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## **If We Build It They Will Come: Human Rights Violations and the Prison Industrial Complex<sup>1</sup>**

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### **Abstract**

This paper utilizes the concept of the Prison Industrial Complex (PIC) in order to examine the complex configuration comprised of the US prison system, multi-national corporations, small private businesses and the inmate population in the social and political economy of the 21st century US. Utilizing data on the PIC we pose the question: What is the purpose of prison, the rehabilitation of the inmates or the exploitation of prison labor? Specifically we argue, using Wright's neo-Marxist theory, that the current system of incarceration in the US mimics the exploitation characteristic of the slave plantation economy of the southern US, ripe with human rights violations, the products and profits of which are exported daily through the expansion of global markets.

### **Si la edificamos ocurrirán: las violaciones de derechos humanos y el negocio de las prisiones**

Esta ponencia usa el concepto de Complejo Penal Industrial (PIC) para examinar la compleja configuración del sistema penal americano de hoy, compuesto por empresas multinacionales, empresas pequeñas y la población encarcelada. Utilizando datos sobre el PIC, planteamos la cuestión: ¿Cuál es el propósito de las prisiones, la rehabilitación de los presos o su explotación laboral? Sostenemos, usando la teoría neo-marxista de Wright, que el actual sistema de encarcelamiento en los Estados Unidos reproduce la economía de la

<sup>1</sup> The first part of our title is actually a paraphrase from the popular film *Field of Dreams* (1989), about a farmer who becomes convinced by a mysterious voice that he is supposed to construct a baseball diamond in his corn field. The film stars Kevin Costner and James Earl Jones. We are grateful to Judith Blau, Alberto Moncada, Bonnie Berry, and Tim McGettigan for their insightful and thorough reviews of our paper. We dedicate this paper to the late Senator Paul Wellstone (1944–2002) who dedicated his life to the fight for human rights.

explotación de esclavos en el sur de los Estados Unidos, con violaciones de derechos humanos y un enorme beneficio producido a expensas de los prisioneros.

**Si on le construit, ils viendront: violations des droits de l’homme dans la création d’un complexe d’incarcération à usage industriel.**

Cet article s’interroge sur le concept de création d’un complexe industriel pénal (CIP) et examine la configuration compliquée du système pénitentiaire contemporain aux Etats-Unis, entre sociétés multinationales ou petites sociétés et la population des détenus. Utilisant des données du CIP nous demandons: Quel est le but des prisons – est-ce la réhabilitation des détenus ou l’exploitation par le travail des détenus en prison? Nous désapprouvons, en nous appuyant sur la théorie néo-Marxiste de Wright, que le système courant d’incarcération aux Etats-Unis semble reproduire le système des plantations du sud des Etats-Unis et de leur économie politique d’esclavage, qui inclut des violations des droits de l’homme dans le but de profiter de l’immense rentabilité collectée sur le dos des détenus. Tout comme les Etats-Unis sont devenus la nation la plus riche au monde en profitant du travail des esclaves, aujourd’hui les sociétés américaines assurent leur richesse en exploitant des prisonniers de droit commun, vulnérables, à majorité noire.

**Keywords**

Prison Industrial Complex, globalization of prisons, prison industries

In the last three decades the Prison Industrial Complex has been expanding in the United States. It is a confluence of special interests that has given prison construction in the US a seemingly unstoppable momentum. Since 1991 the rate of violent crime in the US has fallen by about 20%, while the number of people in prison or jail has risen by 50%.<sup>2</sup> Incarceration has become a multi-billion dollar industry that relies on incarcerating more than 2 million citizens on any given day in the US. We are, in fact, addicted to incarceration.<sup>3</sup>

In order to fully understand this addiction to incarceration we compare incarceration rates in the US to those in other countries, both those with good human rights records and those with poor records on human rights.<sup>4</sup>

<sup>2</sup>) Schlosser 1998.

<sup>3</sup>) Although one reviewer for this paper was not happy with the use of the term “addiction” to note the high levels of incarceration in the US, we first heard the term “incarceration addiction” in the key note address delivered by Marsha Weissman at the University of North Carolina Law School annual Conference on Race, Class, Gender, and Ethnicity (CRCGE) in February 2006. Therefore we will use the term herein and are indebted to Marsha for bringing this to our attention.

