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Divide and cultivate: the role of prisons and Indian reservations in U.S. agricultural imperialism

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Abstract

This paper examines the spatial history of U.S. food production through the evolution of two carceral spaces: rural penitentiaries and Indian reservations. These sites have long provided opportunities to spatially fix surplus labor and capital in U.S. agriculture: from the confinement of Indians during settler colonialism, through the regulation of labor surpluses after Reconstruction, to the present-day expansion of convict leasing to backfill migrant labor shortages. This paper challenges traditional framings of prisons and reservations as peripheries excluded from core landscapes of food production and consumption. Instead, these ‘carceral fixes’ participate in specially mediated relationships with ‘free’ agriculture—relationships that respond to the crisis-driven demands of capital and currents of racism and nativism. Within the U.S. food system, this flexibility has made prisons and reservations indispensable for spatially fixing not only capital and labor, but racial violence. Through these relationships, the indirect violence of falling farm prices is translated into the direct violence of physical and mental abuse, exploitation, alienation, diabetes, and malnutrition. Critically, this state-mediated violence is redirected from white to non-white bodies.

Keywords: settler colonialism; agricultural history; racial capitalism, spatial fix, prisons, Indian reservations

Introduction

The year 1863 marked a dramatic turning point for two North American populations. In the New Mexico and Arizona Territories, Kit Carson and the Union Army rounded up and marched 10,000 citizens of Navajo (Diné) Nation to Fort Sumner, 300 miles to the

east. Over the next five years of imprisonment, two thousand Diné died, most from starvation. When the U.S. allowed Diné to return to the Four Corners region in 1868, it was under the terms of a treaty that granted them an elusive form of tribal sovereignty: the Diné had become *reservation-bound*, a legal chimera that would come to apply in different ways to over 300 Indigenous groups in the United States.¹

Meanwhile, the 1863 Emancipation Proclamation freed slaves in the Confederate South, still locked in a bloody civil war with the northern Union. But eventual victory for the Union and legal emancipation did not bring an end to the violent exploitation of Blacks.² Instead, in the decades following the Civil War, Reconstruction ended, Jim Crow laws were passed, and any promise of a smooth transition to freedom for former slaves evaporated. With the emergence and spread of convict leasing and the first large-scale prison system in the U.S., slavery took a new form. By the end of the 19th century, these emerging spatial systems were having a profound impact on U.S. agricultural capitalism: large-scale incarceration in the South supplied surplus labor under convict leasing programs, and the Indian reservation system established land reserves and captive food markets to consume surplus agricultural production.

In popular narratives of U.S. history, frontier settlers and yeoman farmers pitted muscles and wits against North America's unruly wilderness in a battle that defined the territory of the state and forged the character of the nation. Over the centuries, historians and politicians have consolidated and reanimated these origin stories into a morality play—one in which Euro-American farmers and ranchers, against all odds, push modernity west (Isenberg and Richards 2017). In this tale, it is the settler's tenacity and passion for freedom that subdues and domesticates the young nation's birthright: billions of acres of 'vacant' land. In the words of President Franklin Roosevelt, 'No cracked earth, no blistering sun, no burning wind, no grasshoppers, are a permanent match for the indomitable American farmers and stockmen and their wives and children who have carried on through desperate days, and inspire us with their self-reliance, their tenacity and their courage.'³ This is a story of the triumph of inner resources over external obstacles; of intrinsic qualities over outside resistance.

In contrast to this narrative, this paper examines an unheralded feature of U.S. agricultural expansion: the systematic division of land and people between 'free' and 'unfree' spaces of production and consumption. Through the evolution of two forms of carceral space—Indian reservations and the prison system—the agricultural sector mitigated diverse crises throughout its 240-year history. My argument proceeds as

¹ Following Dunbar-Ortiz (2014), I use 'Indigenous' and 'Native American' interchangeably to refer to the Indigenous people and societies of North America. I use 'Indian' to refer to Indigenous people in the context of U.S. actions, laws, and policies (e.g.: Indian reservations, Indian relocations, and Indian treaties), and I use the terms 'community,' 'society,' and 'nation,' in lieu of 'tribe' (cf. Lobban et al. 1976, Peroff and Wildcat 2019).

² I use 'Black' to refer to people of African (Afro-American) or Caribbean (Afro-Caribbean) descent.

