

At the Heart of the State

At the Heart of the State

The Moral World of Institutions

Didier Fassin

with

Yasmine Bouagga

Isabelle Coutant

Jean-Sébastien Eideliman

Fabrice Fernandez

Nicolas Fischer

Carolina Kobelinsky

Chowra Makaremi

Sarah Mazouz

Sébastien Roux

Translated by

Patrick Brown and Didier Fassin



PlutoPress

www.plutobooks.com

First published in French 2013 by Seuil
First English language edition published 2015 by Pluto Press
345 Archway Road, London N6 5AA

www.plutobooks.com

Copyright © Didier Fassin 2015

The right of the individual contributors to be identified as the authors of this work has been asserted by them in accordance with the Copyright, Designs and Patents Act 1988.

British Library Cataloguing in Publication Data
A catalogue record for this book is available from the British Library

ISBN978 0 7453 3560 5 Hardback
ISBN978 0 7453 3559 9 Paperback
ISBN978 1 7837 1311 0 PDF eBook
ISBN978 1 7837 1313 4 Kindle eBook
ISBN978 1 7837 1312 7 EPUB eBook

This book is printed on paper suitable for recycling and made from fully managed and sustained forest sources. Logging, pulping and manufacturing processes are expected to conform to the environmental standards of the country of origin.

10 9 8 7 6 5 4 3 2 1

Typeset by Swales & Willis
Text design by Melanie Patrick
Simultaneously printed by CPI Antony Rowe, Chippenham, UK
and Edwards Bros in the United States of America

Contents

<i>Series Preface</i> Vered Amit and Christina Garsten	vii
<i>Acknowledgments</i>	viii
<i>Can States be Moral? Preface to the English Edition</i> Didier Fassin	ix
Introduction: Governing Precarity <i>Didier Fassin</i>	1
Part 1 Judging	
1. The Right to Punish: Assessing Sentences in Immediate Appearance Trials <i>Chowra Makaremi</i>	15
2. Justice for Immigrants: The Work of Magistrates in Deportation Proceedings <i>Nicolas Fischer</i>	40
3. In Search of Truth: How Asylum Applications Are Adjudicated <i>Carolina Kobelinsky</i>	67
Part 2 Repressing	
4. Maintaining Order: The Moral Justifications for Police Practices <i>Didier Fassin</i>	93
5. Sanctioning Behind Bars: The Humanization of Retribution in Prison <i>Fabrice Fernandez</i>	117
6. Assisting or Controlling? When Social Workers Become Probation Officers <i>Yasmine Bouagga</i>	144

Part 3 Supporting

7. Discipline and Educate: Contradictions Within the Juvenile Justice System <i>Sébastien Roux</i>	171
8. Listening to Suffering: The Treatment of Mental Fragility at a Home for Adolescents <i>Isabelle Coutant and Jean-Sébastien Eideliman</i>	197
9. Profiling Job Seekers: The Counseling of Youths at an Employment Center <i>Sarah Mazouz</i>	225
Conclusion: <i>Raisons d'État</i> <i>Didier Fassin</i>	255
<i>Glossary</i>	262
<i>Bibliography</i>	269
<i>List of Contributors</i>	282
<i>Index</i>	284

Introduction

Governing Precarity

Didier Fassin

Three police officers from an anti-crime squad are cruising the streets of a downtown area in an unmarked car when they come across a van with two non-European-looking men inside; they decide to turn around, stop the vehicle, check the identities of the driver and his passenger, both Kurds, discover that the latter does not have a residence permit, and arrest him despite the pleas of the former, bluntly informing him that they are only doing their job. When they arrive back at the police station with the arrestee, their colleagues begin to crack jokes about their tendency to achieve their quotas by arresting undocumented immigrants rather than real criminals, like they are supposed to. The squad leader replies that he at least is defending his country against illegal immigration.