<sup>4</sup>) See, especially Office of the United Nations High Commission on Human Rights <http://www.ohchr.org/english/law/treatmentprisoners.htm> (accessed 29 October 2006).

Why is the US addicted to incarceration? This paper utilizes the concept of the Prison Industrial Complex (PIC)<sup>5</sup> in order to examine the complex configuration comprised of the US prison system, multi-national corporations, small private businesses and the inmate population in the social and political economy of the 21st century US.<sup>6</sup> Second, we rely on the theoretical framework provided by Erik O. Wright in order to examine the ways in which the PIC operates within the system of capitalism and thus benefits from the exploitation of labor. We examine the ways in which inmates, primarily African American men, provide a pool of highly exploitable labor that allows all types of industries from agriculture to multi-national corporations like Microsoft to turn record profits. Specifically we argue that the current system of incarceration in the US mimics the slave plantation economy of the south. And, the products and profits of this modern day slave economy are exported each day through the expansion of global markets: in a system where “societies have no borders.” Yet, because the human rights violations associated with the PIC occur in the US and not in China they are largely ignored.

### **The Growth of Prisons: Institutions and Population**

In 2005 more than 2.6 million Americans (or .7% of the US population) were incarcerated, in nearly 1700 state, federal, and private prisons (see Figure 1),<sup>7</sup> with another 5 million under other forms of custodial supervision including probation and parole.<sup>8</sup>

Furthermore, the US incarcerates a higher proportion of its population than all other developed countries and many in the developing world,<sup>9</sup> including nation-states such as China whose incarceration practices are frequently the target of investigations and reports by human rights watch groups such as Amnesty International (see Figure 2).<sup>10</sup>

<sup>5</sup> The term PIC was first coined by Eric Schlosser (1998) and Angela Davis (1998).

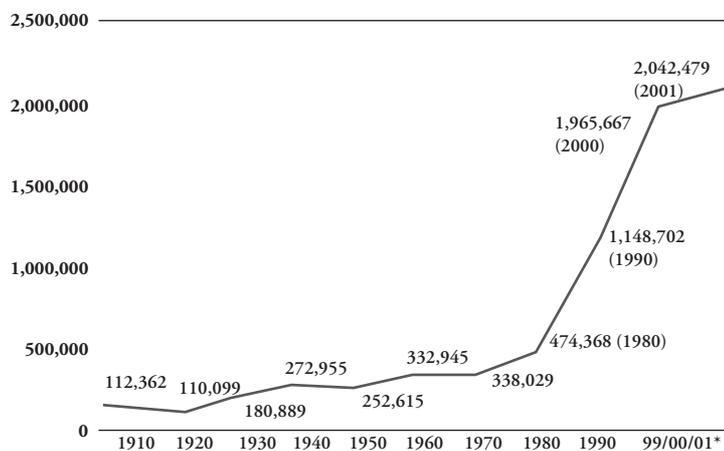
<sup>6</sup> C. W. Mills first utilized the term coined by Dwight D. Eisenhower “the military industrial complex” to refer to the complex political economy of the United States in the 1950s.

<sup>7</sup> Figures on incarceration vary depending on what types of institutions (jails, prisons, military prison, etc) are included in the count.

<sup>8</sup> Harrison 2005.

<sup>9</sup> Mauer 2003.

<sup>10</sup> Amnesty International 2005.



Source: Justice Policy Institute analysis of U.S. Department of Justice Data  
 \* 1999, 2000 and 2001 are Bureau of Justice Statistics estimates of what could be the year end totals

Figure 1. Number of prison and jail inmates, 1900 to 2001.

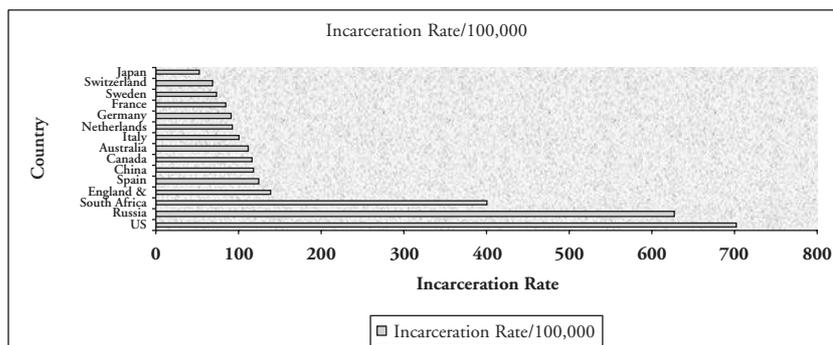


Figure 2. Incarceration rates by country. Source: Mauer 2003.