³ Franklin Delano Roosevelt, 1936, from Fireside Chat number 8, September 6, 1936.

follows. First, penitentiaries and reservations emerged as spatio-temporal fixes (Harvey 1981): that is, economic strategies to address agricultural crises of labor supply and commodity overproduction through the relocation of people and capital. Second, unlike other spatio-temporal fixes, penitentiaries and reservations were distinctly *carceral* in that each involved the enforcement of territories and populations separate from traditional agricultural landscapes. I examine how the interface between the state and carceral space was variously reconfigured to suit the changing needs of capital and mitigate (or delay) political economic crises. From this, I argue that U.S. agriculture's steady growth relied, in part, on subjecting some land and people to special legal and economic treatment. If so, then prisons and reservations were neither coincidental nor convenient developments; they were *necessary* ones. Furthermore, these carceral forms were not an arbitrary response to crisis but an outgrowth of structural racism within U.S. agriculture. Counter to the narrative of a continent tamed by 'free' settlers, U.S. agriculture is revealed as a historically carceral and racially segregated space, and the carceral fixes it employed were not just fixes for capital and labor, but for violence.

This research is a synthesis of three well-established (but often disconnected) histories: the impact of North American settler colonialism on Indigenous populations (cf. Waisberg and Holzkamm 1993; Wessel 1976; Madley 2015; Whitt and Clarke 2019), growth of the U.S. penitentiary system (cf. Oshinsky 1996; Blackmon 2012; Turner 2016), and U.S. agricultural expansion (cf. Cochrane 1993; Hurt 2002; Winders 2009). The analysis relies on a broad body of scholarship in food studies, Indigenous studies, sociology, carceral geography, political and economic history, ethnohistory, and Black Marxism, each offering unique perspectives. Threading together these diverse histories are the geographical concepts of territory, population, production of space, and spatial fix. This paper is organized into four sections. In the first, I provide an overview of spatio-temporal fixes and how these fixes respond to crises of overproduction and labor shortage. I analyze prisons and reservations as carceral spaces situated both within and beyond 'free' space. Section two examines how changes in U.S. Indian policy reflected agricultural expansion and emerging economic crises over the last two centuries. Section three analyzes the evolution of the prison system from a barracks for labor in the post-Reconstruction South to a globally integrated reserve of labor and capital. Finally, section four develops the concept of a 'carceral fix' to express the unique relationship between U.S. food production and these spatial systems.

Spatio-temporal fixes

Capitalism is characterized by the ceaseless search for new markets, labor sources, resources, and opportunities for investment (Harvey 2001). To satisfy these imperatives, capitalism relies on processes of geographic expansion; processes that demand new technologies of transportation and communication to reduce 'the friction of distance' (Harvey 2001, 24) or, following Marx's aphorism, "the annihilation of space through time" (Marx 2005, v). Historical moments of rapid expansion are often motivated by crisis—another characteristic of capitalism. Perhaps the most 'virulent' form of crisis is that of overproduction or overaccumulation wherein 'surpluses of labor and capital

[exist] side by side with seemingly no way to put them together in a ... “profitable” as opposed to socially useful way’ (Harvey 2001, 26). Such arrangements are often self-reinforcing; for example, U.S. farmers during the Great Depression responded to falling food prices and shrinking profits by increasing production—a response that perpetuated the crisis by further suppressing prices.

One response to overproduction is what Harvey (2001) refers to as a *spatial fix*, whereby excess capital—fixed or variable—in one location is relocated to another. For example, labor surpluses may be moved toward fixed capital (as in, migrant agricultural workers), or capital may move toward labor surpluses (as in, corporate offshoring and maquiladoras). Harvey would later refer to such fixes as *spatio-temporal*, highlighting the capacity for capital movements to delay, attenuate, or shorten crises of accumulation. As such, spatio-temporal fixes constitute a re-territorialization of capital into configurations ‘that transform the intensive and extensive spatiotemporal rhythms of accumulation’ (Ekers and Prudham 2015, 2438).

Harvey (2001) notes that such fixes may have internal and external ‘moments’ or spatial expressions. External moments involve the relocation of capital outside core landscapes of production in search of new labor or consumer markets, progressively ‘incorporating more and more of the territory of the globe into the ambit of capital’ (Shoenberger 2004, 428). This expression of the spatial fix has received considerable attention as scholarship accounts for increasingly globalized flows of capital in processes of uneven development (Brenner 1998, Lang and Knox 2009, Smith 2008). By contrast, the internal moment refers to the spatial fixing of some capital into immobile forms (airports, railroads, canals, etc.) that enable the movement of other capital. During economic downturns, surplus capital may be redirected into the built environment through ‘investment in the whole suite of physical installations that sustain and enhance the system’s ability to create wealth’ (Shoenberger 2004, 429). Of course, the landscapes receiving these injections of capital are rarely empty. Harvey (2001, 25) writes:

‘Capitalism has to fix space ... in order to overcome space. This leads to one of the central contradictions of capital: that it has to build a fixed space ... necessary for its own functioning at a certain point in its history only to have to destroy that space at a later point in order to make way for a new “spatial fix”.’

To foreshadow my argument, penitentiary growth in the late 19th and early 20th centuries is exemplary of the internal moment of the spatial fix, whereas aspects of Indian relocation and the reservation system reflect both internal and external moments.

