

In the late 20th century, the U.S. began implementing "tough on crime" policies that contributed to the mass incarceration of people of color, immigrants, and the poor. Currently, the United States holds the highest incarceration rate in the world, "...where approximately 2.2 million people are locked up with an additional 4.6 million people on probation or parole" (Mauer, 2018, para. 6). This paper will examine a fundamental issue with incarceration in the US: private interest groups and companies profit off the prison labor system.*

There is a basic structure to the cycles of incarceration in the United States: the exploitation of the marginalized groups results in the criminalization of poverty which legitimizes hyperpolicing of vulnerable communities resulting in racialized mass incarceration. Throughout the cycle, monied interested benefit, and as mass incarceration grew, the Prison Industrial Complex began to take shape.

The U.S. military establishment, by virtue of its inherent perpetual drive to conquer, sought means to attract and influence civilian entities within the U.S. government by establishing a mutual relationship with private prisons. This relationship was driven based on the economic theory of capitalism, which in turn, developed into what became known as the Military Industrial Complex.

I will demonstrate, through a macro level perspective, how these two phenomena intersect with each other. And in so doing, I will be analyzing the origins behind mass incarceration by

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describing "how that makes the US criminal justice system exceptional compared to other industrialized nations" (de la Tierra, 2022). As such, I will address how the criminal justice system is impacted by The Military Industrial Complex, The Prison Industrial Complex, and mass incarceration.

First, a parallel can be drawn between enabling institutions of power like the U.S. military establishment to be operating alongside the Military Industrial Complex. A domestic military operation—the Prison Industrial Complex being subsidized by the U.S. military—has contributed towards the systematic exploitation and oppression of the prison population—largely comprised of people of color and the poor—from the profits accumulated by prison labor. As incarceration rates increased, private prisons and jail administrators engaged with defense contractors corporations by virtue of a unique business opportunity presented before them. In his 1961 farewell address, U.S. President Eisenhower precisely warned against the corruptible nature of the U.S. military establishment by guarding "against the acquisition of unwarranted influence, whether sought or unsought, by the military-industrial complex". As such, the United States achieved its formidable influence as an imperialistic regime on planet Earth.

Next, when referring to the term, "Prison Industrial Complex", scholars and activists have an overwhelming consensus in describing the relationship between the U.S. government and its carceral state sustained by its criminal justice system. According to the international movement, "Critical Resistance", the Prison Industrial Complex is a term used to describe the "overlapping interests of government and industry that use surveillance, policing, and imprisonment as solutions to economic, social, and political problems" (Potter, 2020, para. 1). Within the numerous criminal justice systems, the country holds "almost 2 million

people in 1,566 state prisons, 102 federal prisons, 2,850 local jails, 1,510 juvenile correctional facilities, 186 immigration detention facilities, and 82 Indian country jails" (Sawyer & Wagner, 2023, para. 2). Presently, the U.S. maintains the highest incarceration rate in the nation, holding about 25% of the world's prison population in the United States. Some of the unintended consequences of mass incarceration have been condoned as a civil rights issue among social justice leaders on the grounds of high recidivism rates, the exploitation of prison wage labor, and the overcriminalization of normal behavior, such as poverty.

Secondly, Albert De la Tierra's article "Settler Colonial Governance and the Impossibility of a "Good Cop" demonstrated how the United States, historically, has been the most significant example of settler colonialism: "Australia and Canada are wellknown examples of settler colonial states, but the United States is the quintessence of settler colonialism" (Hixson, 2013, p. 1 as cited by de la Tierra, 2022, p. 173). Under the aegis of "manifest destiny", the idea of expanding "democracy" and "capitalism" across the North American continent because it was destined by God, the US engaged in settler colonialism by acting as the "violent external invaders to exploit land, labor, and resources and then stay" (de la Tierra, 2022, p. 173). The widespread belief by settlers in expanding towards the western territories is perceived by the country's founding principles known as American exceptionalism. This example highlighted how the colonist's actions against a tyrannical government in the late 18th century beginning with The Revolutionary War irreparably transformed the United States from its early days as a settler colonial society into the metastasized version we see today, as a formidable imperialistic nation, thereby permeating into the fabric of society; fear, oppression, and racism through its subsequent discriminatory policies that enabled mass incarceration.