**The Role of Drug Laws in the Growth of Prisons**

Why does the US incarcerate so many of its citizens? The most straightforward answer is the changes in drug laws.<sup>11</sup> The “War on Drugs” officially began in 1972<sup>12</sup> and it put into place rigid sentencing guidelines that

<sup>11)</sup> King 2006; Western 2006.  
<sup>12)</sup> Wilson n.d.

required (1) longer sentences;<sup>13</sup> (2) mandatory minimums;<sup>14</sup> (3) some drug offenses were moved from the misdemeanor category to the felony category;<sup>15</sup> and (4) the institution of the “Three Strikes You’re Out” policy.<sup>16</sup>

One of the clearest outcomes of these changes in drug sentencing was the rapid increase in the number of inmates and the rise in the number of prisons built to house them. An international comparison provides the context: Currently in the US 450,000 of the more than 2 million inmates (45%) in state and federal prison are incarcerated for non-violent drug offenses. In contrast, this is more people than the European Union, an entity with a 100 million more people than the US, has in prison for *all crimes combined*.<sup>17</sup>

### **Race and Incarceration**

Of the 2.6 million Americans who are incarcerated, one million or 43% are African American men; 43% of *all American* prisoners, men and women, are *African American men*. Comprising only 13% of the US population, African Americans comprise nearly two-thirds (62%) of the male prison population.<sup>18</sup> African American men are 7–8 times more likely to go to prison than their white counterparts. *Nearly 1 in 3 African American men will be incarcerated during their lifetimes.*

Coupled with the prison boom has been an unprecedented collaboration with the capitalist economy in the US such that in 2006 nearly 100 national and multinational corporations, as well as small townships and even colleges and universities, do business in or with prison industries. And, by and large, the individuals working to create the products are African American men who earn below market wages.

### **Theoretical Framework: Rehabilitation or a Tool of Capitalism?**

In this paper we utilize data on the PIC and prison industries in particular to pose the question: What is the purpose of prisons? Is it the rehabilitation

<sup>13</sup> King 2006.

<sup>14</sup> Meierhoefer 1992.

<sup>15</sup> King 2006.

<sup>16</sup> Haney 1998; Mauer 2003; Roberts 2004.

<sup>17</sup> Justice Policy Institute 2000.

<sup>18</sup> Roberts 2004.

of the inmates or the exploitation of prison labor for profit making corporations? The deliberate implementation over the last two decades of sentencing policy can be characterized as using prisons as catchments for the undesirables in our society.<sup>19</sup> Furthermore, prisons provide a “captive” population, one that is highly vulnerable, and one that has increasingly been exploited for its labor. Wisconsin sociologist Professor Erik Olin Wright put it thus:

In the case of labor power, a person can cease to have economic value in capitalism if it cannot be deployed productively. This is the essential condition of people in the ‘underclass’... As a result they are not consistently exploited. Understood this way, the underclass consists of human beings who are largely expendable *from the point of view of the logic of capitalism*... Capitalism does not need the labor power of unemployed inner city youth... The alternative, then, is *to build prisons and cordon off the zones of cities in which the underclass lives*.<sup>20</sup>

According to Wright, prisons can be seen as a strategy for removing unwanted, unnecessary, un-useful members of a capitalist society. It is easy to see how prisons accomplish this goal: they remove individuals from society and they permanently (in many states) disenfranchise them from the political realm. Prisoners and ex-convicts become virtual non-citizens, unable to challenge the economic, social or political power structures.<sup>21</sup>

We argue that while Wright was astute in his observations that prisons provided a mechanism for removing the “unexploitable” labor from society, we argue that this formerly “unexploitable” class of Americans has now been redefined as highly exploitable by national and multinational corporations. Taking the lead from prison labor that has been around for a century or more, from agricultural labor at prison farms like Parchman and Angola, to the license plate factories that were popular in the middle part of the 20th century, dozens of Fortune 500 companies have moved at least part of their operations into prisons. As the data will demonstrate, this transition to prison labor allows corporations to significantly cut their labor costs thus maximizing and accumulating their profits, much like

<sup>19</sup>) Chasin 2004, pp. 235–239.