In *Golden Gulag: Prisons, Surplus, Crisis, and Opposition in Globalizing California*, Ruth Wilson Gilmore (2007: 129) develops the concept of a “prison fix” to explain the dramatic growth of California’s carceral system since the 1980s. By tracing the links between carceral policies and instability in the state’s political economy, Gilmore argues that prisons “are partial geographical solutions to political economic crises, organized by the state, which is itself in crisis. [Crises] can be fixed only through radical measures, which include developing new relationships and new or renovated

institutions out of what already exists.” Here, my use of ‘carceral fix’ extends Gilmore’s prison fix in three ways: as a spatial expression operating at regional and national scales; as a dynamic but uninterrupted historical process over the *longue durée*; and as an intrinsic feature of settler colonialism that finds expression in myriad carceral forms, including Indian reservations. This usage is also distinct from Moran et al. (2018) and Coddington (2016) who use ‘carceral fix’ to reference the extension of carceral space beyond the physical prison through technologies of surveillance and control.

Free and unfree space

Unlike other spatio-temporal fixes, penitentiary and reservation systems involve a material and discursive separateness from core landscapes of production. Ostensibly beyond, outside, or distinct from ‘free’ space, prisons and Indian reservations exist within U.S. sovereign territory but are governed in a separate way. As carceral spaces, these distinct governance arrangements are open to continuous re-interpretation and adjustment by the state. For example, reservation lands were established through treaty mechanisms that initially reinforced the separateness of Indian land from Euro-American territory. As Prucha (1997: 4) observes, ‘Early treaties with the Creeks and with the Cherokees ... required passports for United States citizens to enter Indian lands. There were, in addition, provisions in the treaties for the extradition of criminals.’ Over time, treaties—and related court decisions—became legal tools for the increasingly intrusive management of Indian lands, bodies, and natural resources. Though Indian ‘sovereignty’ could not be eliminated, case law and Indian policy made it nearly impossible to exercise that sovereignty (Dunbar-Ortiz 2014: 174). Whereas traditional narratives of U.S. expansion frame reservations as a strategy to keep Indigenous nations ‘out of the way’ and outside the system of production, I find the contrary: the intentions of treaty-makers aside, reservations became an integral organ of the Euro-American accumulation system, particularly in agriculture.

In a similar vein, the blurred boundary between prisons and free territory has been a central theme in carceral geographies (cf. Turner 2014, 2016; Gill et al. 2018). Turner (2016: 31) writes: ‘The purpose of the prison ... is to remove those deemed a threat, containing them in places that seemingly exist beyond free territory.’ Here, the conceit of separateness has been exposed through histories of racially and politically motivated incarceration, convict leasing, and forced labor (LeFlouria 2015; Blackmon 2012; Mancini 1996). Indeed, carceral spaces are not disconnected from other social systems, but are ‘traversed by various circulations that reach within and beyond their boundaries.’ (Gill et al. 2018: 183). This paper highlights the circuits of labor and commodities that have linked prisons and agriculture—a dynamic interface that allowed U.S. agriculture to weather two centuries of chronic crisis.

Land, food, and U.S. Indian policy

In traditional U.S. histories, territorial expansion took advantage of land already emptied of its Indigenous inhabitants or about to be. When violence is acknowledged, the justification follows modernist imperatives of productivity: ‘The Indians had no

right, it was asserted, to hold in sterile embrace the vast lands that they used only casually or not at all' (Prucha 1997: 472). On this basis, violent processes of food deprivation, displacement, and extermination are downplayed in histories of U.S. agriculture. Recent scholarship, however, is demonstrating how farming, ranching, and genocide were integrated processes on the North American frontier (cf. Waisberg and Holzkamm 1993; Daschuk 2013; Madley 2015). U.S. policy toward Indigenous populations was expressed in two overlapping phases. In the first, Indian removal and relocation satisfied capital's immediate need for land and the government's need for revenue. In the second, the U.S. increasingly undermined Indigenous self-sufficiency to create dependence on commodity foods and relieve agricultural surpluses.

Removal and relocation

With U.S. independence and the relaxing of restrictions on westward expansion, Euro-American settlers crossed the Appalachians and pushed toward the Mississippi River in the first wave of farmland extensification at the beginning of the 19th century. Two intersecting crises helped drive growth in land conversion. The first was a shortage of government revenue. The War of Independence from Britain, the War of 1812, and a string of violent domestic policing actions in the early 1800s had strained the national purse. Successive U.S. administrations sought a profitable means to translate land—a seemingly inexhaustible resource—into revenue. Between 1820 and 1841, the government sold 75 million acres at auction. In 1836 alone, the government disposed of an extraordinary 20 million acres of public land, an area the size of South Carolina. Land sales were so successful in generating revenue that by the 1830s, sales from the public domain were the largest source of government revenue after trade tariffs: 'In this system, unique among colonial powers, land became the most important exchange commodity for the accumulation of capital and building of the national treasury' (Dunbar-Ortiz 2014: 124). Compounding the need for revenue was an emerging natural resource crisis. Tobacco had been the commodity of choice for wealthy landowners in the lowlands of Maryland, Virginia, and coastal Carolina since the early 1700s, but decades of continuous cultivation had depleted soil fertility. Facing diminishing returns, plantation owners began to leave Mid-Atlantic states in search of new lands for commodity production.

