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AN INVESTIGATION INTO CAPITALISM AND UNFREE LABOR IN THE
TWENTY-FIRST CENTURY

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ABSTRACT

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From the nineteenth century transatlantic slave trade to the contemporary era of mass incarceration, capitalism's entanglement with unfree labor has been the subject of scholarly research from Karl Marx's *Capital, Vol 1*. (1867) to Eric Williams' *Capitalism and Slavery* (1944) to Dennis Childs' *Slaves of the State* (2015). However, with more people enslaved today than all of the people violently seized from Africa during the transatlantic slave trade (Bales, 2012, p. 9) and capitalism persisting as the predominant worldwide economic system, a critical analysis of the structural relationship between capitalism and unfree labor remains all too pertinent in the twenty-first century, especially if we as a society truly wish to abolish all modes of unfree labor.

Hence, the purpose of this investigation into capitalism and unfree labor in the twenty-first century is to examine prevalent forms of unfree labor which exist in the present day capitalist mode of production, namely unfree prison labor, unfree migrant labor, and unfree international labor. The conclusion to this research suggests that the production and exploitation of unfree laborers is the result of a structural tendency inextricable to the framework of capitalism itself. With a "werewolf hunger for surplus labor [and maximizing surplus-value]" (Marx, 1867, p. 291), capital in the twenty-first century continues to commandeer a panoply of state institutions and functions responsible for incarceration, immigration, and international trade in order to "force the cost of labor back towards [...] zero" (Marx, 1867, p. 657).

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The love and support of my family is invaluable and cannot be properly expressed by words alone. I love you Mom (Doreen Blaisdell), Dad (Liam Blaisdell), Ariana Blaisdell, Nonni (Lucille McCauley), Papa (Robert Gallo), Auntie Lala (Angela Ciulla), and Auntie Cheryl (Cheryl Leon-McCormick).

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INTRODUCTION

But then the production of the country for which the slave is stolen must be *structured to allow slave labor*, or (as in South America etc.) a mode of production corresponding to the slave must be created.¹

– Karl Marx

How Capitalism is Structured to Allow Unfree Labor

While conducting the preliminary research necessary for this investigation into the nexus between capitalism and unfree labor in the twenty-first century, most of my free time has been spent working as an in-class academic assistant for a fourth grade teacher at Pelham Elementary School, located in Amherst, Massachusetts. Over the course of my tenure in this position, there have been two compelling moments worthy of mention as preamble to this project.

Upon being summoned to monitor recess for the school's preschool class one day, I met "Sydney,"² approximately four years old, while playing an ostensibly innocuous game of "tag" with the whole class. As recess continued, the first game quickly transformed into another less innocuous one known as "cops and robbers," which involves fugitive "robbers" (another student and me) being continuously chased and hauled to "jail" (a designated portion of the playground) by the "cops" (the rest of the class). After being captured and serving a stint in the playground penitentiary, I decided to utilize this moment to help students expand their legal vocabulary by introducing common juridical lexicon into our game. For instance, I asked the students how long *my sentence* was and whether or not I will have a *lawyer* present at my *trial* by a *jury of my*

¹ Karl Marx, *Grundrisse*, trans. Martin Nicolaus (New York: Random House, 1973), 98. Emphasis mine.

² All proper names encased in quotation marks are pseudonyms.

peers. Further, out of curiosity, I also asked the students what daily life in prison would consist of, provided that my sentence was unanimously decided to be well over 300 years. Sydney's reply: "We're going to make you work for free," adding later, "so that we can make money."

The second moment occurred during a social studies reading lesson about the Southeast region of the United States with a fourth grade student named "Trayvon." In studying the history and economy of the American Southeast, Trayvon and I encountered a subsection of the textbook which focused exclusively on the Antebellum South's reliance on plantation slavery for the harvesting of cash crops, especially cotton and sugar (see Figure I.1). Yet, having hitherto scarcely studied the history of slavery in school, Trayvon struggled to comprehend the material conditions of enslavement, such as the frequently deployed violent methods and rationales used by plantation owners to justify ensnaring fellow human beings. Coincidentally, the textbook's following subsection detailed the Southeast's current dependence on cotton which prompted Trayvon to ask, "Who picks the cotton today?" Recollecting Dennis Childs' chapter on the Angola Penitentiary, I explained to Trayvon that prisoners often work on these modern, fully operational, ex-slave cotton plantations without remuneration and under coercion by the state.³ Trayvon's verbatim response: "But Nick, that's just like slavery."

³ Dennis Childs, *Slaves of the State: Black Incarceration from the Chain Gang to the Penitentiary* (Minneapolis: University of Minnesota, 2015), 94.

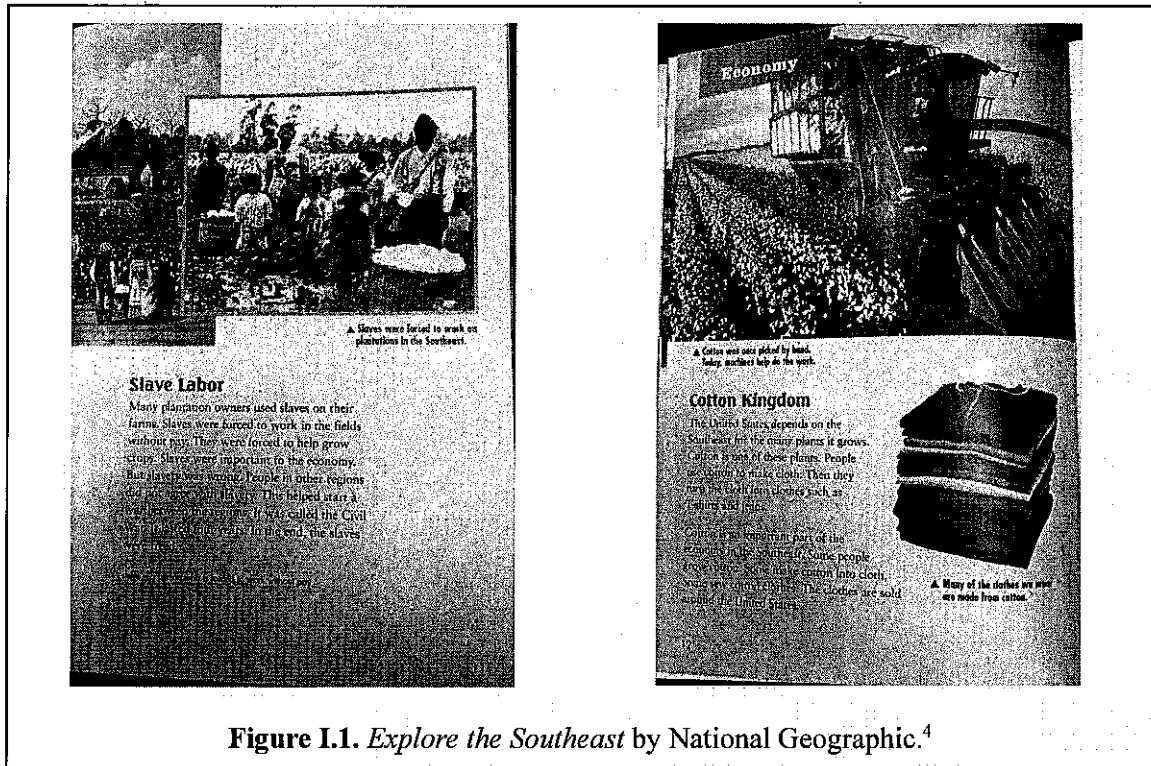


Figure I.1. *Explore the Southeast* by National Geographic.⁴

The purpose of reproducing these anecdotes is first to highlight the sheer magnitude and pervasiveness of the politico-economic institutions described throughout the course of this analysis at *all* levels of our society and second to establish the concept work⁵ informing the remaining chapters of this investigation into capitalism and unfree labor. These two incidents with Sydney and Trayvon reveal an unequivocal reality of the twenty-first century's political economy and the principal object of this investigation, namely the capitalistic exploitation of unfree laborers for the production and accumulation of surplus-value. According to Kevin Bales, a leading expert on contemporary slavery, there are an estimated 27 million people across the

⁴ Jennifer Peters, *Explore the Southeast* (Washington, D.C.: National Geographic, 2006), 11-2. Photographs captured by Nicolas Blaisdell on October 26, 2017.

⁵ Ann Laura Stoler, *Duress: Imperial Durabilities in Our Times* (Durham and London: Duke University Press, 2016), 17.

globe today who meet his “strict definition of slavery” and together generate approximately \$13 billion in direct annual profits for their captures.⁶ To put the breadth of modern day slavery into an historical perspective, “there are more slaves alive today than all the people stolen from Africa in the time of the transatlantic slave trade”⁷ and “more slaves flow into America today than did back in the 1600s.”⁸ More strikingly, this \$13 billion in direct yearly profits is vastly eclipsed by the indirect value produced by slave labor, which funnels to the today’s multinational capitalist firms and governments in the form of reduced costs for the production process and the importation of raw materials.⁹ Based on the U.S. Department of Labor’s (DOL) “List of Goods Produced by Child or Forced Labor,” there are roughly 139 various goods ranging from bricks, coffee, footwear, furniture, gold, granite, leather, rice, tobacco, and more being produced by child and forced labor across 75 different countries, excluding the United States, as recently as September 30, 2016.¹⁰

Despite the ubiquity of slave labor denounced by Bales and the DOL, there still remains other unaccounted for modes of unfree labor which are precluded by the respective definitions informing their research, such as the coerced, unpaid labor of prisoners and migrant workers throughout the country. Both Bales and the DOL refer to the 2000 and subsequent reauthorizations of the Trafficking Victims Protection Act (TVPA) for defining the category of the enslaved laborer. This federal law stipulates that the crime of human trafficking, or

⁶ Kevin Bales, *Disposable People: New Slavery in the Global Economy* (California: University of California Press, 2012), 9, 23.

⁷ Bales, *Disposable People*, 9.

⁸ Robert Wright, *The Poverty of Slavery: How Unfree Labor Pollutes the Economy* (New York: Palgrave Macmillan, 2017), 106.

⁹ Bales, *Disposable People*, 23.

¹⁰ United States Department of Labor, “List of Goods Produced by Child or Forced Labor,” (Washington, D.C., 2016), <https://www.dol.gov/ilab/reports/child-labor/list-of-goods/>.

slave-trading, entails the use of “force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.”¹¹ For Bales, this definition does not include “prison labor,”¹² despite the landmark *Ruffin v. Commonwealth* Virginia Supreme Court ruling whereby Justice J. Christian maintained that an incarcerated individual, being “civiliter mortuus,” is temporarily “a slave of the State.”¹³

Another category of unfree labor cited within contemporary discourse is that of forced labor, defined by the International Labor Organization (ILO) as “all work or service, which is exacted under menace of any penalty and for which the said person has not offered [themselves] voluntarily.”¹⁴ The problem with the ILO’s formulation of forced labor is that, like Bales’, it explicitly excludes labor extracted as “a consequence of a conviction in a court of law,”¹⁵ and could potentially exclude the “voluntary” acquiescence of Mexican and Brazilian workers to the exploitative terms of their modern day slave traders, the *coyotes* and *gatos*. Hence, the category invoked for the duration of this essay is that of the unfree laborer which encompasses both the TVPA and Bales’ slave laborer, the ILO’s forced laborer, and all others who labor without the juridico-politico and social protections guaranteed to free laborers. In the twenty-first century, the category of unfree labor can be used to analyze the systemic relations between capital and the 2.3 million incarcerated people locked away by the American criminal justice system, the 34,000 immigrants forgotten in American detention centers, and the countless number of undocumented

¹¹ Victims of Trafficking and Violence Protection Act, 22 U.S.C. § 7101 (2000).

¹² Bales, *Disposable People*, 259.

¹³ Quoted in Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* (New York: The New Press, 2012), 31.

¹⁴ International Labor Organization, Convention 29, Article 2.1 (Geneva, 1930).

¹⁵ International Labor Organization, Convention 29, Article 2.2c (Geneva, 1930).

workers laboring for private citizens and corporations across the country.¹⁶ However, the fundamental question guiding this essay is not simply how extensive modes of unfree labor are throughout our economy, but what is the structural politico-economic relationship between capitalism and unfree labor in the present day.

Just as Sydney inadvertently exposed the inversely proportional relationship between compensated labor-power and surplus-value, this economic principle becomes the primary subject of Karl Marx's nineteenth critique of the political economy, *Capital, Volume 1*. Regardless of his contradictory account of the status of unfree labor during the mid-nineteenth century in which there is simultaneously "the death of slavery"¹⁷ and a "grow[ing] [...] mass of misery, oppression, [and] slavery [under capitalism],"¹⁸ Marx's theoretical framework is perhaps one of the most important conceptual tools for analyzing the structural relationship between capitalism and unfree labor. Without replicating the entirety of Marx's labor theory of value, I will begin by briefly sketching its major premises to then discuss its relevance to the proliferation of unfree labor under capitalism. The central tenet of Marx's labor theory of value is that neither "the means of production" nor the raw materials *alone* "can ever add more value to the product than they themselves possess independently of the process in which they assist."¹⁹ Thus, the expenditure of human labor-power is the *only* means available for realizing any augmentation of value in the production process. And if during the production process a commodity attains a value greater than it originally possessed, then that new value must

¹⁶ Peter Wagner and Bernadette Rabuy, "Mass Incarceration: The Whole Pie 2018," Prison Policy Initiative, last updated on March 14, 2018, <https://www.prisonpolicy.org/reports/pie2018.html>.

¹⁷ Karl Marx, *Capital, Volume 1*, ed. Friedrich Engels and Ernest Untermann, trans. Samuel Moore and Edward Aveling (New York: The Modern Library, 1906), 329.

¹⁸ Marx, *Capital, Vol 1.*, 836.

¹⁹ Marx, *Capital, Vol 1.*, 229.

therefore consist solely of the sum of the labor-power paid for producing this new product (represented by the variable, V) and any additional surplus-value (represented by the variable, S).

²⁰ Of these two components in a capitalist society, the laborer is paid V through wages, while the capitalist receives S through either profit, interest, rent, or stocks. This distribution of the value produced by the laborer during the production process thereby results in an inverse proportionality of S to V ; or in other words, if S increases then V decreases, and if V increases then S decreases.

Aside from the fact that $(S+V)$ represents the total value of the worker's labor and that S consequently signifies unpaid labor-power, Marx's thesis has other more ominous implications for labor-capital relations and capitalism's structural tendency toward unfree labor. Due to the inexorable competitiveness of capitalist markets, "the directing motive, the end and aim of capitalist production, is to extract the greatest possible amount of surplus-value" which, as previously noted, is tantamount to "exploit[ing] labor-power to the greatest possible extent."²¹ In his work *Discipline and Punish*, Michel Foucault argues that the ruling class historically achieved this goal of maximizing their "accumulation of capital" and crystallizing their "economic take-off" by "increas[ing] the docility and utility of all the elements of the system" through the available technologies of power, known as "timetables, collective training, exercises, total and detailed surveillance."²² Provided Foucault's emphasis on the production of docile and mechanically obedient bodies coupled with Marx's fixation on the "constant tendency of capital to force the cost of labor back towards [...] zero,"²³ it now seems unsurprising that one of the

²⁰ Marx, *Capital*, Vol 1., 235-239.

²¹ Marx, *Capital*, Vol 1., 363.

²² Michel Foucault, "Panopticism," in *The Foucault Reader*, ed. Paul Rainbow (New York: Random House, 2010), 207-210.

²³ Marx, *Capital*, Vol 1., 657.

structural tendencies of capitalism is to produce highly vulnerable and maximally exploitable unfree laborers.

Another way of understanding capitalism's relationship to unfree labor is through Marxist scholar David Harvey's meticulous analysis of automation. In his recent work *Seventeen Contradictions*, Harvey elucidates how machines are, at least from the standpoint of capital, concomitantly the most desirable, profitable, and unfree form of 'employees.' In addition to being physically and permanently unable to "complain, answer back, sue, get sick, go slow, lose concentration, go on strike, demand more wages, worry about work conditions want tea breaks, or simply refuse to show up," robots are forced to operate without any form of compensation and without any degree of autonomy, thus making them the quintessential unfree laborers.²⁴ Yet if we are to accept that when given the choice most capitalists would prefer a machine over a free laborer, then Marx's position remains valid, and furthermore, so does the thesis being advanced throughout the course of this essay: the production and exploitation of unfree laborers (whether they be victims of chattel slavery, debt bondage, peonage, state incarceration, forced prostitution, human trafficking, or migrant detention) is the result of a structural tendency inextricable to the framework of capitalism itself.

To clarify, this thesis does not situate the contemporary modes of unfree labor as orthogonal or aberrational to their respective and enveloping socio-politico-economic contexts, modalities, and institutions. In contrast to Beate Andrees and Patrick Belser's hypothesis which states that "forced labor is first and foremost a failure of labor market governance,"²⁵ the claim

²⁴ David Harvey, *Seventeen Contradictions and the End of Capitalism* (New York: Oxford University Press, 2014), 103.

²⁵ Beate Andrees and Patrick Belser, "Strengthening Labor Market Governance Against Forced Labor," in *Forced Labor: Coercion and Exploitation in the Private Economy* (Colorado: Lynne Rienner Publishers, 2009), 109.

here is that unfree labor, in the context of the current capitalist mode of production, is first and foremost an outcome of this particular economic modality. By equivocating the development of forced labor with “failures” or “structural *deficiencies*” in labor market governance,²⁶ Andrees and Belser simultaneously fail to address the underlying source of the problem and misrepresent the nature of its structural relationship to capitalism. Instead of capitalist’s impetus to maximize its share of surplus-value via the exploitation and domination of laborers, Andrees and Belser’s model identifies the shortcoming of laws which curtail that process and their enforcement as the overarching cause of the problem of unfree labor. Moreover, in characterizing unfree labor as a “failure” or “deficiency,” Andrees and Belser overlook the possibility that unfree labor may be the result of structural tendencies integrated within the *proper* functioning of class relations in a capitalist society. In the words of economic historian, John Clegg, Andrees and Belser’s model should be reconsidered given the ample historical evidence supporting the claim that “in a capitalist order of fully specified property rights,” the existence of “slave labor” cannot be viewed as an “anomaly.”²⁷

Although the relationship between capitalism and unfree labor has been explained in terms of economic theorization, the concrete manifestations of these infrastructures cannot, in the words of Dennis Childs, “be fully contemplated within the narrow economic indices of production and labor exploitation.”²⁸ Indeed, any examination of either the historical or contemporary modes of unfree labor requires a complementary analysis of the racialized, gendered, heteronormative, and otherwise intersectional matrices of defining *who* are the targets of this type of hyper-exploitation and domination. In the case of the mass re-enslavement of

²⁶ Andrees and Belser, “Strengthening Labor Market Governance Against Forced Labor,” 109. Emphasis mine.

²⁷ John Clegg, “Capitalism and Slavery,” *Critical Historical Studies* 2, No 2. (2015): 303.

²⁸ Childs, *Slaves of the State*, 118.

African Americans following the Civil War, both Childs and Michelle Alexander pinpoint the liberal legal discourses of the “Black Codes that were racially nonspecific but teleologically white supremacist”²⁹ and the except clause of the Thirteenth Amendment to the U.S. Constitution which permits slavery inasmuch as it is “punishment for a crime.”³⁰ Through the combination of these two juridical bases, the mass incarceration of Black people in the United States both legally establishes the space for the re-emergence of unfree labor and delineates the politically, economically, and socially vulnerable racialized targets who would ultimately fulfil that role.³¹

Similar to the effect that mass incarceration has had in transforming Black bodies into unfree laborers subject to exploitation by the United States government and prison industrial complex,³² the construction of migrant “illegality” engenders the juridico-political space necessary for the transformation of migrant bodies into unfree laborers subject to exploitation by the U.S. government and private economy.³³ As demonstrated throughout Tanya Maria Golash-Boza’s *Deported*, policies of mass deportation cannot “aim to remove all deportable people” neither in theory nor in praxis.³⁴ Instead, these policies, along with “the category ‘illegal alien’,” function to “create and sustain a legally vulnerable [...] reserve of labor,”³⁵ who are particularly susceptible to coercion and exploitation whether by the state in immigrant detention

²⁹ Childs, *Slaves of the State*, 77.

³⁰ Alexander, *The New Jim Crow*, 31.

³¹ Despite representing only 13% of the total population, Black people in the United States made up 40% of incarcerated individuals in 2018. See Wagner and Rabuy, “Mass Incarceration.”

³² Angela Davis, “The Prison Industrial Complex,” in *Are Prisons Obsolete?* (New Delhi: Navayana Publishing, 2011), 88.

³³ Nicholas De Genova, “Immigration ‘Reform’ and the Production of Migrant ‘Illegality’,” in *Constructing Immigrant ‘Illegality’: Critiques, Experiences, and Responses* (New York: Cambridge University Press, 2014), 40.

³⁴ Tanya Maria Golash-Boza, *Deported: Immigrant Policing, Disposable Labor, and Global Capitalism* (New York: New York University Press, 2015), 8.

³⁵ De Genova, “Immigration ‘Reform’ and the Production of Migrant ‘Illegality’,” 39.

centers, private corporations in the agricultural industry, or private citizens in their homes.³⁶ Accordingly, mass deportation, like mass incarceration, is one of the myriad repressive state apparatuses structurally designed to manufacture racialized unfree subjects who are to be devoured by the voracious demands of capital in its quest to maximize the extraction of surplus-value.

These intersectional convergences of race, class, and gender in the construction of unfree laborers extends beyond the boundaries of the United States and permeate throughout a world dictated by neoliberal globalized capitalist order. From Brazil to Britain, Mauritania, Niger, Pakistan, India, Thailand, China, and beyond, the discriminatory formation of unfree laborers adapts to the prevailing politico-socio-economic circumstances. For example, in Brazil, of the “at least 25,000 people [...] held in slavelike conditions” the vast majority originate from northeastern regions which tend to be “characterized by high levels of poverty, high unemployment, and low indexes of human development.”³⁷ Meanwhile, chattel slavery in Mauritania is contingent on a racialized socio-political hierarchy that renders the “White Moors,” or formally known as the Hassaniya Arabs, legally, socially, and economically superior to the “Black Moors,” or Haratines.³⁸ Hence, the selection of “suitable target[s]” for unfree labor across the globe tends to reflect the “poverty and discrimination of minority groups,” the precariousness of “migrant workers,” or the privation of rights and autonomy afforded to “young women [who are] deceived into forced prostitution.”³⁹

³⁶ Kevin Bales and Ron Soodalter, *The Slave Next Door: Human Trafficking and Slavery in America Today* (California: University of California, 2009).

³⁷ Leonardo Sakamoto, “‘Slave Labor’ in Brazil,” in *Forced Labor: Coercion and Exploitation in the Private Economy* (Colorado: Lynne Rienner Publishers, 2009), 19, 24.

³⁸ Bales, *Disposable People*, 80.

³⁹ Beate and Belser, *Forced Labor*, 2.

The focus of the remaining chapters of this essay is located within these twenty-first century politico-economic and social contact zones of racialized, class domination and exploitation vis-à-vis the production and exploitation of unfree laborers. Before outlining the content of the ensuing chapters, a brief word regarding what will not be included in my analysis. Due to the limitations of this study, I have narrowed the scope of my research to instances of collusion between capital and the U.S. state in the production of unfree labor through the legal economy: the commercial and governmental exploitation of prison laborers, immigrant laborers, and laborers for transnational corporations who deliberately offshore and subcontract their production units or supply chain to avoid the labor protections afforded to free laborers in most developed nations. To illustrate the scope and mechanisms of the structural relationship between capitalism and these specific manifestations of unfree labor, I will utilize a case-study approach. My focus on the collusion between the state and capital, however, does not mean to minimize other egregious examples of present day unfree labor (e.g. forced prostitution in Thailand, chattel slavery in Mauritania, debt bondage in Pakistan, slave auctions in Libya, and domestic enslavement in the United States) and other socio-political forces, specifically the role of gender relations and oppression in the production of unfree laborers. In the cases of enslaved domestic workers in the United States, who are predominantly women and account for “the second-highest number of human trafficking victims in the United States,”⁴⁰ and the estimated “35,000 girls [...] enslaved in [forced prostitution in] Thailand,”⁴¹ the significance of the patriarchal exploitation and oppression of women in the conversion of female bodies into unfree laborers cannot be understated. The omission of these deeply gendered manifestations of unfree labor should not be

⁴⁰ Bales and Soodalter, *The Slave Next Door*, 18.

⁴¹ Bales, *Disposable People*, 43.

viewed as a prescriptive decision, but instead as an invitation for future research and investigation.

Chapter 1 begins with a deconstruction of the mainstream myths surrounding the teleological origins and utility of prisons in American society with a primary focus on the racialized mass incarceration policies of the 1960s onward. In this section, I challenge the notion that the main purpose of prison is to exact retributive, preventative, or rehabilitative justice for the victim, society, or the criminal. On the contrary, prisons are examined from the historico-economic perspective of the labor demands of the collusion between capital and the government. Next, the relationship between this nascent conception of the role of prisons and capitalism is expanded in terms of the production and exploitation of unfree prison laborers and the growing movement to privatize the prison industry.⁴² This nexus between capital and incarceration is then analyzed through a number contemporary case studies. First, I investigate UNICOR, a “quasi-public, for-profit corporation run by the [United States] Bureau of Prisons.”⁴³ Second, I analyze the dynamic between the roughly 4,000 incarcerated firefighters of California, the California government, and capitalism.⁴⁴ Third, I explore how local governments utilize prison work programs for the production and exploitation of unfree labor, as evidenced by the Massachusetts’ Suffolk County Sheriff’s Departments (SCSD) Community Works Program (CWP). Lastly, the crux of this relationship between capitalism, unfree labor, and prisons is

⁴² Tara Herivel and Paul Wright, *Prison Profiteers: Who Makes Money from Mass Incarceration* (New York: The New Press, 2009).

⁴³ Ian Urbina, “Prison Labor Fuels American War Machine,” in *Prison Profiteers: Who Makes Money from Mass Incarceration*, ed. Tara Herivel and Paul Wright (New York: The New Press, 2007), 110.

⁴⁴ Jaime Lowe, “The Incarcerated Women Who Fight California’s Wildfires,” *The New York Times*, August 31, 2017, <https://www.nytimes.com/2017/08/31/magazine/the-incarcerated-women-who-fight-californias-wildfires.html>.

revealed through the private prisons of CoreCivic (formerly known as the Corrections Corporation of America, or CCA) and GEO Group.

CoreCivic and GEO Group's entanglement with unfree labor extends far beyond the prison industrial complex; these two corporations are also heavily involved in the mass detention and deportation of migrant workers, which becomes the subject of **Chapter 2**. According to a recent lawsuit against GEO Group, tens of thousands of detained immigrants were allegedly "forced to work for \$1 day, or for nothing at all" and are suing the company for the violation of "federal anti-slavery laws."⁴⁵ Chapter 2 investigates this class action suit in conjunction with CoreCivic and GEO Group's quasi-state, quasi-private role and relationship with Immigration and Customs Enforcement (ICE) and unfree migrant workers. Additionally, this chapter explores the exploitation of unfree migrant workers in the United States via the private economy, or more precisely the subcontracting of migrant textile and agricultural workers by corporate conglomerates. Finally, the chapter concludes with a dissection of the parallels between the structural relationship among capitalism and unfree labor and the nationwide policies of mass deportation and mass incarceration.

