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Globalized Punishment, Localized Resistance

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Globalized Punishment, Localized Resistance

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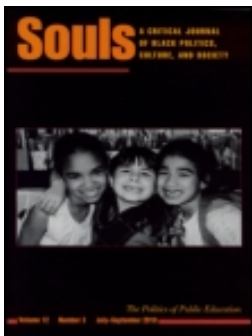
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Souls

Collateral Consequences

Globalized Punishment, Localized Resistance

Prisons, Neoliberalism, and Empire



Julia Sudbury

In September 1998, activists, students, scholars, prisoners and their families came together at the first Critical Resistance conference in Berkeley to plan an international grassroots movement against the prison industrial complex. In the following months, Critical Resistance (CR) became a new social movement, establishing chapters and affiliates in New York, Western Massachusetts, New Haven, Washington, D.C., Kentucky, Los Angeles and Oakland, creating an analysis of the prison-industrial complex and disseminating a model of grassroots activism against mass incarceration throughout the nation and, to a lesser extent, beyond U.S. borders.¹ In March 2001, a second conference in New York was organized by the Critical Resistance East chapter. Subsequently, in April 2003, Critical Resistance South, the third CR conference, took place in April 2003 in the Tremé, a historic Black neighborhood in New Orleans, bringing together two thousand former prisoners, family members, students, community members and scholars from thirteen states to share strategies for dismantling the prison industrial complex in the South.

In the past half decade, several organizations have emerged to oppose the prison building boom, including Families Against Mandatory Minimums, Schools Not Jails, and Prison Moratorium Projects in New York, California and Arizona. The Africana Criminal Justice Project thus exists in conjunction with and as an offshoot of a vibrant movement which locates the abolition of prisons at the center of a vision of liberation and a struggle for social justice. The ultimate goal of the radical prison movement is not to create racially balanced or anti-racist prisons, or even to give two million prisoners the vote, but to bring prisoners home, to heal their families, and to rebuild our communities.

As we seek to develop a field of Africana Studies Against Criminal Injustice, we must be vigilant about silences and erasures within the discipline of Africana Studies. We need to challenge the tendency for African American Studies to become the study of Black men,² we need to actively counter the nationalism that creeps into even our most progressive movements and prevents us from seeing beyond U.S. borders, and we need to resist

pressures to become an academic discipline detached from communities of resistance and from our radical roots.³ We can do this by building on the radical internationalist tradition in Africana political thought such as that of Claudia Jones, a diasporic intellectual with roots in Trinidad who was active in anti-racist, feminist, communist, anti-imperialist, and anti-war organizing in both the United States and Britain.⁴

Jones's outspoken membership in the Communist Party, her trenchant critiques of racism and segregation, and her efforts to encourage African Americans to join the internationalist opposition to capitalism and militarism were particularly threatening to the U.S. government. In 1948, she was arrested and convicted under the Smith Act, or Alien Registration Act of 1940, of being "an alien who believes in, advocates, and teaches the overthrow, by force or violence of the Government of the United States."⁵ While incarcerated in a federal penitentiary, she wrote in a letter to the United Nations:

[I]f we (immigrants) can be denied all rights and incarcerated in concentration camps, then trade unionists are next; then the Negro people; then the Jewish people, all foreign born, and progressives who love peace and cherish freedom. . . . Our fate is the fate of the American people. Our fight is the fight of all opponents to fascist barbarism, of all who abhor war and desire peace.⁶

Jones's predictions about the U.S. penal system, thirty-three years before the Reagan administration embarked on the present prison-building binge, and over fifty years before the federal government began rounding up over eighty thousand Middle Eastern immigrants and asylum seekers, are frighteningly accurate.⁷ Claudia Jones's praxis was also visionary in other ways: long before academics started theorizing about intersectionality, she argued that racism could not be eradicated without also ending the specific forms of sexism assailing Black women.⁸ She was a vigorous advocate of multi-racial coalition building between people of color, something she practiced as co-founder and chair of the Confederation of Afro-Asian-Caribbean Organizations in England. Jones's analysis of the connections between global capitalism, imperialism, militarism and racism provided an important radical foundation for international solidarity between African

Americans and colonized peoples worldwide. Her radical, anti-imperialist, transnational feminism can serve as a model for our own efforts to challenge criminal injustice at this time of war and renewed U.S. empire-building.