Of course, the public domain west of the Appalachians that would absorb this capital was by no means vacant, unclaimed, or unproductive. The first half of the 19th century witnessed the peak of Indian removals from lands east of the Mississippi to territories in the West, a policy epitomized by the Trail of Tears, the forced removal of tens of thousands of Cherokee, Chickasaw, Choctaw, Muskogee Creek, and Seminole. Euro-American settlers engaged in the systematic destruction of Indigenous villages and food sources to eradicate communities or force them into treaties (Kiernan 2007, Whitt and Clarke 2019). During this period, accumulation by violent dispossession (Harvey 2004) was especially pronounced in the Southeast, where growing international demand for cotton fed a boom in plantation agriculture and slavery. This further motivated land speculation and extensification: of the 20 million acres of public domain sold by the

government between 1800 and 1820, most was sold in Alabama and Mississippi, and much of this to planters abandoning the depleted soils of the Mid-Atlantic.

For the next four decades, the government experimented with policies to efficiently and profitably carve up and parcel out this vast public domain acquired through Indigenous removals. For example, the Railroad Act, designed to fund western railroad expansion, granted 110 million acres of public land to the railroads (10 miles on either side of the proposed track) to be sold for \$10 an acre to settlers (Billings 2012). From the end of the Civil War until 1900, total farmland grew from 407 million to 839 million acres (Cochrane 1993), an area appropriated from Indigenous lands west of the Mississippi.

Agricultural extensification and urban industrialization brought new crises. Between 1860 and 1900, growth in farmland drove rampant commodity overproduction. Whereas total farm output increased 53 percent between 1870 and 1880, the U.S. population increased by only 26 percent. Export markets and per capita food consumption saw modest gains, but these sources were insufficient to consume the growing surplus. Put simply, U.S. farms were producing far more than could be sold (Hurt 2002). Suffering from low farmgate prices and carrying debt from land purchases, many farms and ranches went bankrupt. In an irony often repeated during agrarian crises of overproduction, surrounded by too much food, many rural households succumbed to “hunger and outright starvation” (Cochrane 1993: 94).

As desperate farmers sought commodity markets, rapid industrialization and European immigration into U.S. cities initiated an urbanization crisis. Northern politicians—echoing nativist frustration with the influx of poor immigrant laborers—lobbied the government to address urban overcrowding and mitigate the threat of class conflict. In response, Congress passed the first of several Homestead Acts designed to encourage urban-to-rural migration by offering public domain land for free to white men willing to farm (Billings 2012).⁴ Taken together, settlement programs and land grants to states and railroads pushed total farmland from 407 million acres in 1865 to 839 million acres by 1900, even as prices for farm products plummeted.

Concurrent with overproduction and settlement expansion, U.S. policy in the West targeted Indigenous food sources with renewed vigor. With westward expansion of the railroad, the systematic killing of American bison—a primary source of food for Plains communities—became a centerpiece of U.S. military policy to starve Indigenous communities into submission and force dependence on U.S. food commodities (Merchant 2007). In the Southwest, the treaty of 1868 between the U.S. and Diné gave the government ‘regulatory authority over agricultural land,’ undermined traditional forms of land tenure that supported subsistence farming and herding, and committed the government to distribute surplus food, ‘inaugurating the federal food assistance programs that would play a major role in dietary shifts among the Diné a century later’ (Diné Policy Institute, 2014: 47).

Prior to 1900, the Diné cultivated beans, squash, melons, peaches, apricots, and maize (white, yellow, blue, and multi-colored) to accompany the collection of yucca,

⁴ By 1880, Homestead Acts were responsible for 57% of frontier farms (Hurt 2002).

sumac, wild celery, wild oats, acorns, and various berries. Sources of protein included mutton, goat, goat's milk, prairie dog, and rabbit. By 1900, the Diné diet had begun to shift, with nutritional surveys identifying flour, potato, and canned vegetables from government trading posts as emerging staples (Diné Policy Institute, 2014: 47). By producing both surplus land and captive markets through territorial expansion, U.S. policies during this period expressed the external moment of the spatial fix. Crucially, treaties established between the U.S. and Native communities created a mechanism for adjusting this relationship over time.⁵

Dependency

During the relocation and removal phase, Euro-American settlers targeted Indigenous food systems to weaken communities and assist dispossession, notably in advance of military operations and treaty negotiations. But as agricultural extensification fed chronic overproduction, U.S. Indian policy shifted toward the systematic production of dependency. In the early 1920s, with European production rebounding after World War I, prices fell for nearly all U.S. agricultural commodities. The price of wheat was cut in half and the value of agricultural exports dropped 56%. By 1932, all major economic sectors were in depression. Commodity overproduction and intra-sectoral conflict (Winders 2009) frustrated farm profitability. Remarkably, total farm output stayed the same throughout the Great Depression (despite devastating drought and topsoil loss) as farmers struggled to make up lost profits by once again expanding production (Cochrane 1993).

