

# Rooted in Slavery: Prison Labor Exploitation

by Jaron Browne

**T**he United States has once again surpassed its own world record for incarcerating the highest percentage of its population. According to a report released by the Bureau of Prison Statistics, one out of every 32 adults was in prison, in jail, on probation, or on parole at the end of 2005. But the crisis of mass incarceration is not felt evenly in the United States: Race defines every aspect of the criminal justice system, from police targeting, to crimes charged, and rates of conviction. African-American men between the ages of 20 and 39 account for nearly one third of all sentenced prisoners.<sup>1</sup>

Over the last three decades, the explosion of the prison population in the United States paralleled the stagnation in the global economy. In the early 1970s, the United States and the G7 nations began implementing neoliberal policies, moving production from the North to the global South, pushing entire sectors of workers in the United States out of the economy. As the economic role of the working class in the United States shifted from manufacturing to staffing a rising service industry, African American workers faced staggering rates of unemployment. The mid-1970s is also the first period when the incarceration rate in the United States began to rise, doubling in the 1980s, and doubling again in the 1990s.

It may surprise some people that as the number of people without jobs increases, the number of working people actually increases—they become prison laborers. Everyone inside has a job. There are currently over 70 factories in California's 33 prisons alone. Prisoners do everything from textile work and construction, to manufacturing and service work. Prisoners make shoes, clothing, and detergent; they do dental lab work, recycling, metal production, and wood production; they operate dairies, farms, and slaughterhouses.

United States Prisons mirror Free Enterprise Zones in Africa, Asia, and Latin America; the prison is a reflection of the Third World within the United States. Prisoners are not protected by minimum wage

laws or overtime, and are explicitly barred from the right to organize and collectively bargain. In fact, the conditions for the overwhelmingly Black and Latino men and women inside the United States prison system are so similar to that of workers in the maquiladoras and sweatshops of the global South that in 1995, Oregon politicians were even courting Nike to move their production from Indonesia into Oregon prisons. "We propose that (Nike) take a look at their transportation costs and their labor costs," Oregon State Representative Kevin Mannix explained in an interview with researcher Reese Erlich, "We could offer [competitive] prison inmate labor" in Oregon.<sup>2</sup>

## Rooted in Slavery

To understand the conditions that have allowed such an exploitative industry to develop, we have to look at the origin of the United States prison system itself. Before the abolition of slavery there was no real prison system in the United States. Punishment for crime consisted of physical torture, referred to as corporal or capital punishment. While the model prison in the United States was built in Auburn, New York in 1817, it wasn't until the end of the Civil War, with the official abolition of slavery, that the prison system took hold.

In 1865, the 13th Amendment officially abolished slavery for all people except those convicted of a crime and opened the door for mass criminalization.



Prisons were built in the South as part of the backlash to Black Reconstruction and as a mechanism to re-enslave Black workers. In the late 19th-century South, an extensive prison system was developed in the interest of maintaining the racial and economic relationship of slavery.

Louisiana's famous Angola Prison illustrates this history best. In 1880, this 8000-acre family plantation was purchased by the state of Louisiana and converted into a prison. Slave quarters became cell units. Now expanded to 18,000 acres, the Angola plantation is tilled by prisoners working the land—a chilling picture of modern day chattel slavery.

### Black Codes and Convict Leasing

When slavery was legally abolished, a new set of laws called the Black Codes emerged to criminalize legal activity for African Americans. Through the enforcement of these laws, acts such as standing in one area of town or walking at night, for example, became the criminal acts of “loitering” or “breaking curfew,” for which African Americans were imprisoned. As a result of Black Codes, the percentage of African Americans in prison grew exponentially, surpassing whites for the first time.<sup>3</sup>

A system of convict leasing was developed to allow white slave plantation owners in the South to literally purchase prisoners to live on their property and work under their control. Through this system, bidders paid an average \$25,000 a year to the state, in

exchange for control over the lives of all of the prisoners. The system provided revenue for the state and profits for plantation owners. In 1878, Georgia leased out 1,239 prisoners, and all but 115 were African American.<sup>4</sup>

Much like the system of slavery from which it emerged, convict leasing was a violent and abusive system. The death rate of prisoners leased to railroad companies between 1877 and 1879 was 16 percent in Mississippi, 25 percent in Arkansas, and 45 percent in South Carolina.<sup>5</sup> The stories of violence and torture eventually led to massive reform and abolition movements involving alliances between prisoner organizations, labor unions, and community groups. By the 1930s, every state had abolished convict leasing.<sup>6</sup>

### Chain Gangs

As the southern states began to phase out convict leasing, prisoners were increasingly made to work in the most brutal form of forced labor, the chain gang. The chain gangs originated as a part of a massive road development project in the 1890s. Georgia was the first state to begin using chain gangs to work male felony convicts outside of the prison walls. Chains were wrapped around the ankles of prisoners, shackling five together while they worked, ate, and slept. Following Georgia's example, the use of chain gangs spread rapidly throughout the South.<sup>7</sup>

For over 30 years, African-American prisoners (and

Photo: Chain gang in Western North Carolina.