The ultimate goal of the radical prison movement is not to create racially balanced or anti-racist prisons, but to bring prisoners home, to heal their families, and to rebuild our communities

Centering Women's Narratives

The stories of two women in particular will illuminate the connections between neoliberal globalization and the rise of the prison industrial complex. Accounts of mass incarceration tend to reduce prisoners to nameless statistics and to produce criminogenic typologies that enhance the state's ability to develop efficient and impersonal punishment regimes.

In addition, women's imprisonment is rendered invisible when women prisoners, as frequently happens, are dismissed as "too few to count."⁹ A counter-criminological analysis, to borrow a term from Nigerian scholar Biko Agozino,¹⁰ one that

centers on social justice, not punitive efficacy must begin with the personal. Women's narratives are case studies that provide a deep, textured counterpoint to statistical data. They link struggles with addiction and self-esteem, relationships between mothers and daughters and women and their lovers, with systems of exploitation based on racism, class and gender, and with social policy and the political economy of prisons.¹¹

Long before academics started theorizing about intersectionality, [Claudia] Jones argued that racism could not be eradicated without also ending the specific forms of sexism assailing Black women

Marta is a Jamaican woman in her mid thirties serving a five-year sentence for importation of drugs. I met Marta at HMP Westhill, originally the young offender annex of a large Victorian male prison in the picturesque town of Winchester in the South of England. During the 1990s, when the women's prison population began to increase faster than men's, the annex was painted pink and reopened as a women's medium security prison. While Winchester's general population is a predominantly white, approximately forty percent of the women at HMP Westhill are Black. Many, like Marta, are non-citizens from Africa or the Caribbean, who will be deported at the end of their sentence. Most, like Marta, have children whom they have not seen for many years.

Diane is a biracial African Canadian 25-year-old serving a five-year sentence for importation of criminalized drugs in Toronto. Diane served most of her sentence at the Grand Valley Federal Prison for Women in Kitchener, Ontario, one of five new "women-centered" federal prisons built by the Canadian government in the late 1990s. As a teen, Diane left home and moved into a women's shelter because of an abusive relationship with her father. While there, she began a relationship with a Caribbean immigrant who was subsequently incarcerated for selling drugs. Shortly after his release, she gave up her job and started importing for him, not knowing at the time that his previous courier, a prior girlfriend, had been arrested and incarcerated. During the first few days of her sentence, she met and shared experiences with her husband's prior girlfriend and also learned that he had already moved in with another woman. Nevertheless, when offered a shorter sentence in return for information about who supplied the drugs, she refused out of a continued sense of loyalty.

Globalization of the Prison Industrial Complex

Marta and Diane's stories tell us that mass incarceration is not only a U.S. phenomenon. Prison populations throughout the global north have risen exponentially in the past twenty-five years, leading to massive overcrowding and a worldwide prison building boom¹² characterized by three elements: it is fuelled by the criminalization of African diasporic, indigenous and immigrant populations, it is marked by the exponential rate of growth of women's imprisonment, which in most nations has outstripped men's, and it has generated (and has been fuelled by) a transnational prison-industrial complex—a symbiotic relationship between the state and the private sector that translates prison expansion into corporate profits, campaign donations and electoral victories.