Thirdly, the Prison Industrial Complex can also be extended to operate with the Military Industrial Complex. A rudimentary explanation behind the Military Industrial Complex is required before advancing further theories and connecting concepts together. Delivered in a farewell address to the American people from the Oval Office on January 17, 1961, President Dwight D. Eisenhower first coined the phrase "Military Industrial Complex" as a heed to the nation against the military establishment from the "acquisition of unwarranted influence, whether sought or unsought, by the military-industrial complex" (National Archives Web Team, Dec 2022, para. 1). Described as a United States corporation, "FPI" was created as a prison labor program designed for inmates incarcerated for federal offenses, whereby the unofficial phrase used to illustrate the symbiotic relationship between government agencies—namely the Federal Prison Industries, Inc. (FPI), doing business as UNICOR—and the Department of Defense, "where a conglomeration of a total of 27 different entities exist within the department" (Garamone, 2022, para. 9) will be referenced hereinafter. According to the Federal Bureau of Prisons website, "UNICOR is the trade name for Federal Prison Industries (FPI): a wholly owned, self-sustaining government corporation that sells market-priced services and quality goods made by inmates" (Federal Bureau of Prisons, para. 1). By establishing the correlation between private prisons and the federal government under "UNICOR", the merits of this paper are substantiated.

An overview of UNICOR reveals 83 prison factories across the country are currently in operation, where more than 12,000 inmates earn an hourly wage between 23 cents to \$1.15 per hour (Berkely Review at Berkeley, 2020, para 1). While not an

exhaustive list, the items listed herein demonstrate how heavily implicated the Prison Industrial Complex is involved in sustaining a domestic military operation, where according to Flounders (2011), inmates are tasked to manufacture: "high-tech electronic components for Patriot Advanced Capability 3 missiles, launchers for TOW (Tube-launched, Optically tracked, Wire-guided) antitank missiles, and other guided missile systems" (Flounders, 2011, para. 1).

Through its prison labor program, this U.S. government corporation (UNICOR) earned nearly half a billion dollars in net sales annually. Despite the social welfare and public health problems arising from inmates being subjected to slave-like conditions while incarcerated, prison labor programs are a constitutionally protected activity under the U.S. Constitution. Section one of the Thirteenth Amendment reads: "Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction" (National Archives, May 2022, para. 3). For our purposes, UNICOR is recognized not only by the 13th Amendment, but operates in accordance with federal law pursuant to Title 28 § 345.10 of the Code of Federal Regulations, which provides physically able inmates, who are not a security risk, or health adverse, meaningful work for inmates confined in a federal institution (Department of Justice, 28 CFR 345.10). As such, prison inmates or "the duly convicted" do not have "a constitutional right to be free of forced servitude" (Benns, 2021, para 14).

Moreover, the ongoing severity of problems associated with private prisons and their contractual agreements with the Department of Defense, for the procurement of military surplus goods in exchange for the cheap labor costs associated from inmate labor, serves as a testament to the broader societal forces being shaped by prisons today. Notwithstanding the sentiments expressed by prisoners who favor being employed by prisons, where "the majority of incarcerated people wish to be productive while in prison. They want, and often need, to earn money to send home to loved ones and pay for basic necessities while incarcerated" (ACLU, 2022, para. 20). Of course, as the old adage goes, "Idle hands are the devil's workshop" (Taylor, The Living Bible, Proverbs 16:27) cautions against the consequences of being unproductive or lazy. These sentiments, however, appeal to a smaller audience, [prisoners] whose beliefs are presented as fallacious, at best. While it may be righteous or even admirable that certain segments of the incarcerated population would "like to work"—regardless of the underlying problems associated with poor working conditions, that enjoy no protection from labor laws—this should not negate the overwhelming broader concerns occurring within prison labor which provide "no union protection, overtime pay, vacation days, pensions, benefits, health and safety protection or Social Security withholding for its inmates" (Flounders, 2016, para. 30). The unfortunate reality behind these prisoner work programs contracted through UNICOR, particularly in Angola, illustrate how prison labor practices today have remained unchanged, but rather enabled the "mass incarceration of African Americans which only replaced slave labor with prison labor" (Selby, 2021).

Despite abolishing chattel slavery in 1865— "the enslaving and owning of human beings and their offspring as property", (Dictionary.com, 2023)— an examination into Louisiana State Penitentiary presented a fundamental flaw of the criminal justice system whereby, prison wage labor became an extension of slave labor in the 21st century. Known as "The Angola Plantation", which

was named after the former slave plantation that occupied the territory, 5,300 prisoners are serving their sentences on farmland spanning 18,000 acres and often alluded to as modern-day slavery. Accordingly, the quality-of-life conditions are reported to be very much akin to slavery and are substantiated from the findings based on the article on the Angola Plantation written by Daniele Selby (2021)—a Digital Content Strategist from the Innocence Project:

Prisoners incarcerated at Angola are paid a few cents an hour to work the same fields, picking cotton, corn, and more, from the same land slaves were forced to work 200 years ago, which essentially became a place where slavery never ended (para. 11)

Needless to say, the evolution of slavery into mass incarceration evidently occurs among the *eligible* prisoners being forced to work for prison labor programs contracted through the UNICOR corporation. Now that a basic understanding of both the Prison Industrial Complex and the Military Industrial Complex has been achieved, a further inquiry can now examine how these two independent concepts intersect with each other.