Courtesy of Millions for Reparations

some white prisoners) in the chain gangs were worked at gunpoint under whips and chains in a public spectacle of chattel slavery and torture. Eventually, the brutality and violence associated with chain gang labor in the United States gained worldwide attention. The chain gang was abolished in every state by the 1950s, almost 100 years after the end of the Civil War.<sup>8</sup>

### Prison Labor Exploitation in the 21st Century

Just a few decades later, we are witnessing the return of all of these systems of prison labor exploitation. Private corporations are able to lease factories in prisons, as well as lease prisoners out to their factories. Private corporations are running prisons-for-profit. Government-run prison factories operate as multibillion dollar industries in every state, and throughout the federal prison system. In the most punitive and racist prison systems, we are even witnessing the return of the chain gang. Prisoner resistance and community organizing has been able to defeat some of these initiatives, but in Arizona, Maricopa County continues to operate the first women's chain gang in the history of the United States.<sup>9</sup>

Shifts in the United States economy and growing crises of underemployment and poverty in communities of color have created the conditions for the current wave of mass incarceration and the boom in prison labor exploitation. In the Bayview Hunters Point neighborhood of San Francisco, a historically Black community with an estimated 50 percent unemployment rate, the community is facing criminalization, incarceration and mass displacement as a result of gentrification. San Francisco, along with eight other counties in California, is implementing gang injunctions—curfews, anti-loitering, and anti-association laws that function very similar to Black Codes for Black, Latino, and Asian youth—using the pretext of gang prevention to track young men into the prison system to become prison labor, while preparing the community for redevelopment and gentrification. People Organized to Win Employment Rights (POWER) is building power among Bayview

residents and fighting for economic development that addresses the interests of the Black community, which will create alternatives to prison labor exploitation.<sup>10</sup> Struggles like this are being waged all across the country and provide an opening to link the demands for worker rights, community rights, and prisoner rights.

The fight against the exploitation of prison labor is at once a fight against racial profiling and mass incarceration, and also for genuine economic development in Black, Latino, Asian, and Pacific Islander communities. The labor movement in the United States has a responsibility to support prisoner unions such as the Missouri Prison Labor Union (MPLU), which is fighting for higher wages and collective bargaining, and to challenge labor unions who dismiss prisoners as stealing jobs from the “good law-abiding workers” on the outside. As Sidney Williams of the MLPU states, “In this struggle we seek to regain our human dignity.” That is the demand of the slavery abolition movement of the 21st Century. ■

### Endnotes

1. There are more than 46 Black men in prison nationwide per 1000 Black men in the population, whereas the rate for white men is four per 1000. *Democracy Now*, “United States prison population jumps 3.7 percent to two million; Increase of 700 inmates every week,” Wednesday, July 30, 2003.
2. Erlich, Reese, “Prison Labor: Workin’ For The Man.” *Covert Action Quarterly* #54, Fall 1995.
3. In Tennessee, for example, African Americans were only 33 percent of the prison population in 1865, by 1877 the number had swelled to 67 percent of the total prison population. Sheldon, Randall G., “Slavery in the 3rd Millennium Part II—Prisons and Convict Leasing Help Perpetuate Slavery,” *The Black Commentator*, Issue 142, June 16, 2005.
4. Green, Fletcher M., “Some Aspects of the Convict Lease System in the Southern States,” *Essays in Southern History*, vol. 31, (Durham: University of North Carolina Press), 1949, pp. 116-120.
5. Hartnett, Stephen, “Prison Labor, Slavery & Capitalism In Historical Perspective” (c. 1997) referencing, Novak, D.A., *The Wheel of Servitude: Black Forced Labor After Slavery*.
6. Lichtenstein, Alexander, “Good Roads and Chain Gangs in the Progressive South: The Negro Convict is a Slave,” *The Journal of Southern History*, (Athens, Georgia: Southern Historical Association), 1993, p. 87.
7. Wilson, Walter, *Forced Labor in the United States*, (New York: AMS Press, Inc.), 1933, p. 68.
8. Prison Law Office, *The California State Prisoners Handbook*, Section 3.17, pp. 79-80.
9. Reuters, “Sheriff runs female chain gang.” [www.cnn.com](http://www.cnn.com), October 29, 2003.
10. POWER is a San Francisco-based multiracial organization of low-wage workers and tenants. For more information, see [www.unite-to-fight.org](http://www.unite-to-fight.org).

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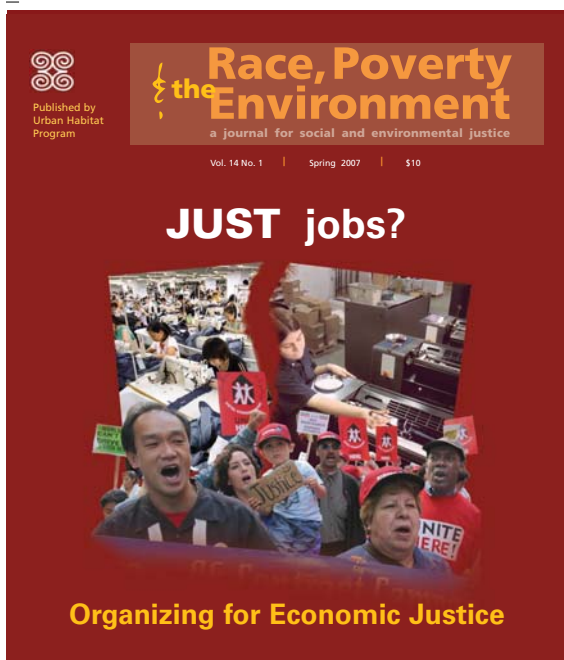
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