A young man of African descent listens to the charges of theft brought against him at an immediate appearance trial. Stopped and frisked in the lobby of his apartment building as he was returning home, law enforcement agents found in his possession several lunch vouchers in someone else's name. The man is further accused of insulting the police officers and resisting arrest. Although the prosecutor requests a one-year prison sentence and the lawyer for the officer demands punitive damages, the magistrates decide not to hand down the minimum sentence prescribed in cases of recidivism but instead determine on the basis of the social worker's report that the youth's family context and employment situation allow for a three-month suspended sentence. This will permit the judge overseeing the execution of the man's sentence to assign an alternative punishment rather than incarceration.

A disciplinary board comprised of a prison administrator and two guards judges an inmate accused of possessing of a cellular phone at a correctional facility. The man, an immigrant who had entered the country illegally, admits to the facts of the case, while his court-appointed lawyer attempts to offer an excuse, explaining that, isolated and marginalized, he just wanted to communicate with his family. While in deliberation, the three officials agree to consider that the man, a victim of the local prison gang, confessed in order to protect himself from reprisal. Hesitating over a sentence which would also take into account his vulnerability, but also confronted with a lack of space in the less restrictive seclusion cells, they end up placing him in solitary confinement, albeit for a shorter time than is called for according to disciplinary guidelines.

A counselor at a Youth Employment Center feels hindered in her job by the racial and religious discrimination that her clients must endure. Left with no other option but to explain to young Muslims that they must shave their beards or remove their veils if they are to stand a chance of being hired, she often faces resistance on their part for having to deny who they are in order to adapt to the expectations of their potential employers. Aware that her insistent suggestions only perpetuate illegal hiring practices by evaluating individuals based on their appearance rather than their abilities, she finds the situation all the more difficult because she too is sensitive to the unequal treatment of minorities on account of her own family background and university studies.

A team of psychiatrists and psychologists treats troubled teenagers at a so-called Home for Adolescents located in a public hospital. Although they understand that the behavioral issues which triggered their referral stem more from the situation of their families, which are almost always of immigrant origin, from the socioeconomic constraints weighing on their parents, and from the exclusionary practices of the school system, the mental health specialists gradually limit their intervention to relational aspects which they feel authorized to treat at the risk of validating the same injustices which beset these adolescents. In doing so, they nevertheless offer them a means to avoid alternative measures, notably legal ones, which would penalize them even more.

* * *

Though the scenes described above may differ in their institutional settings, they offer insight into the “heart” of the state. The police, the courts, the prisons, social services, and mental health units all represent the dual dimension of order and benevolence, of coercion and integration, or, better yet, illustrate the multiple aspects of a notion as central as it is ambiguous in contemporary societies: security, a term which signifies the protection of persons against criminal and delinquent activities when classified as “public,” or alternatively against the hardships and vicissitudes of life when qualified as “social.” This tension between the penal state and the welfare state is never as strong as when the population the state is dealing with is characterized by its precarity, be it economic or legal. Indeed, the line between dangerous categories and categories in danger, between those destined for repression and those who inspire compassion is thin and permeable. The same holds true for the populations that the institutions in these examples must handle: immigrants and minorities, recalcitrant inmates and troubled adolescents, undocumented foreigners and young people from the projects. Depending on their interlocutors at the time—police officers or magistrates, prison guards or special educators—they easily slip from one side of this moral line to the other, from the role of suspect to the status of victim and vice versa. Exploring the heart of the state therefore means, literally, to penetrate the ordinary functioning of public institutions, but also, metaphorically, to examine the values and affects underlying policies and practices.

