

# Prisons as a Political Institution: The Role of Incarceration in Society and its Impact on Politics, Policy, and Racial Disparity

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## ***Abstract***

The Prison System is one of many institutions that shape American society, and is linked to both the judicial and political systems. Considering the impact of the United States incarceration system on society is important in order to rethink policies to reduce not only crime but also poverty, and thereafter to reduce the impact of incarceration on the population, government expenditure, and politics.

In the last few decades, scholars have highlighted the flaws of the prison system, emphasizing the need for a different approach to the rehabilitation of individuals and recognizing the system's deeply rooted racist foundations.

Building on this research, this paper draws on current qualitative data, NGO reports, and previous academic articles. Based on this analysis, the paper assesses the effectiveness of policies, new social movements, and alternatives to incarceration. Through this approach the paper argues that incarceration is rooted in anti-blackness and prison abolition can reduce levels of racial disparity and racism.

## ***Keywords***

Prison System, Incarceration, Prison Abolition, Anti-Blackness

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*Introduction*

American society is shaped by various interconnected systems that shape the lives of individuals, including the political, economic, legal, media, and military systems. The political system creates the framework in which economic, legal, media and military systems operate. The way these systems function can have a significant impact on people's ability to live a fulfilling life. These systems can also shape people's perceptions of society, as well as their sense of belonging and participation in the community. The rights and freedoms that individuals enjoy can also be affected by these systems, as well as their economic, educational, and healthcare opportunities, their representation and inclusion in the political decision-making process, and their access to information.

Among the many systems that shape our society, the incarceration system is a complex of prisons, jails, and other detention centers used to punish and rehabilitate people who have been convicted of crimes. The incarceration system is closely connected to the legal system, as it is designed to enforce the laws and regulations that are created by the government. It has a significant impact on both those who are incarcerated and their families and communities. For those who are incarcerated, the prison system can have a detrimental effect on their mental and physical health, as well as their ability to find employment and housing after they are released. It can also create barriers to social and economic mobility, making it difficult for them to move forward with their lives. Incarceration also impacts families and communities; it can tear families apart and lead to economic hardship. Children of incarcerated parents may suffer emotionally and socially and may have a harder time succeeding academically. Communities where incarceration rates are high may also suffer economic consequences, as they lose valuable members of their workforce.

The incarceration system is also closely connected to the economic system, as it is an industry that employs many people and consumes a significant number of resources. The system is costly to maintain, and the cost of incarceration can be very high. This in turn diverts resources away from other areas such as education and healthcare. The system also exacerbates racial and socioeconomic disparities, being disproportionately affecting people of color and low-income individuals.

In the last few decades, scholars have highlighted the flaws of the prison system, emphasizing the need for a different approach to the rehabilitation of individuals and recognizing the system's deeply rooted racist foundations. Building on this research, this paper draws on current quantitative and qualitative data, reports by NGOs, and previous academic articles. Based on this analysis, the paper assesses the effectiveness of policies, tough-on-crime approaches, and new alternatives to incarceration. Through this approach the paper argues that incarceration is rooted in anti-blackness and prison abolition can reduce levels of racial disparity and racism.

Studying the impact of incarceration from a political and policymaking viewpoint can inform policies and practices that can lead to a more just and equitable criminal justice system. Particularly, understanding the disproportionate impact of incarceration on Black communities is crucial for addressing the systemic racism embedded in the criminal justice system. From a political and policymaker viewpoint, it is important to consider the human cost of mass incarceration, particularly for Black communities. Incarceration not only destroys individuals, families, and communities, but also undermines democracy, by denying people the right to vote and further diminishing the representation of marginalized communities.

To address the disproportionate impact of incarceration on Black communities, policymakers must take a holistic, intersectional approach that addresses not just criminal justice reforms, but also social and economic inequality. This can include policies such as investing in education, affordable housing, and healthcare, as well as reforms to the criminal justice system, such as ending cash bail and abolishing the use of solitary confinement.