Similarly, **Chapter 3** applies a case study approach, but instead targets the capitalistic exploitation of transnational workers in Chinese technology factories, Brazilian plantations, and Bangladeshi garment and footwear facilities. In particular, this chapter begins by studying the enslavement of Brazilian workers by *gatos* which directly contributes to the profits of multinational corporations involved in the lumber and charcoal industries. It should be noted,

⁴⁵ Kristine Phillips, "Thousands of ICE Detainees Claim They Were Forced into Labor, A Violation of Anti-slavery Laws," *The Washington Post*, March 5, 2017, <https://www.washingtonpost.com/news/post-nation/wp/2017/03/05/thousands-of-ice-detainees-claim-they-were-forced-into-labor-a-violation-of-anti-slavery-laws/>.

however, that this profit is not restricted solely to the lumber and charcoal industries:

“slave-produced charcoal is crucial to making steel in Brazil” which is then used to make “cars, car parts and other metal goods that make up a quarter of all Brazil’s exports.”⁴⁶ In Bangladeshi garment factories, fungible commodities as quotidian as shirts, shoes, and pants are produced by unfree Bangladeshi laborers, exported, and ultimately distributed in American warehouses and stores.⁴⁷ It is through these cases, along with those described in the previous two chapters, that I aim to demonstrate the complete imbrication of unfree labor within our contemporary capitalist mode of production.

Despite this structural tendency of capitalism towards unfree labor, the final chapter of this investigation briefly reviews several of the theoretical and practical measures that can be enacted to help create a truly emancipatory future. Although I concede that more vigorous international anti-slavery and anti-human trafficking laws and policies are necessary for the immediate amelioration of the suffering of unfree laborers today, the conclusions of this study contends that purely reactive programs cannot be the only or even the principal bulwark against the production and exploitation unfree laborers in any capitalist economy. Rather, I argue that it is due to the structural tendencies of capitalism itself that modern day abolitionist campaigns must seek structural alternatives to the capitalist mode of production in order to successfully promote a future devoid of unfree labor.

⁴⁶ Bales, *Disposable People*, 23.

⁴⁷ Julfikar Ali Manik and Jim Yardley, “Bangladesh Finds Gross Negligence in Factory Fire,” *The New York Times*, December 17, 2012,

<http://www.nytimes.com/2012/12/18/world/asia/bangladesh-factory-fire-caused-by-gross-negligence.html>.

CHAPTER 1

He [the prisoner] has, as a consequence of his crime, not only forfeited his liberty, but all his personal rights except those which the law in its humanity accords to him. He is for the time being a slave of the State. He is *civiliter mortuus* . . . ⁴⁸

– Virginia Supreme Court Justice J. Christian,
Ruffin v. Commonwealth (1871)

**UNICOR from the PAST . . .
to the PRESENT**



"When the prisoners work, so does the system."

– UNICOR, United States Bureau of Prisons⁴⁹

Unfree Prison Labor

Aside from China, the size of the United States' prison population is unparalleled by any other nation in human history. Although China is at least 3 times more populous than the United States⁵⁰ and is internationally infamous for its flagrant human rights abuses and violations, China and the United States are the only two countries that have a prison population which exceeds 650,000 people; indeed, both nations are nearly tied for a record number of more than 2.2 million

⁴⁸ Quoted in Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* (New York: The New Press, 2012), 31. Emphasis mine.

⁴⁹ UNICOR, United States Bureau of Prisons, "Factories with Fences - The History of UNICOR," accessed March 15, 2018, <https://www.unicor.gov/FPIHistory.aspx>.

⁵⁰ The World Bank, "World Bank Open Data," accessed December 16, 2017, <https://data.worldbank.org/>.

people imprisoned in each (see Figure 1.1).⁵¹ The only difference between the two is that the United States' prison population rate is 698 incarcerated people per 100,000; meanwhile, China's prison population rate is approximately 165 incarcerated people per 100,000 (see Figure 1.2).⁵²

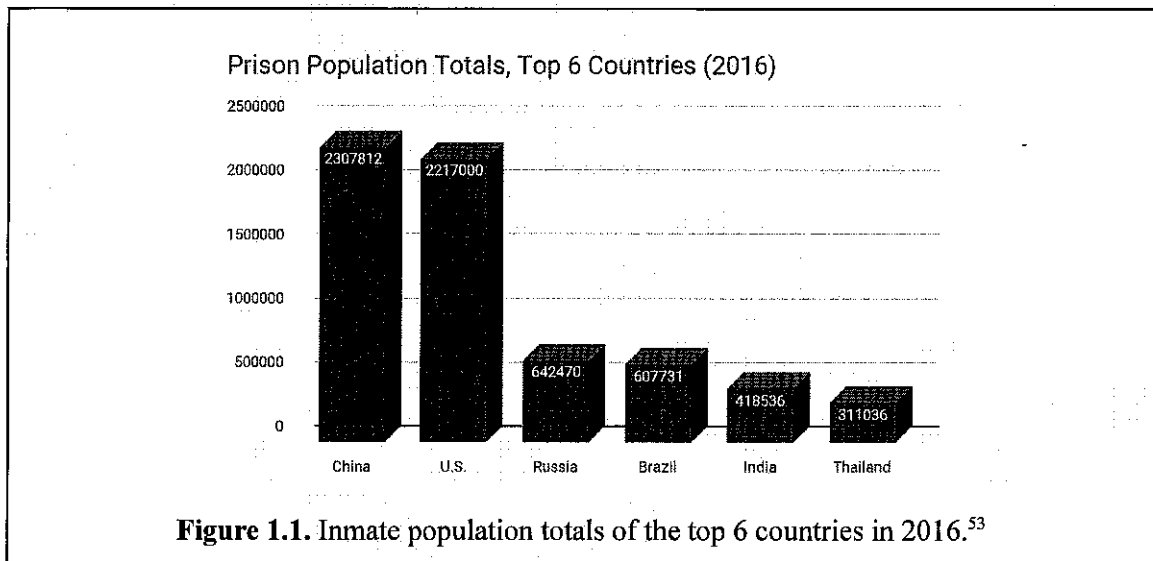


Figure 1.1. Inmate population totals of the top 6 countries in 2016.⁵³

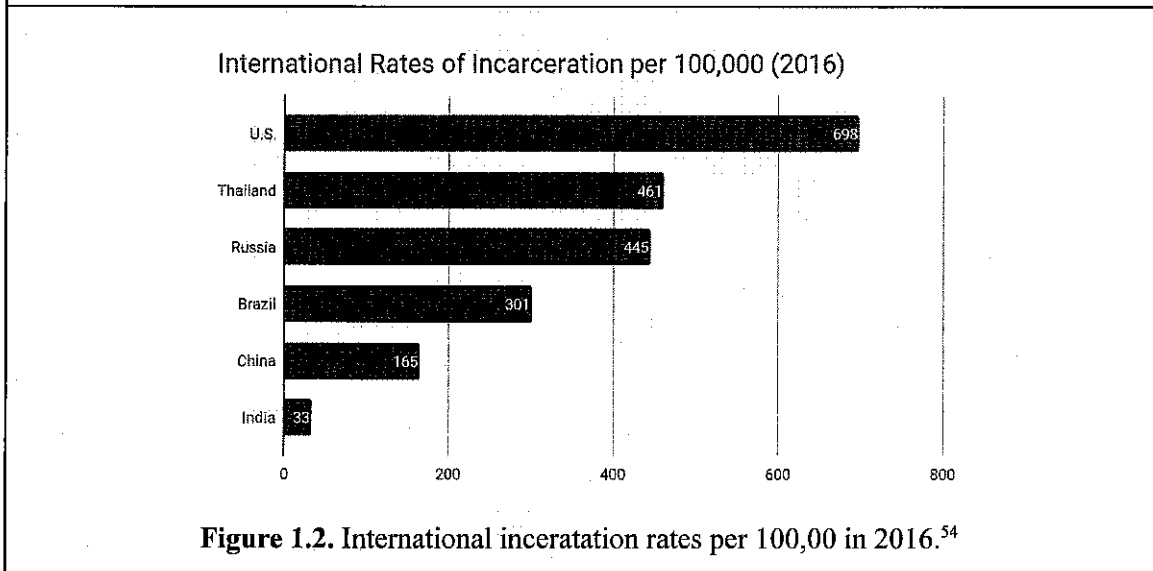


Figure 1.2. International incarceration rates per 100,00 in 2016.⁵⁴

⁵¹ Roy Walmsley, "World Prison Population List (Eleventh Edition)," (London: Institute for Criminal Policy Research, 2016). <http://www.prisonstudies.org/world-prison-brief-data>.

⁵² Walmsley, "World Prison Population List (Eleventh Edition)."

⁵³ Walmsley, "World Prison Population List (Eleventh Edition)."

⁵⁴ Walmsley, "World Prison Population List (Eleventh Edition)."

According to data from the United States Department of Justice (DOJ), there were an estimated 338,029 people incarcerated in prisons and jails throughout the United States in 1970.⁵⁵ Today, there are an estimated 2.3 million individuals confined in either publicly or privately operated state prisons, federal prisons, juvenile correctional facilities, local jails, immigrant detention centers, and military prisons.⁵⁶ In other words, between 1970 and the present moment, there has been roughly a 580 percent increase in the number of incarcerated individuals in the United States despite a meager 50 percent concurrent increase in the general population (see Figure 1.3).⁵⁷ Both historians and sociologists alike define this colossal upsurge in the number of incarcerated individuals in the United States as *mass incarceration*, which scholars almost unanimously agree exhibits an undeniably racialized and classist discriminatory character.

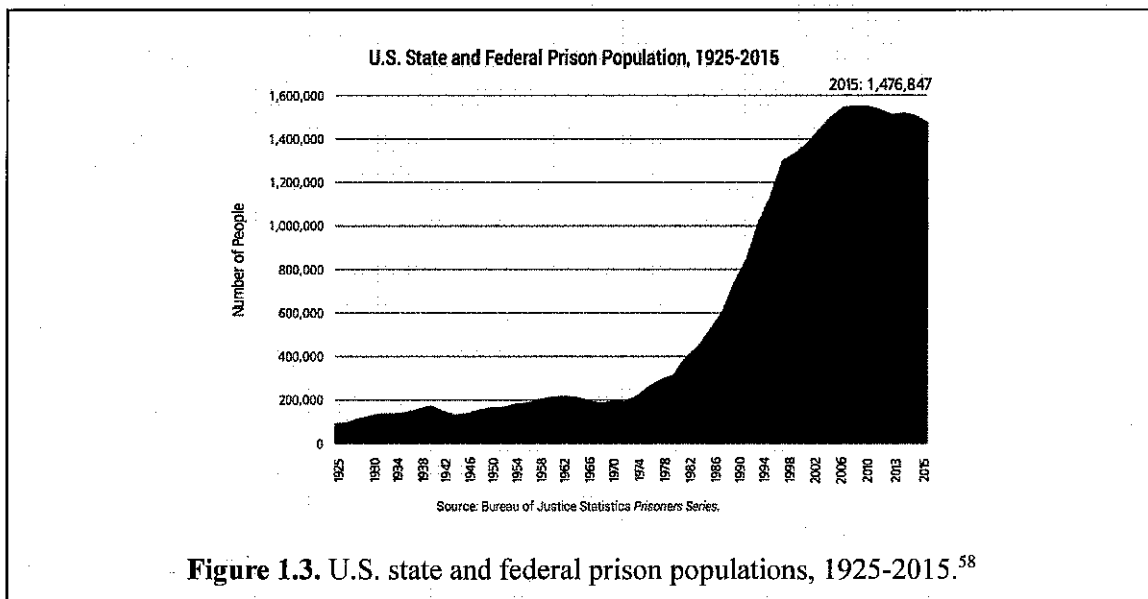


Figure 1.3. U.S. state and federal prison populations, 1925-2015.⁵⁸

⁵⁵ Justice Policy Institute, "The Punishing Decade," published online in May 2000, <http://www.justicepolicy.org/>.

⁵⁶ Peter Wagner and Bernadette Rabuy, "Mass Incarceration: The Whole Pie 2018," Prison Policy Initiative, last updated on March 14, 2018, <https://www.prisonpolicy.org/reports/pie2018.html>.

⁵⁷ The World Bank, "World Bank Open Data."

⁵⁸ The Sentencing Project, "Trends in U.S. Corrections," last modified June 2017, <http://www.sentencingproject.org/criminal-justice-facts/>.

In considering the relationship between the United States' carceral arm of the state and the production and exploitation of unfree laborers, the underlying purpose of this chapter will be to first analyze the structural nexus between the capitalist mode of production and the state's police and judicial powers; second to examine the complementary, contradictory, and often inextricably racialized constructions of criminality; and third to detail the state-induced politico-economic vulnerability, unfreedom, and capitalistic extraction of surplus-value from unfree prison laborers. These interrelated analyses will then culminate in a presentation of modern day case studies across the United States and a discussion of the growing trend toward prison privatization represented by the private correctional and detainment facilities operated by America's two largest commercial prison corporations, CoreCivic (formerly known as the Corrections Corporation of America, or CCA) and GEO Group. Ultimately, throughout the course of this paper, I aim to illustrate how it is a structural tendency of capitalism to collude with and at times completely commandeer the multifarious functions of the carceral apparatus of the state (policing, defining criminality, and incarceration) for the production and exploitation of unfree prison laborers and the maximization and accumulation of surplus-value for either public or private entities.

Unfree prison labor in the United States has deep roots in the institutions of Atlantic slavery, as the studies of Dennis Childs and Michelle Alexander elucidate. Their work on mass incarceration sheds light on the racialized production of new forms of unfree labor which emerged immediately following the abolition of slavery in the United States through the ratification of the Thirteenth Amendment. Tracing the production and exploitation of predominantly Black, unfree prison laborers back to the putative abolition of slavery, both Childs

and Alexander explore how the “except as punishment for a crime” clause of the Thirteenth Amendment combined with the “liberal legal euphemisms” of the Black Code laws inaugurated the “wholesale renting-to-death of black bodies branded as both ‘felon’ and ‘misdemeanant’.”⁵⁹ With the Thirteenth Amendment permitting “slavery” and “involuntary servitude” for those who “have been duly convicted [of a crime]”⁶⁰ and the “racially nonspecific but teleologically white supremacist”⁶¹ laws informing the Black Codes and convict leasing system of the antebellum period, Childs and Alexander’s work demonstrate how this “statutory criminalization of black freedom” and “profiteering on imprisoned southern black bodies”⁶² exemplifies capitalism’s structural tendency toward unfree and maximally exploitable labor.

However, these laws and institutions mandating and profiteering from the unfreedom of Black laborers are not exclusive to the post-Civil War South. In chronicling the recent War on Drugs, Alexander reinforces Childs’ notion of the “impossible severance of [...] *premodern* and *modern*” and of *northern* and *southern*,⁶³ meaning that these institutions of racialized unfree labor cannot be spatio-temporally constrained to the antebellum South. Provided that “ninety percent of those admitted to prison for drug offenses in many states were black or Latino” despite nearly equal drug usage across races and the “race-neutral” rhetoric incorporated into anti-drug public discourse and legislation,⁶⁴ Alexander’s work reveals how the collusion between capital and the carceral state produces and exploits racialized unfree prison laborers through the twenty into twenty-first centuries via the War on Drugs.

⁵⁹ Dennis Childs, *Slaves of the State: Black Incarceration from the Chain Gang to the Penitentiary* (Minneapolis: University of Minnesota, 2015), 66, 77.

⁶⁰ U.S. Constitution, Amendment XIII (1865).

⁶¹ Childs, *Slaves of the State*, 77.

⁶² Childs, *Slaves of the State*, 63, 83.

⁶³ Childs, *Slaves of the State*, 23.

⁶⁴ Alexander, *The New Jim Crow*, 58.

The insights of Childs and Alexander point to a longer history of ideological conceptions and constructions of criminality that contribute to the production and exploitation of unfree prison laborers. The idea of the debt the felon owes to society, an idea that Italian criminologist Cesare Beccaria promulgated in his work *On Crimes and Punishments*, remains one of the most enduring constructions of criminality and punishment. Beccaria, a product of the Age of the Enlightenment contemporary with Atlantic Slavery and notable opponent of the death penalty,⁶⁵ argued that the right of the state to punish is derived from its responsibility to defend “the public welfare from individual usurpations”⁶⁶ and that the “true measure of crimes is [...] *the injury caused to society*.”⁶⁷ The essence of Beccaria’s formulation regarding the relationship between crime and punishment is that it locates criminality in the decontextualized, unlawful transgressions of the “individual,” or the criminal delinquent, and that it designates their punishment as a means of repaying “the injury” they have caused “to society.” This economic framework for examining criminality and its relationship to inmate labor is captured by the contemporaneously popular proverbs “you do the crime, you do the time” and the criminal must “pay their debt to society,” even if that entails unpaid and unfree labor. Hence, the problems with this interpretation of Beccaria’s conception of criminality, which were later acknowledged and denounced by Beccaria himself,⁶⁸ are that it disregards the racialized production of criminality as uncovered in Childs and Alexander’s research; it licenses the forced alienation of inmate

⁶⁵ Cesare Beccaria, *On Crimes and Punishments and Other Writings*, ed. Aaron Thomas, Luigi Ballerini, and Massimo Ciavolella (Toronto: University of Toronto Press, 2008), 54.

⁶⁶ Beccaria, *On Crimes and Punishments*, 11.

⁶⁷ Beccaria, *On Crimes and Punishments*, 20.

⁶⁸ “I fell into this error in earlier editions, in which I said that the innocent bankrupt should be imprisoned as a pledge of his debts or made to work like a slave for his creditors. I am ashamed of having written in this way. [...] I have offended against the rights of humanity, and yet no one has admonished me for it.” Beccaria, *On Crimes and Punishments*, 71.

labor-power as a way to “repay society,” or in this case, the state; and, most importantly, it fails to acknowledge the structural entanglement between capital and the state in producing and exploiting the unfreedom of prison labor for the production, maximization, and accumulation of surplus-value.

At odds with Beccaria, Michel Foucault expounds the structural production of criminal delinquency in terms of the properly functioning carceral apparatus of the state rather than the decontextualized actions of the transgressor in his *Discipline and Punish*. Before arriving at his critique of the conventional and “monotonous critique” of prisons, Foucault restates several of the most prominent repudiations of punitive detention via the penitentiary system.⁶⁹ Namely, traditional opponents to the penitentiary system contend that “detention causes recidivism,” “the prison cannot fail to produce delinquents [...] by imposing violent constraints on its inmates,” “[the] exploitation by prison labor [...] [has] no educational character,” the surveillance by the police necessarily condemns freed inmates to recidivism, and that “prison indirectly produces delinquents by throwing the inmate’s family into destitution.”⁷⁰ Foucault’s criticism of these observations regarding the carceral system does not question the truth of its premises, but instead the validity of the mainstream conclusion that the prison is either “insufficiently corrective” or has “lost its power as punishment.”⁷¹ For example, in his analysis of the apparent “failing” of the penitentiary, Foucault insinuates that this “supposed failure [may be] *part of the functioning of the prison*,” adding later that “prison has succeeded extremely well in producing delinquency.”⁷² Through this reframing of the construction of criminality, the narrative of “doing the crime,

⁶⁹ Michel Foucault, “Illegalities and Delinquency,” in *The Foucault Reader*, ed. Paul Rainbow (New York: Random House, 2010), 229.

⁷⁰ Foucault, “Illegalities and Delinquency,” 226-9.

⁷¹ Foucault, “Illegalities and Delinquency,” 229.

⁷² Foucault, “Illegalities and Delinquency,” 230-1. Emphasis mine.

doing the time” is subverted and supplemented by the role of the carceral apparatus of the state in defining, fostering, and guaranteeing a constant supply of unfree prison laborers.

Although Foucault argues that the carceral apparatus of the state has “succeeded extremely well in producing delinquency” and thereby prisoners, the essential focus of this inquiry is more concerned with analyzing the structural basis for the relationship between capital and the state in terms of this production and exploitation of unfree prison laborers. The capitalist state’s impetus to utilize “its monopoly over the legitimate use of force and violence”⁷³ to “preserve law and order, to enforce private contracts, to foster competitive markets”⁷⁴ and to “repress and police any transgressions against the private property rights regime,”⁷⁵ is at the crux of this relationship between capital and the state for both Marxist scholar David Harvey and American economist Milton Friedman. In terms of the prison system, Harvey and Friedman’s analysis suggests that the role of the properly functioning carceral apparatus of the state is to safeguard the production and accumulation of surplus-value for capital at each stage of the incarceration cycle, whether it be policing, circulating ideologies of criminality, or exploiting unfree prison laborers. This active collusion between the state and capital in producing and exploiting unfree prison laborers is evidenced by the immense degree of personnel overlap, lobbying, and campaign financing by the United States’ two largest private prison corporations, GEO Group and CoreCivic (see Figures 1.4 and 1.5).

⁷³ David Harvey, *Seventeen Contradictions and the End of Capitalism* (New York: Oxford University Press, 2014), 42.

⁷⁴ Milton Friedman, *Capitalism and Freedom* (Chicago: University of Chicago Press, 1982), 2.

⁷⁵ Harvey, *Seventeen Contradictions*, 42.

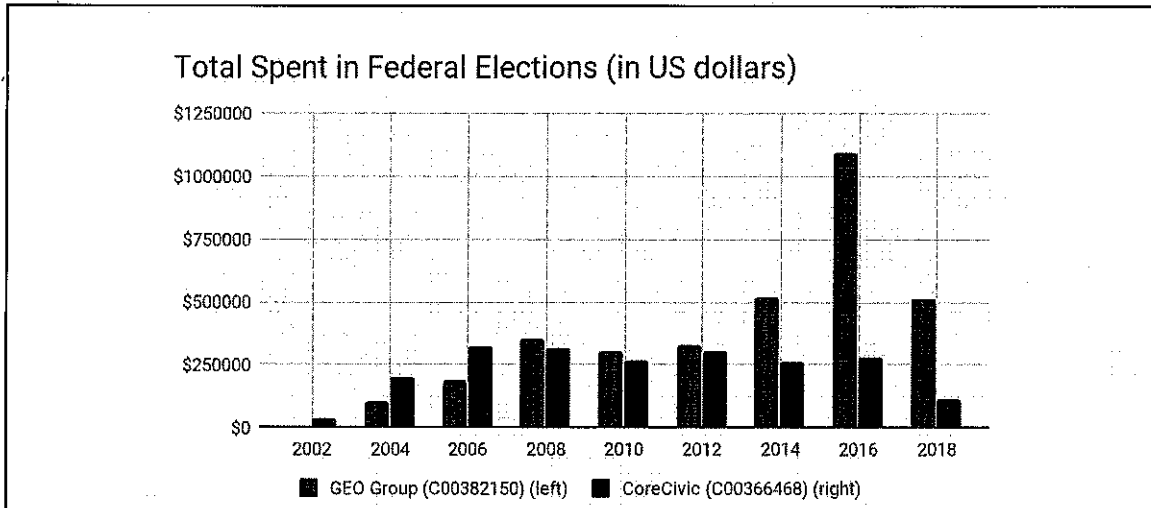


Figure 1.4. Total spent by GEO Group and CoreCivic in federal elections.⁷⁶

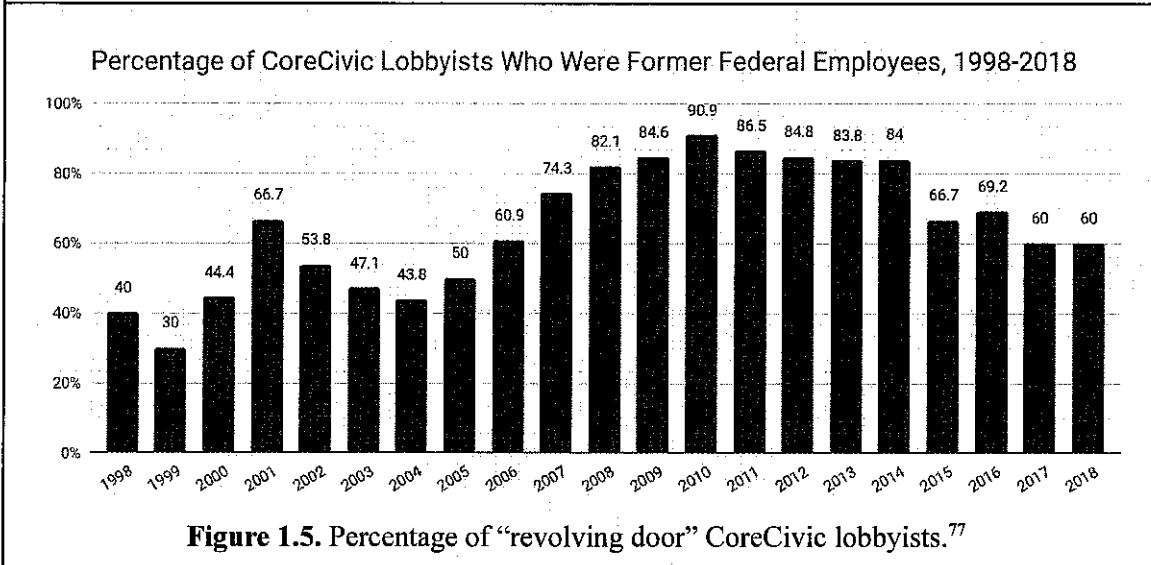


Figure 1.5. Percentage of “revolving door” CoreCivic lobbyists.⁷⁷

⁷⁶ Federal Election Commission, United States Government, “The GEO Group, Inc. Political Action Committee (C00382150),” accessed March 17, 2018, <https://www.fec.gov/data/committee/C00382150/>. Federal Election Commission, United States Government, “CoreCivic, Inc. Political Action Committee (C00366468),” accessed March 17, 2018, <https://www.fec.gov/data/committee/C00366468/>. Chart created by Nicolas Blaisdell.

⁷⁷ Open Secrets, “Lobbyists representing CoreCivic Inc, 1998-2018,” Center for Responsive Politics, accessed April 27, 2018, <https://www.opensecrets.org/lobby/clientlbs.php?id=D000021940&year=2018>. Chart created by Nicolas Blaisdell.

Aside from the intimate relationship between capital and the state vis-à-vis the prison system, class inequality and the wide scale human disposability caused by capitalism itself also produces criminal delinquents and increases the population of unfree prison laborers. With “massive surpluses of potentially restive redundant populations”⁷⁸ who are unemployable except for in minimum wage jobs that scarcely afford them enough money for rent, food, transportation, or a family, many are propelled into illegal and informal economies as noted by Tanya Maria Golash-Boza in *Deported*.⁷⁹ As a result of participating in these illegal economies to survive, formerly free laborers and economic victims of the neoliberal deployment of automated labor-saving technologies, deindustrialization, and globalization are consequently converted into “criminal delinquents,” who “deserve” to be forced to “repay” society (the state and its contracted private corporations) for their transgressions with their unpaid and unfree labor. Regardless of this attack on the inalienable right not to be enslaved that all persons have, including persons convicted of a crime, this revisionist account of criminality absolves the state, complicit with the capitalist mode of production, of all responsibility for the economic, legal, and educational structures⁸⁰ that convert poor and vulnerable persons of color into criminal delinquents. Nevertheless, these young women and men will sooner or later be detained and apprehended by law enforcement agents and entombed and exploited for their unfree labor in the primary site of this forced labor: the penitentiary.