The populations concerned, sometimes deemed illegitimate and worthy of contempt, sometimes vulnerable and in need of assistance, and sometimes both, call the state's very *raison d'être* into question. If, as Weber affirms, the state holds the "monopoly of legitimate use of violence," signifying that the latter is not its sole means of acting, but that it is "its specific means," by contrast, for Durkheim, it is also the "organ of social justice" through which "is organized the moral life of the country."¹ The public of the institutions considered in this present book fear the state as well as implore it, dread its punishment as well as demand its assistance. Moreover, if one considers their trajectories over time, many individuals essentially bounce from one service to the other. Certain adolescents follow an almost straight path from police station to court to prison that is in large part determined by their racial and social origins. Likewise, certain immigrants unwillingly follow almost parallel itineraries, with distinct stops depending on whether they are undocumented or seeking asylum, only to end up in the same detention centers as they await deportation. But all—whether teenagers or immigrants—frequently interact also with special educators from youth protective units or social workers from welfare services, counselors from employment centers or probation officers from correctional facilities, and sometimes mental health specialists. What ties together these institutions through which we attempt to grasp how the state functions is therefore empirical: they constitute the government of the precarious.

Attempting to comprehend the heart of the state while studying marginalized populations that occupy marginal territories of the urban geography and benefit from policies mustering only marginal resources might seem like a contradiction. Yet what we are defending is precisely the opposite, namely that it is in its margins, comprised at once in terms of populations, territories, and policies, that the contemporary state can best be captured—in the way that it deals with its poor and its delinquents, its immigrants and its detainees, in the manner that it administers sensitive urban neighborhoods and waiting zones at the border, correctional facilities and detention centers, in its use of practices at once opaque and spectacular, deviant, or illegal. Like Veena Das and Deborah Poole, we too are forced "to distance ourselves from the entrenched image of the state as a rationalized administrative form of political organization that becomes weakened or less fully articulated along its territorial or social margins."² Indeed, a number of the state's exclusive functions, notably police and justice, find their most complete realization in the administration of these marginal populations and spaces, whereas, even at the center of the state apparatus, institutions can contravene the laws that the state enacts and the norms that it promotes.

Thus, the state is not just a "political association" which rests on a "relation of men dominating men" as Weber maintains or a "sovereign force" which prevents other social forces from "being subordinated to individual interests" as Durkheim proposes—the former interpreting the state through a logic of power and the latter through an imperative for the public good. Beyond the idea of abstraction and neutrality which tends to be associated with it, the state is a concrete and situated

reality. In other words, it is simultaneously embodied in the individuals and inscribed in a temporality. These two elements are essential to the ethnography of the state we propose. Rather than focus on the dematerialized “body politic” and the impartial “administration” described in dictionaries, we turn our attention to the physical persons who constitute the state and to the historical reasons which account for its development. No analysis of the state can ignore power relations, ideological evolutions, electoral outcomes, or the singularity of each national context. Far from being a readily essentialized entity that exists in a sort of permanence, the state is at any given moment a product of its time.

To study the state—in this case, the French one—within a specific historical period is therefore to present what the agents do when working for it and to consider the policies which it implements. It is the police who perform the identity checks in order to achieve the deportation goals set by the government under its immigration policy. It is the magistrates who at immediate appearance trials arbitrate between mandatory sentencing and the individualization of sentences under pressure from an executive denouncing their supposed leniency. It is the correctional officers who on a daily basis face the tensions between repressive policies leading to a constant increase in the number of incarcerations and new regulations meant to better respect the rights of inmates. It is the employment counselors who attempt to assist young adults by ensuring that their physical appearance is in line with the expectations of employers at the risk of reinforcing discriminatory rationales. It is the psychologists and psychiatrists who are increasingly expected to compensate for the failures of the education system and provide answers based on listening and mediation. The state reveals itself through these professionals as they simultaneously implement and produce public action.