### History of the United States Prison System

The United States incarceration system has a long and complex history, shaped by a number of factors, and transforming over several key eras. One of the most significant factors in the history of US incarceration is the legacy of slavery and treatment of African Americans throughout American history. Indeed, the first major era in the history of the US incarceration system is the slavery era, which began in the early 1600s with the arrival of the first African slaves to the colonies. It is through the triangular commerce of slaves that disparities begun, bringing African individuals to the colonies to work on plantations, primarily in the South. The slave trade became the major source of labor for the growing American economy, continuing for more than 200 years, until the Civil War. On January 31, 1865, the 13<sup>th</sup> amendment was ratified, officially abolishing slavery in the United States. However, this did not end discrimination against and marginalization of African Americans. Instead, new practices and laws arose, such as the Black codes and Jim Crow Laws, which were implemented to maintain a system of racial oppression and control. Black Codes were restrictive laws to limit the freedom of African Americans and ensure the availability of cheap labor force even after the abolition of slavery. Jim Crows Laws were a collection of statutes both at a local and state level that legalized racial segregation, meant to marginalize African Americans by denying their right to vote, have jobs

and education. This era set a precedent for the way African Americans would be treated in the criminal justice system for years to come.

### *The Jacksonian Era*

During the presidency of Andrew Jackson, the incarceration system expanded at a faster pace with the use of imprisonment as the main form of punishment. During this era penitentiaries started to appear, becoming a focal point for the American criminal justice system. The aim of the newly built penitentiaries reflected an experimental combination of moral and personal reform with punishment, which led to the isolation of the incarcerated population from the outside society.

### *The Reconstruction and the Progressive Eras*

The so-called Jacksonian Era was followed by a period of reconstruction, in the aftermath of the civil war. The Reconstruction Era renewed earlier efforts to reform the American criminal justice system and its justification for imprisonment. It is during this period that prison administration started deteriorating, while facing and increasing incarceration rate and prison overcrowding, in addition to severe understaffing complications, that lead to aberrant methods of maintaining power, through the use of Solitary Confinement and other types of punishments such as straitjackets which were brick bags used on individuals that did not want to work, which were then forced to wear and transports these heavy bags. During the reconstruction period, states continued to lease the labor of the imprisoned population to private business. This was justified by the Thirteen Amendment, which permitted slavery only as a punishment to crimes. This development set the foundations of the prison-industrial complex (Perretti, 2022).

*The Mass Incarceration Era*

During the early 70s that the prison population began to grow rapidly, as politicians from both parties used fear veiled in racial rhetoric to push punitive and tough-on-crime policies. The Mass Incarceration era seems to have no clear starting point; in a previous paper, I suggest this era starts with the War on Crime, during the presidency of Lyndon Johnson, the 36<sup>th</sup> U.S. President. The War on Crime was ended up fostering prisons, jails and law enforcement systems to operate as an engine for American inequality. It was a punitive campaign born during a period of liberal reform, under the weight of the civil rights revolution, while the nation seemed to be ready to embrace policies rooted in an egalitarian value. With the 1964 Civil Rights Act, federal initiatives were launched to combat poverty in a so-called War on Poverty, creating a legislative framework to push for a War on Crime and a War on Drugs, both of which led to a rise in the incarceration rate in the country. With Johnson's Law Enforcement Assistance Act, which came soon before the Voting Right Act, the prison rate started rising. To respond to the perceived threat of future disorders, it increased the presence of the federal government in local matters, policing, courts, and State Prisons (Hinton, 2016). The War on Crime was followed by Reagan's War on Drugs in the early 1980s and intensified by the Clinton Administration which imposed longer and tougher conviction standards for drug offenses. During this era funds for law enforcement agencies increased drastically, leaving little for federal and state agencies that were meant to provide drug rehabilitation, prevention, education, and investments (Alexander, 2010; Perretti, 2022). Under the Regan and Bush administrations several minimum sentencing laws were approved by the Congress (some of which were created by state legislatures), with the goal of obliging courts and judges to give a mandatory minimum sentence to a person convicted of a crime, ignoring the social or unique circumstances of both the offender or the offense. However,