In her classic work *The New Jim Crow*, legal scholar Michelle Alexander traces the historical genealogy of the prison boom in the United States and identifies the strategically

⁷⁸ Harvey, *Seventeen Contradictions*, 108.

⁷⁹ Golash-Boza, *Deported*, 19.

⁸⁰ For more information on the school-to-prison pipeline see Christopher Mallett, “The School-to-Prison Pipeline: Disproportionate Impact on Vulnerable Children and Adolescents,” *Education and Urban Society* 49, no. 6 (2017): 563-592.

deployed “rhetoric of ‘law and order’ [...] in the late 1950s,” in conjunction with the FBI’s systematic attempt to dismantle the Civil Rights Movement at its point of inception.⁸¹ By the end of the 1970s, the era of mass incarceration continued to expand under President Ronald Reagan’s “War on Drugs,” in which the FBI’s “anti-drug funding increased from \$8 million to \$95 million” and the budget for the National Institute on Drug Abuse, which was responsible for “drug treatment, prevention and education,” was slashed “from \$274 million to \$57 million” during the course of Reagan’s first presidential term.⁸² Moreover, Alexander stresses the inherently racist development of mass incarceration through the War on Drugs. In spite of the fact that “people of all colors *use and sell* illegal drugs at remarkably similar rates,” people of color, or more particularly Black men, who in some states “have been admitted to prison on drug charges at rates twenty to fifty times greater than those of white men,” are disproportionately targeted and imprisoned by the United States’ carceral apparatus of the state.⁸³ While this narrative meticulously details the historical legislation and the racialized victims of mass incarceration, a number of questions remain: How is mass incarceration structurally intertwined within the predominantly capitalist mode of production in the United States? What is the relationship between of prisoners’ juridically-situated unfreedom and their labor-power being extracted by the state and private corporations?

By the mid-19th century in his *Capital, Volume I*, Karl Marx demonstrates his understanding of this complex relationship between prisoners’ unfreedom, legal vulnerability, and economic exploitability by invoking the French utopian socialist Charles Fourier: “Is Fourier

⁸¹ Alexander, *The New Jim Crow*, 40.

⁸² Alexander, *The New Jim Crow*, 49-50.

⁸³ Alexander, *The New Jim Crow*, 7.

wrong when he calls factories ‘tempered bagnos’?”⁸⁴ Interestingly, according to the Oxford English Dictionary, Marx and Fourier’s “tempered bagnos” could have referred to either “a place of detention for slaves” or “a penal establishment.”⁸⁵ More recently, in 1981 U.S. Supreme Court Justice Warren Burger “praised China’s use of prison labor” by referring to them as “factories within fences.”⁸⁶ Through these transhistorical representations of the interdependent relationship between penal labor, the production, extraction, and accumulation of surplus-value, the factory system, and the enslaved laborer, the penitentiary is exposed as the paragon of the hyper-exploitation of vulnerable and unfree laborers for the profit of public and private entities.

The twenty-first century exploitation and state-induced vulnerability of unfree prison laborers is structurally codified into the juridico-legislative apparatuses of the United States beginning with the “primary legal weapon of black neoslavery,”⁸⁷ the “except as punishment for a crime” clause of the Thirteenth Amendment outlawing slavery. The legal unfreedom of prisoners and their labor is usually mandated by stipulations of local, state, and federal law and their respective prison work programs. In general, most prisoners across the country, like those working under Florida’s Prison Rehabilitative Industries and Diversified Enterprises (PRIDE) statute and corresponding work program, are legally disqualified from “unemployment compensation,” “health care, L&I [insurance],” and “unionizing” and are typically paid subminimum wages that can range “between 20 cents and 55 cents per hour” with deductions for

⁸⁴ Karl Marx, *Capital, Volume 1*, ed. Friedrich Engels and Ernest Untermann, trans. Samuel Moore and Edward Aveling (New York: The Modern Library, 1906), 466.

⁸⁵ “Bagnio, n.,” OED Online, Oxford University Press, June 2017, accessed March 15, 2018, <http://www.oed.com.silk.library.umass.edu/view/Entry/14647?redirectedFrom=bagnio>.

⁸⁶ Quoted in Susan Kang, “Forcing Prison Labor: International Labor Standards, Human Rights and the Privatization of Prison Labor in the Contemporary United States*,” *New Political Science* 31, no. 2 (2009): 159.

⁸⁷ Childs, *Slaves of the State*, 9.

court fees, medical care, and even room and board⁸⁸ that “cannot exceed 80 percent of prisoner gross wages.”⁸⁹ Although some of these provisions governing the degree of unfreedom of prison laborers are state-specific, all three branches of the federal government, the state governments, and local governments coalesce to contribute to prisoners’ state of enduring vulnerability.

In the state judicial system, the precedent for the legal status of prison labor was set forth in the 1871 *Ruffin v. Commonwealth* Virginia Supreme Court case which designated inmates as ephemeral “slave[s] of the State.”⁹⁰ And in the federal judicial system, the “civiliter mortuus”⁹¹ status of prisoners continues to be upheld by more recent U.S. Supreme Court rulings, such as the 1977 *Jones v. North Carolina Prisoners’ Labor Union* in which prisoners’ constitutional and labor rights to association could be justifiably curtailed for the “needs of the penal institutions.”⁹² Meanwhile, at the federal legislative level, Federal Law 18 U.S.C. § 1761 deems that all deductions to prisoners’ wages “shall not, in the aggregate, exceed 80 per centum of gross wages,” prisoners must receive wages that are “not less than that paid for work of a similar nature in the locality in which the work was performed,” and prisoners “shall not be qualified to receive any payments for unemployment compensation while incarcerated.”⁹³ Meanwhile, this same federal law also explicitly excludes prisoners who are “participating in any pilot project approved by the FPI Board of Directors,” meaning they are subsequently subject to *any* labor

⁸⁸ Brennan Center for Justice, “Is Charging Inmates to Stay in Prison Smart Policy?” New York University School of Law, accessed March 14, 2018, <http://www.brennancenter.org/states-pay-stay-charges>.

⁸⁹ David Reutter, “Florida’s Private Prison Industry Corporation Under Siege,” in *Prison Profiteers: Who Makes Money from Mass Incarceration*, ed. Tara Herivel and Paul Wright (New York: The New Press, 2007), 141-5.

⁹⁰ Alexander, *The New Jim Crow*, 31.

⁹¹ Alexander, *The New Jim Crow*, 31.

⁹² Kang, “Forcing Prison Labor,” 146.

⁹³ Transportation or Importation of Prison Made Goods, 18 U.S.C. § 1761 (2011).

provisions set forth by the Federal Prison Industries (FPI), which is more commonly known as UNICOR.

Created in 1934 by Executive Order No. 6917 by President Roosevelt, UNICOR is currently a “quasi-public, for-profit corporation run by the [United States] Bureau of Prisons”⁹⁴ that employs approximately 12,278 inmates who work for 23 cents to \$1.15 per hour across 83 different factories (see Figure 1.6).⁹⁵ As a result of these wages, which are 97 percent less than the federal minimum wage and only consist of 5 percent of FPI’s budgetary spending, UNICOR has been able to generate \$472 million in net sales during the fiscal year 2015, with \$362 million of these sales deriving from the private sector, which can purchase prisoner-made office supplies and furnishing at discounted rates.⁹⁶ The remaining sales are made directly to other government agencies including the U.S. Departments of Defense, Veterans Affairs, Commerce, Homeland Security, Treasury, Transportation, Labor, Agriculture, Energy, Justice, Interior. For instance, during President George W. Bush’s “War on Terror,” UNICOR-employed prisoners produced everything from military apparel to munitions, electronic equipment, remote control panels and barrels for “tube-launched, optically-tracked, wireless-guided”⁹⁷ (TOW) missiles, and more.⁹⁸ However, UNICOR is not the only corporation profiteering from the exploitation of unfree prison laborers.

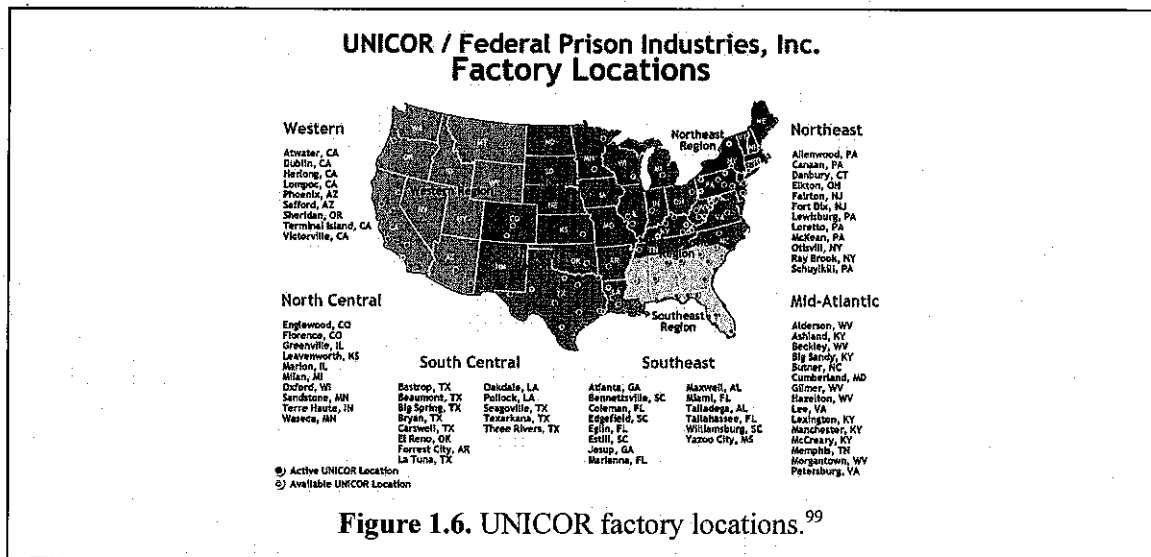
⁹⁴ Ian Urbina, “Prison Labor Fuels American War Machine,” in *Prison Profiteers: Who Makes Money from Mass Incarceration*, ed. Tara Herivel and Paul Wright (New York: The New Press, 2007), 110.

⁹⁵ UNICOR, U.S. Bureau of Prisons, “FPI General Overview FAQs,” accessed December 22, 2017, https://www.unicor.gov/FAQ_General.aspx.

⁹⁶ UNICOR, “FPI General Overview FAQs.”

⁹⁷ Raytheon, “TOW Weapon System,” accessed March 15, 2018, https://www.raytheon.com/capabilities/products/tow_family.

⁹⁸ Urbina, “Prison Labor Fuels American War Machine,” 112-3.



Of the companies in the private sector that have previously or currently use and thereby directly profit from unfree prison labor, including but not limited to “Dell computers, the Parke-Davis and Upjohn pharmaceutical companies, Toys R Us, Chevron, IBM, Motorola, Compaq, Texas Instruments, Honeywell, Microsoft, Victoria’s Secret, Boeing, Nintendo, [...] Starbucks, TransWorld Airlines, [and] Honda,⁹⁹ two companies stand out for their active involvement in the privatization of prisons and prison labor in the United States: CoreCivic and the GEO Group (see Figures 1.7 and 1.8). With CoreCivic and GEO Group dominating the industry, about 7 percent of state prisoners and 18 percent of federal prisoners are incarcerated by a privately operated, for-profit corporations.¹⁰¹ Despite the Obama Administration’s attempted rollback on privatized federal prisons, the Justice Department, under the direction of Attorney

⁹⁹ UNICOR, United States Bureau of Prisons, “UNICOR Factory Locations,” last updated August 1, 2017, <https://www.unicor.gov/BusinessOpportunities.aspx#FactoryMap>.

¹⁰⁰ Clayton Mosher, Gregory Hooks, and Peter B. Wood, “Don’t Build It Here: The Hype Versus the Reality of Prisons and Local Employment,” in *Prison Profiteers: Who Makes Money from Mass Incarceration*, ed. Tara Herivel and Paul Wright (New York: The New Press, 2007), 95.

¹⁰¹ United States, Bureau of Justice, “Prisoners in 2015,” (Washington, D.C., December 2016).

General Jeff Sessions, has decided that it “will once again use private prisons to house federal inmates.”¹⁰² This decision by AG Sessions can be explained by the structural tendency of capitalism to hijack the functioning of the state for the production, accumulation, and maximization of surplus-value through unfree and unpaid labor. In her work *Are Prisons Obsolete?*, Angela Davis highlights the danger of this introduction of private corporate interests to the prison system by citing the role of profits in shaping the “rapidity with which prisons began to proliferate [...] at a time when official studies indicated that the crime rate was falling.”¹⁰³ While CoreCivic, GEO Group, and UNICOR’s involvement in profiteering from unfree prison labor has not been without controversy, the growing, nationwide usage of prison labor at the state level to complete its quotidian operations tends to be inconspicuous.

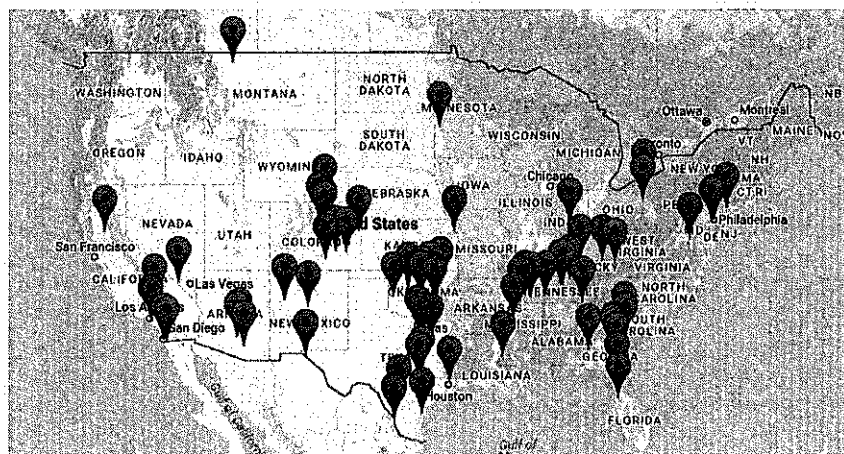
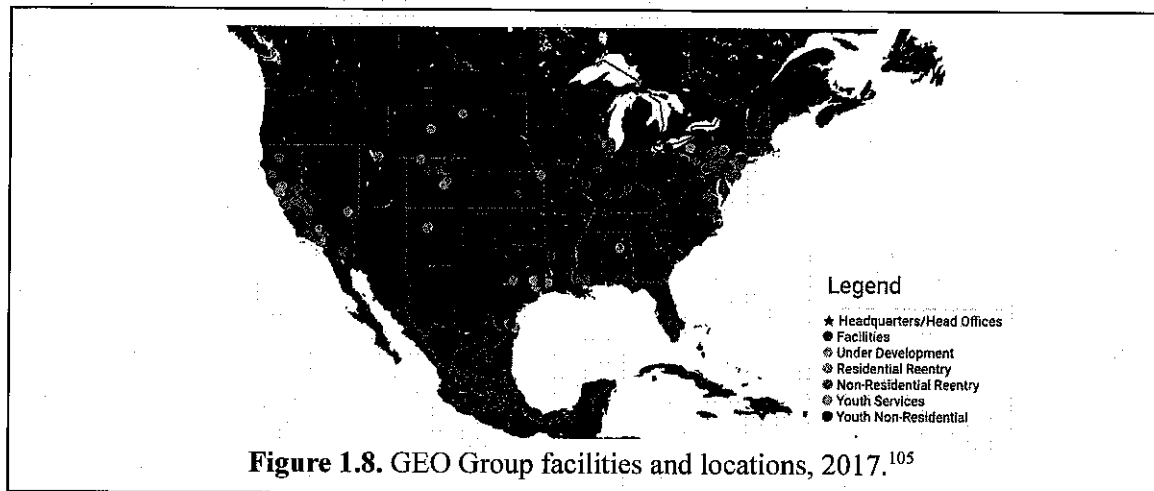


Figure 1.7. CoreCivic facilities, 2017.¹⁰⁴

¹⁰² Matt Zapposky, “Justice Department will again use private prisons,” *The Washington Post*, February 23, 2017, https://www.washingtonpost.com/world/national-security/justice-department-will-again-use-private-prisons/2017/02/23/da395d02-fa0e-11e6-be05-1a3817ac21a5_story.html.

¹⁰³ Angela Davis, “The Prison Industrial Complex,” in *Are Prisons Obsolete?* (New Delhi: Navayana Publishing, 2011), 85.

¹⁰⁴ CoreCivic, “Find a facility,” accessed December 27, 2017, <http://www.corecivic.com/facilities>.



Cases in California and Massachusetts point toward a growing trend of states and localities using unfree penal labor to compensate for budget shortfalls. Working for either \$1 per hour while fighting California’s notoriously dangerous wildfires for up to 72 hours consecutively or for a maximum of \$2.56 per day while working in the camps,¹⁰⁶ the 3,800 incarcerated firefighters employed by the California Department of Corrections and Rehabilitation (CDCR) Conservation (Fire) Camps represent roughly 13 percent of California’s firefighting workforce,¹⁰⁷ even though “being free of any felony convictions” is one of the requirements for becoming a firefighter in the many counties in the state of California.¹⁰⁸ The court motion filed by California Attorney General Kamala Harris on September 30, 2014, during a legal battle involving the possible reduction of prison sentences for minimum custody nonviolent inmates evinces state of California’s reliance on these unfree prison laborers in the face of human-caused climate change,

¹⁰⁵ GEO Group, “Our Locations,” accessed December 27, 2017, <https://www.geogroup.com/Locations>.

¹⁰⁶ Jaime Lowe, “The Incarcerated Women Who Fight California’s Wildfires,” *The New York Times*, August 31, 2017,

<https://www.nytimes.com/2017/08/31/magazine/the-incarcerated-women-who-fight-californias-wildfires.html>.

¹⁰⁷ Alex Helmick, “Hundreds of the Firefighters Battling Sonoma Fires – Inmates,” *KQED News*, October 13, 2017, <https://www.kqed.org/news/2017/10/13/hundreds-of-the-firefighters-battling-sonoma-fires-inmates/>.

¹⁰⁸ “Application Details,” County of Los Angeles Fire Department, last updated 2017, <https://www.fire.lacounty.gov/wp-content/uploads/2017/01/Application-Details-2017.pdf>

which has only exacerbated the intensity of fires.¹⁰⁹ Harris' motion is reminiscent of the logic deployed by Louisiana Sheriff Steve Prator who came under recent scrutiny for his opposition to releasing "good prisoners" on the grounds that their unfree labor is essential for the functioning of the county's prison and police department.¹¹⁰ In the case of California, Harris maintained that permitting the early release of "minimum custody inmates at this time would severely impact fire camp participation – a dangerous outcome while California is in the middle of a difficult fire season and severe drought."¹¹¹

Another one of the chief arguments supporting the use of unfree prison laborers in combating California's wildfires is the alleged "approximately \$100 million" in savings that it provides to "California taxpayers."¹¹² What goes unmentioned on the CDCR's website is the source of that \$100 million in savings for taxpayers. Provided that the CDCR Conservation (Fire) Camp program "provides approximately three million person-hours responding to fires and other emergencies"¹¹³ and that the mean hourly wage of a free California firefighter is \$34.52 per hour,¹¹⁴ this value of \$100 million that was once regarded as "savings for the taxpayer" can now be understood as the unpaid wages that would have gone to the inmate firefighters if they were in fact free laborers. Put another way, the \$100 million dollars in state savings can also be

¹⁰⁹ Henry Fountain, "In a Warming California, a Future of More Fire," *The New York Times*, December 7, 2017, <https://www.nytimes.com/2017/12/07/climate/california-fires-warming.html>.

¹¹⁰ Eli Rosenberg, "Louisiana Sheriff Argues Against Releasing Prisoners 'You Can Work,' Drawing Slavery Comparisons," *The Washington Post*, October 12, 2017, <https://www.washingtonpost.com/news/post-nation/wp/2017/10/12/louisiana-sheriff-argues-against-releasing-prisoners-you-can-work-drawing-slavery-comparisons/>.

¹¹¹ Plata and Coleman, et al., Plaintiffs, v. Brown, et al., Defendants (2015), Case No. 3:01-cv-01351-TEH, Document No. 2813, filed September 30, 2014, <http://www.cdcr.ca.gov/News/docs/defendants-opposition-to-plaintiffs-motion.pdf>.

¹¹² California Department of Corrections and Rehabilitation, "Conservation (Fire) Camps," accessed December 23, 2017, http://www.cdcr.ca.gov/Conservation_Camps/.

¹¹³ California Department of Corrections and Rehabilitation, "Conservation (Fire) Camps."

¹¹⁴ United States Department of Labor, "Occupational Employment Statistics, 33-2011 Firefighters," updated May 2016, <https://www.bls.gov/oes/current/oes332011.htm>.

understood as a vital part of the neoliberal capitalist cycle, as described by David Harvey in *Seventeen Contradictions* and Golash-Boza in *Deported*. With the intent of bolstering “property rights, free markets, and free trade” under the “logic of competitiveness, individuality, and entrepreneurship,”¹¹⁵ the extraction of surplus-value from unfree prison laborers serves as a means for indirectly reducing the costs of public expenditures and the state in general, which is then transformed into the basis for massive corporate tax breaks and state cutbacks.

At a more local level in Massachusetts, the Suffolk County Sheriff’s Department (SCSD) which also doubles as an ICE detention facility (see Figure 1.9), provides another example of how the extraction of inmate labor-power operates to reduce the costs of the state and thereby indirectly contribute to the maximization of surplus-value. Without the right to collectively bargain or unionize, inmates from the Suffolk County Sheriff’s Department’s “Community Works Program” (CWP) complete a wide array of essential governmental maintenance tasks for towns and cities all around Suffolk County, within the correctional facility, and for the “Inspectional Services Department, the Department of Neighborhood Development, the Economic Development Industrial Corporation, the Department of Conservation and Recreation and the Massachusetts Highway Authority.”¹¹⁶ For instance, the approximately 30 inmates participating in this program are required to clear lots, repair fences, board-up buildings, clean out buildings, landscape properties, carry out inspectional services, paint, remove snow, perform custodial upkeep and carpentry while only earning \$4 per day for their labor when they are outside of the correctional facility and \$1 per day while working inside the jail.¹¹⁷ These

¹¹⁵ Golash-Boza, *Deported*, 11.

¹¹⁶ Massachusetts Suffolk County Sheriff’s Department, “Community Works Program,” accessed March 15, 2018, <http://www.scsdma.org/programs/community-works-program/>.

¹¹⁷ Micah Brinson (Sergeant at Suffolk County Sheriff’s Department), interviewed by Nicolas Blaisdell, 20 Bradston Street, Boston, MA, January 31, 2018.

abysmally and apparently illegally low wages exist in spite of the statewide \$11 per hour minimum wage, a Massachusetts law prohibiting prisoners' "rates of pay be less than those paid by his employer to other employees doing similar work,"¹¹⁸ and Suffolk County Sheriff's Department signing the City of Boston's living wage affidavit, which mandates that city vendors pay their employees a living wage of no less than \$14.23 per hour (see Figure 1.10). Indeed, the incentive for maintaining these exploitative, and perhaps illegal, prison work programs originates from both the reduced cost of basic state operations and functions, as evidenced by the SCSD's CWP, which is then translated into tax cuts for the private sector, and second, the direct extraction of unpaid and unfree prison labor-power by public and private entities.

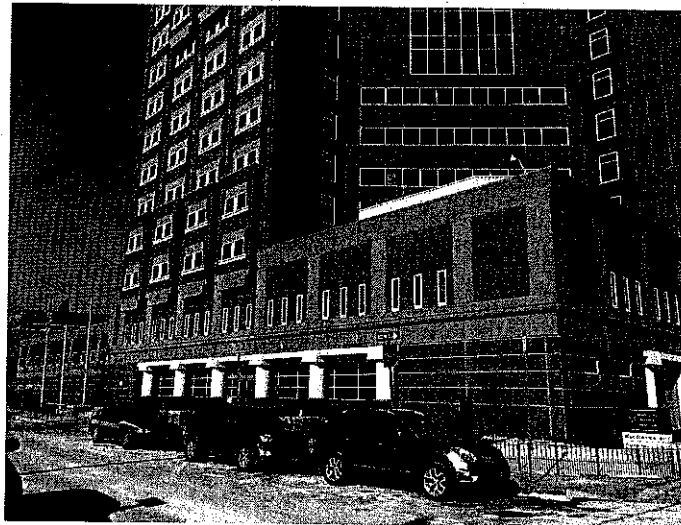



Figure 1.9. Suffolk County Sheriff's Department located in Boston, MA.¹¹⁹

¹¹⁸ Massachusetts General Laws, Chapter 127, Section 49, <https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXVIII/Chapter127/Section49>.

¹¹⁹ Photograph captured by Nicolas Blaisdell on January 31, 2018.

(Form LW-8)
(3/16)



CITY OF BOSTON
JOBS AND LIVING WAGE ORDINANCE
 THE LIVING WAGE DIVISION • (617) 918-5236

VENDORS LIVING WAGE AFFIDAVIT

Any for-profit or any not-for-profit Vendor who employs at least 25 full-time equivalents (FTE) who has been awarded a Service Contract of \$25,000 or more from the City of Boston must comply with the provisions of the Boston Jobs And Living Wage Ordinance which requires any such Vendors to pay at least the Living Wage which is \$14.23 per hour to any employee who directly expends his or her time on the services set out in the contract. All Subcontractors whose subcontracts are at least \$25,000 are also required to pay the Living Wage.

If you are bidding on or negotiating a Service Contract that meets the above criteria, you should submit this Affidavit prior to the awarding of the contract. If you believe that you are exempt from the Living Wage Ordinance, complete Section 4: Exemption from Living Wage Ordinance, or if you are requesting a General Waiver, please complete Section 5: General Waiver Reason(s).

NOT
INMATES
[Signature]

Figure 1.10. "Not Inmates," vendors living wage affidavit between the City of Boston and Suffolk County Sheriff's Department, signed on August 3, 2016.¹²⁰

Overall, if as Marx claims "the directing motive, the end and aim of capitalist production, is to extract the greatest possible amount of surplus-value,"¹²¹ then it can be likewise stated that the carceral functions of the state (policing, defining criminality, and incarceration) have ceased to be about public safety, rehabilitation, or punitive justice. Instead, unfree prison laborers are routinely converted into maximally exploitable and docile "slaves of the state" and of private corporations for the production and accumulation of "the greatest possible amount of surplus-value." It is through this deconstructive analysis of the collusion between the state and capital in the exploitation of unfree prison laborers that it can be explained why the United States' prison population outnumbers the next country with the next most imprisoned persons, Russia, by a factor of 358 percent. Similarly, the theoretical framework outlined throughout this chapter attempts to account for the institutions and public policies which have led to the U.S. incarceration rate quadrupling between 1960 and 1990, while the Finnish rate dropped by 60

¹²⁰ Document obtained pursuant to the Massachusetts Public Records Law (M. G. L. Chapter 66, Section 10).

