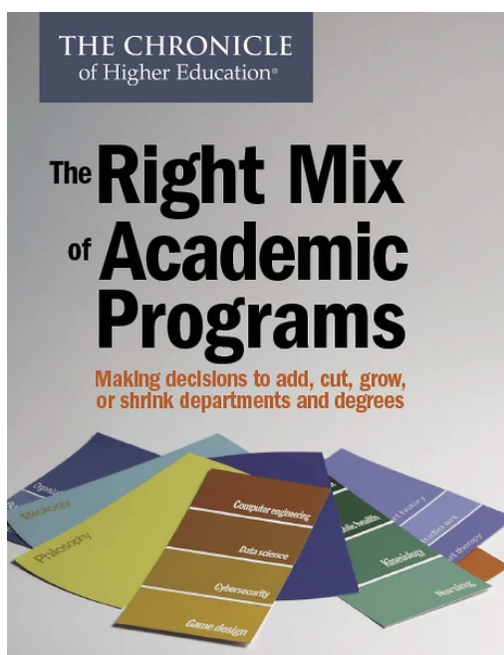
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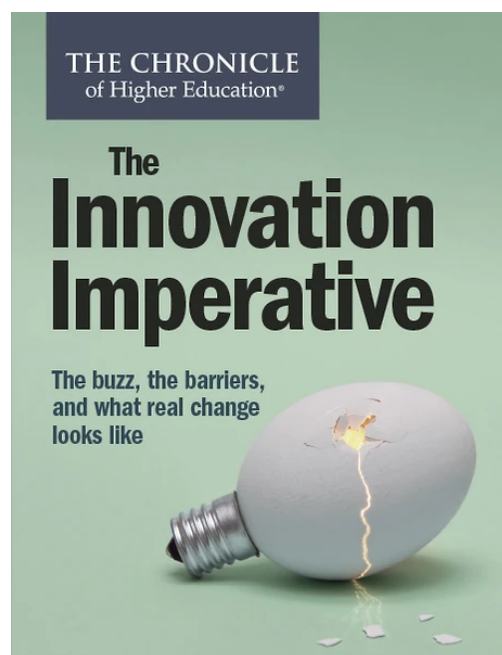
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