A common representation of the state—particularly in France, given the role that it has historically played and the centralism which characterizes its structure—is that public policies derive from decisions made by the government and laws passed by legislators while civil servants simply implement them. This top-down reading does not allow for a complete understanding of the functioning of the state. But the bottom-up interpretation is no less reductive. It considers that grass-roots organizations or service deliverers are the real producers of policies—the former through their mobilization, the latter through their discretion. The approach that we develop could instead be regarded as a dialectical one, which is all the more justified considering that the state governs precarious populations. Indeed, its agents are confronted with explicit and implicit expectations formulated in discourses, laws and rules while keeping sizeable space to maneuver in the concrete management of situations and individuals. So it is in the actions of the agents within public institutions that the politics of the state can be grasped. In the scenes we previously mentioned, the police officers could decide whether or not to arrest the undocumented immigrant; the magistrates had the choice whether or not to apply minimum sentencing guidelines for a repeat offender by taking into account the social worker’s report; the disciplinary board at the prison was in a position to consider or to ignore the context in determining the punishment for the

offense committed by the inmate; the job counselors at the youth center allowed themselves to determine whether or not to send their clients to employers whom they knew to be habitual discriminators in an effort to anticipate their frustrations; and the psychologists and psychiatrists were able to acknowledge or to overlook the social etiology of the difficulties faced by the adolescents they treated—needless to say, they did not extricate themselves entirely from the symbolic and practical authority emanating from the state's directives and legislation.

One could go even further. It is not just a question of maintaining that the agents have room to interpret and freedom to act with respect to the injunctions of ministerial and parliamentary texts defining the modalities of their intervention. To do so would be to limit the focus to “tactics” which, according to Michel de Certeau, imply that the agents, without mastering the rules of the game, can only subvert them, whereas “strategies” suppose a certain autonomy to define these rules.³ In reality, whether through over-zealousness or conviction, the agents often extend the realm of policies well beyond what is requested. In a sense, they are not content simply with implementing the policy of the state—they make it. They are the state. When a liberty and detention judge inquires into an undocumented person's past or present situation as the basis to request for their release, she exceeds the strict delimitation of her role and resists the repression of immigrants. When magistrates in charge of determining the merits of claims made by asylum seekers adopt a stance that is systematically suspicious of the applicants, their negative decisions contribute to the production of government statistics and public discourse on so-called “fake” refugees. When a probation officer evaluates the effectiveness of reintegration projects for inmates applying for parole with a certain leniency, she actively participates in the alternative sentencing policies and prevention of recidivism programs developed by her service. When social workers involved in youth protection adopt a long-term approach to their educational interventions rather than conform to the authorities' expectations of immediate and quantifiable results, they redefine the terms of adolescent supervision and delinquency prevention.⁴ And in each of these institutions, it is of course also possible to observe attitudes symmetrical to those described which produce opposing policies: ones that are less concerned with the violation of the rights of immigrants, more liberal in the evaluation of requests for asylum, more apprehensive about the risks of recidivism, less reluctant to follow official technocratic injunctions.

In other words, it is not just the state which dictates a policy to its agents, it is also the agents themselves who make the policy of the state, by feeling more or less constrained by the scope of their job and resources, by taking more or less initiative with respect to the regulations imposed on them, and ultimately by politicizing in the fullest sense of the term their actions, that is, by giving them political significance. As a result, the state is no more an ethereal place where one works impartially for the common good as supposed in the classical tradition than it is a coercive apparatus merely serving the dominant as maintained by Marxist theorists. Ideas—notably that of the common good—and interests—especially those of the dominant—are of course defended in the state, but the state is neither

idealist nor interested in a monolithic way. Following Pierre Bourdieu, one can analyze it as a “field,” that is, a “space structured according to oppositions” which “correspond to the division of its organizational functions.”⁵ Various institutions defend differing ideas and interests. Their agents therefore do not represent the common good in the same manner: even if both value the protection of society against crime, the police and the magistrates do not achieve that goal by relying on the same values because order and justice are often in conflict with each other. But these institutions are themselves also divided by tensions and disagreements which are a partial reflection of their contrasting relationships maintained with the dominant classes: one need only look at the strained relations with police unions or the suspicions surrounding the nomination of certain prosecutors. Therefore, to speak of the politicization of the state does not entail the supposition of one agent’s exclusive dominance, even in a politically polarized context, as was the case when we undertook our research between 2007 and 2012. Instead, it means privileging debates and conflicts over the abstract integrity which some claim to embody despite evidence to the contrary and whose demise others deplore while overlooking divisions and resistances.