Scholars working in a radical tradition of prison studies, such as Ruth Wilson Gilmore,

Angela Y. Davis and Christian Parenti, have analyzed the relationship between neoliberal globalization and the explosion in incarceration in advanced industrial nations.¹³ Free trade and open borders for some have increasingly made working class people of color in North America, Europe and Australia surplus labor in the global economy. As corporations relocate their manufacturing operations to the Taiwan, Haiti or the Philippines in search of ever lower costs, cheap, non-unionized third world women have become the exploitable labor force of choice. Penal warehousing, which combines physical immobilization with political disenfranchisement, has become the state's solution to the "surplus populations" left behind. This solution is part of a broader shift from the welfare state to the "law and order" state embraced by neoconservatives and third way liberals alike. Hence the well-documented transfer of public spending from education, health and welfare, to policing and prisons, and tax breaks benefiting corporations and wealthy individuals. The feminization of poverty created by neoliberal economic restructuring combines with patriarchal gender relations to make women of color particularly vulnerable. Diane's story demonstrates that the incarceration of women is often the culmination of years of gender violence and exploitation, reminding us that the criminalization of surplus labor works in specifically gendered ways, often taking as its starting point the abuse of women and children by men in our communities.¹⁴

The transnational prison-industrial complex is not just about surplus labor, it is also, as Ruth Wilson Gilmore has pointed out, about surplus land.¹⁵ "Industrialized punishment" has become a key economic development strategy for rural towns devastated by the economic restructuring brought about by globalization. Timber, steel and paper factories, forced into bankruptcy under the new regime of unfettered free trade, have been replaced by the steel and concrete of new prisons. Farm land, vacated by family farms gone bust under competition with multinational agribusiness, has become profitable once more when used to warehouse criminalized bodies. The rise of industrialized punishment has birthed a rural prison lobby in Canada and Australia as well as in the U.S., which through town councils, business and realtor associations, and organizations like the Association of California Cities Allied with Prisons, clamors for new prisons in place of productive forms of economic revitalization. It has woven mass incarceration into the fabric of the global economy.

Capitalist Punishment

Nowhere is this more evident than in the transnational spread of the private prison industry. While the private prison industry was birthed in the U.S. it has become a multinational entity with even greater significance outside of the U.S.. Within the U.S., the industry has been plagued by vocal opponents, highly public human rights abuses, escapes, scandals and over-building leading to expensive empty beds and troubled stock valuations.¹⁶ Elsewhere, however, it has successfully positioned itself as a helpmate and "partner" to state correctional agencies, and the answer to a whole host of problems. In Britain, it has been embraced as a panacea for crumbling Victorian prisons, a rigid prison guards union, and—bizarrely—institutionalized racism. Despite initially opposing the privatization of prisons, the Labour government has announced that all new prisons will be put out to competitive tender and that "failing" prisons will be privatized.¹⁷ In Chile, Mexico and South Africa, foreign private prison corporations have been celebrated as a solution to inhumane conditions, overcrowding, human rights abuses and government corruption.¹⁸ For neoliberal Latin American governments, new high tech steel and concrete penal warehouses with eighteen-year lease-purchase contracts have replaced housing, hospitals and universities as signs of modernization and development.¹⁹



North Kern State Prison, Delano, CA (from the Delano series). Photo © Robyn Twomey

The emergence of shiny new prisons alongside the shantytowns and slums of the southern hemisphere is a reminder of the hollow promise of trickle-down development offered by proponents of neoliberal globalization. Even as governments are being forced to rein in spending on health, housing, clean water and other basic necessities, they are also under pressure to embark on a U.S.-style war on drugs and law-and-order build up. For example, the Inter-American Development Bank (IDB) is currently working to promote “justice reform” in Latin America and the Caribbean. In 1993, the IDB organized a conference at which its borrower nations were encouraged to modernize their justice systems. Since the conference, the IDB has spent \$460 million in criminal justice loans and technical assistance in twenty-one countries. The IDB’s interest in justice reform is driven by corporate executives, who, according to a recent report, are concerned that struggling criminal justice systems in the region, quote, “present(s) a major problem for their business operations.”²⁰ The IDB’s focus on the criminal justice system demonstrates the connection between the neoliberal development agenda and the politics of law and order. When kidnappings of business executives, popular uprisings and property-driven crime threaten investments, controlling disenfranchised and insurgent populations becomes a priority. In this context, strengthening criminal justice systems becomes an alternative to government funding for programs to redistribute wealth and reduce income disparity,

poverty and landlessness, exemplified by the popular socialist transformations spearheaded by Lula Da Silva's Workers Party in Brazil.

