

Introduction

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Mass incarceration and economic inequality and insecurity are among America's most pressing social problems. Each has been the subject of extensive research, and together they provide the scholarly scaffolding for this book.

Contemporary America has been dubbed "The Age of Mass Incarceration."¹ More than two million people in the United States are incarcerated in prisons and jails, and another four and a half million people are under criminal justice supervision via probation or parole, and therefore are surveilled, regulated, and one misstep away from incarceration.² These numbers are shocking, and thus, despite being widely reported, they must be dwelled upon—again and again—rather than glossed over as a mere backdrop.

Yet, as astonishing as such incarceration rates are, they do not tell the full story of mass incarceration in the United States. For incarceration rates have not been evenly distributed across the American population. Black men have been the primary target of America's incarceration

project: the consequence of the 1970s cultural and political turn toward “getting tough” on crime, drugs, and welfare that was directed at poor Black (and Brown) populations.³ As a result, while African Americans represent just 12 percent of the US population, they constitute 33 percent of its prison population (and that number was even higher just a few years ago).⁴ Even more to the point: while Black *men* represent just 6 percent of Americans, they make up 32 percent of America’s prisoners.⁵ Indeed, the criminalization of Black men has been so pervasive that, as sociologists Bruce Western and Becky Pettit have shown, fully one-third of young Black men are likely to be incarcerated at some point in their life and, for those without high school diplomas, the cumulative risk of imprisonment is 68 percent.⁶ This is worth repeating: *more than two-thirds* of young Black men who have not finished high school are likely to be incarcerated over the course of their lives. Thus, if incarceration rates (and criminal justice entanglement more broadly) have soared in the United States since the 1970s, Black male incarceration has rocketed to space.

Despite their dramatic and disturbing overrepresentation in the criminal justice system, however, Black men represent less than a third of America’s sprawling prison population.⁷ Meanwhile, women—particularly women of color—are currently the fastest-growing population behind bars.⁸ Still, white men and women constitute 30 percent of the US prison population (though, with 64 percent of the adult population, they are significantly underrepresented).⁹ Thus, while mass incarceration has reached most deeply and destructively into Black lives, families, and communities, it has also harmed those of many other Americans. In fact, recent reports suggest that nearly half of all adults in the United States have had at least one of their immediate family members put behind bars.¹⁰ Again: *almost half of all adults* have experienced firsthand the painful, deep, and lasting consequences of incarceration.¹¹ In short, as legal scholar John Pfaff writes, “Mass incarceration . . . is one of the biggest social problems the United States faces today,” one that imposes “staggering economic, social, political, and racial costs.”¹²

At the same time, Americans have faced escalating economic inequality and insecurity. Since the 1970s, various human-driven socioeconomic forces—including global competition, changing corporate ownership, and neoliberalization as enacted through de- and reregulation, changing tax

policy, stagnating wages, de-unionization, and retrenchment of labor and welfare protections—have produced a sharply divided economy.¹³ From 1979 to 2015, the top 1 percent of US earners more than doubled their share of national income (and the top 0.01 percent nearly octupled theirs), while other Americans' incomes increased only minimally, stagnated, or even declined.¹⁴ Yet wealth inequality has grown even more and, because measures of wealth account for household assets and debts (in addition to income), such data more accurately reflect families' lived experiences of security and insecurity and, thus, inequality. Since 1983, the average household wealth of the top 0.1 percent has increased 230 percent, reaching almost \$101 million per household; meanwhile, the wealth of the bottom 40 percent of American households dropped by 130 percent, falling from an average of nearly \$7,000 in assets to \$9,000 in debt.¹⁵ In short, the very rich have become *much* richer, while the poor and working classes have become *much* poorer, losing their modest savings and going into debt.

Much like mass incarceration, moreover, economic insecurity is not evenly distributed. While the median white family's wealth has increased by one-third since 1983, that of Black families has decreased by half.¹⁶ As a result, today, middle-of-the-road white families have *forty-one times* more wealth than comparable Black families and *twenty-two times* more wealth than Latinx families, and both Black and Latinx families are more than twice as likely to have no wealth at all or negative net worth.¹⁷ Meanwhile, gender inequality has remained a remarkably stalwart feature of the contemporary economy; women of color, in particular, earn less, have greater debt and fewer assets, and experience higher rates of poverty than white men and women.¹⁸ Thus, although not all women and ethno-racial minorities have suffered in this era of economic inequality and insecurity—and, to be sure, not all men and whites have benefitted—growing class divides have exacerbated already stark race, ethnic, and gender divides, as both a product of past inequalities and a producer of future ones.