¹²¹ Marx, *Capital*, Vol. 1., 363.

percent and the German rate remained, even through the crime rates in Finland, Germany, and the United States were virtually identical during the same period.¹²²

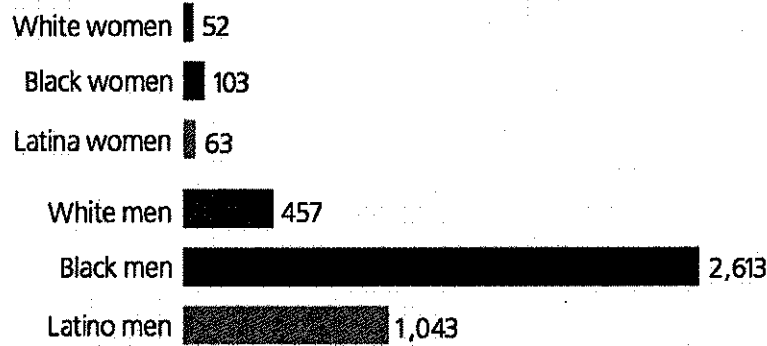
While the structural basis leading to the unprecedented proliferation of prisons in the United States vis-à-vis the capitalistic production and exploitation of unfree prison laborers domestically has been the focus of this chapter, this politico-economic paradigm is neither deterministic nor static. Alongside the juridico-political augmentation and economic aggrandizement of capital and the state through the exploitation of unfree prison laborers, there simultaneously exists a growing potential for resistant and revolutionary prison laborers and labor organizers who have been produced by the very mechanisms of the prison system itself. A recent example of the possibility of resistance is the case of the thousands of Floridian prisoners across at least 10 state prisons who went on strike to “protest prison overcrowding, brutal living conditions, and working for no or little pay [through Florida’s aforementioned PRIDE program].”¹²³ The resistance and organization of these Floridian prisoners, other prison strikers, and contemporary prison abolition organizations against these systems of capitalistic exploitation represents one of the most powerful tools in the struggle for a future devoid of all forms of unfree labor. In the conclusion of this study, there will be a more nuanced discussion of the possible means for achieving this emancipatory future; however, the production and exploitation of unfree migrant laborers in the United States will become the main focus of the next chapter in this investigation into the relationship between capitalism and unfree labor.

¹²² Alexander, *The New Jim Crow*, 7.

¹²³ John Washington, “Florida’s Prison Laborers Are Going On Strike,” *The Nation*, January 15, 2018, <https://www.thenation.com/article/floridas-prison-laborers-are-going-on-strike/>.

Chapter 1 - Appendix

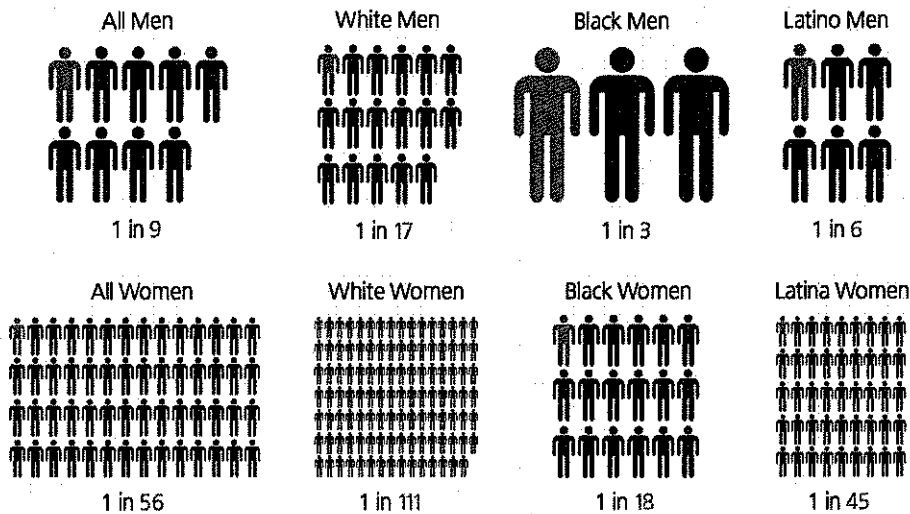
Rate of Imprisonment per 100,000, by Gender, Race, and Ethnicity, 2015



Source: Carson, E.A. and Anderson, E. (2016). *Prisoners in 2015*. Washington, DC: Bureau of Justice Statistics.

Figure 1.11. Incarceration rate by gender, race, and ethnicity, 2015.¹²⁴

Lifetime Likelihood of Imprisonment of U.S. Residents Born in 2001



Source: Bonczar, T. (2003). *Prevalence of Imprisonment in the U.S. Population, 1974-2001*. Washington, DC: Bureau of Justice Statistics.

Figure 1.12. Lifetime likelihood of imprisonment by gender, race, and ethnicity.¹²⁵

¹²⁴ The Sentencing Project, "Trends in U.S. Corrections," last modified June 2017, <http://www.sentencingproject.org/criminal-justice-facts/>.

¹²⁵ The Sentencing Project, "Trends in U.S. Corrections."

U.S. Population by Race (V2016)

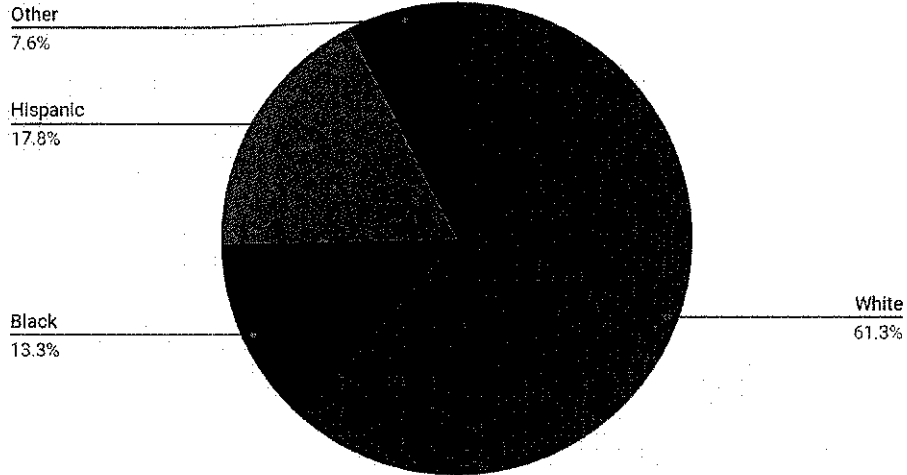


Figure 1.13. U.S population by race, 2016.¹²⁶

U.S. Prison Population by Race (2015)

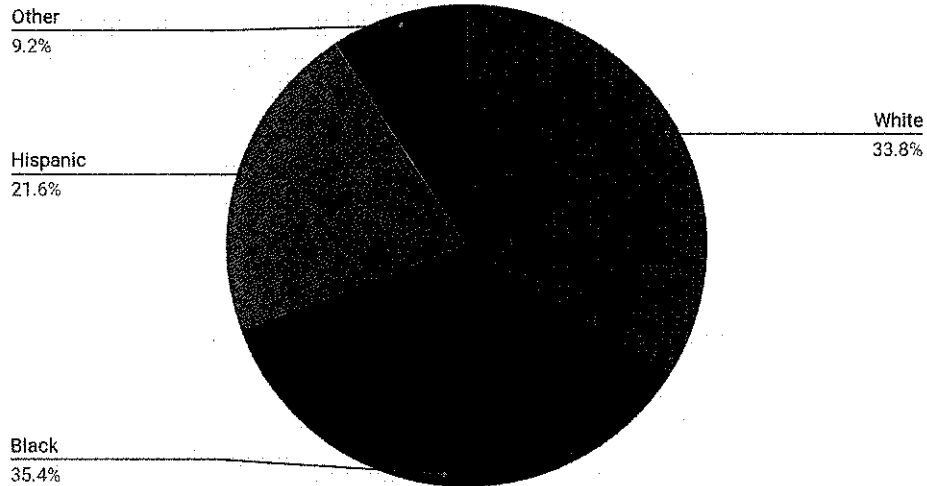



Figure 1.14. U.S. prison population by race, 2015.¹²⁷

¹²⁶ United States Census Bureau, "Quick Facts: United States," Washington, D.C., 2016. Chart created by Nicolas Blaisdell.

¹²⁷ The Sentencing Project, "Trends in U.S. Corrections." Chart created by Nicolas Blaisdell.



CITY OF BOSTON
STANDARD CONTRACT DOCUMENT

Form CM10

CONTRACT ID: 00000000000000000044365

Parties

Contractor Legal Name: Suffolk County Sheriff's Department (and d/b/a): Contractor Address: 132 Portland Street Boston, MA 02114 Contractor Vendor ID: 000008283	City Department Name: Neighborhood Development City Department Head: Sheila Dillon City Mailing Address: 26 Court Street Boston, MA 02108 City Billing Address: Auditing Department One City Hall Room M-4 Boston, MA 02201
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Contract Details

Description/Scope of Services: (Attach supporting documentation)

Suffolk County Sheriff Department will provide unskilled labor through the Community Works Program with inmates for various work projects including lot clearance and other maintenance repairs.

Procurement Type:	Contract Version: 0.00
Begin Date: July 01, 2017	End Date: June 30, 2018
Rate: (Attach details of all rates, units, and charges)	Not To Exceed Amt: \$ 46,800.00

Contract Signatures

AUDITING	VENDOR/CONTRACTOR	AWARDING AUTHORITY/OFFICIAL
APPROVED AS TO THE AVAILABILITY OF AN APPROPRIATION OR PURSUANT TO ARTICLE 12 OF THE GENERAL CONDITIONS	AGREES TO PROVIDE THE GOODS OR SERVICES AS INDICATED IN ACCORDANCE WITH THE ASSOCIATED CONTRACT DOCUMENTS	IT IS MY BELIEF THAT THERE IS LITTLE OR NO RISK OF DEFAULT OR UNSATISFACTORY PERFORMANCE BY THE VENDOR/CONTRACTOR

SIGNATURE	SIGNATURE	SIGNATURE
Julie Tippet <small>Digitally signed by Julie Tippet, DN: cn=Julie Tippet, o=City of Boston, ou=Accounts Payable, email=Julie.Tippet@cityofboston.gov, c=US Date: 2017.09.20 13:25:01 -0400</small>	Daniel F Martini <small>Digitally signed by Daniel F Martini, DN: cn=Daniel F Martini, o=Suffolk County Sheriff's Dept., ou=Checklist Financial Services, email=dmartini@sheriffsof.org, c=US Date: 2017.08.18 11:30:09 -0500</small>	John N. Carbone <small>Digitally signed by John N. Carbone Date: 2017.09.20 12:01:58 -0400</small>

APPROVED APPROPRIATION IN THE AMOUNT OF:
\$ 46,800.00

APPROVED AS TO FORM BY CORPORATE COUNSEL JUNE 2012

Page 1 of 5

Figure 1.15. Standard contract document for “unskilled [inmate] labor” between the City of Boston and Suffolk County Sheriff’s Department (July 1, 2017 - June 30, 2018).¹²⁸

¹²⁸ Document obtained pursuant to the Massachusetts Public Records Law (M. G. L. Chapter 66, Section 10).

Section 51. The commissioner, and the superintendents of the correctional institutions of the commonwealth, keepers or superintendents of jails and houses of correction, shall determine the industries to be established and maintained in the respective institutions under the supervision of said officers. The prisoners in said institutions shall be employed in said industries under regulations which shall be established by the commissioner; but no contract shall be made for the labor of prisoners.

Figure 1.16. Massachusetts General Law against contracts “for the Labor of Prisoners.”¹²⁹

¹²⁹ Massachusetts General Laws, Chapter 127, Section 51,
<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXVIII/Chapter127/Section51>.

CHAPTER 2

The United States must adopt an immigration system that serves the national interest. To restore *the rule of law* and secure our border, President Trump is committed to constructing a border wall and *ensuring the swift removal of unlawful entrants*.¹³⁰

– Official Trump White House Statement on
United States Immigration Policy (2018)

The sun ablaze as Maria's foot
Touches the surface of sand
On northern land,
As human contraband.
[...]
And now she got a quota
The needle and thread crucifixion
Sold and shipped across the new line
of Mason Dixon.¹³¹

– Rage Against the Machine

When [the California farm workers] petitioned for a more just share of what they themselves produced, when they spoke out against the injustice they endured, the company answered them with bullets; the company sent hired guns to quiet Rufino Contreras.¹³²

– Cesar Chavez

Unfree Migrant Labor

The politico-economic and social status of documented and undocumented migrant laborers in the United States has continuously been defined by a “condition of enduring vulnerability,” which has historically been and is still currently engendered by the

¹³⁰ United States White House Official Website, “Immigration,” accessed January 15, 2018, <https://www.whitehouse.gov/issues/immigration/>. Emphasis mine.

¹³¹ Rage Against the Machine, “Maria,” *The Battle of Los Angeles*, Epic Records, 1999.

¹³² Cesar Chavez, “Eulogy for Rufino Contreras,” *United Farm Workers*, February 14, 1979, accessed April 28, 2018, <http://ufw.org/research/history/cesar-chavez-eulogy-rufino-contreras-february-14-1979-calexico-ca/>.

complementary and often contradictory “U.S. immigration lawmaking and enforcement practices” across various administrations.¹³³ From former President Barack Obama’s administration “carr[ying] out many more deportations than [any] previous president”¹³⁴ to current President Donald Trump unapologetically characterizing Mexican immigrants as drug smugglers, criminals, and “rapists” during his presidential campaign,¹³⁵ immigrants in general and undocumented immigrants in particular often experience formidable political, economic, and social adversity and exploitation in the United States regardless of political partisanship. One possible explanation for this apparent bipartisan consensus on the vulnerable condition of migrant laborers in the United States is that politicians, regardless of party affiliations, are in a position in which they routinely operate and actively collude with the demands of the capitalist mode of production, namely “the production of surplus-value, or the extraction of surplus labor,” which is this economic system’s “specific end and aim.”¹³⁶ Throughout the course of this chapter, I intend to illustrate how the production and accumulation of surplus-value via the production and exploitation of maximally docile, vulnerable, and thus exploitable unfree migrant laborers becomes the foremost “end and aim” of the American immigration system. In short, this chapter endeavors to chronicle how instruments of state power in the United States are welded and

¹³³ Nicholas De Genova, “Immigration ‘Reform’ and the Production of Migrant ‘Illegality,’” in *Constructing Immigrant ‘Illegality’: Critiques, Experiences, and Responses* (New York: Cambridge University Press, 2014), 58.

¹³⁴ Julia Preston, “Low-Priority Immigrants Still Swept Up in Net of Deportation,” *The New York Times*, June 24, 2016, <https://www.nytimes.com/2016/06/25/us/low-priority-immigrants-still-swept-up-in-net-of-deportation.html>.

¹³⁵ Washington Post Staff, “Full Text: Donald Trump announces a presidential bid,” *The Washington Post*, June 16, 2015, <https://www.washingtonpost.com/news/post-politics/wp/2015/06/16/full-text-donald-trump-announces-a-presidential-bid/>.

¹³⁶ Karl Marx, *Capital, Volume 1*, ed. Friedrich Engels and Ernest Untermann, trans. Samuel Moore and Edward Aveling (New York: The Modern Library, 1906), 326.

wielded by the structural tendency of capitalism toward unfree labor in the functioning of a system that parallels and intersects with the prison industrial complex in significant ways.

Although the scope of this investigation will focus on the capitalist production and exploitation of unfree migrant laborers via structures of state-induced vulnerability in the aggregate, the threat of deportation and other weapons of immigration policy are inherently experienced by individual people and their families such as in the case of Guatemalan immigrant, Lucio Perez of Springfield, Massachusetts.¹³⁷ Living under the sanctuary of Amherst's First Congregational Church since October 18, 2017,¹³⁸ Perez has been irreconcilably severed from the life he crafted with his wife and children in the United States over the past 19 years after the United States Immigration and Customs Enforcement (ICE) issued an order for his deportation. According to the Pioneer Valley Workers Center, ICE's deportation order on Perez is the result of a 2009 occurrence in which Perez and his wife briefly left their children alone in a car while picking up a drink order from Dunkin' Donuts. Even though his case was eventually dropped, ICE was still notified about Perez's annulled infraction and issued an order for his forced removal from the country.¹³⁹ Now, he and his family linger in the uncertainty and terror of waiting for what is to come next. Perez's story is an emblematic example of both the anguish, vulnerability, and insecurity endured by millions of migrants living in the United States as well as the critical role community solidarity has in resisting these oppressive

¹³⁷ Dan Glaun, "Sen. Ed Markey visits Lucio Perez, immigrant defying deportation order in Amherst church," *MassLive*, January 28, 2018, http://www.masslive.com/news/index.ssf/2018/01/sen_ed_markey_visits_lucio_per.html.

¹³⁸ As of April 28, 2018.

¹³⁹ Glaun, "Sen. Ed Markey visits Lucio Perez."

macro-politico-economic infrastructures.¹⁴⁰ Additionally, Perez's story highlights one of the principal instruments of state power levied against migrant laborers examined in this inquiry: the perpetual threat of deportation, or forced removal.

As detailed in Tanya Maria Golash-Boza's *Deported*, the commencement of the era of mass deportation and its discriminatory selection of its targets is ineluctably a racialized process that is ultimately rooted in the historical and contemporary ideologies and infrastructures of white supremacy. For instance, despite the fact that only "60 percent of noncitizens are from the Americas" and "25 percent of undocumented migrants in the United States are from Asia and Europe," since the early 1990s "nearly all (97 percent) [deportees] are from the Americas."¹⁴¹ In other words, of those who were permanently ostracized from their friends, families, and lives and expelled from the United States as a result of the Immigration Reform of 1996 which amplified the number of deportations to unprecedented heights that continue to this day, only a mere 3 percent were neither Latino nor Caribbean.

In contextualizing the relationship between the immigration function of the United States government and the production and exploitation of unfree laborers within this era of a racialized mass deportation, the purpose of this chapter will be to first examine the structural connection between the capitalist mode of production and the proper functioning of the United States' immigration regime; second, to analyze the inextricably racialized and economically motivated

¹⁴⁰ Unfortunately, most immigrants who are issued an order for removal by ICE are not as fortunate as Perez. For instance, consider the case of Lukasz Niec, a Polish doctor who has been living in the United States for almost 40 years, has since been detained and currently awaits deportation. Samantha Schmidt, "ICE detains a Polish doctor and green-card holder who has lived in the U.S. for nearly 40 years," *The Washington Post*, January 22, 2018, <https://www.washingtonpost.com/news/morning-mix/wp/2018/01/22/ice-detains-a-polish-doctor-and-green-card-holder-who-has-lived-in-the-u-s-for-nearly-40-years/>.

¹⁴¹ Tanya Maria Golash-Boza, *Deported: Immigrant Policing, Disposable Labor, and Global Capitalism* (New York: New York University Press, 2015), 8, 167.

constructions of migrant illegality; and third, to delineate the multifarious methods through which the state-induced politico-economic vulnerability and unfreedom of migrant laborers translates into the extraction and maximization of surplus-value for capital. Finally, this analysis will conclude with a presentation of a series of modern day case studies of unfree migrant laborers across the United States as well as a discussion of the privatization of immigrant detention facilities represented by America's two largest commercial prison corporations, CoreCivic (formerly known as the Corrections Corporation of America, or CCA) and GEO Group. The fundamental thesis advanced throughout this chapter is that it is a structural tendency of capitalism to weaponize the apparatuses of the immigration arm of the capitalist state (defining migrant illegality and detaining undocumented immigrants) for the production and exploitation of unfree migrant laborers and the extraction of surplus-value for public and private entities.

While some research organizations, such as the Center for Immigration Studies (CIS)¹⁴², maintain that deportations are at their all time "lowest number since 1973,"¹⁴³ this claim is directly contingent on an ideological decision to conflate forced "removals" and "returns" and their respective numbers under the single category of deportation. However, according to 1996 changes in United States immigration law and policy, the "return" process refers to Customs and Border Protection (CBP) agents deflecting people who "were caught in the act of entering the country illegally."¹⁴⁴ Meanwhile, "removal" refers to the commonly known process of deportation which consists of the "compulsory and confirmed movement of an inadmissible or

¹⁴² One of many right-wing organizations that seeks to convince the public to support harsher immigration policies.

¹⁴³ Jessica Vaughan, "Deportations Numbers Unwrapped: Raw Statistics Reveal the Real Story of ICE Enforcement in Decline," *Center for Immigration Studies*, October 30, 2013, <https://cis.org/Report/Deportation-Numbers-Unwrapped>.

¹⁴⁴ Vaughan, "Deportations Numbers Unwrapped."

deportable alien out of the United States based on an order of removal.”¹⁴⁵ In considering this distinction between “removals” and “returns,” from the mid-1990s to the present, the number of deportations, or forced “removals,” is not in fact the “lowest number since 1973.” Instead, the number of deportations in the United States has exploded from 17,346 in 1973 to 69,680 in 1996 and finally to 340,056 in 2016 (see Figure 2.1).¹⁴⁶ Or in short, the number of deportations in 2016 is 1,860 percent larger than it was in 1973 and 388 percent larger than in 1996. According to a recent publication by ICE, the increasing trend in the number of deportations has only continued with the Trump administration:

In the 100 days since President Donald J. Trump signed Executive Orders (EOs) regarding immigration enforcement priorities, U.S. Immigration and Customs Enforcement (ICE) has arrested more than 41,000 individuals who are either known or suspected of being in the country illegally. This reflects an increase of 37.6 percent over the same period in 2016.¹⁴⁷

This rapid proliferation of forced removals since the sweeping 1996 changes to U.S. immigration law and policy has rendered massive portions of the United States immigrant population highly vulnerable and thus maximally exploitable.

¹⁴⁵ United States Department of Homeland Security, “DHS Immigration Enforcement: 2016,” published December 2016, <https://www.dhs.gov/sites/default/files/publications/DHS%20Immigration%20Enforcement%202016.pdf>.

¹⁴⁶ United States Department of Homeland Security, “Aliens Removed Or Returned: Fiscal Years 1892 To 2016,” last updated November 30, 2017, <https://www.dhs.gov/immigration-statistics/yearbook/2016/table39>.

¹⁴⁷ Immigration and Customs Enforcement, United States Department of Homeland Security, “ICE ERO immigration arrests climb nearly 40%,” last updated November 2, 2017, <https://www.ice.gov/features/100-days>.

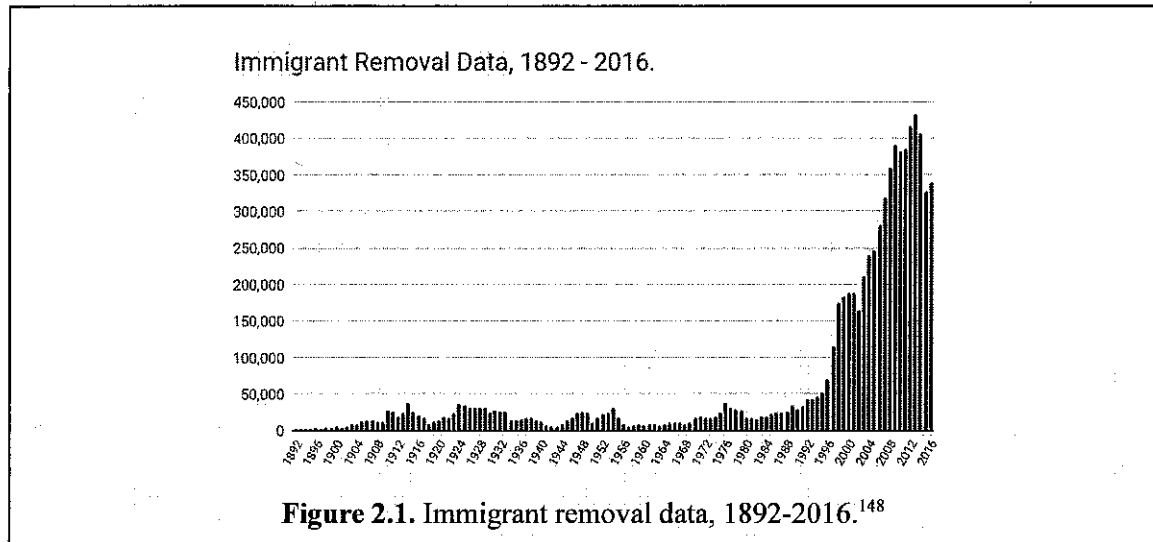


Figure 2.1. Immigrant removal data, 1892-2016.¹⁴⁸

The traditional anti-immigration narrative, which is currently being promulgated by the xenophobic and racist rhetoric of the Trump administration, distracts from the structural nexus between capitalism and the proper functioning of the immigration arm of the U.S. government. As early as the Clinton administration, which catalyzed the Immigration Reform of 1996, the era of mass deportation has been characterized “by [the] hiring [of] a record number of new border guards, by [the deportation of] twice as many criminal aliens as ever before, by [the] cracking down on illegal hiring, [and] by [the] barring [of] welfare benefits to illegal aliens.”¹⁴⁹ This conventional anti-immigrant narrative revolves around the conceptualization of the United States as “a nation of laws”¹⁵⁰ in opposition to the narrative of the nation as a country of immigrants, and of immigrants as dangerous transgressors of those laws, whether it be through their methods of entry or alleged activities once residing in the United States.

¹⁴⁸ United States Department of Homeland Security, “Aliens Removed Or Returned: Fiscal Years 1892 To 2016,” last published November 30, 2017, <https://www.dhs.gov/immigration-statistics/yearbook/2016/table39>. Chart created by Nicolas Blaisdell.

¹⁴⁹ Bill Clinton, State of the Union Address, January 24, 1995, The American Presidency Project, *University of California, Santa Barbara*, accessed January 26, 2017, <http://www.presidency.ucsb.edu/ws/index.php?pid=51634>.

¹⁵⁰ Clinton, State of the Union Address, January 24, 1995.

While President Clinton argued that his draconian policies of mass deportation reflected the United States government's commitment to preserving "a nation of laws," and the Trump administration presently argues that its anti-immigration stance is a matter of "restor[ing] the rule of law" and serving "national interest" and security, the question remains: To whose benefit is this "rule of law" formulated? Is it for the common good? How are these laws structurally intertwined within the capitalist mode of production? For Marxist scholar David Harvey, the quotidian operations of a properly functioning capitalist state vis-à-vis immigration policy can be explained through the fact "among [the state's] sovereign powers" is its ability to legally designate "illegal" populations who are "vulnerable to [the] unthinkable and unrestricted exploitation by capital."¹⁵¹ Akin to how it is the role of the properly functioning carceral apparatuses of the capitalist state to safeguard the production and accumulation of private property, profit, and surplus-value at all stages of the incarceration cycle (policing, circulating ideologies of criminality, and exploiting unfree prison laborers), it is similarly the role of the properly functioning immigration apparatuses of the capitalist state to deploy their "monopoly over the legitimate use of force and violence,"¹⁵² to protect the production and accumulation of surplus-value at all stages of the immigration cycle, whether it be through ICE raids and arrests, relocating migrants to detention facilities, or the process of deportation.