Economic Restructuring in the Global South

Third world women and men are not only increasingly at risk of incarceration in new private U.S.-style prisons at home, they are also filling the cells of penal warehouses throughout the global north. In the U.S. federal system, for example, 29 percent of those detained on criminal charges are non-citizens, while 9 percent of the British prison population are non-citizens.²¹ Marta's story provides some insight into the rise in cross-border incarcerations. Speaking of her decision to import drugs, Marta told me:

Things in Jamaica is very expensive. It's hard for a single woman with kids, especially anywhere over three kids, to get by without a good support or a steady job. It doesn't mean that I didn't have an income. I did have an income, but having four kids and an ex-husband who doesn't really care much. I had to keep paying school fees and the money kept going down. I did need some kind of support. That's why I did what I did. We don't get child support in Jamaica, three quarters of the things that this country offers for mothers here we don't have it. This country gives you a house, they give you benefits, we get nothing in Jamaica. We have to pay for hospital, not even education is free. Primary school used to be free under one government hand, but under another government it has been taken away. You're talking about high school, you're talking about fifteen up to twenty thousand dollars a term, for one kid to go to high school. It's difficult in Jamaica.

Since the mid 1980s, the Jamaican Labour Party (JLP), in unequal partnership with the U.S., the International Monetary Fund (IMF) and the World Bank, has undertaken a radical restructuring of the economy. Following the so-called "Washington consensus,"

the JLP has slashed public-sector employment, scaled back local government services, health and education, sold state-owned companies to the private sector, and reduced tariffs on imported goods. The result has been a sharp increase in the cost of living, the decimation of local farms and businesses and a dramatic decline in real wages. These cuts have hit women particularly hard as they seek to fill the vacuum left by the vanishing welfare state.²²

While the state has cut back its role in social welfare, it has stepped up its role in subsidizing foreign and domestic capital. Free Trade Zones established in Kingston and Montego Bay offer foreign garment, electronic and communications companies equipped factory space, tax exemptions, a cheap female workforce and, for the busy

executive, weekends of sun, sea and sex. Foreign-owned agribusiness and mining companies have also been encouraged, displacing traditional subsistence farming and causing migration from rural areas to the cities, which now host fifty percent of the Jamaican population. As the economy has shifted, women working in the informal economy as

Penal warehousing, which combines physical immobilization with political disenfranchisement, has become the state's solution to the "surplus populations" left behind

farmers and petty traders, popularly known as “higglers,” like Marta, find themselves unable to keep up with the rising costs of survival. While younger women may find employment in the tourist industry as maids, entertainers or prostitutes, or within the Free Trade Zones assembling clothes or computers for Western markets, working class women in their thirties and older have fewer options.

The emergence of shiny new prisons alongside the shantytowns and slums of the southern hemisphere is a reminder of the hollow promise of trickle-down development offered by proponents of neoliberal globalization

Marta’s experience exemplifies the increasing economic pressures facing women in the global South under free trade and IMF-led structural adjustment. The failure of the global economy to provide legal means for third world women to support themselves and their children guarantees a pool of low level disposable workers for the criminalized drug industry and the global sex trade, and a continual supply of criminalized bodies for the prison-industrial complex.

Directions for Future Activism

The globalization of capital is driving prison expansion in four ways. It produces surplus populations—Black, Latino, indigenous, immigrant and working class communities in North America, Europe and Australia—who are immobilized and disenfranchised in penal warehouses in the global north. It produces surplus land that in the absence of other economic development opportunities generates local demand for new prison construction. It globalizes the private prison industry, spreading the U.S. model of high-tech mass incarceration throughout the world, and offering global south governments the mirage of modernity via mass incarceration. Finally, the neoliberal economic restructuring foisted by the IMF and the World Bank is undermining traditional survival strategies and decimating government services, driving women and men in the global south into the criminalized drug industry and fuelling cross-border incarceration.