* * *

The institutions—be they the police, the justice system, the correctional facilities, the social services, or the mental health units—are thus the site where the state is produced. This production does not occur in a vacuum: it operates in an ideological environment and under regulatory constraints. Nor does it exist in abstraction: it proceeds from the individual and collective actions of the agents. The institution precisely interests us insofar as it is at the intersection of policies and practices, at the interface between what occurs in the public sphere and what reflects the professional habitus. In the cases we studied, the police officer, the juvenile judge, the prison guard, the special educator, the social worker, and the mental health specialist are all agents of the state working in public institutions within a legal frame and with specific objectives. It would be beneficial to clarify this dual dimension.

On the one hand, institutions have their actions framed by legislation, by the allocation of resources, and by the organization of the means which determine at least in part their modalities: the rationales defined in the organic law governing public finance, the statistical tools for evaluating performance, the evolution of personnel assignments, the transformation of structures operate like constraints which circumscribe the possible but also foster innovation. On the other hand, the agents of these institutions also work in reference to a certain professional ethos, to the training they have received, to an idea they have of their actions, and to a routine they develop: the principles of justice or of order, the values of the common good and public service, the attention to social or psychological realities, or the ignorance of one or the other, all products of their professional habitus, influence the manner in which they will respond to state injunctions and

behave towards their publics. Indeed, both institutions and agents are permeable and susceptible to the discourses about the populations they deal with and to the debates provoked by the implementation of their own mission: the stigmatization of undocumented immigrants, the distrust of asylum seekers, the indictment of judges accused of leniency, the incentive to promote a sense of responsibility, or the recognition of the banality of discrimination—in the cases provided here—are all likewise elements which pervade daily practices, provoking adherence, adaptation, or resistance.

Because they occupy this specific space where action is produced at the intersection of the national and the local, institutions allow for the theoretically delicate and methodologically uncertain operation of interconnecting the macro-sociological and micro-sociological levels, a problem long faced by the social sciences. As Aaron Cicourel writes, “Neither micro- nor macro-structures are self-contained levels of analysis, they interact with each other at all times despite the convenience and sometimes the dubious luxury of only examining one or the other level of analysis.”⁶ Most often, sociologists have examined either social structures or social interactions, thereby situating themselves either at a certain distance or inversely in close proximity. Institutions, because they function both at the macrosocial level of public policy and at the microsocal level of individual practices, represent an appropriate position and an apposite scale from which to observe these two levels. Thus, the study of law enforcement agencies makes it possible to grasp at once the security rationale of the government as well as the work of a police officer, the former defining the latter, but the latter giving content to the former. The same could be said for the justice and prison systems or for the socio-educational and medico-psychological services.

For several decades, the study of institutions has benefited from a significant renewal of interest in the social sciences, political theory, and economic history. While the individualist approaches which have long dominated these disciplines stress the choices made by supposedly rational actors and describe the aggregation of behaviors necessarily predisposed to a certain volatility, institutionalist approaches privilege the comprehension of what it is that makes “institutions endure,” as Elisabeth Clemens and James Cook write.⁷ Indeed, what is striking is the stability of institutions over long periods of time, be it justice or police, asylum or prison. And it is possible to take this even further: what is remarkable is not only that these institutions last, but that society is produced and reproduced through them. Agents do not behave like free electrons, but find themselves trapped within networks of meaning and action that are inscribed within the institutions. In that regard, institutions have a dual dimension with contradictory effects: their constraints impose limits on the liberty of the agents, whereas their frame enables them to live together. In the words of Judith Butler, we are both subjected and subjectivized by the institutions, notably by the most visible of them: the state.⁸ Power in general and that which is inscribed within these institutions in particular produce subjects (in the fullest sense of the term) who obey rules and norms all the while being constituted by them.

