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BOOK REVIEW

Constructing Mental Illness: Race, Incarceration, and State Violence

Review of *Decarcerating Disability: Deinstitutionalization and Prison Abolition*, by Liat Ben-Moshe, University of Minnesota Press, 2020, 366 pp., ISBN (print): 9781517904432

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As historians of psychiatry often tell it, the process of psychiatric deinstitutionalization follows a more or less linear path toward liberation of the mentally ill. This narrative typically begins with journalistic exposés of horrific institutional conditions in the 1960s and '70 s; leading to public outcry, class action lawsuits and reform efforts; leading to deinstitutionalization and reforms that transformed psychiatric prisons into livable and humane facilities. As the story goes, these processes were accompanied by the advent of Thorazine, which facilitated the transition from psychiatric incarceration to community living (see e.g., Lieberman, 2015).

But on closer inspection, the evolution of institutional approaches to treatment of mentally ill people in the U.S. is far less linear, and far from a liberation story (Harrington, 2019). In fact, many of the institutional reforms spurred by the litigation and consciousness-raising of the 1960s and '70 s simply led to more specialized forms of control and institutionalization, motivated by the twin aims of neoliberalism: rationality and efficiency. And Thorazine, which was initially marketed by its manufacturer to increase psychiatric institutionalization, simply replaced psychiatric institutional confinement with chemical incarceration (Whitaker, 2001).

So begins Liat Ben-Moshe's *Decarcerating Disability: Deinstitutionalization and Prison Abolition*, an important book that offers both a sweeping genealogy of disability and its entangled history with race and incarceration, and rallying cry for abolitionism. Exposing the contingent origins of carceral approaches to managing disability and mental illness and its disproportionate impact on racialized populations, Ben-Moshe links institutionalization of the mentally ill with other manifestations of state control such as the prison industrial complex, under the rationale of "carceral sanism." Because of the failure to address and contest this carceral logic, she argues, the oppression of disabled people has continued under the guise of psychiatric treatment despite the apparent success of reform efforts and the superficial appearance of deinstitutionalization.

The pervasiveness of carceral logic is seen perhaps nowhere else as vividly as in the expansion of biopsychiatry and medical interventions into mental health, which often intersect with surveillance and punishment in the lives of pathologized peoples. Institutional reform efforts have traditionally operated on a premise that the system is broken. "But the system is not broken; it performs based on its espoused rationales - segregation, confinement, incapacitation - and only once the rationales have been disputed can meaningful change occur" (53). Thus Ben-Moshe advocates not for further reforms but for abolition – of both carceral spaces and logics.

Pride and prevention

Before "mentally ill" became a category denoting bodies and minds in need of treatment, "madness" was the primary label for states of psychological abnormality. While the problem of madness was historically one of mere containment and segregation from rational society, modern biopsychiatry made it an appropriate target of treatment by transforming it into mental illness. This, in turn, subjected an entire class of persons to the norms of efficiency and rationalization under a biopsychiatric lens. The construction of madness into a medical category, as Foucault (1971/1988) carefully showed, was a contingent process, and the categories it created are thus open to contestation.

But the contingency of these categories and their relationships to carceral logic has not been sufficiently acknowledged by mainstream efforts to reform psychiatric treatment. The disability pride movement, for example, failed to contest the neoliberal construction of mental illness and its relationship with what Ben-Moshe calls the carceral archipelago, the network of institutions and practices that punish, contain, create, and pathologize difference. Further, the rights-based and assimilationist approach of the disability pride movement actually helped to expand carceral logics by expanding treatment protocols outside of the institution and justifying the existence of carceral psychiatric treatment facilities.

The movement to reform psychiatric institutions by fighting for more humane conditions of confinement also tends to obscure the fact that state violence both creates and punishes forms of disability in ways that disproportionately impact racialized people. Think, for example, of the debilitating effects of environmental racism, police brutality, and differential access to medical care. Beyond creating disability through debilitating violence, state actors and institutions also pathologize men and women of color, reflecting and strengthening hegemonic attitudes toward race. As Camille Nelson (2011) observes, police typically view interactions with people of color as requiring a 'force modality' while constructing them as 'crazy.' But by focusing on reform and rights, the (largely white) disability pride movement misses an opportunity to grapple with the fact that certain kinds of disability under (racial) capitalism are *produced* – either through state violence or the state gaze – as a method of social control.

Jasbir Puar's (2017) exploration of these intersections of race, disability, and state violence in the context of settler colonialism, for example, calls not for disability pride, but disability prevention. Ben-Moshe, however, cautions that opposing the state's debilitating and pathologizing practices by adopting a stance of disability-prevention risks endorsing ableism and further marginalizing disabled ontologies and epistemologies – our unique ways of seeing and knowing the world from the margins. Thus, two polar nodes of disability exceptionalism – disability pride and disability prevention – can constitute a "a zero-sum game." By articulating each perspective's respective pitfalls, Ben-Moshe wants to preserve the insights of both approaches to disability - honoring disabled epistemologies and ontologies and recognizing and opposing all forms of debilitating state violence - and reconceptualize deinstitutionalization as being about the abolition of both carceral spaces and *logics*. As she argues, it is the carceral logic of segregation and imprisonment that also rationalizes the oppression and production of disability both inside and outside the institution.