In his work "Immigration 'Reform' and the Production of Migrant 'Illegality'" from *Constructing Immigrant 'Illegality'*, Nicholas De Genova presents an historical and economic analysis of the structural consistencies and often flagrant contradictions embedded within American immigration policy and reform and its relationship to Harvey's formulation of a

¹⁵¹ David Harvey, *Seventeen Contradictions and the End of Capitalism* (New York: Oxford University Press, 2014), 155-6.

¹⁵² Harvey *Seventeen Contradictions*, 41, 42.

properly functioning capitalist state. Just as Michel Foucault disputes the classic “monotonous critique” of prisons that focuses on the ostensible shortcomings of carcerality and proposes that the “supposed failure[s] [of the carceral system may be] part of the functioning of the prison,”¹⁵³ De Genova critiques the premise that the immigration system is “broken” and thereby requires even more neoliberal reforms.¹⁵⁴ On the contrary, he maintains that “from the standpoint of capital” the contemporary capitalist immigration state “has been working astoundingly well” provided that it has “routinely and predictably ensured that U.S. employers have had at their disposal an eminently flexible, relatively pliable, and highly exploitable mass of labor migrants.”¹⁵⁵ But what are the mechanisms through which the immigration policies of the U.S. capitalist state functions to produce these highly exploitable unfree migrant laborers?

As previously noted, the constant and immediate threat of being deported and the possibility of systematic, radical, and extreme changes to immigration policy are two of the major weapons employed by the immigration apparatuses of the capitalist state to ensure the production and exploitation of unfree migrant laborers. If the implementation of mass incarceration programs is commandeered by capital to socially control and convert “massive surpluses of potentially restive redundant populations”¹⁵⁶ into compliant agents in the formal capitalist economy or into unfree prison laborers, then correspondingly, the state apparatuses responsible for implementing immigration policy could be understood to have been commandeered by capital to socially control and convert the millions of legally vulnerable and liminally free migrant laborers into unfree instruments for the extraction, maximization, and

¹⁵³ Michel Foucault, “Illegalities and Delinquency,” in *The Foucault Reader*, ed. Paul Rainbow (New York: Random House, 2010), 229-31.

¹⁵⁴ De Genova, “Immigration ‘Reform’ and the Production of Migrant ‘Illegality,’” 58.

¹⁵⁵ De Genova, “Immigration ‘Reform’ and the Production of Migrant ‘Illegality,’” 58.

¹⁵⁶ Harvey, *Seventeen Contradictions*, 108.

accumulation of surplus-value. Throughout the introduction of *Deported*, Golash-Boza elucidates how many immigrants in the United States are compelled to participate in the illegal economy “to supplement their income” due to the “low pay, long hours, and lack of benefits” characteristic of an increasingly automated, deindustrialized, and globalized neoliberal capitalist economy.¹⁵⁷ In effect, policies of mass deportation, like those of mass incarceration, primarily serve to deter migrant laborers from withdrawing from the exploitative and scarcely sustainable legal economy of formal capitalist markets and from entering the illegal economy. Contemporary immigration enforcement practices, such as the terroristic ICE raids, directly lead to immigrants “develop[ing] distrust for local authorities,”¹⁵⁸ including but not limited to the police, school officials,¹⁵⁹ healthcare workers, and more. These policies and practices of mass deportation furthermore inculcate “a pervasive fear of deportation” in immigrant communities “which enhances their economic and social vulnerability”¹⁶⁰ that manifests itself in workplace, whether it be through failing to report labor standard violations, hazardous working conditions, or wage theft due to an ingrained trepidation of the American governmental institutions.

This concomitant *de jure* and *de facto* production and exploitation of vulnerable unfree migrant workers within the capitalist mode of production is certainly not unique to either the twenty-first century or the United States. As early as the mid-nineteenth century in his *Capital, Volume I*, Karl Marx documents how “in the same saddlery shops of London, often for the same work, piece wages are paid to the French, time-wages to the English.”¹⁶¹ While the economic

¹⁵⁷ Golash-Boza, *Deported*, 19.

¹⁵⁸ Golash-Boza, *Deported*, 183.

¹⁵⁹ See Catherine Shoichet, “ICE raided a meatpacking plant. More than 500 kids missed school the next day,” *CNN*, April 12, 2018, <https://www.cnn.com/2018/04/12/us/tennessee-immigration-raid-schools-impact/index.html>.

¹⁶⁰ Golash-Boza, *Deported*, 194.

¹⁶¹ Marx, *Capital, Volume I*, 603.

exploitation of French workers in the London saddlery shops derives from the economic practices of the nineteenth century English bourgeoisie, in the twenty-first century United States the politico-economic and social unfreedom and state-induced vulnerability of migrant laborers from Central and Latin America, Asia, and Africa is structurally codified within the juridico-legislative apparatuses of the United States government at all levels and likewise within the pervasive economic practices of private American corporations.

At the federal level, the legal groundwork perpetuating the economic vulnerability and juridical unfreedom of migrant laborers chiefly derives from the anti-immigrant policies catalyzed by the executive, legislative, and judicial branches of the federal government. During the first week of President Trump's presidency, he signed several major executive orders that resulted in a virulent corrosion of migrant political and economic security and stability. For example, Section 5A of Executive Order 13767 stipulates that there be a redistribution of "all legally available resources" in order to "immediately construct, operate, control, or establish contracts to construct, operate, or control facilities to detain aliens."¹⁶² Meanwhile, in Executive Order 13768, Section 7 sanctions that ICE "take[s] all appropriate action to hire 10,000 additional immigration officers" and Section 9 attempts to defund and consequently destabilize "Sanctuary Cities" that fail to comply with the federal immigration law and its enforcement agencies, particularly ICE.¹⁶³ Although these nascent executive orders have only recently been

¹⁶² United States White House Official Website, Executive Order 13767 of January 25, 2017, "Border Security and Immigration Enforcement Improvements," <https://www.whitehouse.gov/presidential-actions/executive-order-border-security-immigration-enforcement-improvements/>.

¹⁶³ United States White House Official Website, Executive Order 13768 of January 25, 2017, "Enhancing Public Safety in the Interior of the United States," <https://www.whitehouse.gov/presidential-actions/executive-order-enhancing-public-safety-interior-united-states/>.

officially adopted, they reflect a historical trend in United States immigration policy which can be observed in U.S. immigration legislation since at least the late nineteenth century.¹⁶⁴

Of the panoply of immigration laws following the Immigration and Nationality Act of 1952 (INA), the most relevant legislation in terms of the production of highly vulnerable and exploitable migrant laborers has been the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA). In addition to inaugurating the era of mass deportation, the IIRIRA continues to have staggering effects, including providing the legal basis of Trump's aforementioned executive orders, on the politico-economic and social vulnerability of migrant workers in the United States. Alongside its "extensive provisions for criminalizing, apprehending, detaining, fining, deporting, and imprisoning" immigrants, the IIRIRA also "dramatically reclassified a vast spectrum of minor, often-nonviolent criminal offenses" as "aggravated felonies" and changed the criteria of what constitutes this category of crime.¹⁶⁵ Instead of crimes warranting a five year sentence being designated as an aggravated felony, those that mandate only a one year sentence were now considered aggravated felonies as a result of these reforms. More strikingly, these colossal alterations to the legal category of an "aggravated felony" only applies to "infractions committed by noncitizens."¹⁶⁶ These stipulations of the IIRIRA function to instill fear of reporting labor violations and ensure migrant "subservience to the global economy" and willingness "to work in dead-end, low-wage jobs that barely ensure their subsistence."¹⁶⁷ On the other hand, the IIRIRA is only as effective as it is enforced; and

¹⁶⁴ Aviva Chomsky, *Linked Labor Histories: New England, Colombia, and the Making of a Global Working Class* (Durham: Duke University Press, 2008).

¹⁶⁵ De Genova, "Immigration 'Reform' and the Production of Migrant 'Illegality,'" 51.

¹⁶⁶ De Genova, "Immigration 'Reform' and the Production of Migrant 'Illegality,'" 51.

¹⁶⁷ Golash-Boza, *Deported*, 19.

despite the power and breadth of the federal government, local governments all across the United States perform the most active role in upholding these policies of migrant labor repression.

In *Deported*, Golash-Boza outlines the major programs through which local law enforcement agencies collaborate with federal anti-immigrant legislation and policies, namely the 287(g) Program, Secure Communities, the Criminal Alien Program (CAP), and the National Fugitive Operations Program (NFOP). Between 2004 and 2011, Congressional funding for these four anti-immigrant programs has increased from \$23 million to \$690 million which resulted in a 2,527 percent increase in the number of arrests under these programs from 11,000 in 2004 to 289,000 in 2011.¹⁶⁸ More interestingly, all four of these local-federal hybridization programs of mass deportation rely on the juridico-state apparatuses already bolstered by programs of mass incarceration. Under the 287(g) Program, local law enforcement officers who have been “deputized to work for ICE” are granted the authority to arbitrarily run the fingerprints any person who has been stopped by that officer regardless of whether or not an actual crime has been committed or if that person has been arrested and “if the fingerprints reveal that the [person] is illegally present in the United States [...] [then] the police officer can arrest the [person] and hand them over to ICE.”¹⁶⁹ Similarly, the Secure Communities program operates nearly identically as the 287(g) Program with the only exception being that local police officers must arrest the person and detain them at the police station first before running their fingerprints and reporting them to ICE for deportation. According to CAP, in the event that an undocumented person is arrested for a crime and then incarcerated, immediately before their release from jail or prison, local law enforcement agents may contact ICE to determine the legal residency status of

¹⁶⁸ Golash-Boza, *Deported*, 177.

¹⁶⁹ Golash-Boza, *Deported*, 176.

that person and detain them further for deportation if they are deemed unlawfully residing in the United States. Lastly, the NFOP grants local law enforcement agents the ability to “provide ICE with the criminal history of [any] non-citizen” and if ICE determines that the person is a fugitive or criminal alien then they will send out “a team of federal agents to the noncitizen’s home” or work to arrest them (see Figures 2.2 and 2.3).¹⁷⁰ In spite of the NFOP being putatively “designed to deport dangerous criminals,” Golash-Boza reports that from its 2003 inception to February 2008 “nearly three-quarters of the people” detained by NFOP “had no criminal records.”¹⁷¹ Hence, the role of immigration policing is better understood to be a process of guaranteeing a reserve of highly vulnerable (legally and economically) migrant laborers who are to be exploited by the insatiable demands of capital in the twenty-first century rather than through the rhetoric of promoting public safety, retaining “a nation of laws,” and protecting national security.



Figure 2.2. ICE agents making an arrest.¹⁷²



Figure 2.3. ICE agents at a 7-Eleven store in Los Angeles.¹⁷³

¹⁷⁰ Golash-Boza, *Deported*, 177.

¹⁷¹ Golash-Boza, *Deported*, 177.

¹⁷² Miriam Jordan, “Immigration Agents Arrest Hundreds in Sweep of Sanctuary Cities,” *The New York Times*, September 28, 2017, <https://www.nytimes.com/2017/09/28/us/ice-arrests-sanctuary-cities.html>.

¹⁷³ Patricia Mazzei, “Immigration Agents Target 7-Eleven Stores in Push to Punish Employers,” *The New York Times*, January 10, 2018, <https://www.nytimes.com/2018/01/10/us/7-eleven-raids-ice.html>.

The production and exploitation of unfree migrant laborers for the extraction and maximization of surplus-value in the United States via the aforementioned legal apparatuses of state-induced migrant vulnerability is unambiguously exposed in the case of Southern California's garment industry, which supplies dozens of clothing brands including "Ross Dress for Less, TJ Maxx and Forever 21."¹⁷⁴ In a scathing December 2017 press release by the United States Department of Labor (DOL), DOL investigators revealed that there have been flagrant workplace safety violations in addition to unlawful wage thefts and withholdings, which resulted in most workers "receiving as little as \$4.27 per hour"¹⁷⁵ despite the statewide minimum wage of \$10.50 per hour.¹⁷⁶ These violations of the Fair Labor Standards Act (FLSA) amounted to approximately \$1.6 million worth of remuneration and damages owed to the at least 1,377 garment workers affected, most of whom are either immigrant women,¹⁷⁷ undocumented,¹⁷⁸ or both. The hyper-exploitation of unfree migrant workers by the garment industry is not historically new: According to a 1980 study of the Southern California garment industry, the vast majority of garment workers were undocumented immigrants, with 39 percent earning less than

¹⁷⁴ Jessie Kornberg, "In L.A.'s garment industry, 'Made in the USA' can mean being paid \$3 an hour," *Los Angeles Times*, December 14, 2016,

<http://www.latimes.com/opinion/op-ed/la-oe-kornberg-garment-industry-wage-theft-20161214-story.html>.

¹⁷⁵ Investigators found these types of abuses "in 94 percent of [the] 129 Wage and Hour Division investigations of garment facilities in the [Southern California]" since January 2017.

United States Department of Labor, "U.S. Department of Labor Recovered \$1.6 Million in Back Wages and Damages for Area Garment Industry Employees this Year," News Release No. 17-1669-SAN, published December 27, 2017, <https://www.dol.gov/newsroom/releases/whd/whd20171227>.

¹⁷⁶ United States Department of Labor, "U.S. Department of Labor Recovered \$1.6 Million in Back Wages and Damages for Area Garment Industry Employees this Year."

¹⁷⁷ Kornberg, "In L.A.'s garment industry, 'Made in the USA' can mean being paid \$3 an hour."

¹⁷⁸ According estimates by the organizing director of the Garment Worker Center, Mariela Martinez, less than 10 percent of the garment workers the workers' center represents are in the country legally.

Natalie Kitroeff, "Officials say immigration agents showed up at labor dispute proceedings. California wants them out," *Los Angeles Times*, August 3, 2017,

<http://www.latimes.com/business/la-fi-ice-california-labor-20170802-story.html>.

the minimum wage, less than 5 percent being “offered employer-provided health insurance,” and only 6 percent receiving paid sick leave.¹⁷⁹

Despite its historical ubiquity, the exploitative labor practices and deliberate targeting of legally vulnerable unfree migrant laborers instantiated by the Southern California garment industry has co-evolved with United States immigration policy, including the 1996 changes to federal immigration legislation, the commencement of the era of mass deportation, the weaponization of ICE and local law enforcement agencies against immigrant communities, and the contemporary intensification of anti-immigrant policies and rhetoric by the Trump administration. According to the state of California’s Labor Commissioner’s Office, since President Trump’s November 2016 election “U.S. Immigration and Customs Enforcement agents showed up at [Labor Commissioner’s] locations in Van Nuys and Santa Ana looking for workers who had brought claims against their employers.”¹⁸⁰ Moreover, the California Labor Commissioner’s Office also reported that the number of immigration-related retaliation claims has surged from a total of 7 official complaints in 2015, to 20 in 2016, to at least 94 in 2017.¹⁸¹ These instances of California employers utilizing the chief legal weapon of U.S. mass deportation policies, namely ICE, to intimidate and exploit workers is the essence of the inexorable capitalistic impetus to maximize surplus-value by commandeering the state apparatuses responsible for implementing immigration policy.

Another instance through which the production and exploitation of unfree migrant laborers for the extraction and maximization of surplus-value in the United States is crystallized

¹⁷⁹ Ruth Milkman, *L.A. Story: Immigrant Workers and the Future of the U.S. Labor Movement* (New York: Russell Sage Foundation, 2006), 89.

¹⁸⁰ Kitroeff, “Officials say immigration agents showed up at labor dispute proceedings. California wants them out.”

¹⁸¹ Andrew Khouri, “More workers say their bosses are threatening to have them deported,” *Los Angeles Times*, January 2, 2018, <http://www.latimes.com/business/la-fi-immigration-retaliation-20180102-story.html>.

via mechanisms of state-induced migrant vulnerability is exemplified in the case of Florida's migrant agricultural workers (see Figure 2.4). As Kevin Bales and Ron Soodalter reveal in *The Slave Next Door*, the condition of Florida's migrant agricultural working class qualifies as "ground zero of modern slavery" and "one of the three largest forms of human trafficking in America today,"¹⁸² in the terms of U.S. Department of Justice (DOJ) officials. The fear of deportation exposes migrant workers in Florida to a plethora of workplace abuses.¹⁸³ They are afraid to organize against the unfair and unsafe labor conditions or take action against the excessively violent tactics of both growers and *coyotes*, human traffickers who illegally smuggle migrant workers into the United States and sell them into slavery. As a consequence of being rendered without the legal protections of citizenship and of being excluded from the Fair Labor Standards Act of 1938, the Social Security Act of 1935, and the National Labor Relations Act of 1935,¹⁸⁴ unfree migrant laborers have become the prime targets of powerful corporations aiming to manipulate infrastructures of state-induced migrant vulnerability for the maximization of surplus-value. Through an intricate and shadowy network of contractors, subcontractors, growers, and suppliers, corporations as diverse as Gargiulo, Pacific, Nobles Collier, the Six L's, Exxon, John Deere, Monsanto, Taco Bell, KFC, Long John Silver, Pizza Hut, A&W, McDonalds, Burger King, Subway, Walmart, Shoprite, and Costco have all either previously or continue to profit from the inexcusable conditions of unfree migrant laborers whose enslaved, forced, and

¹⁸² Kevin Bales and Ron Soodalter, "Slaves in the Pastures of Plenty" in *The Slave Next Door: Human Trafficking and Slavery in America Today* (California: University of California, 2009), 51.

¹⁸³ Bales and Soodalter, *The Slaves Next Door*, 70-1.

¹⁸⁴ A law that "protects workers, gives them the right to organize without fear of retaliation, and fixes wage, health, and safety rules." Bales and Soodalter, *The Slaves Next Door*, 47.

unpaid labor begets the particularly low prices “[these companies] are willing to pay for tomatoes and other crops.”¹⁸⁵

The disturbing condition of Florida’s migrant agricultural working class is explained during Bales and Soodalter’s discussion of the Coalition of Immokalee Workers (CIW), a worker-based organization in Florida that has “taken aggressive and effective action against slavery in the southern fields.”¹⁸⁶ In effect, Bales and Soodalter agree with CIW member Laura Germino who concludes that the predominant driving force incentivizing the production and exploitation of unfree migrant laborers in Florida’s fields can be summarized as follows: “when the philosophy is ‘The less you pay, the more you make,’ the ultimate objective is to pay nothing. And what better way to achieve this goal than to enslave the workforce.”¹⁸⁷



Figure 2.4. Migrant workers picking strawberries in Florida.¹⁸⁸

¹⁸⁵ Bales and Soodalter, *The Slaves Next Door*, 47, 48, 62.

¹⁸⁶ Bales and Soodalter, *The Slaves Next Door*, 54.

¹⁸⁷ Bales and Soodalter, *The Slaves Next Door*, 54.

¹⁸⁸ Eric Englert, “Specialty Crop Farmers Facing Worker Shortage Want More Federal Investment,” *USA News*, July 12, 2017,

<https://www.usnews.com/news/national-news/articles/2017-07-12/specialty-crop-farmers-facing-worker-shortage-want-more-federal-investment>.

Even though these cases of the California garment industry and Florida fields demonstrate the intimate relationship between the maximization of surplus-value, state apparatuses of migrant legal vulnerability, and the governmental and commercial intimidation and repression tactics all culminating in the “free” workplace, capitalist enterprises have been further exposed hijacking the immigrant detention process for the production and exploitation of unfree migrant laborers. With at least 352,882 immigrants captured and entombed in civil detention centers by ICE in 2016,¹⁸⁹ for-profit private prison companies, such as the two largest ICE contractors CoreCivic¹⁹⁰ and GEO Group,¹⁹¹ have seized upon this opportunity for “reaping profits” from anti-immigrant public policy while simultaneously influencing it through the millions of dollars spent lobbying Congress and the Department of Homeland Security (DHS) in a clear case of collusion between government and corporations.¹⁹² For example, during an ongoing debate regarding a controversial bill in the Texas which would extend the amount of time private prison companies could detain women and children in immigrant detention centers, Texas state Representative John Raney admitted that “the proposed legislation came directly from GEO Group.”¹⁹³ One of the primary reasons for GEO Group’s vested interest in this type of expansion of their privatized immigrant detention facility operations has been exposed in an ongoing federal class-action lawsuit¹⁹⁴ targeting their unethical and illegal labor practices involving as many as 60,000 immigrants detained at their facilities.¹⁹⁵ Invoking provisions of the

¹⁸⁹ United States Department of Homeland Security, “DHS Immigration Enforcement: 2016.”

¹⁹⁰ With 14,566 beds. Golash-Boza, *Deported*, 210.

¹⁹¹ With more than 7,000 beds. Golash-Boza, *Deported*, 210.

¹⁹² Golash-Boza, *Deported*, 210.

¹⁹³ Meredith Hoffman, “Prison company struggles to get license to hold children,” *The Associated Press*, April 20, 2017,

<https://apnews.com/adbd71efcfaf4b9a96c379face79fbe9/private-prison-company-struggles-get-license-family>.

¹⁹⁴ As of April 28, 2018.

¹⁹⁵ Kristine Phillips, “Thousands of ICE Detainees Claim They Were Forced into Labor, A Violation of Anti-slavery Laws,” *The Washington Post*, March 5, 2017,

Trafficking Victims Protection Act (TVPA), the plaintiffs of this case argue that GEO Group's use of compulsory, unpaid migrant labor for "cleaning the 'pods' where they were housed" under the threat of torture via solitary confinement is an undeniable instance of modern day slavery.¹⁹⁶ In a similar class action lawsuit levied against CoreCivic, plaintiffs Wilhen Barrientos, Margarito Galicia, and Shoaib Ahmed maintain that detained immigrants at CoreCivic's Stewart Detention Center in Lumpkin, Georgia are forced to work for "between \$1 and \$4 per day."¹⁹⁷ In the event that they refuse to work, the plaintiffs allege that these unfree migrant workers risk torture via solitary confinement, "deprivation of privacy and safety in open living quarters," the threat of "criminal prosecution," and the denial of "basic necessities like food, toothpaste, toilet paper, and soap – and contact with loved ones."¹⁹⁸ Through this use of unpaid and unfree migrant labor for maintenance of their facilities, companies like GEO Group and CoreCivic are able to maximize their rate of return and accumulation of surplus-value on the billions of dollars in government subsidies that they regularly receive for engulfing key quotidian governmental functions and services.¹⁹⁹

The empirical evidence and subsequent theoretical analysis presented throughout this chapter has been crafted to counter the traditional, mainstream anti-immigrant narrative, complete with its dubious claims related to the alleged crime rate of migrant populations and its dehumanizing, nativist rhetoric echoed by prominent politicians from former President Bill

<https://www.washingtonpost.com/news/post-nation/wp/2017/03/05/thousands-of-ice-detainees-claim-they-were-forced-into-labor-a-violation-of-anti-slavery-laws/>

¹⁹⁶ Menocal, et al., Plaintiffs, v. The GEO Group, Inc., Defendant (2014), Case No. 1:14-cv-02887, Document No. 1, filed October 22, 2014, available from *LexisNexis*, accessed on March 17, 2018.

¹⁹⁷ Barrientos, et al., Plaintiffs, v. CoreCivic, Inc., Defendant (2018), Case No. 4:18-cv-00070-CDL, Document No. 1, filed April 17, 2018, available from *LexisNexis*, accessed on April 28, 2018.

¹⁹⁸ Barrientos, et al., Plaintiffs, v. CoreCivic, Inc., Defendant (2018).

¹⁹⁹ Golash-Boza, *Deported*, 210.

Clinton to current President Donald Trump. Instead, the primary focus of this chapter has been to illuminate an alternative narrative that highlights how the production and exploitation of vulnerable and unfree migrant laborers for the production and accumulation of surplus-value is the consequence of recent developments of United States immigration policy, mass deportation, and the structural tendency of capitalism “to force the cost of labor back towards [...] zero.”²⁰⁰ Immigrant “illegality,” like criminal delinquency, is another concocted conceptual tool through which the American capitalist state renders racialized targets vulnerable and thus exploitable through policies that in many cases constitute violations of immigrants’ constitutional liberties²⁰¹ and international law and consensus.²⁰²

These encroachments and blatant violations of immigrants’ legal, economic, and human rights for the surpluses of capital have not been left unchallenged. In addition to the spreading community solidarity present in the Lucio Perez case²⁰³ and the Coalition of Immokalee Workers in the Florida tomato fields, immigrant labor rights organizations and activists across the United States continue to successfully resist against the forced conversion of immigrant populations into unfree migrant laborers. In a recent example of immigrant labor organizations effectively resisting capitalism’s structural tendency toward unfree labor, the Workers Defense Project

²⁰⁰ Marx, *Capital, Vol 1.*, 657.

²⁰¹ In the U.S. Supreme Court’s *Demore v. Kim* (2003) ruling, Chief Justice William Rehnquist maintained that “the Government may constitutionally detain deportable aliens during the limited period necessary for their removal proceedings” regardless of whether or not these immigrant detainees received due process via individualized bond hearings. Quoted in Golash-Boza, *Deported*, 210-1.

²⁰² According to an official statement by U.S. Permanent Representative to the United Nations, Nikki Haley, the UN’s Global Compact on Migration, which calls for more humane immigration policies, is “simply not compatible with U.S. sovereignty.”

United States Bureau of Public Affairs, United States Mission to the United Nations, “United States Ends Participation in Global Compact on Migration,” December 2, 2017, <https://usun.state.gov/remarks/8197>.

²⁰³ See Nicholas Aresco, “Northampton mayor supporting church’s move to provide sanctuary to Russian woman,” *WWLP*, April 9, 2018, <http://www.wwlp.com/news/local-news/northampton-mayor-supporting-churchs-move-to-provide-sanctuary-to-russian-woman/1109874603>.

(WDP) reappropriated the unpaid wages of immigrants Karla Lopez and Hector Menjivar, who were denied pay by the Interstate Restoration corporation for their work in reconstructing Houston, Texas in the aftermath of Hurricane Harvey.²⁰⁴ The significance of the WDP's legal and economic victory for Lopez and Menjivar is that it generates a juridico-economic precedent and possible pathway for the countless other immigrants in post-Houston Harvey²⁰⁵ and across the United States to expropriate their expropriators, recover the unpaid value of their labor, and resist against future acts of wage theft. However, the success of the WDP and other immigrant labor organizations does not necessarily equate to the security of their legal status and of the 446,223 people who were either forcibly removed or returned in 2016,²⁰⁶ many will return to a place where they will continue to experience a condition of "enduring vulnerability." Only now, back home, their plight will be at the hands of multinational capitalist enterprises seeking to produce and exploit unfree international laborers for the production, accumulation, and maximization of surplus-value.

²⁰⁴ Renée Feltz, "Amid Rampant Wage Theft in Post-Harvey Reconstruction, Immigrant Workers Take On Disaster Recovery Giant – And Win," *The Intercept*, March 16, 2018, <https://theintercept.com/2018/03/16/hurricane-harvey-disaster-recovery-wage-theft/>.

²⁰⁵ Nomaan Merchant, "Advocates say Texas exploiting day laborers after Harvey," *The Associated Press*, November 26, 2017, <https://www.apnews.com/2cec226a71244e62b49a5674d497879c/Advocates-say-Texas-exploiting-day-laborers-after-Harvey>.

²⁰⁶ United States Department of Homeland Security, "Aliens Removed Or Returned: Fiscal Years 1892 To 2016."