Private corporations such as Apple, Tesla, and Microsoft are but a few corporations that have a significant vested economic interest in profiting from the Prison Industrial Complex. The uniforms, supplies, and gear manufactured by inmates in prisons around the country are shipped to clothe, equip, and sustain the US military's efforts to occupy resource-rich lands for conflict minerals in the African continent. These ingredients are then shipped off to the manufacturing industry located on the Asian continent where current battery technology and devices used in products (iPhones, laptops, and video game consoles) are produced from minerals found in mining camps. From the outset, the military surplus manufactured from the hands of cheap prison labor

indirectly enabled the U.S. military's conflicts or engagements around the world. In describing "conflict minerals", Katalin Csatadi (2022) reports policymakers have defined the term "3TG"—Tantalum, Tin, Tungsten, and Gold—when referring to the ingredients used to build components of laptops and mobile phones (Csatadi, 2022, para. 3). Many international companies sourcing 3TG minerals have arguably done nothing to mitigate their efforts in the detection of smuggling, fraud, or conflict as, "evidence published by Global Witness in 2022 indicated that companies including Apple and Samsung have found up to 90% of minerals did not come from mines validated for security and human rights standards" (Csatadi, 2022, pg. 3).

Accordingly, the response provided by multibillion-dollar tech companies like Apple and Intel, when prompted to identify how their supply chains are affected regarding the mining of conflict minerals, amounts to an unsatisfactory explanation. As claimed in "The ITSCI Laundromat" by Global Witness (2022), "Apple and Intel have reportedly monitored their Rwanda supply chains since around 2011 and have been warned about the high risk of sourcing smuggled minerals but have seemingly applied few meaningful mitigation measures" (p. 11). This proves to be a sobering reminder of the inherent dangers behind the violence afflicting the African continent for its natural resources because conflict minerals are being mined to "influence and finance armed conflict, human rights abuses, and violence" (Earthworks, 2022, para. 1). From the exploitation of children being forced to endure abusive and demanding labor in the mining camps, from which human rights violations can be deduced, the ensuing aftermath of the manufacturing processes fuels the United States' punishment economy, capitalism, from the products sold to the public by Apple, Tesla, and Microsoft. As we are reminded behind the

impetus of employing the military under any circumstances, "the justification for the maintenance and employment of military force is in the political ends of the state" (Huntington, 1957, pg. 65). As such, the U.S. military establishment has always been a vehicle to advance the U.S. government's interests abroad through foreign policy, where under these circumstances, "American foreign policy since 1945 has primarily been driven by the goal of being hegemon of the world capitalist economic system" (Sullivan, 2000, para. 5).

Notwithstanding the fact, Congress hasn't declared war since 1945, the question behind the legitimacy of the authorizations into the U.S. militant occupation of the African continent is pertinent to addressing the fundamental flaw the United States holds as a "Settler-Colonial" state—whose objectives are rooted in its imperialistic desires to conquer as a regime. According to Turse (2022), the security situation in Western Africa has only worsened based on the occupation of U.S. forces into several African countries—Democratic Republic of Congo (DRC), Mauritania, Morocco, Senegal, and Somalia. A quietly released report published by the Pentagon demonstrates the "latest of evidence of systemic American military failures across the continent" (Turse, 2022, para. 1). The justification behind the U.S. occupation of the African continent points towards the enormous amount of wealth stowed in underground deposits found through the mining camps of Africa. As reported by Katie Brigham (2023) from CNBC, the African continent has "an estimated \$24 trillion in untapped mineral resources" (para. 1), however, broadening this scope is essential to understand the greater implications caused by the United States' invasion and colonization of foreign lands outside the African continent. The mining of conflict minerals is not exclusively found within the African continent, in fact, "Conflict minerals can be extracted at many different locations around the

world" (RMI, 2023, para. 2). This conveniently provides the U.S. military establishment with a moral and economic justification to engage in "international relations" by imposing unwarranted influence, yet again, to occupy foreign land, just as their predecessors accomplished during the 18th century with the end goal of sustaining the country's economic market of capitalism.