To mitigate the impact of dangerous surpluses, the U.S. sought to expand the role of Indian reservations as captive food markets by targeting Indigenous self-sufficiency. For example, as non-Indian grazing lands were expanding in the Southwest, Diné households were forced to slaughter their herds. Between 1933 and 1945, the Bureau of Indian Affairs (BIA) ordered stock reductions on the Navajo reservation: from 1.3 million head to under 560,000. Those who refused to slaughter their animals were arrested (Dunbar-Ortiz 2014). Eventually, 'BIA officials killed herds on the spot, left them to rot, all in front of Diné families ... Some herds were even driven off cliffs, while others were doused with kerosene and burned alive' (Diné Policy Institute 2014: 48). These violent expropriations left profound scars among Diné who had lost their animals and means of subsistence (Iverson 2002). Government reasoning behind herd reductions was that overgrazing on Diné land had increased erosion in the Lake Powell watershed, interfering with hydropower and irrigation projects along the Colorado River. Whereas no clear link between Diné herding and soil erosion was ever confirmed, the long-term effect of culling (along with grazing restrictions under the Taylor Grazing Act) was to increase dependence on commodity foods and reduce

⁵ The formal restructuring of Indigenous food systems through treaty instruments was widespread during this period: the 1868 U.S. treaty with the Diné and the Treaty of Fort Laramie with the Sioux and Arapaho are just two examples out of many. However, the impact of treaty instruments on Indigenous foodways varied (for example, see Miewald 1995).

potential competition with non-Indian ranches, a reproduction of the spatio-temporal fix. Notably, the Diné livestock killed by the BIA were descendants of animals introduced by 16th century Spanish missions in an earlier wave of agricultural imperialism (Walter and Hester 2014). The destruction of this capital to serve new patterns of accumulation four centuries later illustrates both the internal moment and the importance of seeing fixes over the *longue durée*.

Until 1952, warfare and post-WWII relief programs helped consume U.S. agricultural surpluses. But with the end of the Korean War, agriculture needed to find new markets, domestic or foreign. Domestically, federal food programs like WIC (Women, Infants and Children) and the Food Stamp Program were expanded on reservation lands as part of a broader initiative to push Indigenous communities toward commodity foods. In sharp contrast with traditionally cultivated and collected produce, commodity foods included primarily dried and canned goods: corn meal, flour, rice, rolled wheat, sugar, lard, peanut butter, macaroni, cereals, canned meats and vegetables, cheese, dry milk, and other dehydrated products. (Diné Policy Institute 2014: 50). One insidious form of cultural obliteration occurred within Indian boarding schools where tens of thousands of children—in the name of cultural assimilation—were forced to drink milk, despite 75 percent of the Indigenous population being lactose intolerant (Keller 2002).

Through policy mechanisms like livestock reductions, grazing restrictions, buffalo extermination, and forced diets in boarding schools, the U.S. created commodity dependencies and justified the expansion of food welfare programs on Indian lands. Meanwhile, surplus capital in ranching increasingly sought desirable Indian land for grazing. In *Lone Wolf vs. Hitchcock* (1903), the U.S. Supreme Court ruled that the Office of Indian Affairs could ‘dispose of Indian lands and resources regardless of the terms of previous treaty provisions’ (Dunbar Ortiz 2014: 189). Following this decision, Apache, Comanche, and Kiowa lands were opened to non-Indian settlement through leasing and sale. It is here that the temporal aspect of the spatio-temporal fix is made clear: with this ruling, Indian land throughout the U.S. became a reservoir of fixed capital to be parceled out when needed.

So long as growth in agriculture was dependent on spatial extensification, accumulation by dispossession was the centerpiece of U.S. Indian policy. Indigenous societies threatened accumulation inasmuch as they occupied, forcibly defended, and reiterated claims to desirable land. The fix was to remove them from it. Thus, dispossession of Indigenous land took place in the South at a time (1810s-1850s) when wealthy Mid-Atlantic planters were looking for new land and switching production from tobacco to Southern cotton—an example of the spatial fix’s external moment (Ekers and Prudham 2017). Mobile capital sought territory in which to sink roots. Forced removal often involved the burning of villages, agricultural fields, and granaries—in other words, the intentional devaluation of existing capital to make way for new, Euro-American investments.