CHAPTER 3

What is free trade in the present state of society?
It is the freedom of capital.²⁰⁷

– Karl Marx

Ideally, you'd have every plant you own on a barge.²⁰⁸

– Jack Welch, Former CEO of General Electric

Unfree International Labor

According to the most recent annual report published by Fortune magazine, American multinational technology conglomerate, Apple, is both the most profitable corporation in the United States, earning \$4.5 billion in the fiscal year 2016, and the company with the third highest total revenue, only behind Walmart retailer and Berkshire Hathaway insurance firm.²⁰⁹ If as the political economist Karl Marx argues in his nineteenth century magnum opus, *Capital, Volume 1*, that “all surplus-value, whatever particular form (profit, interest, or rent), it may subsequently crystallize into, is in substance the materialization of unpaid labor,”²¹⁰ then the question now becomes whose unpaid labor is propelling Apple’s titanic economic prowess? Could it be the 18 Chinese workers who attempted to kill themselves over the deplorable working conditions and starvation wages at one of Apple’s largest manufacturing contractors’ factories in 2010?²¹¹ Or

²⁰⁷ Karl Marx, “Speech on the Question of Free Trade: Delivered to the Democratic Association of Brussels at its Public Meeting of January 9, 1848,” in *Articles on Britain* (Moscow: Progress Publishers, 1971), 86.

²⁰⁸ CNN Business, Investors Brace for Statement Shock; Executive Cabinet Calls Out for Support (December 3, 1998; Sunday 2:30 am Eastern Time), available from *LexisNexis*, accessed on March 18, 2018.

²⁰⁹ “Fortune 500,” *Fortune Magazine*, accessed February 7, 2018, <http://fortune.com/fortune500/list/>.

²¹⁰ Karl Marx, *Capital, Volume 1*, ed. Friedrich Engels and Ernest Untermann, trans. Samuel Moore and Edward Aveling, (New York: The Modern Library, 1906), 585.

²¹¹ Brian Merchant, “Life and death in Apple’s forbidden city,” *The Guardian*, June 18, 2017, <https://www.theguardian.com/technology/2017/jun/18/foxconn-life-death-forbidden-city-longhua-suicide-apple-iphone-brian-merchant-one-device-extract>.

could it be the nearly 150 Chinese workers who only two years later threatened to enact a mass suicide at that same Foxconn factory for the same workplace safety and compensation violations (see Figure 3.1)?²¹² Or could it be the countless other Chinese workers who are reportedly being forced to “hand[le] noxious chemicals sometimes without proper gloves or masks” while working “10 hours a day in hot workshops slicing and blasting iPhone casings for Apple” at this very instant?²¹³ With “substantially all of the [Apple’s] hardware products [being] manufactured by outsourcing partners that are located primarily in Asia,”²¹⁴ the collective unpaid and unfree labor of international workers such as these can be understood as the source of Apple’s continuously compounding profits, and their plight evinces how Apple’s international production chain vindicates Marx’s formulation regarding the sum, substance, and origins of surplus-value (see Figure 3.2).

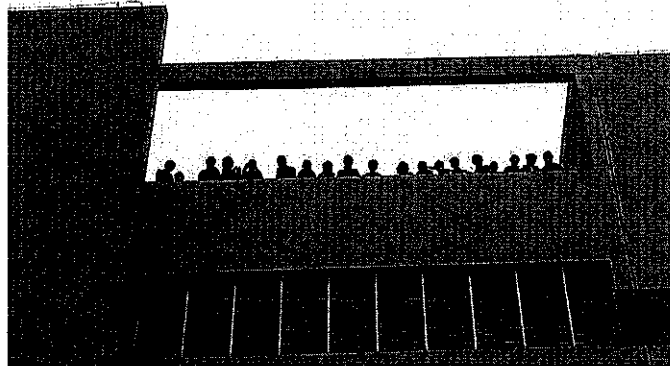


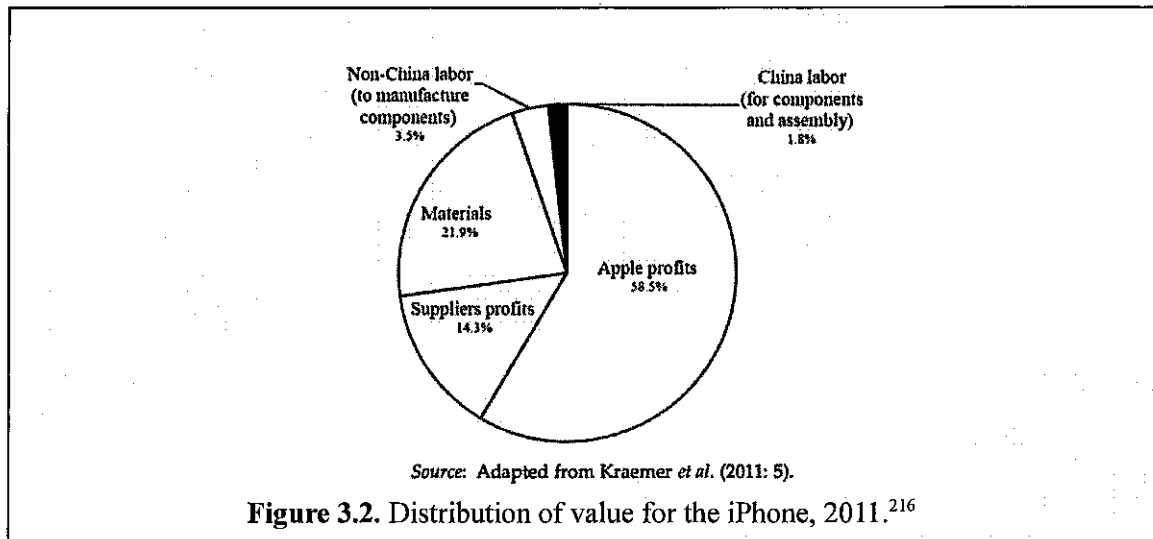
Figure 3.1. 150 Chinese workers threatening to commit suicide at a Foxconn factory.²¹⁵

²¹² Merchant, “Life and death in Apple’s forbidden city.”

²¹³ Yuan Gao and Alex Webb, “Apple Supplier Workers Describe Noxious Hazards at China Factory,” *Bloomberg News*, January 16, 2018, <https://www.bloomberg.com/news/articles/2018-01-16/workers-at-apple-supplier-catcher-describe-harsh-conditions>.

²¹⁴ Quoted in Jenny Chan, Ngai Pun, and Mark Selden, “The politics of global production: Apple, Foxconn and China’s new working class,” *New Technology, Work and Employment* 28, no. 2 (2013): 105.

²¹⁵ Malcolm Moore, “‘Mass suicide’ protest at Apple manufacturer Foxconn factory,” *The Telegraph*, January 11, 2012, <http://www.telegraph.co.uk/news/worldnews/asia/china/9006988/Mass-suicide-protest-at-Apple-manufacturer-Foxconn-factory.html>.



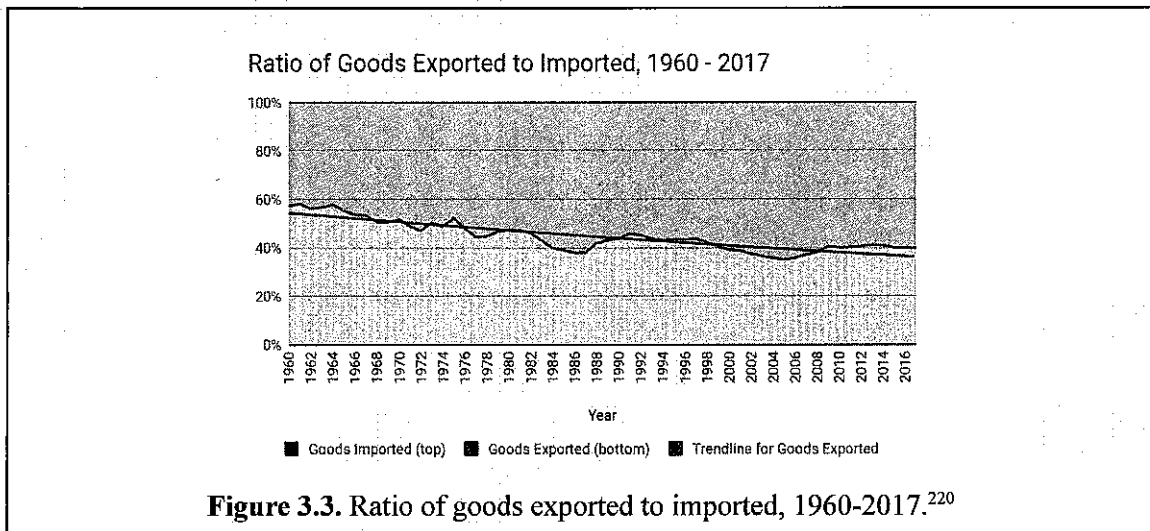
This instance of unpaid and unfree international laborers being the bottom-line producers and thus the base source of profit for this American company is a rather specific example of the political and economic systems analyzed in this chapter. However, its importance is that it symbolizes a growing shift in the global political economy toward the dual processes of deindustrialization in the developed world and the concomitant capitalistic exploitation of unfree international laborers in the developing world. As documented in Ronald Kutscher and Valerie Personick's 1986 report "Deindustrialization and the Shift to Services," the goods-producing sector of the United States' economy, including manufacturing, withered from accounting for 60 percent of all employment in 1959 to only 28 percent by 1984.²¹⁷ Likewise, from 1960 to 2017, the ratio between the total amount of goods exported (in U.S. dollars) and the total amount of goods imported (in U.S. dollars) nearly inverted (see Figure 3.3).²¹⁸ And more specifically,

²¹⁶ Chan, Pun, and Selden, "The politics of global production," 107.

²¹⁷ Ronald Kutscher and Valerie Personick, "Deindustrialization and the Shift to Services," *Monthly Labor Review* 109, no. 6 (June 1986): 4.

²¹⁸ United States Census Bureau, "U.S. Trade in Goods and Services - Balance of Payments (BOP) Basis," last updated February 6, 2018, <https://www.census.gov/foreign-trade/statistics/historical/gands.pdf>.

Kutscher and Personick's analysis further reveals that, of the vacating goods-producing sector, mining, agriculture (tobacco and sugar), steel blasting and basic steel products, rubber production, and leather tanning and finishing (mainly shoes) were among the most troubled industries in terms of both output and employment.²¹⁹ These sweeping structural changes to the United States economy are all part of a larger process known as deindustrialization, which ensued in most of the developed world during this time period.



On the other hand, since the ratification of the 2005 Trafficking Victims Protection Reauthorization Act (TVPRA), the United States Bureau of International Labor Affairs (ILAB) has been required to maintain “a list of goods and their source countries which it has reason to believe are produced by child labor or forced labor in violation of international standards.”²²¹ The significance of this shift in production is that once countries like the United States begin to

²¹⁹ Kutscher and Personick, “Deindustrialization and the Shift to Services,” 10.

²²⁰ U.S. Census Bureau, “U.S. Trade in Goods and Services - Balance of Payments (BOP) Basis.” Chart created by Nicolas Blaisdell.

²²¹ United States Department of Labor, “List of Goods Produced by Child or Forced Labor,” (Washington, D.C., 2016), <https://www.dol.gov/ilab/reports/child-labor/list-of-goods/>.

industrialize domestically, outsource their production operations to the developing world, and import more goods than they export, public transparency and accountability in their now global supply chain withers drastically. For instance, as of September 31, 2016, this list of everyday commodities and raw materials produced by child or forced labor implicates 139 types of goods, including bricks, coffee, footwear, furniture, gold, granite, leather, rice, rubber and tobacco, from 75 different countries.²²² However, due to complicated and clandestine subcontracting it is ambiguous as to whose supply chain these goods belong. Moreover, aside from periodically creating and maintaining this list of goods, neither the ILAB nor the U.S. government have any other legal obligation to either intervene against or prevent multinational corporations from profiteering from these contemporary forms of unfree international labor.

Hence, the primary goal of this chapter in this investigation into the relationship between capitalism and unfree labor is to expose the structural tendency of and mechanisms through which capitalism, as embodied by massive multinational companies like Apple, routinely colludes with governments and financial institutions to produce and exploit unfree international laborers for the production, accumulation, and maximization of surplus-value. Throughout the course of this chapter, I will first analyze the structural nexus between the governments of developed and developing nations, international finance organizations, and multinational corporations in the context of the twenty-first century's shift toward automation, deindustrialization, globalization, and uneven geographical development. Then I examine the corresponding legal and economic production of unfree international laborers in both developed and developing nations. Finally, I present a series of modern day case studies which exemplify

²²² United States Department of Labor, "List of Goods Produced by Child or Forced Labor."

this production and exploitation of unfree international laborers for the maximization of surplus-value.

The political discourse of those in power surrounding the topics of deindustrialization and globalization of the economy in the United States tends to mirror a comparable logic found in the discourse involving of the subjects of the previous two chapters, namely mass incarceration and mass deportation. According to the United States International Trade Administration (ITA), one of the major benefits of international free trade agreements is that they putatively “protect U.S. interests and enhance the rule of law in the FTA partner country.”²²³ In the previous two chapters I examined how the discourse of the “rule of law” and “national interest” function in the construction of “criminality” vis-à-vis mass incarceration and the discourse of “illegality” vis-à-vis mass deportation: these categories moreover structure the politico-economic production and exploitation of unfree laborers in the United States. The function of the “rule of law” and “national interest” discourse in the context of this discussion of international free trade must be examined and deconstructed via a similar analytical lens. What precisely is the rule of law in these FTA partner countries, or more specifically what are the terms of their labor standards and protections? Through what processes are these laws formulated, especially in a politico-economic context dominated by “US national interest,” multinational corporations, global systems of governance, and international finance organizations?

In her work *Deported*, Tanya Maria Golash-Boza begins to detail this intricate dynamic between capitalism as an economic system, multinational corporations, international networks of governance, and international finance organizations and how each plays a role in producing and

²²³ International Trade Administration, United States Department of Commerce, “Free Trade Agreements,” accessed February 13, 2018, <https://www.trade.gov/fta/>.

exploiting of unfree international laborers. As the United States began another wave of deindustrialization in the late 1960s, developing nations, facing prodigious amounts of foreign debt due to the “Volcker Shocks,” or U.S. induced debt-crises of the 1980s,²²⁴ began to borrow money from international finance institutions, such as the World Bank and the International Monetary Fund (IMF). The condition of receiving these loans meant that these nations were forced to “implement structural adjustment” programs which included “privatization, trade liberalization, tax reductions, deregulation [including to labor protections], and cutbacks in social services.”²²⁵ The governments of various developing nations complied with the conditions of receiving these vital loans and financing which auspiciously brought these “developing countries into the global economy,”²²⁶ or right into the purview of international capital. With labor protections legally rendered liminal, ineffective, or entirely nonexistent and the reconfiguration of developing nations’ governance in alignment with the austere policies of these international finance institutions, developed nations enacted a corresponding legal reconfiguration to structurally allow for the exploitation of these newly unfree international laborers.

Concurrent to the implementation of these programs of austerity in the developing world, the governments of developed nations instituted legislative policies and bilateral and multilateral trade agreements which continue to abet the exploitation of unfree international laborers. From the North American Free Trade Agreement (NAFTA) to Dominican Republic-Central American

²²⁴ “Reaching a peak in 1981 and lasting through the mid-eighties,” U.S. Federal Reserve chairman Paul Volcker “dramatically increased interest rates in the United States, letting them rise as high as 21 percent.” These increases to interest rates resulted in Argentina’s national debt increasing from \$45 billion to \$65 billion, Brazil’s debt increasing from \$50 billion to \$100 billion, and so on in the developing world.

Naomi Klein, *The Shock Doctrine: The Rise of Disaster Capitalism* (New York: Picador, 2007), 199.

²²⁵ Tanya Maria Golash-Boza, *Deported: Immigrant Policing, Disposable Labor, and Global Capitalism* (New York: New York University Press, 2015), 12-3.

²²⁶ Golash-Boza, *Deported*, 12-3.

Free Trade Agreement (CAFTA-DR), European Union (EU), Trans-Pacific Partnership (TPP), Mercosur and more, international free trade agreements and alliances have been politically and economically crafted to permit capital's "freedom to roam the world in search of profitable possibilities,"²²⁷ as evident by the "600 outside [corporate] advisors" who had "access to sensitive information" and played an active role in TPP negotiations despite the lack of transparency for the general public.²²⁸ Additionally, in a televised 1998 interview explaining how General Electric (GE) has "never had a better opportunity to source joint ventures around the globe," Jack Welch, the former chairman and CEO of GE, reveals how the ideal position of capital is to "have every plant you own on a barge [ready] to move with currencies and changes in the economy,"²²⁹ or alternatively put, to acquire the freedom and ability to move to geographical and political spaces where laborers are consigned to maximal docility, vulnerability, and exploitability.

To gain access to this uneven geopolitical terrain and achieve this global redistribution of the venues for capitalist production, corporations initially rooted in the developed world required both the legal authorization of and access to the state's "monopoly over the legitimate use of force and violence" to execute "the eradication or reduction of physical, social and political barriers."²³⁰ The annihilation of trade tariffs, restrictions and national boundaries for capital helped corporations achieve this goal. Thus, the original claim that free trade agreements "protect U.S. interests," as stated by the ITA, is valid inasmuch as what qualifies as "U.S.

²²⁷ David Harvey, *Seventeen Contradictions and the End of Capitalism* (New York: Oxford University Press, 2014), 207.

²²⁸ Elizabeth Warren, Address to the United States Senate, June 19, 2013, *C-SPAN*, <https://www.c-span.org/video/?313457-1/senate-session>.

²²⁹ CNN Business, Investors Brace for Statement Shock; Executive Cabinet Calls Out for Support.

²³⁰ Harvey, *Seventeen Contradictions*, 42, 207.

interests” is synonymous with the interests of multinational corporations who would thereby become endowed with the freedom of international mobility and freedom “from [the] regulatory interference”²³¹ of the governments in the developed world. In other words, the other dominant mainstream narrative surrounding the dual processes of deindustrialization and globalization which involves the “greedy unions, profligate politicians, bad managers and the like who forced capital out”²³² is only accurate in that it captures how the principal motivating factor in capital’s domestic flight was the threat of an organized and free labor force that represented an unnecessary impediment in “[capital’s] blind unrestrainable passion, its werewolf hunger for surplus labor.”²³³

In addition to the political and economic interplay between international finance organizations, global systems of government, multinational corporations, and the dual processes of deindustrialization and globalization, the production and exploitation of unfree international laborers is the result of yet another integral component of the capitalist mode of production: technological growth, automation, and human disposability. With characteristic foresight, Marx in *Capital, Vol 1.*, writes about how the proliferation of technological growth in the capitalist mode of production is one of the chief methods for dispelling “all fixity and security in the situation of the laborer,” “mak[ing] [them] superfluous,” and transforming them into “an industrial reserve army, kept in misery in order to be always at the disposal of capital.”²³⁴ Or as recently reiterated in David Harvey’s *Seventeen Contradictions*, automation in a capitalist economy transforms “larger and larger segments of world’s population” into “redundant and

²³¹ Harvey, *Seventeen Contradictions*, 207.

²³² Harvey, *Seventeen Contradictions*, 159.

²³³ Marx, *Capital, Vol 1.*, 291.

²³⁴ Marx, *Capital, Vol 1.*, 533.

disposable” workers “from the standpoint of capital.”²³⁵ On a global scale, the redundancy and disposability of many of those employed in the international workforce is then translated into the matrix of their entrapment in systems of unfree labor. According to slavery scholar Kevin Bales in his work *Disposable People*, the “new slavery” of the twenty-first century is grounded in this “new [human] disposability” which is used as the foremost leverage of their coercion into chattel, debt, and contract bondage or into penitentiaries where they cease to be potentially disruptive to capital’s formal economy.²³⁶ With the combined effect of this capital-induced disposability and vulnerability and the international apparatuses of finance capital, global governance, and multinational corporations convening to legally allow for their exploitation, unfree international laborers are among the prime targets of capitalism’s structural tendency toward the production and exploitation of unfree labor for the production, accumulation, and maximization surplus-value.

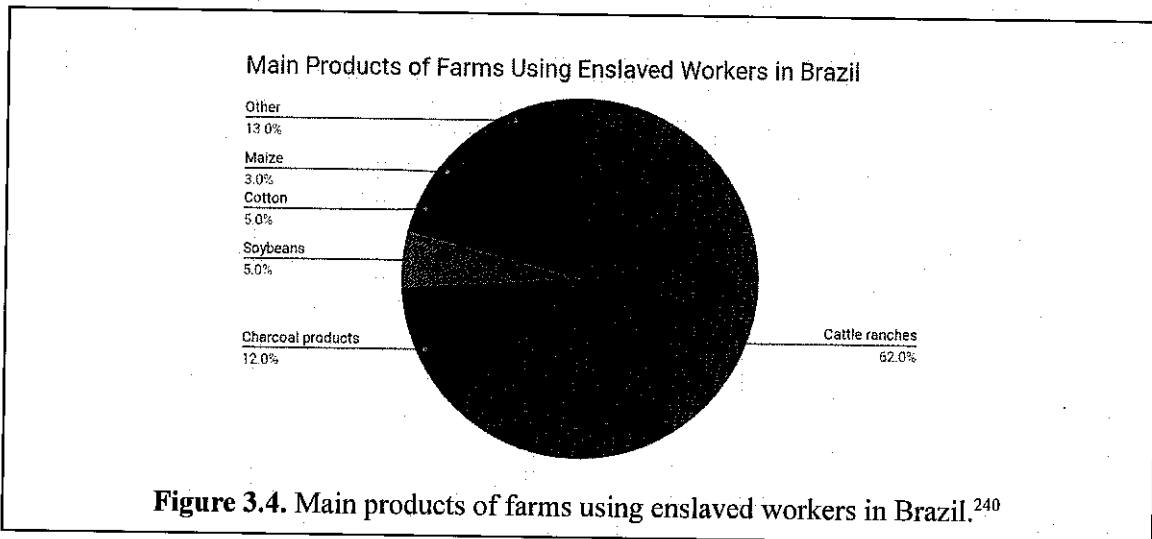
The first case study of this chapter reveals how the tripartite factors of debt-enforced austerity programs, the outsourcing of domestic manufacturing and agricultural production to the developing world, and the enactment of international free trade policies all culminate in the production and exploitation of unfree Brazilian laborers for the economic aggrandizement of multinational capital. According to an investigation by Brazil’s Pastoral Land Commission and subsequent report to the United Nations in 2004, it was revealed that there were “at least 25,000 people [...] held in slavlike conditions in the country each year” across various industries.²³⁷ Of the affected industries, cattle ranching and charcoal production are among the main products

²³⁵ Harvey, *Seventeen Contradictions*, 105.

²³⁶ Kevin Bales, *Disposable People: New Slavery in the Global Economy* (California: University of California Press, 2012), 14-20.

²³⁷ Leonardo Sakamoto, “‘Slave Labor’ in Brazil,” in *Forced Labor: Coercion and Exploitation in the Private Economy* (Colorado: Lynne Rienner Publishers, 2009), 19.

originating from slave labor in Brazil (see Figure 3.4).²³⁸ In *Disposable People*, Bales delineates how the broader politico-economic contexts of austerity, deindustrialization, and globalization have engendered this pervasive and systematic abuse of unfree Brazilian agricultural laborers. With public spending on nuclear power and mining projects amassing the national debt to foreign investors up to an apogee of \$120 billion by the 1980s, “[Brazil’s] military government and multinational companies” conspired to implement programs of austerity, “immense tax-avoidance scheme[s],” “loose environmental [...] laws,” and ultimately legally and economically codified sources of “cheap labor” in order to pay off these foreign debts.²³⁹



The discriminatory production of these victims of unfree labor in Brazil is directly contingent on the political and economic vulnerability of workers entailed by both these programs of austerity and the corresponding legal apparatuses governing Brazilian labor law. Considering that the states of origin for most victims rescued from slave labor are typically

²³⁸ Sakamoto, “‘Slave Labor’ in Brazil,” 29.

²³⁹ Bales, *Disposable People*, 124-5.

²⁴⁰ Sakamoto, “‘Slave Labor’ in Brazil,” 29. Chart created by Nicolas Blaisdell.

“characterized by [the] high levels of poverty, high unemployment and low indexes of human development”²⁴¹ that are exacerbated by these austerity programs, laborers from these provinces are particularly susceptible to being captured by the *gatos*, or modern day Brazilian slave traders, of the charcoal industry. Once lured in by the *gatos* with promises “of regular [paid] work and good conditions” and transported to the *baterias*, or charcoal camps, in Pará or Mato Grosso do Sul, the captured laborers are stripped of their “state identity card and their ‘labor’ card” by armed gunman.²⁴² Based on Brazilian law, these two documents are crucial for workers in “obtaining their rights” and maintaining “legal protection” while at work.²⁴³ The connection between the Brazilian laborers’ socio-legal status and their exploitation is similar to how the “civiliter mortus”²⁴⁴ status of prisoners becomes the crux of their exploitation by the public and commercial carceral apparatuses of the state and the juridico-legislative notion of migrant “illegality”²⁴⁵ functions as the foundational axis of their exploitation by the public and commercial immigration apparatuses of the state. From the moment the Brazilian laborer is devoid of their state identity card and labor card, according to Brazilian researcher José de Souza Martins, they immediately become “dead as a citizen, and born as a slave”²⁴⁶ and thereby subject to exploitation and treacherous working conditions²⁴⁷ for the production of surplus-value for multinational corporations.

²⁴¹ Sakamoto, “‘Slave Labor’ in Brazil,” 24.

²⁴² Bales, *Disposable People*, 128.

²⁴³ Bales, *Disposable People*, 128.

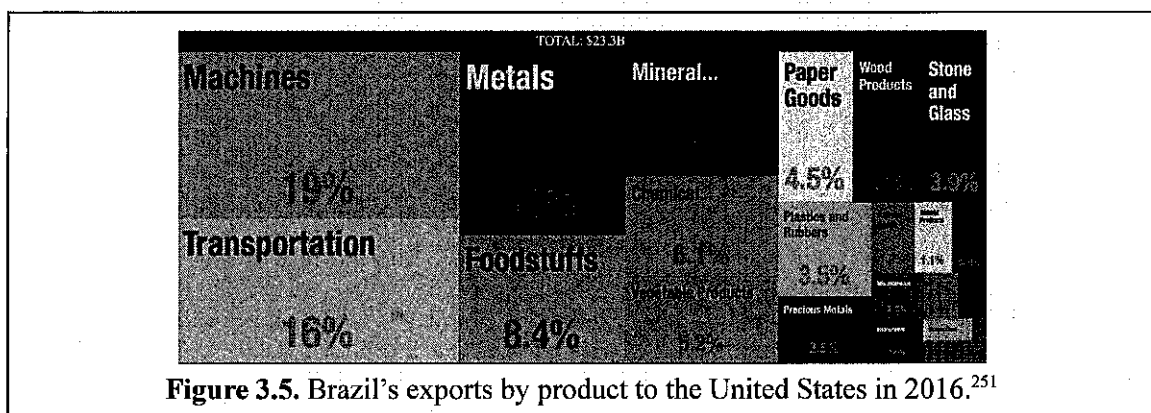
²⁴⁴ Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* (New York: The New Press, 2012), 31.