At the same time, this stability of institutions is put to the twin test of variation and change. Firstly, institutions differ according to national, if not local context: the common law of English-speaking countries built upon the accumulation of jurisprudence and the civil law of the Roman tradition based on the passage of legislation produce remarkably distinct justice systems from the point of view of the role of magistrates; police forces which must account to local officials and therefore to the public for their actions in the United States and the national police principally answering to its hierarchic authority within the state apparatus in France employ specific modes of regulation. Secondly, institutions evolve over time under the influence of multiple factors: some are internal and related to conflicts of rationales, as is the case for the appeals system for asylum seekers which has been reformed to reinforce the independence of the court toward the administration and the fairness of the rulings with regard to existing discrepancies; others are external and fall under the transformation of political orientations, as has been seen with prison probation officers, who shift from social assistance to sentence enforcement. Thus, admittedly, institutions endure, but they also vary according to national traditions and change depending on historical circumstances.

Works that focus on the permanence of institutions as well as the variations within them and changes over time generally highlight on the one hand the rules and procedures and on the other hand the interests and competitions. Yet the question remains: how can one understand the ways in which the rules and procedures come to be imposed and the interests and competitions defined as such? To answer this question, sociologists and above all anthropologists have sought to study the culture in which institutions are inscribed and consequently the norms on which they are founded and the rationales from which they are derived. Thus Mary Douglas wonders “how institutions think”: not that she would attribute a sort of magic virtue to them by implying that they are endowed with an autonomous reflexive capacity; instead, she simply maintains that they are more than the sum of the individual decisions of the agents who compose them.⁹ By showing how they operate through analogy and classification, how they make life or death decisions, she essentially concentrates on their cognitive dimension. However, institutions do more than just think, they also implement values and affects, judgments and sentiments. It is this moral dimension, rarely discussed, that we explore in our inquiry: how institutions assess and feel, so to speak.

In this regard, Durkheimian and Weberian analyses generally lead to a vision of the state as an impartial and dispassionate institution. This cold rationality is personified in bureaucracy. In his study of the western administrative apparatus based on the case of contemporary Greece, Michael Herzfeld observes this paradox: societies that have the most ancient and most generous traditions of hospitality can also be those whose bureaucracies prove in practice to be the most indifferent toward the populations that they are supposed to serve, if not the most aggressive toward those categories whose exclusion they succeed in legitimizing.¹⁰ To mention indifference or aggressiveness is to underline the affective side of bureaucratic work, including when empathy is suspended or even

reversed—a tendency clearly associated with an evaluative component through which agents judge their public. Indeed, moral questions always associate the rational with the emotional and the judgments with the sentiments. As rigorous as they try to be, magistrates not only apply the law at a trial, they assess the sincerity or the duplicity of the arraigned, they feel sympathy or antipathy toward the accused. As professional as they consider themselves to be, employment counselors do not only adhere to managerial rationales, they gauge the young applicant, they feel angered by the discriminatory practices of an employer. To grasp this moral dimension of the institution, we turn to two concepts: moral economy and moral subjectivity.