a higher increase in the incarceration rate can be seen under Clinton's presidency, not only at a state level but also at a federal level. Clinton's presidency saw harsher sentencing laws and political rhetoric, causing with the three-strikes laws an incarceration explosion, by charging people with life after three felonies. During the 30 years of the mass incarceration era, the prison population grew by around 500 percent, counting almost 2.3 million Americans being incarcerated in prisons and jails. As this era seems to be coming to an end, a mass movement has been rising against the incarceration system, suggesting that the system has proven ineffective and extremely expensive. The rise in abolitionist and reformist groups suggests that trust in the prison system is declining, with people looking towards community-supervision focused on rehabilitation, in order to avoid the difficulties of re-entry into society and the expenses of the prison system.

### Racial Disparity and Incarceration

Every political institution reflects our society; indeed, if we consider the prison system as a political institution, then it will mirror the society itself. Therefore, acting at a local level on each political institution is important to increase racial justice and affect the way each individual perceives differences, whether they are of racial or other nature. Although it is believed that we live in a society that does not see skin color, empirical evidence indicates the opposite. In fact, inequalities are still present between whites and Blacks when it comes to health, educational levels, incarceration rates and other socio-demographic measures. It is important to analyze the prison system and explain with race theory why there is a disproportionate negative impact of the prison system on low-income people of color, specifically Black males. The work of Du Bois together with the one of Myrdal, who wrote "*An American Dilemma*", helped documenting class and caste-like effects that lead to disparities in incarceration and employment.

*Du Bois and Myrdal*

The American sociologist W.E.B Du Bois examined the effects of slavery on African Americans and analyzed class and color-line dynamics. As suggested by Semien and Roettger, Du Bois argued that the class effects within the community of color rarely allowed the unusual Black bourgeoisie to have an economic advantage over the laborers of the same community. (Semien and Roettger 2013) At the same time, the Black bourgeoisie did not have the privileges of the white counterpart that dominated the rest of society. Therefore, Du Bois' model sees the white upper class on the top of the racial caste system, while in the middle the Black bourgeoisie almost shared the place with white laborers where bourgeois people of color had higher class advantage but lower racial privileges. At the bottom of the system there were mostly people of color in the slavery system.

On the other hand, Myrdal uses the context of color line to place the class system of mid-twentieth century society, describing it as a caste system where no one is allowed to pass from one status to another, but only from one class to another. Thus, suggesting that being a person of color in the US in the mid-twentieth century would be seen as theoretically and practically as a disability in every sphere of life. (Myrdal 1944, p. 667-669) Myrdal's model is therefore composed of the white class being able of benefiting of an increased status and consequent opportunities, while people classified as Black could not move upward on the color line. Similarly, as Du Bois, the white laborers would benefit of an increased status because of them being white, meanwhile people of color with no status nor economic opportunity would form what Myrdal defined as the *underclass*.

*Racial caste-like effects inside and outside prisons*

Du Bois and Myrdal show the disproportionate disparities between blacks and whites; these disparities are often broadened when black people are incarcerated or penalized by the carceral system. The two theorists also presented evidence that other than white being privileged, the class and racial caste-like system often privileges people of colors who find themselves in a higher class rather than their lower-class counterpart. Moreover, the label of Blackness, which has accompanied African Americans since the beginning of the slave trade, can now be seen as the primary deviance status, immediately followed by the “criminal” label every time that an individual of color is impacted by the prison system, thus fostering a never-ending societal stigma on two levels.

Though Du Bois and Myrdal wrote before the Civil Right Act of 1964 criminalized discrimination in the United States, substantive evidence shows that the color line has not been eliminated. Instead, it has morphed from discriminatory practices to a more subtle form of institutional racism. The racial caste-like effect developed by both Du Bois and Myrdal remains relevant when we consider racial disparities between people of color and whites in the US carceral system. Indeed, people of color and system-impacted individuals are perceived in a different way from society, usually as social deviants (Uggen, Manza, and Tompson 2006). The way that system impacted individuals are seen by society is reflected in how media foster stereotypes, suggesting that a criminal is usually an African American.