<sup>20</sup>) Wright 1997, p.153, emphasis ours.

<sup>21</sup>) And, the very fact of cordoning off some individuals means that the goods and riches of society are accessible only to those citizens who are *not* cordoned-off. As Baca Zinn and Thorton Dill (2005) note, every system of oppression has as its reflection a system of privilege. That which cordons some off, “cordons” others in.

plantations, ship builders, and other industries did during the 200-plus years of slavery in the US.<sup>22</sup>

### **Human Rights and Prison Labor**

Human rights are basic standards of treatment to which all people are entitled, regardless of nationality, gender, race, economic status, sexuality, or religion. Human rights fall into five general categories: economic, social, cultural, political and civil.<sup>23</sup> Yet, as Moncada and Blau<sup>24</sup> so aptly point out, for a variety of reasons, the US has not chosen to protect human rights, and more troubling has chosen to continue to engage in the practice of human rights violations in the name of laissez faire capitalism all around the globe.

The relationship between incarceration and human rights has long been contested. On the one side are those who argue that when someone commits a crime he or she chooses to give up his or her claim to rights. On the other side are those who argue that though inmates should be deprived of citizenship rights (the right to vote, the right to freedom of movement, and so on) that they should not be deprived of basic human rights (such as life, liberty, and security of person) that are secured in the international declaration of human rights.<sup>25</sup>

Human rights advocates such as Amnesty International and the Juvenile Justice Project of Louisiana (JJPL) have sued for the human rights of inmates and in the case of JJPL were successful in closing a children's prison, Tallulah, notorious for human rights violations. However, most of the attention of these groups has focused on basic human rights violations (safe food and housing) and capital punishment.<sup>26</sup> We argue here that the

<sup>22</sup> Ivy League Brown University was built on the fortunes the Brown family amassed in the slave trade. "Slavery was an integral part of the developing economy of colonial and post-Revolutionary Rhode Island. In the early and middle 1700s, members of the Brown family participated in the slave trade while simultaneously developing other enterprises. In addition, while managing the 1770 construction of the College Edifice (later renamed University Hall), Nicholas Brown & Company apparently utilized some slave labor." (Nickel 2001).

<sup>23</sup> Business for Social Responsibility 2003.

<sup>24</sup> Moncada and Blau 2006.

<sup>25</sup> UN: <http://www.un.org/Overview/rights.html>.

<sup>26</sup> Oshinsky notes that in response to anti-capital punishment protesters, the warden put the electric chair in the bed of a pick up truck so that he could move the executions around the prison grounds thus avoiding further protests.

exploitation of vulnerable labor also constitutes a type of human rights violation not at all dissimilar to the use of child labor and sweatshop labor abroad. Prisons, like sweatshops, operate on the principle of low to no wage labor as the mechanism that drives the profit margins. As explicated by the organization Business for Social Responsibility:

While human rights principles were originally intended to limit state action towards individuals or groups, several human rights principles relate directly or indirectly to private sector actions. These include the avoidance of child labor in global manufacturing, non-participation in state action depriving citizens of basic civil liberties, and the avoidance of *forced prison labor*.<sup>27</sup>

Finally, we argue that this relationship between the capitalist economy and the prison system that characterizes the prison industrial complex (PIC) creates a feedback loop. The more prisons provide labor for corporations, the higher demand for prison labor, the more prisons will be built and the more citizens will be incarcerated. Thus, we suggest that the PIC and its attendant industries contribute to the increased rates of incarceration in the US and the continued exploitation of labor, primarily African American labor, resulting in major human rights violations of the most vulnerable and marginalized citizens of the US.<sup>28</sup>

### **The Economics of the PIC: The Case of the Corrections Corporation of America**

The Corrections Corporation of America (CCA) builds and staffs prisons. Currently it has 67,000 beds (approximately 62,000 inmates) in 63 facilities. This private corporation, founded in 1983, trades on the New York Stock Exchange (CXW) and posted annual earnings in 2005 of over \$1.2 billion.<sup>29</sup> Clearly there is big money to be made in the incarceration industry. We begin by examining the ways that private prison corporations like CCA make money. First we point out that though in some cases the government pays part of the cost of incarceration, the inmates themselves seldom contribute

<sup>27</sup> Business for Social Responsibility 2003, emphasis ours.

<sup>28</sup> We note that Institutional Review Boards (IRB) recognize that inmates are vulnerable populations and special considerations must be taken when doing research inside prisons.