Employment precarity has helped propel this era of economic insecurity for many Americans. Since the 1970s, all jobs—but particularly those of the poor, working, and middle classes, including disproportionate numbers of ethno-racial minorities—have become worse on nearly every measure of job quality.¹⁹ Wages have stagnated, benefits have shrunk, job stability

and security have declined, and long-term unemployment and underemployment have grown; as a result, workers have increasingly sought to make ends meet through short-term “gigs” and other forms of casualized labor.²⁰ In short, work has become more precarious—more uncertain, more unstable, and more insecure—for a growing number of people.

The socioeconomic consequences of such precarity exacerbate the race and gender inequalities already in place, though it is also true that this era is characterized by an unusual “democratization” of precarity: white men—similar to and sometimes even more than other groups—have faced significant levels job instability and insecurity.²¹ (This stands in stark contrast to the postwar era, a historically anomalous time in which white men, but not other groups, experienced high levels of employment stability and security in the United States.) Ultimately, then, even though pronouncements of America’s new “gig economy” are often overstated, these trends underscore very real changes in normative expectations and experiences of work. The result is a culture of insecurity that, as Pierre Bourdieu and Judith Butler have argued, is itself a form of labor governance and social control.²²

Though economic insecurity and mass incarceration have not typically been studied side by side, a growing number of scholars have examined their concurrent rise. In fact, scholars such as Katherine Beckett, Bruce Western, Julilly Kohler-Hausmann, and Loïc Wacquant have argued that these social forces have become deeply intertwined: that expanding the carceral state and contracting the welfare state constituted America’s two-pronged approach to governing social marginality in the late twentieth century.²³

As scholars have shown, it is an approach that stemmed from the 1960s. At that time, the problem of poverty—particularly Black urban poverty—gained new visibility in the United States.²⁴ In 1964, President Johnson declared an “unconditional war” on poverty, and for a short time, welfare programs expanded.²⁵ Meanwhile, African American women began organizing around issues of poverty and welfare, which included class action lawsuits against the pervasive racial discrimination that had blocked their access to public assistance programs.²⁶ As a result, by the end of the 1960s, African American women and their families gained unprecedented access to expanding social welfare programs that, combined with their

activism in the welfare rights movement, increased Black (female) visibility in the welfare system.²⁷ This intensified the stigmatization of both welfare and (feminized) Blackness in American culture—stigmatization that was cemented in American culture by Ronald Reagan’s persistent use of the “welfare queen” trope in the 1970s and ’80s, which equated welfare receipt with unfounded claims of Black women’s fraudulence and indolence.²⁸ Thus, poverty was criminalized, and welfare recipients were seen as a population to be disciplined, not helped.²⁹

Meanwhile, the “race riots” of the late 1960s, in combination with the Black Power movement, increased the visibility—and fear—of (male) Blackness in the white American imagination.³⁰ Because this fear was fixated on Black violence and crime, it was intensified by rising crime rates in the 1960s and ’70s.³¹ This laid the foundation for the racially targeted “War on Drugs” in the 1970s and ’80s, which became one of several forces driving America’s incarceration project.³² As prisons and jails were filled with more and more people (and as more and more prisons were constructed and filled again)—particularly with disproportionate numbers of young Black men—the cultural rhetoric of prisoner rehabilitation was replaced with the rhetoric of punishment and segregation, and US prisons were increasingly seen—and sometimes used—as semi-permanent warehouses for socially marginalized groups.³³

Thus, previous scholarship has highlighted a driving force behind the concomitant expansion of the criminal justice system and contraction of the welfare system in late twentieth-century America: the subjugation of already marginalized groups. The consequence of this double-edged dynamic, scholars have shown, is a self-reinforcing system in which such groups are kept disproportionately incarcerated and poor. Criminal convictions often leave a long-lasting “mark” that impairs former prisoners’ employment prospects, particularly among African Americans.³⁴ In numerous ways, moreover, incarceration negatively affects prisoners’ long-term health, as well as that of their families.³⁵ Indeed, children whose parents have been behind bars—particularly racial minorities—suffer a wide range of negative consequences, including increased antisocial behavior, criminal involvement, and drug use, as well as decreased educational achievement.³⁶ All of these dynamics impede the economic security and stability of former prisoners and their families: perpetuating poverty

and increasing the risks of re-incarceration, while transferring such risks across generations.