What does this mean for the research and praxis of scholars and activists? A great deal more work needs to be done to unravel the complex interconnections between mass incarceration and the global economy. As activists at the heart of the “American Empire” our priority should be to make connections with prison activists outside of the U.S.. We must begin to develop cross-border activism to challenge the transnational prison-industrial complex along the lines of the anti-sweatshop activism against Wal-Mart and Nike. The International Conference on Penal Abolition, which met in Lagos, Nigeria in August 2002 is a model for such cross-border work. The 2002 meeting was important in that it brought together prison activists from numerous West African countries for the first time to focus on decolonizing criminal justice systems in the region. We have a great deal to learn from traditional African models of justice and conflict resolution. We also need to build alliances to prevent the spread of U.S.-style private prisons from South Africa through the rest of the continent.

As we seek to challenge the global forces that fuel incarceration, we should not lose sight of the individual stories that make up the prison crisis. A movement that will liberate

us must have at its center the voices of the most marginalized and invisible. One way to achieve this is to promote movement-building among former prisoners and their families. I am struck by the words of All of Us Or None, an emerging civil rights movement which aims to mobilize the thirty million former prisoners and felons in the U.S.:

Nationally, there have been a number of former prisoners who have managed to involve themselves in organizations, agencies and on boards of directors in an effort to engage the policy makers, foundations, and society at large. For the most part we are invited as minority voices, we sit on panels to give them the appearance of legitimacy, and we are invited not to set the agenda but to respond to it. Even if that agenda is about our life and our families, we remain the subject and not the solution. . . . There are those among us who have had the privilege of meeting in rooms and discussing the problems that face us as former prisoners and felons. The atmosphere was electric and we walked away not committed to crime but to changing society. The notion that if we get together with each other we will return to crime is a cynical myth, designed to isolate us from each other. We were able to see that in spite of all odds many of us had changed our lives. We could see the common scars of incarceration. We could recognize that our experiences made us the best kind of experts. We could see the absence of a national plan that could reintegrate us back into society. We could see the financial profits that drive the prison building boom and could see the absolute need to organize ourselves to resist this oppression.²³

Academics can play an important role by providing resources to organizations like All

Site for Second Prison, Delano, CA (from the Delano series). Photo © Robyn Twomey



of Us or None and the Nu-Leadership Group which are developing an autonomous collective political voice of those most directly affected by the prison-industrial complex. At the same time, we must develop better strategies for building horizontal solidarity with those currently behind bars, despite the efforts of prison authorities to keep us at arm's length.

We must also develop coalitions with the anti-globalization movement, both in the U.S. and internationally. The World Social Forum (WSF) is an important venue where critiques of and alternatives to free trade, imperialism and neoliberalism are developed. We need to infuse the politics of the WSF with an analysis of the role of the prison-industrial complex in bolstering global capitalism. At the same time, our movement to abolish prisons can learn from the unprecedented successes of popular movements in the global south such as the Movimento Sim Terra in Brazil and the Ruta Pacífica in Colombia. These movements are broad-based, involving organized labor, feminists, the homeless, students and indigenous communities. They have developed a sophisticated intersectional analysis of globalization, imperialism and militarism as well as race, gender and class. And most importantly, they have been successful in generating mass mobilizations by generating a viable alternative to the Washington model, by prioritizing people and the environment over corporations and profits.