As incarceration trends impact mostly Black people, it is easy to find a connection between both Du Bois and Myrdal’s models, where the Black community is still at the bottom of the color line, with lower levels of education, lower possibilities of growth, and the constant fight

against institutional racism. Uggen, Manza and Thompson in 2006 estimated that approximately 5.5 million Black men in the United States possess a felony record, suggesting that the lower possibilities, together with lower educational levels and the contact with the carceral system are a normal occurrence for most Black men.

## Prisons and Society

The history of the incarceration system in the United States and the application of critical race theory to incarceration through the works of Du Bois and Myrdal highlights the impact of social inequality on prisons and their population. Prisons and jails in the US have led to the creation of a new social group that shares the experience of racial minority, poverty, low education, and crime followed by incarceration. The social and economic disadvantage created by penal detention is passed on from one generation to the following one. Consequently, class and race disadvantages are renewed through an institutionalized inequality generated by the imprisonment system.

### *How prison affects low-income Black neighborhoods*

In the past decades, the corrections system started playing an important role in the socio-economic life of poorer neighborhoods, specifically the ones presenting a larger community of African Americans. With the dramatic increase of the incarceration rate, which mostly affected people of color, both prisons and community corrections – parole and probation – have had a huge impact on such neighborhoods. Current data shows that rates of incarceration are uneven and are concentrated in specific neighborhoods. As noted by Travis and Wester, these higher rates of incarceration appear mostly in neighborhoods with high rates of poverty, unemployment, and racial segregation (Travis, Western et al 2014). As literature on the concentration of incarceration on specific communities is slowly growing, it is important to consider that high

incarceration rate in such neighborhoods is linked to previously existing social issues, such as social inequality, high poverty rate, lack of investment and lower public spending. All these factors restrain the neighborhood from growing socially, economically, and politically, leading people into a cycle of poverty, violence, and crime.

### *School-to-prison pipeline*

The social and racial inequalities that drive the prison system are also fostered by a path from school to prison, a phenomenon called *the school-to-prison pipeline*. This phenomenon highlights how adolescents from disadvantaged backgrounds tend to face higher incarceration rates as a result of harsher school and municipal policies stimulated by educational inequalities. The patterns of criminalization that shape the Mass Incarceration Era are translated into the educational context through school disturbance laws and zero tolerance policies. According to school disruption laws, in at least 21 states disturbing school is seen as a crime. Meanwhile, zero tolerance policies had the goal to control and keep out of school grounds substances and weapons. However, both have contributed to prison overcrowding and a rise in juvenile incarceration rates, thus inducing teenagers in the prison system in the early stages of adolescence.

### Prisons, Politics and Policy

It is extremely important to consider the impact of imprisonment on politics and political behaviors. Indeed, as found out by many researchers, such as Manza, Uggen, and Clear, high levels of incarceration in a community can lead to social instability and diminish not only the civic but also the political engagement (Manza and Uggen, 2006; Clear, 2007). The effects of incarceration on politics can be found not only at a state level, but also at national and

international levels. Still in 2020, the United States has prohibited about 5.2 million Americans to vote as a result of a phenomenon called felon disenfranchisement or felony disenfranchisement, which consists in suspending or withdrawing voting rights to people convicted of a criminal offense. It is not an unknown practice as many other countries all around the globe suspend the voting rights of incarcerated individuals. However, in the United States, the practice is extended to formerly incarcerated individuals as well.

Felony disenfranchisement laws vary from state to state in the USA. Maine, Vermont, the District of Columbia, and the US unincorporated territory of Puerto Rico have currently no restrictions, allowing incarcerated and formerly incarcerated individuals to vote. Currently, Alabama, Arizona, Delaware, Florida, Iowa, Kentucky, Mississippi, Nebraska, Tennessee, Virginia, and Wyoming are the only 11 states withdrawing voting rights to people in prison, under community corrections and even to formerly incarcerated individuals. Moreover, 21 States, such as California, Hawaii, and Illinois, only restrict voting rights to incarcerated individuals, meanwhile 16 other states, such as Idaho, South Carolina, and Texas, restrict voting rights to both people behind the bars and individuals under community corrections (Chung, 2021). The nonparticipation of incarcerated and formerly incarcerated individuals in political decisions has a great impact, especially considering the high rate of imprisonment in the United States.