Furthermore, this connection undeniably links the Prison Industrial Complex operating alongside the Military Industrial Complex and further demonstrates how the U.S. Government engaged in a domestic military operation through the employment of law enforcement around the country. Historically as an institution, law enforcement has preyed on, exploited, and incarcerated minorities based on policies disproportionately targeted vulnerable communities of color based on seemingly normal behavior. Moreover, the minorities that have been incarcerated by law enforcement are subsequently subjected to harsh treatment while imprisoned. By illustrating this mutual relationship connecting the Military Industrial Complex with that of the Prison Industrial Complex, I will hereafter introduce and discuss how a macro level lens is operating in the article on how these systems of power are perpetuating systemic inequalities in the United States, and in doing so, elaborate on further criticisms of this phenomenon.

Next, a macro level of analysis which according to Barlow and Kauzlarich (2010) are:

Some theories deal mainly with large-scale social patterns such as social change or the social, economic, and political organization of society. Crime is viewed as a property of whole groups of people rather than as a property of individuals. Because they focus on how societies are

organized, these theories usually relate crime to social structure (p. 6)

History will demonstrate policing in the United States constructed animosity and hatred among racial groups exclusively occurring in a particular city or region. Evidenced in post-Civil War during the Jim Crow era, racial tensions were exacerbated between civilians and law enforcement which can be attributed towards the discrimination and segregation enforced and perpetuated by local police agencies. As such, under a macro level of analysis, the nexus between the US government and law enforcement is evidenced when crime is observed as a property of whole groups. Consequently, this results in the systematic targeting of vulnerable populations using police dragnets combined with the subsequent incarceration of minorities in certain geographical regions of the U.S. to criminalize poverty, thereby oppressing minority populations.

Furthermore, mass incarceration has undoubtedly affected hundreds and thousands of people across marginalized neighborhoods and communities in the United States. One example that can be attributed to this fact is the U.S. War on Drugs campaign authorized by the Nixon administration. The U.S. War on Drugs conveniently placed law enforcement around the country to be in, yet again, a position of unchecked authority to target and criminalize certain neighborhoods, with the expressed purpose of, criminalizing certain neighborhoods occupied by African American and Latin populations. This disproportionately affected people of color where according to The Sentencing Project, the result of these "tough on crime" policies have increased the prison population from "about 330,000 in 1972 has mushroomed to 2.2 million today" (Mauer, 2018, para. 6). More importantly, being incarcerated significantly places disadvantages unto an

individual's life, despite serving their debt to society. Flounders (2018) precisely described the consequences a newly released inmate faces in society as "lifelong discrimination to secure student loans, access to public housing, the right to vote, and the possibility of being hired for a job" (Flounders, 2018, para. 19). This demonstrated the US government's lack of forethought when enacting such punitive measures because it focused on short term strategies designed to remove the drug offenders from society based on the penological justifications of deterrence and incapacitation, resulting in a perpetuating cycle of punishing poverty through incarceration.

Additionally, for my last example, I will untangle a web of concepts inherently associated with the Prison Industrial Complex by addressing which factor is most prevalent to examine as a researcher from three issues: police, court, or incarceration. By doing so, I will emphasize policing. The factors leading to mass incarceration can be traced back to the police, as an institution, which has historically participated in racial profiling tactics and discrimination against minorities, where according to the Sentencing Project (2018), "African Americans are more likely to be arrested, convicted, and incarcerated than similarly situated white Americans" (para. 20). During the tough-on-crime era, in which disproportionate drug sentencing guidelines were enacted during the late 20th century, it wasn't a coincidence how the US government sought, targeted, and exploited the African American population and Latin(x) communities through mandatory minimum sentencing laws for non-violent offenses. Moreover, African Americans were disproportionately incarcerated at a significantly much higher rate for a considerable length of time as opposed to Whites.

In conclusion, the over-incarceration among people of color, immigrants, and the poor has significantly posed a systemic injustice throughout the past half-century. The fundamental flaw in the United States demonstrates how the Prison Industrial Complex is financed by the U.S. Defense Department (DOD) which represents a driving mechanism to bolster the country's punishment economy, capitalism. From an economic perspective, it's indicative of how the Department of Defense outsourced basic goods to the Prison Industry, hence the exploitation of a vulnerable population within the carceral state. By exploiting the prison population, mainly consisting of minorities, the US government's supremacy over its criminal justice system was sustained, in part by the military and defense industry represented as the Military Industrial Complex, to achieve its primary objective as an imperialistic nation "under God". The mass incarceration of minorities, immigrants, and the poor has allowed for a renewed sense of urgency in solving this dual phenomenon operating under this symbiotic relationship between The Prison Industrial Complex and the Military Industrial Complex.

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