²⁴⁵ Nicholas De Genova, “Immigration ‘Reform’ and the Production of Migrant ‘Illegality’,” in *Constructing Immigrant ‘Illegality’: Critiques, Experiences, and Responses* (New York: Cambridge University Press, 2014).

²⁴⁶ José de Souza Martins, “Escravidão Hoje no Brasil,” *Folha de São Paulo* (May 13, 1986), 7.

²⁴⁷ Bales, *Disposable People*, 130-1.

In addition to the multinational corporations, such as Nestlé and Volkswagen, and the Brazilian forest “management” companies that purchased the property containing the *batterias* for a discounted rate either from the military government or previous owners and now own the majority of this land,²⁴⁸ a wide range of multinational and American manufactures and retailers continue to profit heavily either directly or indirectly from the production and exploitation of unfree Brazilian laborers. Although the United States directly receives 66 percent of Brazil’s charcoal exports making it the top importer of that product category,²⁴⁹ American companies still benefit from unfree Brazilian laborers in other more discrete ways. Provided that “slave-produced charcoal is crucial to making steel in Brazil” and that this finished steel “is then made into cars, car parts, and other metal goods that make up [at least] a quarter of Brazil’s exports”²⁵⁰ (see Figure 3.5), American steel and car manufacturers operating in Brazil and general wholesale retailers operating in the United States and abroad are able to maximize their accumulation of surplus-value through the reduction of the costs and freedom of laborers in their international supply chain back toward zero.



²⁴⁸ Bales, *Disposable People*, 142.

²⁴⁹ The Observatory of Economic Complexity, MIT, “Where does Brazil export Wood Charcoal to? (2016),” https://atlas.media.mit.edu/en/visualize/tree_map/hs92/export/bra/show/4402/2016/.

²⁵⁰ Bales, *Disposable People*, 23.

²⁵¹ The Observatory of Economic Complexity, MIT, “What does Brazil export to the United States? (2016),” https://atlas.media.mit.edu/en/visualize/tree_map/hs92/export/bra/usa/show/2016/.

Another striking example of the amalgamated forces of deindustrialization in the developed world and the globalization and liberalization of the world economy in conjunction with the production and exploitation of unfree international laborers are the cases of the Bangladeshi ready-made garment industry and leather and footwear industry, which together currently encompass well over 5,000 factories and employ more than 4.2 million Bangladeshis, of whom 55 percent are female.²⁵² Following the coup d'état by the military government in 1975, "currency devaluations, reduced trade barriers, [...] restrictions on repatriation for foreign investor profits," the formation of Export Promotion Zones (EPZs), and "tax holidays for foreign investors who established garment factories" became the official foreign economic policy of Bangladesh.²⁵³ Since the coup, Bangladesh has subscribed to a number of free trade agreements, such as the "Generalized System of Preference (GSP) facilities from the European Union," the "South Asian Preferential Trade Arrangement," and the "South Asian Free Trade Agreement."²⁵⁴ Meanwhile, Bangladesh's internal economy experienced parallel structural renovations including the rapid expansion of socially and economically vulnerable "low-cost and compliant women workers" and nascent politico-economic efforts "to curb militant [and organized] labor."²⁵⁵ This trend in the interrelated foreign and domestic realignments of the Bangladesh economy during this time period has extended into the twenty-first century and is the foundation of the numerous

²⁵² Jakir Hossain, Mostafiz Ahmed, and Jafrul Hasan Sharif, "Linkages of trade and labor standards in global supply chains in Bangladesh" from "Who benefits from trade? Findings on the link between trade and labor standards in the garment, footwear and electronics industries in Bangladesh, Cambodia, Pakistan, and Vietnam," *Friedrich Ebert Stiftung Office for Regional Cooperation in Asia* (May 2017): 13.

²⁵³ Fauzia Erfan Ahmed, "The Rise of the Bangladesh Garment Industry: Globalization, Women Workers, and Voice," *National Women's Studies Association Journal* 16, no. 2 (Summer 2004): 36-7.

²⁵⁴ Hossain, Ahmed, and Sharif, "Linkages of trade and labor standards in global supply chains in Bangladesh," 12-3.

²⁵⁵ Ahmed, "The Rise of the Bangladesh Garment Industry," 37.

workplace abuses and ubiquitous extraction of surplus-value from unfree Bangladeshi laborers by multinational corporations.

Today, unfree Bangladeshi textile and footwear laborers continue to endure a plethora of workplace safety and remuneration encroachments by international capital seeking to maximize their dividend of surplus-value. Even though the Asia Floor Wage Alliance reports that the “living wage for a Bangladeshi garments worker and her or his family” necessitates 37,661 (approximately 451 U.S. dollar) Bangladeshi taka per month,²⁵⁶ the 2014 minimum monthly wage required by law for workers in the garment industry is merely 5,300 Bangladeshi taka (approximately 63 U.S. dollars) and 4,100 Bangladeshi taka (approximately 49 U.S. dollars) in the footwear industry.²⁵⁷ Moreover, many garment and footwear laborers in Bangladesh are dispossessed of their right to unionize and collectively bargain as a result of “the differential law regime in EPZs.”²⁵⁸ This restriction of laborers’ means of effectively resisting against multinational capital has resulted in the “rampant” violation of rules against compulsory overnight work and overtime limits.²⁵⁹ Furthermore, the lack of the right to organize and the disposability of the workforce has made unfree Bangladeshi laborers exceptionally vulnerable to flagrant occupational safety and health violations, as embodied by the recent and tragically gruesome cases of the 2012 Tazreen Fashions factory fire which left over 112 workers dead²⁶⁰

²⁵⁶ “What is the Asia Floor Wage,” *Asia Floor Wage Alliance*, accessed February 18, 2018, <https://asia.floorwage.org/what>.

²⁵⁷ Hossain, Ahmed, and Sharif, “Linkages of trade and labor standards in global supply chains in Bangladesh,” 16.

²⁵⁸ Hossain, Ahmed, and Sharif, “Linkages of trade and labor standards in global supply chains in Bangladesh,” 15.

²⁵⁹ Hossain, Ahmed, and Sharif, “Linkages of trade and labor standards in global supply chains in Bangladesh,” 15.

²⁶⁰ Julfikar Ali Manik and Jim Yardley, “Bangladesh Finds Gross Negligence in Factory Fire,” *The New York Times*, December 17, 2012,

<http://www.nytimes.com/2012/12/18/world/asia/bangladesh-factory-fire-caused-by-gross-negligence.html>.

and the 2013 Rana Plaza building collapse which left 1,100 workers dead (see Figures 3.6 and 3.7).²⁶¹



Figure 3.6. Tazreen Fashion Factory Fire.²⁶²

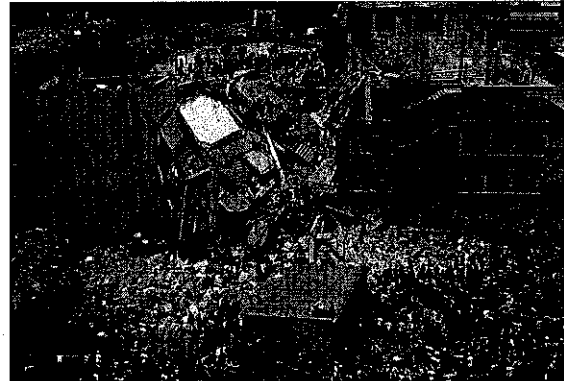


Figure 3.7. Rana Plaza Building Collapse.²⁶³

Akin to the hyper-exploitation of unfree American immigrant workers by the garment industry in Southern California for the production, accumulation, and maximization of surplus-value for American capital,²⁶⁴ the hyper-exploitation of unfree Bangladeshi laborers in the garment and footwear industry serves the financial interests of multinational corporations around the globe considering that Bangladesh is “the world’s second-largest garment exporter after only China.”²⁶⁵ However, the production and exploitation of unfree textile and footwear laborers has been specially bountiful for corporation operating in the United States, such as

²⁶¹ Julfikar Ali Manik and Jim Yardley, “Bangladesh Police Charge 41 With Murder Over Rana Plaza Collapse,” *The New York Times*, June 1, 2015,

<https://www.nytimes.com/2015/06/02/world/asia/bangladesh-rana-plaza-murder-charges.html>.

²⁶² Vikas Bajaj, “Fatal Fire in Bangladesh Highlights the Dangers Facing Garment Workers,” *The New York Times*, November 25, 2012,

<http://www.nytimes.com/2012/11/26/world/asia/bangladesh-fire-kills-more-than-100-and-injures-many.html>.

²⁶³ Manik and Yardley, “Bangladesh Police Charge 41 With Murder Over Rana Plaza Collapse.”

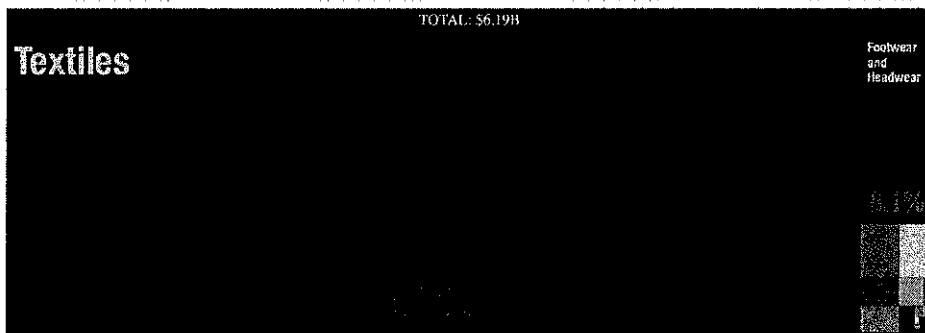
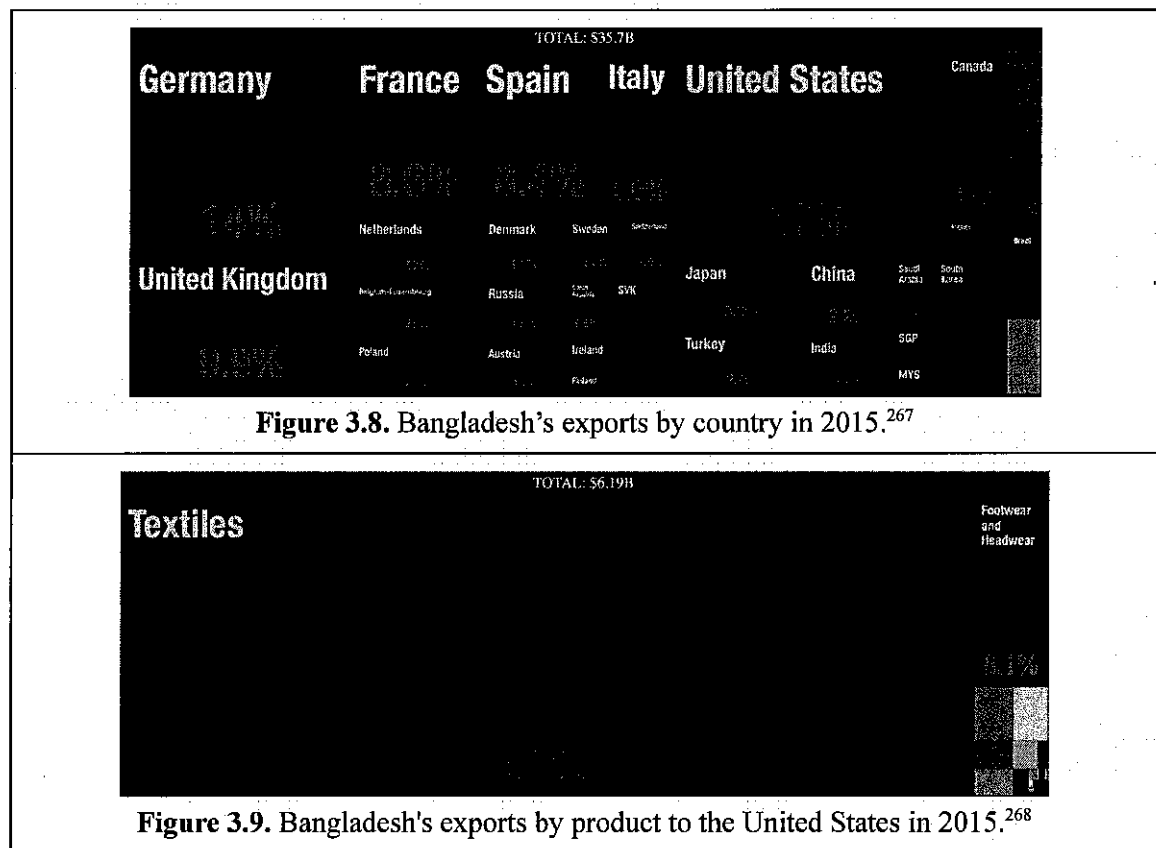
²⁶⁴ Jessie Kornberg, “In L.A.’s garment industry, ‘Made in the USA’ can mean being paid \$3 an hour,” *Los Angeles Times*, December 14, 2016,

<http://www.latimes.com/opinion/op-ed/la-oe-kornberg-garment-industry-wage-theft-20161214-story.html>.

²⁶⁵ Alyssa Ayres, “Bangladesh: Behemoth Garment Industry Weathers The Storm,” *Forbes*, June 20, 2014,

<https://www.forbes.com/sites/alyssaayres/2014/06/20/274/>.

Walmart and Sears (see Figures 3.8 and 3.9).²⁶⁶ With American retailers profiting handsomely from the perilous and wretched conditions of both the Bangladeshi working class and the domestic migrant working class, the intersectional production and exploitation of unfree international laborers by the garment industry as a whole demonstrates the magnitude and prevalence of capitalism's thorough entanglement with unfree labor in the twenty-first century.



As revealed through the plight and extreme exploitation of unfree Brazilian and Bangladeshi laborers, the nexus between capitalism as a worldwide economic system and its

²⁶⁶ Manik and Yardley, "Bangladesh Finds Gross Negligence in Factory Fire."

²⁶⁷ The Observatory of Economic Complexity, MIT, "Where does Bangladesh export to? (2015)," https://atlas.media.mit.edu/en/visualize/tree_map/hs92/export/bgd/show/all/2015/.

²⁶⁸ The Observatory of Economic Complexity, MIT, "What does Bangladesh export to the United States? (2015)," https://atlas.media.mit.edu/en/visualize/tree_map/hs92/export/bgd/usa/show/2015/.

inextricable structural tendency toward unfree labor can be found in capital's compulsion to produce, accumulate, and maximize surplus-value. From the Foxconn factories in China to the *batterias* in Brazil to the garment and footwear sweatshops in Bangladesh, multinational corporations, including America's most profitable (Apple) and most successful in terms of revenue (Walmart) in 2016,²⁶⁹ have been granted permission by domestic and foreign governments and international finance organizations to roam the Earth in search of geopolitical regions conducive to the maximization of surplus-value, or in short, geopolitical regions in which labor is maximally docile, vulnerable, and exploitable. Yet simultaneously, from the Foxconn factories in China to the *batterias* in Brazil to the garment and footwear sweatshops in Bangladesh, the tendency of capital toward unfree labor has met fierce resistance by organized labor, human rights activists, and the collective action of the unfree laborers themselves. With massive protests and worker-led riots constantly erupting at Foxconn factories²⁷⁰ gaining international attention and putting direct pressure on Apple to publicly confront its use of unfree labor in its production chain, unfree international laborers, despite their political and economic vulnerability, continue to resist against and expose the collusion of multinational capital and global systems of governance. Likewise, in Brazil, the concerted effort of the Pastoral Land Commission, the Catholic Church, and testimonies of various farm laborers pressured the Brazilian government to become "one of the first nations in the world to officially recognize modern slavery" and implement programs to document its existence, impose penalties for perpetrators, and keep the public informed.²⁷¹ Despite these initial steps toward securing labor

²⁶⁹ "Fortune 500," *Fortune Magazine*.

²⁷⁰ Within less than two weeks apart, Chinese laborers at two separate Foxconn factories organized two wildcat strikes, the first with 2,000 workers and the second with over 3,000, to protest the treacherous working conditions following the 2012 release of the iPhone 5. See Chan, Pun, and Selden, "The politics of global production," 108-111.

²⁷¹ Sakamoto, "Slave Labor' in Brazil," 17.

rights, occupational safety, and a living wage, the fight against the production and exploitation of unfree international labor has not been able to successfully overcome the twenty-first century's iteration of capitalism's structural tendency toward unfree labor,²⁷² which is characterized by structures of automation, deindustrialization, and globalization and propelled by the high degree of organization and collusion among international finance organizations, global governments, and multinational corporations.

²⁷² According to a 2017 report by China Labor Watch (CLW), there still remains "plenty of issues [...] in regard to labor right violations in Apple's supplier factories [...] and a significant deterioration of living and working conditions." See China Labor Watch, "A Year of Regression in Apple's Supply Chain," May 3, 2017, accessed April 28, 2018, <http://www.chinalaborwatch.org/report/124>.

CONCLUSION

Capital as such creates a specific surplus value because it cannot create an infinite one all at once; but it is the constant movement to create more of the same.²⁷³

– Karl Marx

Along with the constantly diminishing number of the magnates of capital, [...] grows the mass of misery, oppression, slavery, degradation, exploitation; but with this too grows the revolt of the working class, a class always increasing in numbers, and disciplined, united, organised by the very mechanism of the process of capitalist production itself.²⁷⁴

– Karl Marx

Structuring Modes of Resistance Against Capitalism

As of now, there are an estimated 2.3 million people incarcerated in United States' prisons, jails and correctional facilities,²⁷⁵ 34,000 people detained by the United States Immigration and Customs Enforcement (ICE) agency,²⁷⁶ and 139 goods ranging from bricks, coffee, footwear, furniture, gold, granite, leather, rice, tobacco, and more being produced by child or forced labor in at least 75 different nations across the developing world.²⁷⁷ Without reliable or formidable legal and economic protections, penal, migrant, and international workers represent a brief sample of the various forms of unfree labor in the twenty-first century. Hence, from United States penitentiaries to immigrant detention centers to factories across the

²⁷³ Karl Marx, *Grundrisse*, trans. Martin Nicolaus (New York: Random House, 1973), 334.

²⁷⁴ Karl Marx, *Capital, Volume 1*, ed. Friedrich Engels and Ernest Untermann, trans. Samuel Moore and Edward Aveling (New York: The Modern Library, 1906), 836-7.

²⁷⁵ Peter Wagner and Bernadette Rabuy, "Mass Incarceration: The Whole Pie 2018," Prison Policy Initiative, last updated on March 14, 2018, <https://www.prisonpolicy.org/reports/pie2018.html>.

²⁷⁶ Wagner and Rabuy, "Mass Incarceration."

²⁷⁷ United States Department of Labor, "List of Goods Produced by Child or Forced Labor," (Washington, D.C., 2016), <https://www.dol.gov/ilab/reports/child-labor/list-of-goods/>.

developing world, this study aims to delineate how unfree labor is structurally integrated within the foundation of the twenty-first century's capitalist mode of production and remains an incontrovertible feature of today's political economy.

The fundamental thesis being advanced throughout the course of this investigation into capitalism's relationship with unfree labor is that the production and exploitation of maximally vulnerable and exploitable unfree laborers in the twenty-first century is the result of a structural tendency inextricable to the framework of capitalism itself. This structural tendency, or "directing motive, the end and aim of capitalist production,"²⁷⁸ immediately derives from capital's "werewolf hunger"²⁷⁹ for producing, accumulating, and most of all, extracting "the greatest possible amount of surplus-value,"²⁸⁰ which is achieved by continuously attempting to "force the cost of labor back towards [...] zero."²⁸¹ The conclusion to this research suggests that capital in the twenty-first century continues to commandeer a panoply of state institutions and functions responsible for incarceration, immigration, and international trade in order to realize its structural impetus for producing, accumulating, and maximizing its share of surplus-value.

Additionally, this analysis of the enduring presence of unfree labor in the twenty-first century capitalist mode of production is markedly contrasted by the labor market failure thesis advanced in Beate Andrees and Patrick Belser's *Forced Labor*. In their chapter "Strengthening Labor Market Governance Against Forced Labor," Andrees and Belser maintain that "forced labor is first and foremost a failure of labor market governance"²⁸² instead of the result of a

²⁷⁸ Marx, *Capital, Vol 1.*, 363.

²⁷⁹ Marx, *Capital, Vol 1.*, 291.

²⁸⁰ Marx, *Capital, Vol 1.*, 363.

²⁸¹ Marx, *Capital, Vol 1.*, 657.

²⁸² Beate Andrees and Patrick Belser, "Strengthening Labor Market Governance Against Forced Labor," in *Forced Labor: Coercion and Exploitation in the Private Economy* (Colorado: Lynne Rienner Publishers, 2009), 109.

structural tendency integrated within capitalism's framework. The difference between the position expounded throughout this investigation and Andrees and Belser's position is exemplified through Michel Foucault's critique of the "monotonous critique"²⁸³ of prisons, which focuses on how prisons are either "insufficiently corrective" or have "lost [their] power as punishment."²⁸⁴ In *Discipline and Punish*, Foucault argues that the principal failure of this traditional critique of the prison system is that it does not account for how this "supposed failure [may be] part of the functioning of the prison."²⁸⁵ The analysis presented throughout this investigation maintains that unfree labor is the result of a structural tendency within and therefore a key component of the proper functioning of capitalism as an economic system and not a "failure" in "labor market governance." The major benefit of this type of analysis is that it better explains the intimate nexus between capitalism and unfree labor from as early as the Atlantic slave trade to the twenty-first century.

One industry that stands out as the paragon of both capitalism as an economic system and capitalism's historic and contemporary relationship with unfree labor is the textile industry. As the primary subject of Karl Marx's *Capital, Vol 1.*, including the subject of his famous "10 pounds of cotton"²⁸⁶ case study used to deliver his explanation of the creation of surplus-value, the textile industry has long been considered one of capitalism's quintessential industries from the earliest cotton mills in late-eighteenth century Manchester²⁸⁷ to the present day sweatshops around the developing world. It is important to note that from its earliest moments in

²⁸³ Michel Foucault, "Illegalities and Delinquency," in *The Foucault Reader*, ed. Paul Rainbow (New York: Random House, 2010), 229.

²⁸⁴ Foucault, "Illegalities and Delinquency," 229.

²⁸⁵ Foucault, "Illegalities and Delinquency," 230-1.

²⁸⁶ Marx, *Capital, Vol 1.*, 208.

²⁸⁷ Eric Williams, *Capitalism and Slavery* (North Carolina: The University of North Carolina Press, 1944), 128.

Manchester, the textile industry, alongside capitalism itself, has been incessantly infused with the process of producing and exploiting unfree laborers for the production, accumulation, and maximization of surplus-value.

As noted in Eric Williams' *Capitalism and Slavery*, throughout the eighteenth century, "England depended on the West Indian islands for between two-thirds and three-quarters of its raw cotton,"²⁸⁸ which was grown and harvested on plantations by persons violently kidnapped from Africa and subjected to chattel slavery in the New World (see Figure C.1). Moreover, even after the ratification of the 1833 Slavery Abolition Act,²⁸⁹ the British textile industry continued to depend on "slave-grown cotton," with "some 70 percent of which [coming] from the American South."²⁹⁰ In other words, the British textile industry never faulted in its reliance on unfree labor for the economic aggrandizement of British capital. In fact, this close connection between the development of industrial capitalism and the exploitation of unfree labor compelled Marx to declare that "the veiled slavery of the [cotton industry] wage-earners in Europe needed, for its pedestal, slavery pure and simple in the new world."²⁹¹

²⁸⁸ Williams, *Capitalism and Slavery*, 72.

²⁸⁹ Britain's reliance on slave-grown cotton from the United States began as early as 1802, a year when the United States was "the single most important supplier of cotton to the British market." See Sven Beckert, *Empire of Cotton: A Global History* (New York: Alfred A. Knopf, 2014), 104.

²⁹⁰ David Brion Davis, *Inhuman Bondage: The Rise and Fall of Slavery in the New World* (New York: Oxford University Press, 2006), 178.

²⁹¹ Marx, *Capital*, Vol 1., 833.

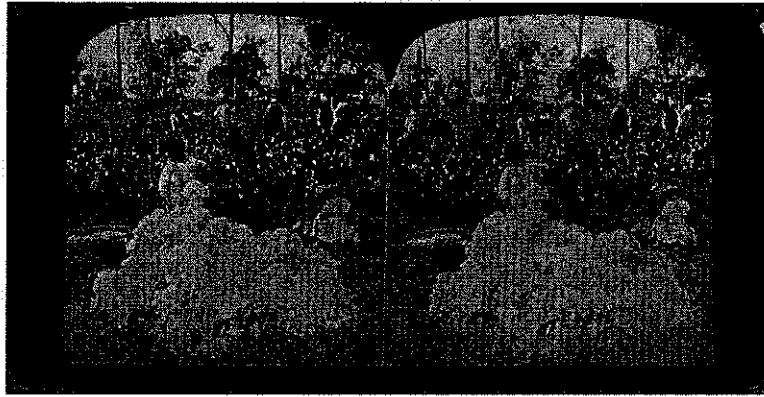


Figure C.1. Cotton is King, a Plantation Scene – 1860.²⁹²

Although Atlantic slavery slowly evaporated with the legal abolition of slavery in “Holland (1863), the United States (1865), Spain (1886), and Brazil (1888),”²⁹³ the textile industry continued to rely on unfree labor throughout the late-nineteenth and twentieth centuries. Following the abolition of chattel slavery in the United States via the ratification of the Thirteenth Amendment, a new institution for producing and exploiting racialized bodies for the demands of capital provided the textile industry with a steady supply of unfree labor. The mass incarceration of people of color following the Civil War²⁹⁴ and throughout the 1980s War on Drugs²⁹⁵ fulfilled capital’s and the textile industry’s hunger for unfree labor created by the formal abolition of slavery in the United States, as evidenced by the conversion and establishment of the Louisiana State Penitentiary, or commonly known as Angola Penitentiary. A former slave

²⁹² Schomburg Center for Research in Black Culture, Photographs and Prints Division, The New York Public Library, “Cotton is King, a Plantation Scene,” New York Public Library Digital Collections, accessed April 11, 2018, <http://digitalcollections.nypl.org/items/5e66b3e8-b789-d471-e040-e00a180654d7>.

²⁹³ Davis, *Inhuman Bondage*, 238.

²⁹⁴ Before 1861, “the number of officially imprisoned black people” was “less than one percent,” but after 1865 that number climbed to “as much as 90 percent in certain counties and states.” See Dennis Childs, *Slaves of the State: Black Incarceration from the Chain Gang to the Penitentiary* (Minneapolis: University of Minnesota, 2015), 9.

²⁹⁵ See Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* (New York: The New Press, 2012).

plantation, Angola Penitentiary is currently a fully operational prison plantation with “more than five thousand already entombed bodies – 75 percent to 80 percent of whom are black.”²⁹⁶ Since before the Civil War to now, unfree laborers at the site of the Angola Penitentiary have been violently forced to alienate their labor-power to the satisfy the structural demand of capital to produce, accumulate, and maximize surplus-value, all while “bent at the waist, picking cotton, soybeans, and corn under armed guards on horseback”²⁹⁷ (see Figure C.2).