As the needs of capital shifted back and forth between accumulation of land and the consumption of threatening surpluses, so too did the relationship between U.S. agriculture and Indigenous bodies. It is here that the reservation system emerged as an

essential means to manage the Indigenous land-food system: with sovereignty spatially constrained, tribal food production and consumption became bounded objects into which commodities could be injected or land withdrawn depending on the economic needs of the U.S. food system. The reservation-as-fix succeeded (in part) because it was established in separate territory under rules that differed from core areas of production. Critically, these rules could be changed: much more than a political or territorial compromise, the Indian treaty was deployed as an accumulation strategy, one that was adjusted to suit the demands of each crisis, and one that continues to play out today (cf. Norgaard, Reed, and Van Horn 2011).

Labor, food, and the prison system

“Slavery has been fruitful in giving itself names. It has been called ‘the peculiar institution,’ ‘the social system,’ and the ‘impediment.’ ... It has been called by a great many names, and it will call itself by yet another name; and you and I and all of us had better wait and see ... in what new skin this old snake will come forth next.” – Frederick Douglass (cited in Bennett 2018).

In the post-Reconstruction South, one of those new forms was a notorious convict leasing system that returned tens of thousands of freed slaves to the service of white landowners. To satisfy labor demand and white supremacist insecurities, states passed Black Codes and Jim Crow laws, built prisons, and deployed convicts across the South to mine, build roads, and harvest cotton among other activities (LeFlouria 2015; Oshinsky 1996; Marable 2016). The extensive incarceration system that emerged at the end of the 19th century—the first of its kind in the U.S.—helped maintain the dominance of white agriculture in the Southern economy. As the Southern carceral model spread to northern and western states, it evolved in response to regional political economies, but the prison never lost its agricultural roots. In fact, the arc of U.S. carceral policy over the last 170 years closely reflects the broader contours of agricultural expansion and crisis. During this period, prison agriculture—as a spatial fix—evolved through three phases. In the first, prisons helped address post-Emancipation labor demand in the white supremacist South. In the second, prisons became farms for state agriculture, absorbing labor surpluses as agriculture navigated the economic depression and overproduction. Finally, today’s prisons are increasingly integrated into a political economy buffeted by demands for cheap agricultural labor, resurgent nativism, and racism.

A barracks for labor

Prison growth in the South following Reconstruction helped address twin crises facing the white planter class: the loss of slave labor and the upending of white society (Oshinsky 1996). ‘Black Codes’ established special rules for freed slaves that substantially increased the likelihood of criminal conviction. For example, vagrancy laws required Black or mixed-race men to have written proof of employment at the beginning of every year or face a \$50 fine. Anyone who could not pay (that being the

vast majority) could be hired out by the court to any white man willing to pay the fine. The now-indentured laborer would have to work until the \$50 fine was paid off: a period at the discretion of the white planter (Oshinsky 1996). Other codes restricting drunkenness, public assembly, tenancy, possession of weapons, and social interaction with whites were designed to specifically target freed slaves. Selective legislation expanded in 1873 after the Supreme Court ruled that the 14th Amendment only protected federal citizenship, not state citizenship (Bennett 2018).

Southern jurisprudence not only reproduced an *antebellum* racial hierarchy, but also helped amass an enormous surplus labor force.⁶ Southern states deployed a notorious convict leasing system during this period to support state treasuries and supply workers to planters. Inmates—including children as young as ten—worked long hours without pay, in dangerous conditions, and under threat of violence and forced hunger. During the 1880s, between 9 and 16 percent of leased convicts died per year (Oshinsky 1996). Despite its brutality, government revenues kept convict leasing entrenched: in 1886, the U.S. commissioner for labor reported that state profits from leasing exceeded the cost of running prisons by 400 percent (Bauer 2018).

For convict leasing to succeed, it needed an extensive infrastructure of prisons, jails, courtrooms, and police stations that could process, move, and maintain captive bodies (Lichtenstein 1996). Indeed, through the fixing of capital in the form of dormitories and penitentiary buildings, the system enabled the mobility of variable capital in the form of labor—an example of the spatial fix's internal moment (Ekers and Prudham 2017). Meanwhile, the rents paid to the state were reinvested in an ever-expanding constellation of prisons, helping to justify increasingly racist and draconian forms of jurisprudence to maintain this reserve army of labor (cf. Marx 1977).

State agriculture

By the late 1800s and in response to populist pressure, prisons stopped supplying farms and *became* the farm. With rising commodity prices and wages, Southern white laborers began to push back against convict leasing, a practice they saw as a conspiracy between the state and wealthy growers to suppress wages. Riding a wave of populist anger, James Vardaman was elected governor of Mississippi in 1904 on a white supremacist platform of returning jobs to whites and returning Blacks to confinement (Oshinsky 1996). During this period, the penitentiary system was expanded and formalized. Parchman Prison in Mississippi and Angola State Prison in Louisiana—both former slave plantations—were established in 1901 to manage a burgeoning convict population. These sites became exemplars of a new model for incarceration: the expansive, agricultural penitentiary. The post-Civil War leasing system was slowly being replaced, but the racist justice system that fed the South's new penitentiaries had only just hit its stride.