<sup>29</sup> Corrections Corporation of America Annual Report 2005.

to the cost of their own incarceration.<sup>30</sup> And, it is quite expensive to house a single prisoner in a jail or prison. With an average cost of \$23,183.69 to house a single prisoner for a year the US spends more than \$46 billion per year on incarceration.

Hence, there has to be another method to pay for incarceration. Even the most basic economic analysis would note that the prison loses money when there are empty cells. Thus, just like college campuses must enroll enough students to fill the dorms, prisons rely on being at “full capacity.” Thus, as some others have also suggested, part of the explanation for the rise in incarceration rates is the fact that building and expanding prisons means that we must continue to fill them and the changes in drug laws have provided just this mechanism.<sup>31</sup> Furthermore, these cells are filled primarily by the vulnerable, unempowered populations, primarily the young, poor, African American men that Wright describes.<sup>32</sup>

Private commerce that utilized prisoners as labor has been underway for centuries in Anglo societies, dating back to the 1600s and before.<sup>33</sup> In the 20th century in the US, penal capital moved from the raw convict leasing system characterized by Oshinsky to a service economy that mirrors the larger US’ economy.<sup>34</sup> One aspect of the Prison Industrial Complex that has perhaps received less attention is the role that the use of prison labor plays in the post-industrial political economy of the US at the beginning of the 21st Century. There are many types of industries that utilize prison labor, including construction, road maintenance, and agriculture. We focus here on two types that have an international scope: factory work and service sector labor.

### **Factory Work**

Most of us are familiar with the original use of prisons in factory labor: the manufacture of license plates and road signs. In this type of work factories

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<sup>30</sup> Some state and private prisons systems, including the state of Oregon, have adopted a requirement that inmates work, typically contracts they fill for private corporations ranging from Microsoft to Victoria’s Secret, and the inmates are required to pay a sizeable portion of their paychecks back to the prison, effectively paying for their own incarceration.

<sup>31</sup> Mauer 2002.

<sup>32</sup> Wright 1997.

<sup>33</sup> Hallett 2004.

<sup>34</sup> Oshinsky 1997.

are set up *inside* the prison and inmates work, for low wages, usually 40 or 50 cents an hour. The product is then shipped out to the “client.” Though this particular type of prison labor has been around for a long time, it has expanded significantly in the last 5 years. Today, many states and counties have “corrections businesses” that allow them to produce goods on the inside and sell them to other state and local government agencies as well as to non-profit organizations. For example, colleges like Grinnell have purchased all of their dorm furniture from companies like the Iowa “Inmate Labor Program.”<sup>35</sup>

At the Eastern Oregon Correctional Institution, a medium-security state prison located in Pendleton, Oregon, that houses about 1,500 inmates, prisoners were engaged in textile factory work making the denim uniforms for all the inmates in the entire Oregon State Prison system.<sup>36</sup> The popularity of their denim grew and they now market their clothing line, sewn in the Prison Blues Garment Factory, appropriately trademarked “Prison Blues” for purchase over the internet and at mid-level upscale department stores like Nordstrom’s.<sup>37</sup> At first glance this form of inmate labor appears positive. As extolled on the Prison Blues website, inmates learn a marketable trade that they can take with them when they re-enter the “free world.” Also, they keep busy during the day, and they earn some money which is used to pay for their expenses in prison as well as for financial obligations such as child support that they have with the state.

One controversy associated with this practice is that industries like this take job opportunities away from local citizens. For example, the economy is quite depressed in the agricultural regions of the Mississippi Delta and the fact that the State of Mississippi, through the MSDOC, has a strong hold in the farm-raised catfish market means that local farmers have less of an opportunity to make a living with this agricultural commodity.<sup>38</sup> Fur-

<sup>35</sup> In fact, Grinnell College is such a good client that Iowa Prison Industries produces a special line of furniture called the “Grinnell Group.” (<http://www.iaprisonind.com/html/prodcat/rfdormres.asp>).

<sup>36</sup> At Parchman, inmates make all of the inmate uniforms as well as a significant portion of the law enforcement uniforms for the entire state of Mississippi Department of Corrections.

<sup>37</sup> A visit to their website (<http://prisonblues.com/>) reveals that they not only market denim products for sale to consumers in the US but also for sale to customers in Japan who can now buy their garments, manufactured by inmates in the Eastern Oregon Correctional Institution, over the internet!

