

The politics of crime and punishment in america essay

[Law](#), [Crime](#)



Four Americans were sentenced to eight years of imprisonment when they were found guilty of shipping lobsters in plastic bags and not in wooden boxes, violating the law (that was no longer enforced) of Honduras (“ Rough Justice” par. 1). Punishment and disciplining has been part of the society since the Enlightenment (Foucault 82). Offences, earlier in history were made a public spectacle to instill fear for the power of the ruler. However, in the nineteenth century with the advent of the modern times, the nature of punishment transformed and the new form aimed at deprivation in seclusion, hence the prison system.

Imprisonment was believed to be a method to control the deviant and has been embraced by most of the modern societies today. However, in some countries like the USA, this form of punishment has assumed a new meaning. Imprisoning of the law-breaker was no longer just a method to control and discipline the behavior of the perpetrator but also to garner economic growth and business. In this essay, I will argue that incarceration and prisons in America has become a governmental tool to meet economic and political ends by building more prisons and creating new laws.

The justice system in America boasts of being harsher and stricter than any other developed countries. The paranoia over the felonious moving freely on the roads creates panic and hence, the overprotective justice system. Any forms of aberration, even the minutest of them, are punished with imprisonment. Why is it so? Is it because the country's beliefs in a crime free society or some other reason?

Criminologists believe that the American penal system is flawed as incarceration rate, duration of imprisonment is very high, and the system criminalizes acts that need not be turned into a criminal act. For instance, a 65-year-old orchid collector who has been accused by law as smuggling flowers from South America under the Convention on International trade in Endangered Species (“ Too many laws, too many prisoners” par. 3).

This exemplifies the belief that the increase in number of prisoners in US prisons is due to the increase in incarceration due tot non-violent crimes. According to a recent Prison Policy Initiative (PPI) report, there are around 2. 4 million people inside prisons and of these, 1. 3 million in state prisons (“ Who, what, where and why” par. 2). President Eisenhower started the war on crime in the sixties and it was not until the nineties that the American bureaucracy started to develop the prison complexes (Schlosser 3). This has resulted in a spurt in prison construction in the US.

One reason behind this increase in incarceration rate may be due to the increase in number of laws in the US. Criminal law legislations increased from 3000 in 1980 to 4500 in 2008 (Pelaez par. 7). Does this demonstrate the politicians are more concerned about public safety and hence have device means to control the outburst of criminal activities as was observed in the eighties? Some believe that the intent to increase internal security was the initial agenda of the lawmakers but then the power hunger drifted them to utilize this as a tool to influence votes (Schlosser 3).

Prison population has been used since the Civil Wars as a means of cheap labor in the US. With rise in the incarceration rate in America, there has been an increase in prison labor, which is much cheaper than 'free' labor. Many private investors are contracting prison labors that have been legalized in 37 states in America (Pelaez para 11). Many eminent business houses are eager to tap into the possibilities of the increase in cheap prison labor the boom that it would cause to the economy. Thus, it is popularly believed that prisons can turn around the economy of a state.

The politics and economic of prison building was first, unwittingly, initiated by New York governor Mario Cuomo in the eighties (Schlosser 6). The prison building effort of Cuomo was due to his predecessor's legislation to strengthen criminal act. Overcrowded prisons had become the breeding place of crime and criminals and hence there was immediate need to increase prison faculties.

However, the unconventional method of financing prison building was probably the brainchild of Cuomo, who turned to Urban Development Corporations who invested in rural areas of New York State, to build prisons (Schlosser 6). By building new prisons in the backward areas of the state, helped in giving employment to the locals and therefore, improve the living standard in the area. Thus, prisons helped bring steady economic growth to rural regions: " Prisons are labor-intensive institutions, offering year-round employment" (Schlosser 7).

Prisons not only help in providing employment to the locals, they also develop ancillary industries. Prisons require supplies of various forms – catering, telephones, prison interiors, security cameras, plumbing supplies, health care, and construction. There are investors in Wall Street who handle prison bonds that are specifically invested in prison building purposes (Schlosser 9). Providing and supplying to prisons have become a niche industry in the US.

Therefore, building of prisons helped in achieving two purposes – increase number of cells for overcrowded prisons and generate economic growth. The prison building effort in the US is a large industry that thrives on increased number of prisoners. Hence, reducing prisoners' intake will negatively affect the growth of this industry that thrives on higher incarceration rate. Though scholars believe in reviving the old fashion method of preventing crime, the politicians believes in rejuvenating the growth engine with the aid of increased prisons, and therefore, increased number of prisoners.

Privatization of prisons in the eighties marked another milestone for the criminal justice system in America, under the leadership of President Ronald Reagan but reached its height in 1990s when the stock market was extremely bullish. Private prisons are believed to provide the largest business opportunity to prison industrial complex. Private prisons are provided with a fixed compensation for each prisoner they guard. Nevertheless, how helpful are these to the justice system of the state?

Private corporations operate on profit motive. Their business model would be same as that of the hospitality or hotel industry. The larger the number of guests in the greater is their profits. In other words, higher the number of prisoners higher will be their profits. Thus, the increase in the number of prisoners can be attributed to an increase in private prisons. The private prison establishments are often mismanaged and are unsafe place for boarding dangerous sociopaths.

These companies are highly controversial and have aided in enhancing prison complex development. Private prisons were brought forth through the privatization drive of Reagan and Bush administration. The justice department has also supported the move by placing minimum-security inmates in private prisons. It was believed that private prisons would drive away inefficiencies of the public sector and make prisons more efficient. However, experience suggests that private prisons were not successful in guarding dangerous criminals, the primary task for which they were commissioned.

Privatization of prisons was a business move as the government sought to reduce its public burden. However, the privatization process led to profit motive that essentially contributed to the increase in incarceration rate.

Crime and punishment in America is governed by political intent to lure votes or to pacify lobbying businesspersons. The political clout and the justice system has helped develop an institution that breeds on injecting fear in the mind of the common people to attract votes with their showy criminal control

legislations and then presenting another lure of economic growth to counter their initial mistake that increased prison population. Privatization of prisons demonstrates another motive of the politicians to help the interest of private businesses while overlooking the need for true justice.

American politicians and justice department in conjunction, In the name of war against crime, law and order, and safety, has crowded the American prisons and filled the coffers of the private investors. Prisons, that were supposed to be isolated campus for dangerous criminals, has become home to non-violent offenders. Thus, the political system in America has rigged the justice system to create a flawed correction and incarceration institution for mere profit. Clearly, the policymakers in America have overlooked the need to correct and give another chance. This essay therefore points out, through the words of Michael Foucault that “ there is no glory is punishing” (10).

Foucault, Michel. *Discipline and Punish: The Birth of the Prison* . London: Penguin Books, 1975. Print.

Pelaez, Vicky. *The Prison Industry in the United States: Big Business or a New Form of Slavery?* 2008. Web.

Schlosser, Eric. *The Prison-Industrial Complex*. 1998. Web.

The Economist. *Rough Justice*. 2010. Web.

Too many laws, too many prisoners. 2010. Web.

Who, what, where and why. 2014. Web.