The Unholy Trinity: Racism, Capitalism and Mass Incarceration Ximena Nieves

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#### Introduction\*

In the midst of the COVID-19 pandemic, the Black Lives Matter movement grew into one of the largest social justice movements in U.S. history; and as protests against police brutality increased, it seemed as though instances of police brutality also increased. In the years since, more people have become keenly aware of the issues affecting Black and brown communities. But this newfound awareness only brings a buried history to light.

Police brutality is something that has been happening for centuries. Even after slavery was supposedly abolished, people of color and lower-income communities have been victims of police brutality, wrongful incarcerations, racialization, and above all, mass incarceration. This has not only been damaging to people's mental health and social mobility, but it has also supported the continuation of generational incarceration.

Mass incarceration is the by-product of racial discrimination through the police and court system. However, capitalism, and its array of dominating institutions, is the most to blame for the racial disparities Black and brown communities continue to endure-especially after the supposed victories of the Civil Rights Movement. For example, in the 1970s, the United States experienced a prison boom and with that came the creation of the prison industrial complex. The prison system shifted into an industry that has profited from the exploitation of prison labor and the success of this system incentivized people, including politicians, to capitalize off the prison industry. Minority groups

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were left in a vulnerable position in society and at higher risk of incarceration as the prison industry developed into a form of racial and social control through political disenfranchisement and a new era of slavery in the 21<sup>st</sup> century.

# **Mass Incarceration**

Mass incarceration is a heavily discussed topic when examining issues affecting minority groups, specifically Black and Brown communities. But what is it?

Mass incarceration is unique to the United States because it describes the extremely high incarceration rates of adults and young people in the United States. The *Institute to End Mass Incarceration* defines mass incarceration as a:

network of policing, prosecution, incarceration, surveillance, debt, and social control that is rooted in, builds upon, and reproduces economic and racial inequality and oppression. Some refer to this network as the carceral state, the penal state, or the criminal legal system.

This system has played an unprecedented role in history following the Civil Rights Movement and has been used to keep "criminals" off the streets, but Black and brown communities have endured the ramifications as they have been disproportionately affected by the rising incarceration rates.

In her book, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*, Michelle Alexander explains how incarceration rates have been on the rise since the prison boom in 1970, but this has not affected the fluctuating crime rates throughout the years (Alexander, 2010). If there is no correlation between rising crime rates and incarceration rates, how does the United States have the highest incarceration rate of any country in the world? How has the prison population in the United States more than quadrupled from 1970 to today, from about 300,000 people to over 2 million? How are there more African American adults under correctional control, in prison or jail, on probation or parole than were enslaved in 1850 (TEDx Talks, 2013)? To put it simply: racism and capitalism.

Many of the factors contributing to the high incarceration rates of Black and brown communities, including over policing, police biases, wrongful convictions, etc., function for the benefit of the prison industrial complex. Black and brown communities face this never-ending cycle of racism and incarceration at the hands of capitalism.

Mass incarceration, capitalism and racism are intertwined and their involvement with one another is how different groups of individuals benefit the most. Because these institutions cannot be separated when discussing the racial and economic disparities of minority groups, it is essential to look at how the macro level factors that sustain the prison industrial complex work. When discussing mass incarceration and the prison industrial complex, capitalism and racism are categorized as macro level factors because they are "...whole groups of people rather than individuals," and they look at a society's organizational structures (Barlow and Kauzlarich, 2010). By being categorized as whole groups of people, racism and capitalism function as a system that influences individual choice, rather than functioning as individual choices that influence a system.

# **Capitalism and Racism**

Capitalism and racism assist in the success and development of the prison industrial complex and mass incarceration. Although they are two separate entities, they cannot exist without the other. There are two different definitions for capitalism; one describes capitalism as an economic and social system where assets are owned and controlled by private parties; the other describes capitalism as the exploitation of workers for profit. According to the *International Monetary Fund*, capitalism was founded on six pillars: private property, self-interest, competition, a market mechanism, freedom and limited role of government (Jahan and Mahmud, 2015). There are various forms of capitalism, but it all depends on the role these pillars fulfill. Although the United States is considered a free-market economy, it should be labeled as a mixed economy because the government plays a dominant role in the market. The government acts as its own party with its own selfinterest, that being the economy. Capitalism and capitalists benefit from racist ideology because of the self-interest pillar. It is often exploitative of people, no matter the consequences, as long as capitalists reap the benefits.