Pathologizing race

Beyond diagnosing the costs and benefits of disability exceptionalisms, Ben-Moshe - In the tradition of crip- and mad-of-color critique - wants to center disability within processes of criminalization, especially the criminalization of people of color. A main thesis of her book

is that "[p]rocesses of criminalization and pathologization are inseparable: race is coded in disability, and vice versa … It's impossible to untangle antiblack racism from processes of pathologization, ableism, and sanism" (25). To show how disability is coded in race, Ben-Moshe retraces the narrative offered by the police officer who shot and killed Michael Brown to justify his use of deadly force. Despite being only slightly shorter than his victim, the officer describes Brown as super-human; as resembling "Hulk Hogan;" as "for lack of a better word, crazy" (25). This pathologizing narrative constructs Brown as something inhuman and criminal.

But while processes of criminalization may be linked to pathologization under the police gaze, the state's willingness to code certain bodies as disabled and thus *deserving of aid*, on the other hand, is also interrupted by perceptions of race. The Social Security Administration, for example, denies applications from Black people for disability benefits significantly more frequently than it denies applications from whites. The denial of benefits requires a finding by the Agency that the applicant is not disabled. Thus, contra Ben-Moshe's suggestion that we cannot disentangle anti-Black racism from "pathologization, ableism, and sanism" (25), this data suggests that anti-Black racism contributes to the construction of Black applicants as something *other than* disabled – at least, as something other than persons deserving of assistance. In adjudicating disability benefits applications, the state appears to analyze a particular kind of disability (one deserving of financial assistance) as separate from race.

Thus while Ben-Moshe is correct to note the role of the pathologizing police gaze and narratives of people of color as inhuman in criminalization and in order to justify harms (including murder), in the context of applications for benefits, something other than pathologization appears to be at work in the institutionalization of anti-Black racism. Disability, while entangled with processes of criminalization, is thus not a sufficiently precise analytical category to explain the state's classification of some people as disabled and others as criminal. Non-racialized disabled people (like Ben-Moshe and this author), despite being less likely to be on the receiving end of debilitating state violence, and *more* likely to receive aid from the state based on an adjudicated claim of disability. State constructions of both criminality and desert (of punishment or benefits) are ineluctably tied to 'race,' but not necessarily to disability. Indeed, the heightened attention to the criminalization of "living while Black" shows an indelible link between 'race' and criminalization that is certainly a result of anti-Blackness, but not obviously connected to processes of pathologization.

Abolitionism, power, and security

This is an important book, not least because Ben-Moshe's careful genealogy exposes the way reform efforts have actually expanded the reach of carceral control. Her abolitionist project draws important connections between the anti-slavery movement, prison abolitionism, and the movement to abolish psychiatric institutions, as uniformly opposed to carceral logic. But any attempt to bring people together under the umbrella of 'disability' for the political project of opposing carceral logics also requires an acknowledgment of our vastly different relationships to power, and the complicated ways in which the state both pathologizes people of color and denies them disability-based assistance.

The counternarrative to abolitionism, especially in more recent conversations about abolishing the police or the criminal justice system, is usually one about security: "we won't be safe without police and prisons." While this narrative can be overblown, it does resonate with the legitimate needs of community members who wish to be protected from crime. Some have argued that the promise of (and anxiety over) security is the foundation of the

neoliberal state, and hegemonic discourses of the dangerous mentally ill certainly fuel that anxiety. (In fact, as Ben-Moshe rightly points out (148), prisons themselves are devastatingly destabilizing institutions that contribute to the problem of mental illness). Others worry that in a post-abolition society that replaced state-based controls with community-based interventions, communities could end up reproducing the violence and coercion of the state, albeit in a less organized way. The emergence and prominence of mutual aid in the era of the COVID-19 pandemic, however, offers a glimmer of the widespread success of non-state-based organized community response to harms. Perhaps an important question for future abolitionist research is how the neoliberal state (and accompanying hegemonic discourses) have made it so difficult to imagine alternatives to the incarceration and segregation of the criminalized, pathologized other.

References

Foucault, M. (1971/1988). *Madness and civilization: A history of insanity in the age of reason*. Vintage.

Harrington, A. (2019). *Mind fixers: Psychiatry's troubled search for the biology of mental illness*. WW Norton & Company.

Lieberman, J. A. (2015). *Shrinks: the untold story of psychiatry*. Hachette UK.

Nelson, C. (2011). 'Racializing disability, disabling race: policing race and mental status', *Berkeley Journal of Criminal Law*, *15*, 1. https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1750285

Puar, J. (2017). *The Right to Maim: debility, capacity, disability*. Duke University Press.

Whitaker, R. (2001). *Mad in America: Bad science, bad medicine, and the enduring mistreatment of the mentally ill*. Basic Books.