<sup>38</sup> Catfish farming was once one of Mississippi’s top agricultural activities, grossing approximately \$255 million dollars annually. Now, all of this has changed... The catfish farmers

thermore, by paying wages that are significantly below market value, products produced by inmates can be sold at a higher profit margin often running “free world” business that pay a living wage out of the market. Thus, the exploitation of inmate labor can contribute to unemployment and lower wages in local communities.<sup>39</sup>

### Service Sector Work

Perhaps the most recent change in inmate labor, and the one that seems to be the most controversial and disturbing, is the use of inmate labor for a variety of service sector work that is sub-contracted through “middle-men” for some of the nation’s leading manufacturers. Companies that use prison labor include IBM, Motorola, Compaq, Texas Industries, Honeywell, Microsoft, Boeing, Starbucks, Victoria’s Secret, Revlon, and Pierre Cardin.<sup>40</sup> There are estimates that on any given day the average American uses 30 products that were produced, packaged, or sold out of a prison! Through this type of service sector work, prison industries have truly infiltrated the global market.

As noted previously, one can easily come to the conclusion that this is a positive movement in the evolution of prisons. However, critics, including many inmates at the Twin Rivers Corrections Unit, are skeptical of the underlying reasons for this evolution in prison industries. They do not necessarily believe it is indicative of a *rehabilitative movement* in prisons, but rather is driven entirely by companies seeking another way to maximize their profits.

Others suspect that DOC’s motives are more pecuniary than pure-hearted, noting that by shaving nearly 50% off the top of an inmate’s paycheck, the department slashes its own expenses while subsidizing the companies in the program, which are not required to pay for inmates’ health insurance or retirement. Richard Stephens, a Bellevue property-rights attorney, is suing DOC on the grounds that the program is unconstitutional,

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who used to get .75c per pound are now down to approximately .60c per pound. *Mississippi Business Journal* 2004.

<sup>39)</sup> We argue in this paper that prisoners are not “free” to choose which companies to agree to work for or which State to work for or which Federal Government prison to work in as we are on the “free world.” See: Office of the United Nations High Commission on Human Rights <http://www.ohchr.org/english/law/treatmentprisoners.htm> (accessed 29 October 2006).

<sup>40)</sup> Evans 2005, pp. 217–218.

allows businesses that use prison labor to undercut their competitors' prices, and unfairly subsidizes some private businesses at the expense of others... *Private businesses are "paying prison workers less than they're paying on the outside, but they aren't reducing the markup to the consumer" they're pocketing the profits.*"<sup>41</sup> Another key difference, inmate Wright notes, is that prisoners can just be sent back to their cells whenever business goes through a lull; "on the outside, they have to lay off workers."<sup>42</sup> Wright, an inmate at Twin Rivers, sums it up: "They need to know that they are buying these products from a company that is basically getting rich off prisoners." Wright, sent to Twin Rivers for first-degree murder in 1987, *believes parents would be disturbed to know that their child's Game Cube was packaged by a murderer, rapist, or pedophile.* "These companies spend a lot of money on their public image," Wright says, "but then they're quick to make money any way they can."<sup>43</sup>

### International Human Rights and the Prison Industrial Complex

The Prison Industrial Complex has gone international in many ways.<sup>44</sup> The International PIC is gaining in acceptance as an international tool of capitalism primarily through the exportation of products manufactured inside prisons which allows US based corporations to compete with companies that have "outsourced" their manufacturing to places like China and Singapore. And, this practice allows these companies to meet the requirements of "Made in the USA" and access the associated privileges while still posting profits similar to those companies that engage in outsourcing.

China has been the focus of much attention from human rights watchdogs, including Amnesty International, who in their most recent report highlight human rights violations connected to prison labor.<sup>45</sup> As a result, the official position of the US government is to ban the import from China of products manufactured using forced prison labor.<sup>46</sup> Yet, "For reasons of

<sup>41</sup> Barnett 2002.

<sup>42</sup> Barnett 2002.

<sup>43</sup> Barnett 2002.

<sup>44</sup> Ranging from simply being depositories for "terrorist enemies of the US"<sup>44</sup> (Herbert 2006) to parroting the move to private prisons where human labor power is the most sought after commodity.

<sup>45</sup> Amnesty International 2005.