During the Great Depression, as overproduction and unemployment plagued the national food system, the leasing of convicts presented a threat to the wage labor rate.

⁶ While Southern jurisprudence is exemplary here, selective criminalization and incarceration of Blacks was not limited to the South (cf. Muhammad 2010).

Convicts were removed from private production and returned to prisons where they produced food for the state. As commodity prices fell so did wages: by 1933, unemployment reached 25 percent and surplus labor moved about the country in search of jobs. Convict labor, already falling out of favor, now posed a serious threat to free agricultural workers. To protect free labor, ‘state-use’ laws and the Hawes-Cooper Convict Labor Act were enacted, prohibiting prisons from selling goods made with inmate labor on the open market (Kang 2009; Clare and Kramer 1976). Convict labor was confined to prison farms where inmates continued to produce food, but only for their own consumption and for other government agencies. They would not return to private farms for another fifty years.

Globalization and carceral agriculture

The steady expansion of global trade since the early 1970s helped maintain overproduction in U.S. agriculture through the influx of foreign commodity foods. U.S. consumer markets became profitable targets for food producers in Central America and East Asia, and in 1975—for the first time in the 20th century—U.S. food imports exceeded exports. To compete with falling prices, especially in labor-intensive fruits and vegetables, growers increasingly turned to domestic and migrant sources of cheap labor (Weiss 2001). The prison population was one such reserve of workers, and with passage of the Justice System Improvement Act of 1979, statutory limitations on the use of convicts—in effect since the 1930s—were relaxed.

At the same time, stagnant wage growth and economic uncertainty among the working class was translated into increasingly punitive attitudes toward vulnerable segments of the population, resulting in racially selective sentencing and steady increases in the rate of incarceration (Kang 2009, Roberts 2003). Wacquant (2001: 404) associates this growth in the prison population with submission to neoliberal ideologies, ‘as the state relies increasingly on the police and penal institutions to contain the disorders produced by mass unemployment, the imposition of precarious wage work and the shrinking of social protection.’ Indeed, between 1972 and 2008, the U.S. male incarceration rate grew by 5.3 times.⁷ Through the disproportionate incarceration of Blacks and Hispanics, the predominantly urban distribution of minority groups, and the rural nature of most penitentiaries, the prison system spatially fixes the distribution of labor and capital between inner city and countryside, reproducing historical disparities in development (cf. Marable 2015, Gilmore 2007).

The racial character of carceral spaces reflects the racial capitalism to which these spaces are attached (Robinson 2005: 2). The underdevelopment and marginalization of Black, Hispanic, and Indigenous people is the *sine qua non* of white development, not a coincidental economic or social misfortune. Walter Rodney (2018: 103) writes “it can be affirmed without reservations that the white racism which came to pervade the world was an integral part of the capitalist mode of production.” In this

⁷ From Prison Policy Initiative, 2019, ‘Incarcerated populations by race/ethnicity and gender for each state.’ https://www.prisonpolicy.org/data/race_ethnicity_gender_2010.xlsx. Accessed 2/24/2020.

way, the historical expansion of U.S. agriculture repeated racist patterns of exploitation established during European conquest of the New World. As Marable (2015: 94) observes, coercion—expressed through slavery and incarceration—serves as one of the “essential and integral factors” preserving U.S. capitalism: “[In a] capitalist/racist state ... there remains a greater reliance on the omnipresence of coercion aimed at Blacks than at whites ... Force is the essence of Black underdevelopment under capitalism: to be Black in capitalist America is to be a prisoner to the reality of coercion.”

As a reservoir of labor, the prison system maintains the potential to move variable capital into economic sectors and geographic markets as needed. Recently, Arizona, Idaho, Alabama, Georgia, and other states are returning convicts to private agriculture under leasing arrangements reminiscent of the post-Reconstruction period. In an expression of the spatial fix’s internal moment, this burgeoning labor force is back to work for both state and private industries under myriad arrangements. Increasingly, states are leasing convicts to private agricultural producers where they fill positions vacated by migrant workers fearful of recent changes to immigration policy (Rice 2019). It remains to be seen if this represents a large-scale shift into a new phase of the prison-as-fix. Regardless, the re-emergence of leasing illustrates the temporal aspect of the spatio-temporal fix: in the same way that Indian reservations held land in reserve, the fixed capital of the prison system keeps a captive army ready for the next crisis.