Incarceration also affects the Government spending, the GDP and policymaking. As a matter of facts, the United States spends about \$81 billion per year on mass incarceration (Khun, 2021), which includes prisons and community corrections, according to the Bureau of Justice Statistics. A higher government expenditure leads to a better Gross Domestic Product, which

creates a tendency to strive for incarceration policies rather than decreasing imprisonment and working on rehabilitation.

## Reducing Incarceration: The impact on Racial Disparity and Society

### *Incarceration rooted in racial disparity*

The carceral system in the United States of America heavily impacts and shapes the lives of many individuals, a total of 1.9 million people appear to be confined nationwide, at a rate of 573 per 100,000 residents. (Sawyer and Wagner 2022) However, the impact of incarceration does not affect only the imprisoned individuals, but also affects their families, and friends at a social, economic, and emotional level. Moreover, the impact of incarceration, together with its trauma, is passed from one generation to the following one and the inequalities generated by the system are renewed through any generation, thus creating a cycle of generational trauma.

To be able to answer the research question of whether prison abolition can improve racial justice, it is also important to consider whether the prison system is rooted in racial disparity. It is clear that incarcerated communities are extremely tied to political distrust in the government of impacted communities, social disruption, and poverty. Therefore, a red thread appears to be binding together poverty, crime, and mass incarceration, making the carceral system the main cause of both generational trauma and societal brutality.

The prison system's racial roots are also supported by racial prejudice. Indeed, individual perceptions about Black people and other people of color overlap the societal view of threats to public safety. The carceral system's racial roots in the United States have been exasperated by the white supremacy mentality in the country, which perceives Black people as inferior to Whites and throughout the history it has developed in multiple ways, going from slavery to

various housing policies that have precluded African Americans from buying homes. (Tonry 2011; Western 2007) So, it can be stated that mass incarceration together with the prison industrial complex, are another form of white supremacy which affects mostly Black people. Indeed, assumptions that lay their foundations in race differences tend to affect the justice system decisions, as an individual's thought will always affect their decision-making process. Such influences create unfair outcomes to people impacted by the prison system. Racial prejudice is also reflected in how media portray crime, where stories of serious crimes committed by people of color are disproportionately higher than stories on the white counterpart, especially in the case of Black-on-White crime, rather than Black-on-Black, White-on-White or White-on-Black crime stories. Inevitably, this disproportion in news reporting affects the public's general preferences when it comes to crime policies.

It is evident that anti-black racism shapes the current society through various means, going from media to policymaking, from policing to incarceration. It draws a red thread that starts with racial disparity and shapes the lives of African Americans in the United States, giving them less possibilities than the white communities, this pushes them into poorer neighborhood that rarely are included in improvement socio-economic policies, keeps their level of education low preventing Black people from getting into academia, getting stable jobs, and improving their societal status. Keeping Black communities in poverty, suggests that the *underclass* studied in Myrdal's model is still contemporaneous, pushing them into crime since the very young age and then into the school-to-prison pipeline. Therefore, fostering the prison industrial complex and its market through cheap prison labor that for many resembles slavery.

The racial disparity foundations of our society, together with the development of the prison industrial complex leave its mark on the Black community of the United States of

America, generating an unequal and hurtful prison system that never fails to traumatize one generation after the other, in Black communities that are already disadvantaged by the society's systematic racism.

### *Alternatives to Imprisonment*

#### *Prison Abolition*

When considering prison abolition as an opposition to anti-black racism, it is important to understand what prison abolition is. The prison abolition movement is a social movement that seeks to eliminate the prison system, replacing prisons and jails with a long-lasting system of rehabilitation. It differs itself from the prison reform movement, which only seeks to reform the already existing system. This movement has some figureheads such as Angela Davis and Ruth Wilson Gilmore, also supported by various organizations such as Critical Resistance, Initiate Justice, Initiate Action. The organizations mentioned above are not explicitly abolitionists, but they engage into the ethics of the movement. However, prison abolitionists do not have a structured organization nor a coalition; on the other hand, the movement is formed by various organizations, incarcerated individuals' advocates, and imprisoned individuals and their loved ones. However, prison abolitionists do not only focus at dismantling the carceral system of the United States but also reshaping the society.