Moral economies represent the production, circulation, and appropriation of values and affects regarding a given social issue.¹¹ Consequently, they characterize for a particular historical moment and a specific social world the manner in which this issue is constituted through judgments and sentiments that gradually come to define a sort of common sense and collective understanding of the problem. Thus, one can speak of the moral economy of asylum to characterize the transformations of values and affects around the question of refugees: positively valued and emotionally charged in the 1970s and 1980s, when persecutions by Latin American and Southeast Asian dictatorships turned them respectively into heroes or victims, the figure of the asylum seeker was gradually modified to make way in the 1990s for the image of the “fake refugee,” stirring mistrust whether he or she came from the Democratic Republic of Congo or Chechnya, Bangladesh or Haiti. Obviously, it is less the objective reality of the persecutions that has evolved than the subjective approach that one has of it. In the same way, the moral economy of punishment involves the appropriateness and fairness of the sentence, which change over time: the rehabilitative paradigm of the sanction, which was dominant until the 1970s, has been replaced by a retributive one, but this punitive turn has disproportionately affected disadvantaged minorities by focusing repression on certain types of offenses, such as drug use, while overlooking others, such as financial crime. As can be seen, moral economies do not characterize a specific group or activity—we do not speak of the moral economies of judges or of justice—but of a social fact—here, asylum or punishment.

Moral subjectivities refer to the processes by which individuals develop ethical practices in their relationships with themselves or others.¹² They attest to the autonomy and freedom of agents, notably within contexts in which opposing values can come into conflict, contradictory sentiments can create tensions, or political injunctions can run counter to professional ethos. They may be conscious exercises stemming from reflections on a dilemma or they may be ordinary gestures stemming from a sense of care. Thus, the members of a prison disciplinary board can decide not to apply sentencing guidelines to an inmate who is found in possession of a telephone or who angrily replied to a guard by taking into account both the necessity to recall the authority of the rules and the singularity of the individual situation; likewise, the police can lend a sympathetic ear to the plight of an undocumented immigrant whom they have arrested or psychiatrists can express

their concern with regard to an African father destabilized by his son's delinquent behavior. In discussing subjectivities, we do not seek to encroach upon the field of psychology, which is not ours, but to signify the sociological production of subjects both as subjection and subjectivation.

Relating these two concepts, as we propose to do here, allows us to combine the two major approaches to moral questions in the social sciences inspired by Kant and Aristotle, namely the ethic of duty and the ethic of virtue, respectively.¹³ According to the first paradigm, any society is characterized at a given moment by a set of norms and values which defines a moral code to which individuals must submit themselves either out of an obligation to accomplish their duty or out of a desire to do good. According to the second paradigm, any individual can develop virtuous practices with respect to him or herself and with respect to others independently of the rules that are collectively imposed. The first approach underscores constraint, the second freedom. But moral economies and moral subjectivities offer insights into the moral world of institutions that differ in some way from these philosophical legacies. Unlike codes, which are fixed and stable, moral economies permit us to grasp the changes in time and the appropriations by agents: norms and values are not simply imposed upon them, and furthermore they are associated with emotions and sentiments. Unlike virtues, which ultimately refer to practices focused on seeking to do good, moral subjectivities integrate all forms of practices having moral content whatever their valence and thus include resentment or indignation as well as compassion or admiration.

Moral economies and moral subjectivities are connected in the daily activities of institutions through the values and affects which crystallize around social issues and the responses that are given in concrete situations: for the law enforcement agent, the immigration judge, the probation officer, and the job counselor, they are respectively the insecurity embodied in the adolescent from the projects, the suspicion in the asylum seeker, the dangerousness in the inmate considered for parole, the unemployment in the discriminated young adult. These professionals face each of these cases through evaluations and emotions, judgments on what is a true refugee or a good prisoner and indignation over a lack of respect or a need for justice. To describe the moral work of institutions is therefore to account for both the tensions within the public sphere surrounding these problems (moral economies) and the actions in the professional world charged with resolving them (moral subjectivities). This moral work is therefore inseparable from the political stakes which underlie both of them—at the heart of the state.

Notes

1 See Max Weber (1994 [1919]: 310–11) and Émile Durkheim (1986 [1900]: 48).

2 See Veena Das and Deborah Poole (2004: 3).

3 “A tactic insinuates itself into the other's place, fragmentarily, without taking it over in its entirety, without being able to keep it at a distance” writes Michel de Certeau in *The Practice of Everyday Life* (2011 [1980]: xix).