Figure C. “King Cotton,” Angola Prison Plantation, 1999. Photograph by Wilbert Ralesa. Courtesy of the artist.

Figure C.2. King Cotton: Prison laborer harvesting cotton at Angola Penitentiary – 1999.²⁹⁸

Another way the textile industry produced and exploited unfree laborers following the abolition of chattel slavery in the mid-nineteenth century was through the joint processes of deindustrialization and globalization. By “[leaving] Europe and New England and return[ing] to its origins in the global South”²⁹⁹ in the late-nineteenth and twentieth centuries, the textile

²⁹⁶ Childs, *Slaves of the State*, 94.

²⁹⁷ Childs, *Slaves of the State*, 94.

²⁹⁸ Photograph featured in Childs, *Slaves of the State*, 95.

²⁹⁹ Beckert, *Empire of Cotton*, xvii.

industry, as embodied by the Draper Loom Corporation of Hopedale, Massachusetts which was “the largest [textile company] in the world,”³⁰⁰ alternated between exploiting the vulnerability of migrant workers in the United States³⁰¹ and abysmally low wages and deplorable working conditions of international workers in the developing world. Through these mechanisms of exploiting both unfree migrant workers domestically and unfree international workers abroad, the textile industry could achieve the Draper loom company’s self-proclaimed “one overarching goal,” which was “to reduce the cost of labor.”³⁰² Utilizing the concomitant factors of unorganized labor, nonexistent or ineffective juridico-economic labor protections and standards, and the compliance of governments in the developing world to multinational capital to its advantage, the textile industry reconfigured its production structure and global supply chain in a way that reflected capitalism’s structural tendency toward producing and exploiting unfree labor throughout the twentieth century.

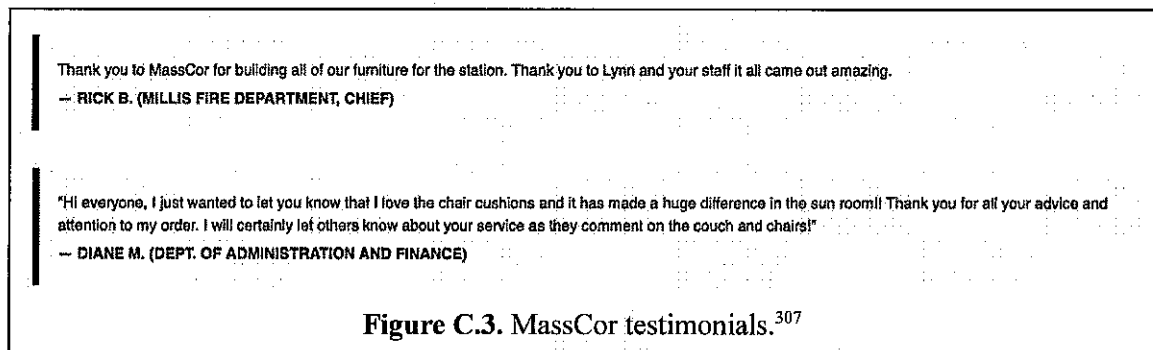
As detailed throughout this investigation, this structural tendency of capitalism toward unfree labor and its corresponding mechanisms for producing and exploiting unfree laborers through state power has extended into the twenty-first century’s textile industry across each of the domains examined in the three chapters of this study, namely unfree prison labor, unfree migrant labor, and unfree international labor. In the state of Massachusetts, the collusion between the contemporary textile industry and the carceral apparatuses of the state is illuminated through the Department of Correction’s Massachusetts Correctional Industries (MassCor). Employing

³⁰⁰ Aviva Chomsky, *Linked Labor Histories: New England, Colombia, and the Making of a Global Working Class* (Durham: Duke University Press, 2008), 16.

³⁰¹ Chomsky, *Linked Labor Histories*, 22.

³⁰² Quoted in Chomsky, *Linked Labor Histories*, 41.

“approximately 500 offenders at nine [penal] institutions,”³⁰³ MassCor offers a wide range of products and services, including “binders, Braille transcription, business cards, clothing, decals, embroidery, eyeglasses, flags, furniture, letterhead, license plates, metal products, pillows, printing, sheets, pillowcases, signs, silk screening, towels, face cloths, mattresses, box springs, and wastebaskets,” which are for sale to “state and local governments” and “private entities”³⁰⁴ (see Figure C.3). Through the exploitation of unfree prison laborers in their factories within fences, MassCor has been able to produce and sell the garments of name-brand textile companies, such as Adidas, Champion, Columbia, Fruit of the Loom, Gildan, Hanes, and more,³⁰⁵ to public and “private entities” at extremely discounted rates and generate over \$16.3 million dollars in uncompensated labor-power extracted from inmates which is then transformed into revenue for the state of Massachusetts.³⁰⁶



³⁰³ Massachusetts Department of Correction, “DOC Annual Report 2015,”

https://www.mass.gov/files/documents/2018/01/03/DOC%20Annual%20Report%202015_0.pdf, 15.

³⁰⁴ Massachusetts Executive Office of Public Safety and Security, “Massachusetts Correctional Industries,” accessed April 11, 2018, <http://www.mass.gov/eopss/law-enforce-and-cj/prisons/offices-and-divs/masscor/>.

³⁰⁵ Massachusetts Correctional Industries, Official Clothing Website, “Brands,” accessed April 11, 2018, <http://www.imprintablefashion.com/cgi-bin/hw/hwb/chw-browse-brand.w?hwCN=149150150148149154&hwCNC D=dckgapRlicpdckap&hwST=1>.

³⁰⁶ Massachusetts Department of Correction, “DOC Annual Report 2015,” 15.

³⁰⁷ Massachusetts Correctional Industries, “Testimonials,” accessed April 11, 2018, <http://masscor.us/testimonial.html>.

In addition to unfree prison laborers, the countless number of migrant workers across the United States, and Southern California in particular, all constitute another category of unfree labor employed by twenty-first century textile industry. Deprived of any substantial or stable juridico-economic protections and security, the unfree migrant laborers of the Southern California garment industry are exposed to a plethora of various workplace safety violations and forms of wage theft. According to a 2017 report by the United States Department of Labor (DOL), 94 percent of the 1,377 garment workers, most either migrant women³⁰⁸ or undocumented,³⁰⁹ investigated by the DOL “receiv[ed] as little as \$4.27 per hour,”³¹⁰ or 59 percent less than the California statewide minimum wage. In alignment with Marx’s formulation that “all surplus-value” is “in substance the materialization of unpaid labor,”³¹¹ these \$1.6 million worth of unpaid wages and damages owed to the unfree migrant garment workers of Southern California serve as the basis of the colossal profits reaped by textile producers, distributors, and retailers, including but not limited to “Ross Dress for Less, TJ Maxx and Forever 21.”³¹²

Likewise, the exploitation of unpaid and unfree labor of garment workers in the developing world is at the crux of the production, accumulation, and maximization of surplus-value for multinational and domestic textile corporations. One striking example of the

³⁰⁸ Jessie Kornberg, “In L.A.’s garment industry, ‘Made in the USA’ can mean being paid \$3 an hour,” *Los Angeles Times*, December 14, 2016,

<http://www.latimes.com/opinion/op-ed/la-oe-kornberg-garment-industry-wage-theft-20161214-story.html>.

³⁰⁹ According estimates by the organizing director of the Garment Worker Center, Mariela Martinez, less than 10 percent of the garment workers the workers’ center represents are in the country legally.

Natalie Kitroeff, “Officials say immigration agents showed up at labor dispute proceedings. California wants them out,” *Los Angeles Times*, August 3, 2017,

<http://www.latimes.com/business/la-fi-ice-california-labor-20170802-story.html>.

³¹⁰ United States Department of Labor, “U.S. Department of Labor Recovered \$1.6 Million in Back Wages and Damages for Area Garment Industry Employees this Year,” News Release No. 17-1669-SAN, published December 27, 2017, <https://www.dol.gov/newsroom/releases/whd/whd20171227>.

³¹¹ Marx, *Capital*, Vol. 1., 585.

³¹² Kornberg, “In L.A.’s garment industry, ‘Made in the USA’ can mean being paid \$3 an hour.”

textile industry's current reliance on unfree labor is the case of Bangladeshi garment workers. As the "world's second-largest garment exporter after only China,"³¹³ Bangladesh supplies multinational corporations operating from within the United States, like Walmart and Sears,³¹⁴ with exceedingly inexpensive textile products. However, at the source of these low prices is the plight of unfree Bangladeshi garment workers, who are paid 86 percent less than the living wage,³¹⁵ lack the politico-economic right to organize,³¹⁶ and are routinely vulnerable to flagrant occupational safety, health, and compensation violations.³¹⁷ Indeed, from Bangladesh, Southern California, Massachusetts' state prisons, the looms of Colombia, Angola Penitentiary, and to the slave plantations of the American Southern and West Indies, the textile industry's past and present have been unequivocally interwoven with the production and exploitation of unfree labor for the production, accumulation, and maximization of surplus-value. This industry, or as Williams identifies it, "*the capitalist industry par excellence*,"³¹⁸ embodies capitalism's structural tendency toward and inseparable relationship with unfree labor.

Despite the stark evidence and data presented throughout this research, it is imperative that I clarify that *none* of the political, economic, and social structures and institutions, including

³¹³ Alyssa Ayres, "Bangladesh: Behemoth Garment Industry Weathers The Storm," *Forbes*, June 20, 2014, <https://www.forbes.com/sites/alvssaayres/2014/06/20/274/>.

³¹⁴ Julfikar Ali Manik and Jim Yardley, "Bangladesh Finds Gross Negligence in Factory Fire," *The New York Times*, December 17, 2012, <http://www.nytimes.com/2012/12/18/world/asia/bangladesh-factory-fire-caused-by-gross-negligence.html>.

³¹⁵ The living wage in Bangladesh is 37,661 Bangladeshi taka per month. The minimum monthly wage for garment workers is 5,300 taka and 4,100 taka for footwear workers. Jakir Hossain, Mostafiz Ahmed, and Jafrul Hasan Sharif, "Linkages of trade and labor standards in global supply chains in Bangladesh" from "Who benefits from trade? Findings on the link between trade and labor standards in the garment, footwear and electronics industries in Bangladesh, Cambodia, Pakistan, and Vietnam," *Friedrich Ebert Stiftung Office for Regional Cooperation in Asia* (May 2017): 16.

"What is the Asia Floor Wage," *Asia Floor Wage Alliance*, accessed February 18, 2018, <https://asia.floorwage.org/what>.

³¹⁶ Hossain, Ahmed, and Sharif, "Linkages of trade and labor standards in global supply chains in Bangladesh," 15.

³¹⁷ See the 2012 Tazreen Fashion Factory Fire and the 2013 Rana Plaza Building Collapse.

³¹⁸ Williams, *Capitalism and Slavery*, 127. Emphasis mine.

capitalism's structural tendency toward unfree labor, are deterministically fixed. In response to capital's internationally organized, state-synchronized, and brutally implemented production and exploitation of unfree laborers, there must exist a complimentary, and even more militantly-organized and unified, solidarity of international workers who seek the abolish these structures of unfree labor at its source: the capitalist mode of production. As a system inexorably structured to "extract the greatest possible amount of surplus-value, and consequently to exploit labor-power to the greatest possible extent,"³¹⁹ capitalism itself cannot fail to produce and exploit unfree laborers. Thus, without explicitly attempting to deconstruct capitalism as a politico-economic system, any legislation, policy change, or other attempt to foster an emancipatory future will inevitably fail to prevent further reiterations of unfree labor, even if providing temporary, immediate, and necessary relief. The overcoming of a structural problem therefore requires structural resistance, rebellion, and revolution. Fortunately, signs of this type of resistance, rebellion, and revolution against capitalism are latent within the functioning of the system itself and are beginning to be expressed in the twenty-first century. According to Marx, with the growing "mass of misery, oppression, slavery, degradation, [and] exploitation" engendered by capitalism, there is a simultaneous "revolt of the working class," who have been "disciplined, united, [and] organised by the very mechanism of the process of capitalist production itself."³²⁰ In the twenty-first century, resistance and rebellion against capital's production and exploitation of unfree penal, migrant, and international laborers has only

³¹⁹ Marx, *Capital*, Vol. 1., 363.

³²⁰ Marx, *Capital*, Vol. 1., 836-7.

proliferated, even without the existence of an anti-capitalist organization of international laborers.³²¹

In the footsteps of the approximately 24,000 to 50,000 prisoners³²² who initiated the largest prison strike in United States history³²³ on the forty-fifth anniversary of the Attica Prison uprising, thousands of unfree prison laborers in Florida commenced a statewide prison strike, which involved at least 10 state prisons, on Martin Luther King Jr. Day 2018.³²⁴ These prisoners sought to “protest prison overcrowding, brutal living conditions, and working for no or little pay [through Florida’s PRIDE prison work program]”³²⁵ by drawing national attention to the exploitation of unfree prison laborers and reappropriating control of their own labor-power. In spite of the violent repression and torture³²⁶ the prison strikers have met by the Florida Department of Corrections, their actions have been dramatically influential for prisoners across the globe. Their resistance coincides within a broader, critical movement of worker resistance in the United States, including a wave of teacher strikes in West Virginia, Oklahoma, Kentucky, and Arizona.³²⁷ In terms of resistance to the deployment of unfree prison labor, the Florida prison strikers’ movement, or Operation PUSH, corresponds with the Incarcerated Workers Organizing Committee’s (IWOC) recent announcement of the formation of “the very first Incarcerated

³²¹ While the work of the International Labor Organization (ILO) and similar associations is important, the twenty-first century still lacks a substantial international labor movement based on anti-capitalist principles.

³²² Max Blau and Emanuella Grinberg, “Why US inmates launched a nationwide strike,” *CNN*, October 31, 2016, <https://www.cnn.com/2016/10/30/us/us-prisoner-strike/index.html>.

³²³ Alice Speri, “The Largest Prison Strike in U.S. History Enters Its Second Week,” *The Intercept*, September 16, 2016, <https://theintercept.com/2016/09/16/the-largest-prison-strike-in-u-s-history-enters-its-second-week/>.

³²⁴ John Washington, “Florida’s Prison Laborers Are Going On Strike,” *The Nation*, January 15, 2018, <https://www.thenation.com/article/floridas-prison-laborers-are-going-on-strike/>.

³²⁵ Washington, “Florida’s Prison Laborers Are Going On Strike.”

³²⁶ Jerry Iannelli, “Florida Prison-Strike Organizer Charged With ‘Inciting Riot,’ Says He Was ‘Tortured,’” *Miami New Times*, January 26, 2018, <http://www.miaminewtimes.com/news/florida-prison-strike-organizer-charged-with-inciting-riot-10027595>.

³²⁷ Caitlin Emma, “Teachers Are Going on Strike in Trump’s America,” *POLITICO Magazine*, April 12, 2018, <https://www.politico.com/magazine/story/2018/04/12/teacher-strikes-oklahoma-city-kentucky-west-virginia-217849>.

Workers union branch,³²⁸ branch IU613, of the Industrial Workers of the World (IWW). Both Operation PUSH and branch IU613 signify potential forms of organization, solidarity, and resistance against this structural tendency of capitalism toward unfree labor in American penitentiaries.

In the American immigration system, resistance and rebellion against capitalism's entanglement with unfree labor materializes through the numerous legal battles and community solidarity against the exploitation of migrant workers. From the ongoing class action lawsuit levied against GEO Group for the forced labor of detained immigrants³²⁹ to the 1,100 letters in support of Lucio Perez, an undocumented immigrant seeking refuge from ICE in Amherst's First Congregational Church,³³⁰ each new lawsuit and act of community solidarity establishes crucial political, economic, and social precedents and blueprints for future acts of resistance against capital. Equally as important are the immigrant labor rights organizations, which provide resources and systems of support for vulnerable migrant workers in the United States. For example, it was the Coalition of Immokalee Workers (CIW), that had "taken aggressive and effective action against slavery in the southern [Florida] fields."³³¹ Similarly, it was the Workers

³²⁸ Incarcerated Workers Organizing Committee (IWOC), "First Incarcerated Worker Industrial Union Branch Forming," *Industrial Workers of the World (IWW)*, January 22, 2018, <https://www.iww.org/content/first-incarcerated-worker-industrial-union-branch-forming>.

³²⁹ Kristine Phillips, "Thousands of ICE Detainees Claim They Were Forced into Labor, A Violation of Anti-slavery Laws," *The Washington Post*, March 5, 2017, <https://www.washingtonpost.com/news/post-nation/wp/2017/03/05/thousands-of-ice-detainees-claim-they-were-forced-into-labor-a-violation-of-anti-slavery-laws/>.

³³⁰ Jacqueline Tempera, "Springfield immigration office refuses to accept 1,100 letters in support of Lucio Perez, man facing deportation," *MassLive*, April 11, 2018, http://www.masslive.com/news/index.ssf/2018/04/springfield_immigration_office.html.

³³¹ Bales and Soodalter, *The Slaves Next Door*, 54.

Defense Project (WDP) that reappropriated the unpaid wages of immigrants Karla Lopez and Hector Menjivar who helped rebuild Houston, Texas in the aftermath of Hurricane Harvey.³³²

In the context of unfree international labor, resistance, rebellion, and revolution against capitalism and its structural tendency has accomplished punctuated victories, as revealed in the case of Brazil. After a relentless and united effort by the Pastoral Land Commission, the Catholic Church, and testimonies of farm laborers to halt the widespread production and exploitation of unfree laborers in the harvesting of lumber and charcoal, the Brazilian government became “one of the first nations in the world to officially recognize modern slavery” and implement policies which document its existence, impose strict penalties for violators, and generate comprehensive public transparency.³³³ Regardless of this effort by the Brazilian government and similar efforts by organized labor, human rights activists, and the collective action of laborers themselves around the globe, the struggle against the production and exploitation of unfree international labor has not been able to successfully unify into a transnational coalition. With massive strides in instant digital communication and the withering of cultural-linguistic barriers catalyzed by the twenty-first century’s rapid technological advancements and globalizing effects of capitalism itself, the creation of an international coalition of laborers, with the intent of eliminating the production and exploitation of unfree labor via the deconstruction of capitalism, has never been more attainable. Echoing Marx’s famous call for an international coalition of working people in *The Communist Manifesto*,³³⁴ the cardinal purpose of this research can be understood as a

³³² Renée Feltz, “Amid Rampant Wage Theft in Post-Harvey Reconstruction, Immigrant Workers Take On Disaster Recovery Giant – And Win,” *The Intercept*, March 16, 2018, <https://theintercept.com/2018/03/16/hurricane-harvey-disaster-recovery-wage-theft/>.

³³³ Leonardo Sakamoto, “‘Slave Labor’ in Brazil,” in *Forced Labor: Coercion and Exploitation in the Private Economy* (Colorado: Lynne Rienner Publishers, 2009), 17.

³³⁴ Karl Marx and Friedrich Engels, *The Communist Manifesto and Other Writings*, trans. Samuel Moore (New York: Barnes and Noble, 2005), 41.

requisition for an international organization of laborers that will resist, rebel, and revolt against the structural tendency of capitalism toward unfree labor.

In the process of conducting the research and composing multiple drafts for this project, I have had the privilege of experiencing many moments of profound personal growth, intellectual development, and self-realization. Of these moments, there are at least two major personal changes that are worth recording due to the immense value I believe they contain for myself and others.

First, as a result of the research for this project, I have come to view myself as an historical agent, inescapably interconnected and constantly interacting with the full force of the multifarious political, economic, and social structures carefully cultivated by and currently shaping human history. One prominent example of how this research has altered my relationship with history was prompted by a subsection of a chapter from Aviva Chomsky's *Linked Labor Histories* on Robert Bakeman, a former mayor of my hometown of Peabody, Massachusetts during the early twentieth century. Learning about how my hometown's first, and perhaps only, anti-capitalist mayor helped organize "the biggest crowd ever gathered in a public meeting [in Peabody]" to oppose the death penalty for Sacco and Vanzetti just blocks away from my childhood home³³⁵ has dramatically changed how I understand the nature of my work. Instead of being a decontextualized research project that I completed during my final year at the University of Massachusetts, Amherst, I now see my work as being a continuation of Peabody's militant labor history. Additionally, Chomsky's work has allowed me to see my family history and

³³⁵ Chomsky, *Linked Labor Histories*, 81.

personal identity in the context of the research unveiled throughout the course of this project. With great-grandparents who immigrated from Italy during the early twentieth century and extended family who immigrated from Colombia in the late twentieth century and then worked in the textile looms of Lowell, Massachusetts, it is now easy to witness how my family history has been shaped by capitalism's structural tendency toward unfree labor.

In viewing myself as an historical agent, I have also had to confront what it means to be an active and engaged citizen in the face of these exploitative mechanisms of capitalism in the twenty-first century. One of the ways I have attempted to access this newfound historical agency has been through investigating the Suffolk County Sheriff's Department's (SCSD) Community Works Program (CWP) as described in Chapter 1. After discovering significant financial discrepancies between what the SCSD charges different cities for the use of inmate labor, I have utilized Massachusetts' public records laws to demand more information about these inconsistencies and hold these apparatuses of state power accountable. Along with filing these public records requests, I have used my positions as a university student and educational professional to spread information about the plight of today's unfree laborers and I encourage others to do so as well (see Figures C.4, C.5, and C.6). Overall, as I continue my research and the future trajectory of my life, I aim to fight for an emancipatory future devoid of all forms of unfree labor by any means necessary.

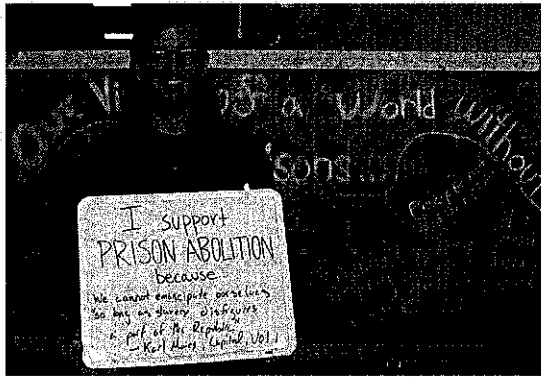


Figure C.4. Nicolas Blaisdell, the author, at an event for the UMass Prison Abolition Collective (PAC) on April 28, 2017.³³⁶



Figure C.5. Nicolas Blaisdell, the author, presenting on capitalism and unfree labor at the UMass Undergraduate Research Conference on April 27, 2018.



Figure C.6. (from left to right) Professor Joselyn Almeida-Beveridge, Nicolas Blaisdell, and Professor Kevin Young at the author's thesis defense on May 2, 2018.

³³⁶ For more information about the UMass Prison Abolition Collective (PAC) visit facebook.com/umasspac.

Conclusion- Appendix

The following organizations address problems described in this work and are resources for communities and citizens who may want to take action. Sample public records requests are also included to demystify the process with the goal of fostering more informed and empowered citizens.

Pioneer Valley Workers' Center	
Mission Statement:	"The Pioneer Valley Workers' Center builds power with low-wage and immigrant workers throughout Western Massachusetts. Together, we organize to build community and win real change in the lives of working people."
Location:	20 Hampton Ave, Site. 200, Northampton, MA
Phone:	413-570-3060
Website:	https://pvworkerscenter.org/

End Slavery Now	
Description:	Searchable by country, state, city, or ZIP code, the End Slavery Now online directory allows users to find "organizations where you can get involved in the fight against modern-day slavery and human trafficking."
Website:	https://www.endslaverynow.org/connect

Global Modern Slavery Directory	
Description:	"[...] Polaris has created the Global Modern Slavery Directory, an interactive, publicly searchable map and database of organizations and agencies across the globe that address the issue of modern slavery and human trafficking."
Website:	http://www.globalmodernslavery.org/

Free the Slaves: Coalitions & Affiliations	
Description:	"Free the Slaves works in affiliation with a wide range of human rights, social justice, international development, and corporate accountability organizations. Our goals are simple: spread the word that slavery and other injustices are often interrelated, then forge partnerships that

		leverage the resources of many groups to more effectively uplift victims and the vulnerable.”
	Website:	https://www.freetheslaves.net/thought-leadership/coalitions-affiliations/

Sample Public Records Requests: City of Boston

SENT VIA EMAIL AND US MAIL

Shawn Williams, Records Access Officer
 Public Records Office
 Boston City Hall
 1 City Hall Square, Room 615, Boston, MA, 02201
publicrecords@boston.gov

RE: Public Records Request

Dear Shawn Williams,

I write to make a request for public records pursuant to the Massachusetts Public Records Law (M. G. L. Chapter 66, Section 10).

Request No. 1

I hereby request copies of **any and all financial interactions** or correspondence, including but not limited to invoices, payment slips, and contracts, **for calendar years commencing January 1, 2016 through present or for fiscal years 2016, 2017 & 2018**, between the **City of Boston** and **Suffolk County Sheriff's Department**.

As a municipality with a population of over 20,000 residents, the first two hours to search, review, and produce the requested public records are free of charge. Please advise if any additional fees for searching or copying these records are necessary.

Pursuant to Massachusetts Public Records Law (M. G. L. Chapter 66, Section 10A), I look forward to receiving copies of the requested public records within 10 business days. Should you have any questions, please do not hesitate to contact me.

Thank you,
 Nicolas Blaisdell

CONTACT INFORMATION

Mailing Address. 145 Commonwealth Ave, Amherst, MA, 01002
Cell phone. XXX-XXX-XXXX
Email. XXXXXX@umass.edu

Sample Public Records Requests: Massachusetts Department of Correction

SENT VIA EMAIL

Kate Silvia, Primary Records Access Officer
Massachusetts Department of Correction
50 Maple St., Milford, MA, 01757
doc.rao@state.ma.us

RE: Public Records Request

Dear RAO Kate Silvia,

I write to make two requests for public records pursuant to the Massachusetts Public Records Law (M. G. L. Chapter 66, Section 10).

Request No. 1

I hereby request a copy of **any and all** documents or records for calendar years commencing January 1, 2016 through present or for fiscal years 2016, 2017 & 2018 related to **inmate pay and compensation** for their work for **Massachusetts Correctional Industries (MassCor)** (including but not limited to: documents related to inmate pay scales and hourly wages, mandatory minimum number of weekly hours for inmates to receive compensation, and documents related to any possible deductions to inmate wages and compensation).

Request No. 2

I hereby request a copy of **any and all** documents or records for calendar years commencing January 1, 2016 through present or for fiscal years 2016, 2017 & 2018 related to the **clients, vendors, or any other entity** who has made payment(s) to **MassCor** (including but not limited to: invoices, receipts, billing, payment slips, and contracts with cities, towns, and other municipalities, local, state, or federal government organizations or departments, non-profit organizations, and private entities).

Pursuant to Massachusetts Public Records Law (M. G. L. Chapter 66, Section 10A), I look forward to receiving copies of the requested public records within 10 business days. Should you have any questions, please do not hesitate to contact me. Please advise if any fees for searching or copying these records are necessary.

Thank you,
Nicolas Blaisdell

CONTACT INFORMATION

Mailing Address. 145 Commonwealth Ave, Amherst, MA, 01002
Cell phone. XXX-XXX-XXXX
Email. XXXXXX@umass.edu

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