<sup>46</sup> US-China Securities Review Commission 2005.

sheer economic and political self-interest, and owing to its liberal traditions, which are antithetical to collective endeavors, the US has remained aloof from this ‘human rights revolution.’<sup>47</sup> The data presented here indicate that many of the same human rights violations Americans abhor in China occur in US prisons, specifically the hyper-exploitation of labor.<sup>48</sup> Yet, even the most ardent American human rights advocates seldom focus their attention on what is happening in their own backyards, nor do they ask questions about the products they consume on a daily basis.

### **Conclusion: The Prison Industrial Complex, Human Rights, and the Exploitation of African American Labor**

Angela Davis wrote, “Corporations that appear to be far removed from the business of punishment are intimately involved in the expansion of the prison industrial complex.”<sup>49</sup> We have argued that the Prison Industrial Complex and its attendant “prison industries” mimics the slave mode of production. Wealthy whites (primarily men) are profiting by not paying a living wage to African American inmates (also primarily men). Thus corporations are engaging in an exploitive labor practice, termed by Marx as the extraction of surplus value.<sup>50</sup> By not paying what labor is worth when inmates are working on farms, building furniture, assembling products for giant multi-national corporations like Microsoft and McDonalds, corporations make additional profits. And, when large corporations from Microsoft to McDonalds engage in this practice they also have an unfair advantage over their competitors. The whole scene is reminiscent of the “plantation economy” of 17th, 18th, and 19th century America. The slaves were Black chattel. They had no rights and they were a captive labor force. *All of the above* is the same for today’s prisoner.

We have shown in this paper that the Prison Industrial Complex (PIC) exploits the labor of African American men (and women), which has devastating consequences in the African American community as well. Families are separated, social capital ties broken, and whole communities left

<sup>47</sup> Moncada and Blau 2006, p. 115.

<sup>48</sup> In addition, the US exports the exploitation of human rights via prison labor through the exportation of prisons themselves. Corrections Corporation of America (CCA) operates several prisons abroad including in Puerto Rico, Great Britain, and Australia.

<sup>49</sup> Davis 1998, p. 16.

<sup>50</sup> Marx and Engels 1990.

with few human and social capital resources. In fact, not only are individuals disenfranchised, but because of the relocation of inmates, communities see their citizens removed and transferred to other communities.<sup>51</sup>

We end this essay noting that *justice* in the US has been and continues to be “political”.<sup>52</sup> Until Americans realize the long-term, devastating effects of mass incarceration on African American individuals as well as on African American communities, we, as a citizenry, will continue to use the PIC to cordon-off African Americans much as they were cordoned-off during slavery and Jim Crow segregation and exploit their labor for individual and “class” gain.<sup>53</sup>

Haney and Zimbardo write, “Due to harsh new sentencing guidelines, such as ‘three-strikes, you’re out,’ a disproportionate number of young Black and Hispanic men are likely to be imprisoned for life under scenarios in which they are guilty of little more than a history of untreated addiction and several prior drug-related offenses.”<sup>54</sup> We add to this by returning to the framework provided by Erik O. Wright.<sup>55</sup> Inmates have suddenly been identified and re-constituted as the latest, greatest captive group whose labor can be exploited. The PIC is a complex system that is not about rehabilitating inmates but is about lowering the high costs of incarceration by “leasing” the inmates’ labor to multi-national corporations that in turn make money and see soaring profits by paying below market wages to inmates who labor for them.

Finally we have demonstrated that the exploitation and human rights violations occurring in US prisons are exported: both in tactics (in such ghoulis as the Abu Ghraib military prison)<sup>56</sup> and in consumer goods. We note that just as the US became the richest nation on earth by its extensive 250-year reliance on exploiting slave labor, today US based corporations secure their place as the richest companies in the world by exploiting vulnerable, mostly African American, prison labor.

<sup>51</sup> Hattery and Smith 2007.

<sup>52</sup> Western 2006.

<sup>53</sup> So that it is clear, we make a *disclaimer* here. We are not advocating the abolishment of prisons as a form of punishment for those who commit crimes. However, people who are addicted to marijuana and crack should not spend 15 to 25 years in prison but should receive treatment for their illness.

<sup>54</sup> Haney and Zimbardo 1998, p. 718.

<sup>55</sup> Wright 1997.

<sup>56</sup> The exportation/internationalization of the Prison Industrial Complex (PIC) is clearly seen at Abu Ghraib.

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