The abolitionist thought suggests that incarceration harms society, exacerbating the harm made by the society towards Black individuals. Diminishing the current prison population would still not be enough, as mass incarceration or imprisonment in general creates the conditions that bring people to prisons. Therefore, abolitionists aim at addressing the root cause of homelessness, crime, and poverty; suggesting that the criminalization of poverty, addiction,

homelessness, and mental illnesses is the cause of an inherently high incarceration rate. Thus, the abolitionist view entails a multiplicity of needs, going from healthcare to housing, to education.

Abolitionists also aim at changing the way society thinks about crime, focusing on defining it in a different way when considering homelessness, mental healthcare, and drug offenses. Abolitionism is then aimed at addressing community tensions and breaking the cycle of violence and imprisonment. It is important to consider that according to the abolitionist perspective, the prison industrial complex does not need a reform, it needs to be demolished since it is not broken, it is doing what it is meant to do, which is fostering violence, crime, and incarceration.

By just describing what abolition is and what are the aims and goals of the movement is already enough to how it can operate to oppose anti-blackness racism, by reshaping the society as a whole, working on a long-term solution to face crime and poverty. In fact, the best way to reduce -and then annul- the impact that incarceration has on Black people is to work on its roots, focusing on poverty and investing on Black neighborhoods and Black communities, providing education and incentives to continue it even after finishing high school, this would increase the education level of many individuals, sustained by an investment on the labor market of such neighborhoods and communities which will increase the demand of workers from the area. Inevitably, the path is long, and needs reshaping other institutions, such as healthcare, education and the market and labor economy of many cities. Not only this will increase the possibilities to climb the color line for Black individuals, it will also provide better healthcare services that would not lead people into poverty, would increase the levels of educations bringing more Black individuals into academic context and will reduce the systemic racism on which the United States are built on.

It can be considered that the need of reshaping societal thought is on top of the list for abolitionists, therefore prison abolition can be the first step towards racial justice, while improving other institutions that constantly ignore, affect, or hurt the Black community in the United States. Abolitionist framework suggests that cages will no longer be what make us safe, rather housing, education, food, and healthcare will be what creates and stabilizes neighborhoods and Black communities in a healthier way. Therefore, stopping the development of prisons and the prison industrial complex is crucial to stop and exacerbate the disaster they are creating, through a cycle of harm, violence, and traumatic experience. Incarcerated people often get neglected when it comes to healthcare, wellness, safety, or other needs. Thus, since anti-blackness motivates systematic racism, policing in Black neighborhoods and institutions like the correctional one, it is essential to start dismantling from the bottom in order to rise the Black community to the top, making it equal with its white counterpart.

Abolition focuses on rehabilitative systems, that will not incarcerate nor punish individuals, which is mostly what the movement is criticized about.

#### *Rehabilitation instead of incarceration*

The main critique to the prison abolition movement and its opposition to anti-blackness is that prison abolition does not prevent crime from happening and specifically does not prevent anti-black racism from affecting Black people's lives in every aspect of life. Therefore, it is important to address this critique and develop it further to understand whether prison abolition is effective in the fight against racial injustices and how would it be applied in case of violent offenses. As the main question that arises when considering prison abolition is "*are we just letting offenders out on the streets?*" suggesting that we will see a rise in crime levels after closing prisons and dismantling the prison industrial complex.

It must be noted that prison abolitionists do have a plan for the future of incarcerated individuals, as the goal is not letting them out on the streets with no control, while pro-incarceration individuals believe that prisons make society safer. However, prisons are places where violence is fostered, and it seems unlikely that someone – even a non-violent individual – would come out of such places without being collaterally violent. People opposing abolition often have the tendency to be harsh-on-crime or to propense towards reform as they see abolition as utopian or impossible. However, the impact that rehabilitation can have on the community is often forgotten.