Labor and Punishment: Work in and out of Prison builds on this already rich literature by exploring the intersections between work and prison. In doing so, it identifies two new crucially important mechanisms that drive the looping effects between mass incarceration and economic insecurity. The first is that incarceration not only acts as an external stigmatizing “mark” that former prisoners bear, much like Hester Prynne’s scarlet A, but it also produces internal change in prisoners’ expectations and experiences of work. Through compulsory and coercive labor in prisons, jails, and immigrant detention centers, as well as in the pervasive job “preparation” and “counseling” programs to which prisoners, parolees, and probationers are subjected, carceral subjects come to expect—and sometimes embrace—low-wage precarious work outside of prison.³⁷ Thus, just as Karl Marx and other theorists argued that labor produces *worker subjectivities* in addition to goods and services, the authors in this volume show that labor and job training within the criminal justice system produce *carceral subjectivities* centered on labor compliance and acceptance of degraded and precarious work.³⁸

Carcerally mandated precarity is the second key mechanism identified in this book, a mechanism that sustains the iterative relationship between incarceration and economic insecurity. For, regardless of whether carceral subjects internally embrace precarious work, their docility and compliance are actively *enforced* by the criminal justice system. This is because, in fact, many Americans entangled in the criminal justice system are compelled to work under the threat of incarceration. People on probation and parole, as well as those with court-ordered debt and in court-mandated addiction treatment programs, are often required to maintain employment as a condition of their freedom from incarceration. This requirement effectively compels them to accept and keep any job—no matter how degraded—thereby intensifying their exploitability and socioeconomic marginality. In short, the criminal justice system mandates labor compliance among the carceral entangled precariat, fueling the insidious feedback loop between mass incarceration and economic insecurity.

The essays in this book thus show that labor precarity is not simply a product of shrinking government and declining employment standards.

Nor is it simply one of two distinct prongs of the state's approach to governing social marginality. Precarity is also actively produced by government investment in carcerality, an investment that has not only strengthened the carceral state but has also stretched it beyond its traditional confines and into the labor market. The result is that America's expansive carceral state is a regime of labor discipline: one that molds and enforces worker compliance, vulnerability, and insecurity, thereby compounding already-marginalized groups' stigmatization and disadvantage.

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In chapter 1, "Working Behind Bars: Prison Labor in America," I argue that prisons are a key site of labor and labor making in America today. First, drawing on secondary literature, I outline the history of prison labor in the United States. Then, by analyzing a range of incomplete and disaggregated data, I delineate the contours of US prison labor today, for this category of work has been understudied and overlooked, in no small part because aggregate data are not available. Finally, drawing on in-depth interviews with forty-one formerly incarcerated workers, I analyze prisoners' own experiences and interpretations of their labor. In describing their labor as prison janitors, groundskeepers, food servers, legal assistants, welders, forklift operators, and more, these formerly incarcerated workers characterize prison labor as everything from highly valuable to intensely abusive, exploitative, and dangerous. Indeed, such descriptions are not mutually exclusive. Rather than being valuable *or* exploitative, a source of dignity *or* a site of coercion, prison labor is often all of the above. But even when prisoners gain value and meaning from their labor, I argue that prison labor—at least as currently constructed in the United States—is deeply exploitative and coercive and, as a result, is often a site of abuse and endangerment. Because work produces worker subjectivities, moreover, and because such subjectivities do not remain behind bars when prisoners are released, prison labor primes workers for degraded work in the mainstream economy.

In chapter 2, "From Extraction to Repression: Prison Labor, Prison Finance, and the Prisoners' Rights Movement in North Carolina," historian Amanda Bell Hughtett traces the recent history of prison labor and labor

activism in North Carolina. In particular, Hughett examines a key moment in North Carolina's prison labor history: the gap between the abolition of the chain gang in 1971 and its reinstatement—and expansion—in 1975. Why, Hughett asks, was prison labor brought back in force just four years after its idealistic abolition? She finds the answer at the intersection of prisons' changing finances, the growing number of prisoners, and heightened prisoner activism. Even though prison labor had become less profitable, Hughett argues that state prison officials embraced it anew in order to undermine prisoners' solidarity and labor activism. In this, Hughett finds, they were largely successful, and their efforts laid the groundwork for today's prison labor regime predicated on suppressing and controlling (rather than rehabilitating) prisoners.

In chapter 3, legal scholar Jacqueline Stevens shifts our attention to another form of incarcerated labor: that of immigrants in ICE detention centers. In this chapter, "The Political Economy of Work in ICE Custody: Theorizing Mass Incarceration and For-Profit Prisons," Stevens outlines immigrant detention in the United States today—a corner of the carceral landscape that has rapidly changed in recent years. For although the number of people incarcerated under criminal law has recently declined in some states, the number of people detained under immigration law has increased dramatically. Unlike most conventional prisoners, moreover, the vast majority of immigrant detainees are held in for-profit prisons, and their labor in such facilities is central to the prisons' profitability. Through analysis of recent litigation challenging the legality of these detainee work programs, Stevens seeks to develop a causal theory of mass incarceration, one that points to "kleptocracy"—rather than racism, nativism, or neoliberalism—as a key driver of America's incarceration project.