# Mass Incarceration: Driven by Capitalism

So, how do these systems work together? Mass incarceration, capitalism and racism have historically always been linked. As the Civil Rights Movement was coming to an end, the era of mass incarceration can be said to have started with the prison boom of the 1970s. Incarceration rates increased in the following decades, as did myths regarding crime—such as dominant mythology that claimed "crime is committed by the poor," "drug addictions cause crime," etc. Politicians benefited from these myths and they used it to fuel people's fear of crime, which largely stereotyped people of color and lower income communities.

President Nixon initiated the tough-on-crime and war on drugs policies in the 70s that were intensified by President Clinton in the 90s with the *1994 Crime Bill*. This bi-partisan politics of crime rhetoric left minority groups at higher risk of incarceration, where they would endure maltreatment and exploitation, which later unfolded into the racism that continues today. As law and policy changes continued to be introduced, people of color and marginalized communities became easier targets for control. Because people of color were targets for mass incarceration, ending up in the prison system became seemingly inevitable and the harms became indefinite.

The prison system was able to legally develop into "the New Jim Crow" through the 13<sup>th</sup> amendment. Although the 13<sup>th</sup> amendment was meant to abolish slavery, it included a loophole for prisons to exploit inmate labor to maximize their profits. Policies with similar intentions, such as mandatory minimum sentencing and three strikes laws, continue to be put into place by politicians who fuel these stereotypes. In their book, *The Rich Get Richer and the Poor Get Prison*, Reiman and Leighton (2017) state:

...it is worth noting that private prisons and elements of the larger 'criminal justice industrial complex' make money from the system as it is, so they consciously lobby to protect and improve their profits.

Private vendors, investors and those who benefit from mass incarceration work to ensure that the system does not change and continue to target those who have the least power to change it: minority groups.

The government has no incentive to reform the criminal justice system and decimate mass incarceration because it fuels their number one interest and priority, the economy. As incarceration rates increase, so do the number of cheap workers. Different groups benefit from the prison industrial complex, from investors benefiting from cheap labor to maximize profits to universities benefiting from products made in exploitative conditions. According to Insider Higher Ed, "Furniture is one of the most popular correctional enterprises products," (2020) and while universities in California are exempt from being legally obligated to buy from their correctional industries, they do so anyway, including San Francisco State University.

Most progressives agree that prison labor is exploitative because of the unjust wages they are paid. On average, incarcerated people can earn as low as \$0.14 to \$0.63 per hour, which is not enough to purchase basic necessities from prison commissaries or make a phone call to one's family (Prison Policy, 2017). According to the Golden Gate Xpress, San Francisco State University purchased more than \$600,000 from the California Prison Industry, known as CALPIA, where incarcerated workers earn between \$0.35 to \$0.95 per hour (2015). Although CALPIA's mission is to "reduce recidivism, increase prison safety, and enhance public safety by providing incarcerated individuals productive work and training opportunities," numerous workers have described their time in their program as exploitative and abusive. One inmate is quoted as stating "You're captive at the mercy of your jailer. You get what they give you and buy what they sell you. The only choice is to survive or not" (ACLU, 2022). Buyers are not aware of this abuse and exploitation because CALPIA's website ensures that their public appearance is positive and supportive of carceral reform.

Mass incarceration is beneficial to the prison industrial complex, which in the eyes of the government, is beneficial and necessary to the economy. The exploitative work from companies like CALPIA transcends beyond the prison walls and ensures that marginalized communities become entangled in the system that is mass incarceration.

#### Conclusion

Since primary school, students of different socioeconomic backgrounds have been reciting the Pledge of Allegiance not knowing that unless they are white, wealthy, heterosexual, ablebodied men, that promise of "liberty and justice for all" does not apply to them. What does "liberty and justice for all" mean if it does not apply to every individual in the United States? Civil rights activists, such as Martin Luther King Jr., Rosa Parks, Malcom X and John Lewis dedicated their lives fighting for the freedom and basic human rights or people of color and marginalized communities, but their work continues to be undone when systems like the prison industrial complex and mass incarceration benefit from the exploitation of minority groups.

We may claim to value human life, but our societal actions and policies say otherwise. We have been taught that capitalism is how we keep the economy moving, so is it too optimistic to work towards a social reform, eradicating capitalism? It is clear that we need to end the decades-long practice and harm of mass incarceration, but where do we start? How do we continue where civil rights leaders left off when we face a torn world? Where does the solution lie?

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