Two different solutions can be found to avoid the issue of “*what do we do with violent individuals?*”, we can either use restorative justice or transformative justice. The former can be traced back to a variety of indigenous religious practices, where the goal is not penalizing but rather restore the victims, the community, and the offenders, suggesting that often violence is committed by people that have been hurt by violence as well. Taking one step further, we can find transformative justice, meant to understand the roots of the crime committed and understanding what society must do to change such conditions that led an individual towards the path of criminality and that landed them inside the incarceration system.

Rehabilitation becomes an important foundation of the new system proposed by abolitionists, through community corrections or a *Norway-inspired system*, with individuals that committed crime living together and engaging with society through work paid at the market rate instead of being underpaid and cooperating with one another instead of living in situations of violence, where more racial divisions are incremented by the system itself.

*Addressing crimes with victims from the abolitionist perspective*

Another question that is usually raised by anti-abolitionists, but also by prison reformers is: “*what do we do with sex offenders?*” which is an understandable question and as such deserves an answer. Abolition recognizes that in some cases societal separation, with different time lengths and parameters than the ones of the current carceral system are needed, but also recognizes that the current system does not address the issue properly. The perspective of the movement is pointed towards therapy, to understand why in cases of sexual assault, individuals felt the need to assert dominance through acts of intimidation or coercion, thus applying restorative justice to the case.

Finding alternatives to imprisonment is not an easy task, especially in the case where abolitionists must provide different solutions to disruptive offences. The roots of sex offenses and violent crimes are not affected by the incarceration rate, which would only aim at punishing, making it a short-term solution to a long-term issue. Violence towards women and children is rooted in the culture of the society, therefore the prevention of such offenses should be directed towards the roots of it, changing the conditions of sexual violence. Likewise, street crimes are known to be committed among people of the same social status, becoming a crime committed by a member of a powerless class towards another. This makes violent offenses as economic crimes that arise from the inequalities of society and have the tendency to increase with a rise in unemployment and inflation. (Knopp and Regier 1976)

*Decriminalization and policies to improve affected low-income Black communities*

The abolitionist thought follows three pillars in order to abolish the carceral system of the United States. The first pillar, or step, is called *moratorium*, and aims at stopping the government from building prisons, not only at a state level but also at a federal level. The second step is

inevitably more difficult to apply, yet not impossible: *decarceration*. It aims at finding legal ways to let people out of prisons, focusing on individuals that do not represent a threat to society anymore, and continuing with people in need of rehabilitation. Considering the current prison system, there are a lot of individuals behind bars from drug offenses. An example is California, that arrested 350,000 people for marijuana in the past 10 years, as estimated by The Drug Policy Alliance. All these people, together with many others, could be decarcerated through reviewing sentences, reevaluating terms, and abolishing three-strikes rules. The last step is *excarceration*; which is strategies aimed at pushing people away from the prison industrial complex have the possibility to completely reshape society. Through the decriminalization of homelessness, mental-health crisis and drug abuse, people would have difficulty flowing into the prison system. Decriminalizing is not the only strategy, in fact investing into mental-health treatments, housing and rehabilitative services for people with dependences (either alcohol or drugs) is a matter of extreme importance and can be critical to stop people from entering the carceral system.

Developing the abolitionist thought is of extreme importance to answer to the main critique of this research “*how can abolition have an impact on anti-blackness and racial justice?*” May people might not see any connection between the two, however the framework developed by prison abolitionists is actually meant to improve the conditions of individuals in the society improving equality and equity among all its members. Therefore, the impact that abolition would have on low-income Black communities would be critical, as it would reduce the causes of poverty, foster mental health services, address housing issues, and reduce the impact of drugs on the community. As African Americans are still affected by inequality and racism, it is a matter of extreme importance to provide them enough resources to be able to climb the social pyramid and exit from their underclass status. The reduction of all the variables that would affect

a Black individual and put them into the condition of relying on crime in order to survive would inevitably increase their chances of success, by pushing them away from the prison industrial complex and also increasing the political trust of the community towards the government, society and the system.