In chapter 4, "The Carceral Labor Continuum: Beyond the Prison Labor/Free Labor Divide," legal scholar Noah Zatz expands our analytical lens to recast prison labor as part of a broader continuum of labor in the criminal justice system, which includes the court-ordered work requirements imposed on probationers, parolees, and debtors (e.g., those with child support obligations or criminal legal debts). Even though such labor does not take place behind bars, Zatz argues, it is governed by the threat of incarceration and is therefore part of the carceral state. He develops the concept of "carceral labor" to accommodate this sprawling yet unexamined

landscape of court-ordered labor, revealing how the criminal justice system has reached deep into the conventional economy. Zatz's analysis thus disrupts conventional understandings of punishment and economy as separate spheres—understandings that have not only hidden these practices from view, but have also led critics of mass incarceration to embrace these forms of carceral labor as viable “alternatives to incarceration” and valuable opportunities for “reentry.” Yet this spread of carceral labor into the mainstream economy, Zatz shows, is destructively reshaping the low-wage labor market and the precariat who work there.

In chapter 5, anthropologist Caroline Parker identifies another realm of Zatz's “carceral labor”: the unpaid labor that serves as a centerpiece of many residential therapeutic communities for addiction in Puerto Rico. In this chapter, “Held in Abeyance: Labor Therapy and Surrogate Livelihoods in Puerto Rican Therapeutic Communities,” Parker argues that, in order to understand why such therapeutic communities and labor therapies continue to thrive as a treatment for addiction, we must recognize the work they perform as “abeyance mechanisms”: institutions that provide alternative kinds of work opportunities and housing to populations who would otherwise be excluded from formal labor markets and family homes. However questionable the success of these therapies as treatments for addiction, Parker argues that their proliferation reflects their capacity to provide people who are struggling with addiction surrogate jobs, a sense of purpose, and civic recognition in a context of unemployment, isolation, and stigmatization.

In chapter 6, “‘You Put Up with Anything’: On the Vulnerability and Exploitability of Formerly Incarcerated Workers,” sociologist Gretchen Purser examines the everyday workplace experiences of formerly incarcerated men. Though such men's paltry job prospects have been widely studied, surprisingly little is known about their day-to-day experiences when they do find employment. Drawing on in-depth interviews with sixty formerly incarcerated men in Syracuse, New York, Purser examines the overlapping challenges they face at work: status degradation ceremonies, pervasive presumptions of criminality, and the coercive pressures of parole supervision. In so doing, Purser shows how the criminal justice system exacerbates formerly incarcerated workers' vulnerability to exploitative labor practices and degraded working conditions in the lower rungs of the labor market.

In chapter 7, geographer Anne Bonds examines another key site of post-prison work: the care work that formerly incarcerated women must perform in order to resume—indeed, reclaim—their roles as mothers and caregivers. In this chapter, “Working Reentry: Gender, Carceral Precarity, and Post-incarceration Geographies in Milwaukee, Wisconsin,” Bonds draws from her research with formerly incarcerated women in Milwaukee to show how women returning home from prison must not only comply with the coercive pressures of parole, which entail securing employment and housing while bearing the “mark” of a criminal record, but must also *labor* to regain custody of their children and rebuild disrupted family relationships. This reentry care work is both implicitly and explicitly mandated by the carceral state and, as Bonds shows, is a deeply racialized and gendered form of labor. The chapter thus reveals yet another way in which carcerality and capitalism rely on and reinforce gender and race hierarchies.

In the conclusion, criminologist Philip Goodman underscores the importance of this volume, particularly in the context of the COVID-19 pandemic. “People are living (and dying) as prisoners, detainees, and people subject to surveillance in the community,” Goodman writes. “They are also suffering as people pressed or coerced to work under what are likely to be worsening labor conditions.” Yet this volume will be crucial reading long after this public health crisis, Goodman maintains. Because it explores the (often complex) intersections between people’s experiences of carceral labor and the broader structures of exploitation and inequality, Goodman argues that *Labor and Punishment* provides much-needed insight into the depth and breadth of the systemic reform that is required to build a “more just and less brutal society.”

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Taken together, these chapters depict carceral labor in high relief, providing a panoramic view of this little-known landscape as well as detailed portraits of some of the people and institutions within it. In doing so, these chapters reveal the connections between labor in prisons, detention centers, and addiction treatment programs; between work *instead of* prison, work *in* prison, and work *after* prison; and between the gendered care work of formerly incarcerated mothers and the routine degradation