Central to an anti-imperialist critique of the prison-industrial complex must be an analysis of the connections between militarism and prisons. If prison abolitionism is to continue to have relevance at a time when bombs are falling and Iraqis—or in the coming months, perhaps North Koreans, Palestinians, Saudi Arabians, Syrians or Pakistanis—are dying, we must develop an integrated analysis of war, imperialism and mass incarceration. The war on terror is not about ridding the world of the threat of terrorism. It is not even only about oil. It is about establishing a new world order based on neoliberal globalization. It is about expanding the reach of U.S. corporate interests at a time of recession and heightened international opposition to globalization, and replacing any regime hostile to the vision of a world dominated by these interests with puppet regimes friendly to the U.S.. Bush's National Security Strategy spells out this administration's military goals. The U.S., it declares, will "ignite a new era of global economic growth through free markets and free trade."²⁴ Indeed as the reconstruction of Iraq continues, "Operation Iraqi Freedom" will perhaps come to be relabeled "Operation Iraqi Free Trade." For, as Naomi Klein points out, Iraq has become "a blank slate on which the most ideological Washington neo-liberals can design their dream economy: fully privatized, foreign-owned and open for business."²⁵ Iraqi protestors taking to the streets shortly after the fall of Baghdad were more succinct. Their banners reading "We will not sell out our country" suggested that the Iraqi people were at risk of both being "sold out" and "sold off." U.S. corporations, many with senior political connections to the Bush administration, are the major beneficiaries of the reconstruction effort. Just as the war itself boosted the stock of the U.S. arms industry and private military companies, the rebuilding of Iraq has generated multi-million dollar contracts for U.S. oil and manufacturing companies. While the Bush administration has rejected the idea of a long-term colonial presence in

A movement that will liberate us must have at its center the voices of the most marginalized and invisible

Iraq, this is hardly necessary for the neoliberal transformation of Iraq. With U.S.-headquartered multinationals receiving a monopoly on rebuilding roads, bridges, water and sewage plants, communications systems and other infrastructure, it is clear that Iraq will have become a neocolonial outpost long before the last U.S. troops are withdrawn.²⁶

The war on Iraq, and the war on terror in general, reflects a decision by the Bush administration to use military force to do what the Clinton regime and the IMF and World Trade Organization were doing through diplomacy, free trade agreements and the carrot and stick of third world debt—creating new markets for the U.S. capitalist elite. In this sense, regime change in Iraq is the first step toward establishing a free trade area sympathetic to the U.S. in the region. This “U.S.-Middle East Free Trade Area” would join NAFTA and the much contested FTAA in remaking the world for U.S. multinational capital.²⁷ Penal warehouses for people of African descent, immigrants, indigenous people and the global poor are central to this new world order. That is why even as “small government” has been promoted as a prerequisite for competitiveness in the global market, “corrections” budgets have continued to skyrocket. That is also why prison abolition remains of vital importance in this time of endless war. During the war on Iraq, “Bring them Home” became a popular anti-war slogan, countering the pro-war logic of those claiming to “Support our Troops.” Our new movement for peace and social justice needs to bring all of our sisters and brothers home—not just from the battlefield, but from the prisons, jails, detention centers and juvenile halls.

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5. FBI Files on Claudia Jones, quoted in Carole Boyce Davies, “Deportable Subjects: U.S. Immigration Laws and the Criminalizing of Communism,” *The South Atlantic Quarterly* 100, 4 (Fall 2001): 949–966, 956. The Smith and Walter McCarran Acts were the legal basis for the Communist witchhunts carried out by the House Un-American Activities Committee from the 1950s. In 1950, Jones was issued a deportation order under the Walter McCarran Act and was subsequently removed to England.

6. Claudia Jones, Letter to United Nations, quoted in Sherwood 1999.

7. As of March 2003, the INS had registered 42,954 individuals at ports of entry, and 46,035 individuals at domestic INS offices under a Special Alien Registration Program targeting nationals of nineteen predominantly Muslim countries and North Korea. Of these 1,745 were detained, many for minor immigration violations. A nationwide class action lawsuit has been filed by those affected by the roundups. American Immigration Law Foundation. <http://www.aifl.org/lac>.

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