As we have seen, the prison industrial complex developed from the slave trade, and still maintains the characterizing traits of slavery, through the use of cheap labor and poor living conditions of African Americans behind bars.

#### *Four ways to improve and develop low-income Black neighborhoods*

Several abolitionist policies have been developed to improve the life in low-income Black communities in the United States. Four are considered of extreme importance. The first one is investments; in fact, investing in community-based programs and services plays an important role in the development of such neighborhoods. Shifting the public expenditure from the building of new prisons to the creation of community-based programs that have the aim of supporting and uplifting the Black community is crucial both for the labor market and for the personal improvement of each individual.

The second way is to implement practices of restorative justice, repairing harm caused by crime and promoting a positive change in formerly incarcerated individuals, fostering dialogue between perpetrators and victims to find the reasoning behind the committed offense and shape our society step by step in order to repair and prevent harm. Moreover, ending the war on drugs, plays an important role as well, as it has disproportionately impacted Black communities, with Black individuals being more likely to be arrested and incarcerated for drug offenses. By ending the war on drugs, the government could redirect resources towards addressing the root causes of drug use and addiction, such as poverty, trauma, and mental health issues. Lastly, providing

support for returning citizens is needed. When individuals are released from prison, they often face challenges in re-entering society and finding employment and housing. By providing support for returning citizens, such as job training and housing assistance, the government could help them successfully transition back into their communities.

## Conclusion

This paper has outlined the history of the United States Incarceration system, going from the Jacksonian Era until the current situation in the Mass Incarceration Era, where social movements formed by abolitionists, reformists, and incarcerated individuals have arisen and raised their voices in order to show the deficiencies of a punitive system that is mostly rooted in racism and punitive measures, rather than an effective rehabilitation and reintegration into society. Taking into consideration critical race theory, through the works of Du Bois and Myrdal, this paper outlined a common trait between anti-blackness and incarceration, suggesting that racism is still at the foundations of the incarceration system.

To summarize, prison abolition, the movement to eliminate the prison-industrial complex and replace it with alternative forms of justice and rehabilitation, can reduce anti-blackness and improve racial justice by addressing the systemic racism that disproportionately affects Black individuals in the criminal justice system.

Black individuals are overrepresented in the criminal justice system, with a disproportionate number of arrests, convictions, and harsher sentences compared to their white counterparts. This is not due to a higher rate of crime among Black individuals, but rather the result of systemic racism and bias within the criminal justice system. The prison-industrial complex, with its emphasis on punishment and profit, perpetuates this systemic racism and

reinforces negative stereotypes of Black individuals. Prisons are often located in predominantly Black communities, further perpetuating the marginalization and discrimination of Black individuals. By advocating for the abolition of prisons, prison abolitionists seek to dismantle the system that perpetuates this racism and discrimination. Instead of relying on punishment and profit, abolitionists advocate for restorative justice, which focuses on rehabilitating individuals and repairing the harm caused by their actions.

Restorative justice approaches have been shown to be more effective at reducing recidivism and promoting rehabilitation compared to traditional forms of punishment. These approaches also prioritize the needs and experiences of the victims and their communities, rather than focusing solely on punishment for the offender. Furthermore, prison abolition also addresses the intersectional forms of oppression that Black individuals face, such as poverty and lack of access to education and employment opportunities. By advocating for alternative forms of justice and rehabilitation, prison abolition can help to reduce the impact of these intersecting oppressions and promote greater racial justice.

Additionally, prison abolition challenges the notion that prisons, and punishment are necessary for public safety. Instead, it advocates for alternative forms of community-based safety and intervention, such as mental health services and support for individuals with substance abuse issues.

In conclusion, prison abolition can reduce anti-blackness and improve racial justice by addressing the systemic racism within the criminal justice system and advocating for alternative forms of justice and rehabilitation that prioritize rehabilitation and community involvement. Considering Du Bois and Myrdal's models, and understanding the difficulties of system

impacted individuals, it becomes clear that prison abolition is a crucial step towards promoting racial justice and equality.

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