U.S. agriculture’s carceral fix

Throughout the 19th and 20th centuries, Indian removals, reservations, and penitentiaries provided unique opportunities for agricultural capitalism to respond to diverse and persistent crises. These spatio-temporal fixes operated in concert with other territorial strategies—including a host of other spatial fixes—to expand production and redirect surpluses. Whereas most correctives (e.g.: changes to public land policy) altered the ‘rules of the game’ within the country’s everyday agricultural landscape, reservations and penitentiaries did not. In fact, the effectiveness of these fixes resulted in part from the *separateness* of these systems. By establishing these organs seemingly ‘outside’ core landscapes of production and consumption, but still within sovereign territory, the state reasserted its authority over these spaces along with the right to treat them differently. I argue that such *carceral fixes* combine the capital- and labor-switching advantages afforded by spatio-temporal fixes with the administrative advantages of extra-territoriality.

Carceral fixes offered five benefits for addressing crises of agricultural capital and labor. First, the government’s creation of distinct ‘free’ and ‘unfree’ spaces simplified the management of both. During the 1800s, the *extra*-territorialization of Indigenous space was simultaneously a *re*-territorialization of Euro-American space: as Indigenous communities were forced onto reservations, land and agricultural policies could be implemented for white settlers across large swathes of the continent without making complex exceptions for undesirable populations or production systems. Spatial ‘purification’ also offered discursive benefits for politicians and historians constructing the American origin story. President Roosevelt’s narrative of ‘indomitable American

farmers and stockmen' comes into sharper relief as inconvenient Indians and Blacks are gradually erased from the spatial record.

Second, the confinement of Indigenous people and Blacks reinforced long-standing discourses of racial inferiority in ways that aided exploitation.⁸ Carceral fixes entailed the adoption of destructive food policies on Indian lands and the exploitation of Black labor within the penal system—violent outcomes made more palatable by the proliferation of racist discourse. Indians were framed as lazy drunks (Duran 1996) and Black inmates as violent 'thugs' (Smiley and Fakunle 2016). As such, neither were seen to deserve the rights and privileges afforded to the white majority. Externalization and confinement reinforced the longstanding erasure of disenfranchised groups from spaces of political engagement.

Third, separateness allowed the material benefits of each fix to persist. As Harvey (2001) notes, capital mobility in one instance relies on the immobilization of other capital. But before new infrastructure can be settled in place, existing embedded capital must first be devalued or destroyed. By externalizing the fix, the state mitigated the costs associated with such creative destruction. In the late 1800s, prison labor was beneficial as a labor surplus, by the 1920s it was not, and by the 1980s it was beneficial once again. Prisons like Parchman and Angola have remained in place throughout. The creation of a persistent, carceral space allowed surplus labor to be maintained until it became useful without having to repurpose or destroy the prison. In this way, mass incarceration provided an indefinite barracks for labor—something the free labor market could not do.

Fourth, by establishing these territories as exceptions to traditional territory, the state created an intermediate—and versatile—object of management: an interface that mediated the relationship between 'outside' and 'inside.' This regulatory boundary could be modified to suit the immediate needs of accumulation and production, redirect threatening surpluses, and respond to resurgent populism and racism, without the political risks inherent in experiments with the agricultural core. Such modifications were possible *because* these spaces were exceptional, exclusive, and seemingly beyond the privileged landscapes of accumulation. Critically, this unique interface provided mechanisms for the state to restructure the relationship: ironically, now 'outside' the system, prisons, reservations, and their respective populations became increasingly vulnerable to national political economic crises. Despite the ostensibly durable nature of Indian treaties with the U.S., in practice, adjudication of disputes ultimately fell to the U.S. Supreme Court which interpreted each treaty as a matter of U.S. law, not as a living document defining a relationship between unique political entities. Furthermore, considering that treaties with the U.S. were almost universally signed under duress (by the survivors of mass murder after villages had been burned, food supplies destroyed, captives taken, and additional violence threatened) the exceptional nature of each treaty—and the territorial organ it defined—becomes inescapable. Meanwhile, U.S. jurisprudence experimented with numerous strategies for selectively expanding the

⁸ See Horsman (1975) and Menand (2001) on the history of scientific racism in the U.S.

population of Black convicts and extracting surplus value from their labor. Such experimentation continues today (cf. Alexander 2010).

Finally, these carceral forms did not have independent relationships to the free core but were built upon each other. Indian removals from the Southeast in the early 1800s cleared land for plantation slavery. Slave plantations provided the model (and in some cases, the physical farm) for penitentiary agriculture. California's legislative exclusion of Indigenous producers would foreshadow the exclusion of East Asian agricultural laborers in the early 1900s (cf. McWilliams 1971). Indeed, the carceral fix involves not just a relocation of capital and labor, but the spatio-temporal fixing of *violence*. Through the interfaces that connect core agriculture with prisons and reservations, the indirect violence of falling farm prices is translated into the direct violence of physical and mental abuse, exploitation, alienation, diabetes, malnutrition, and genocide. Critically, this state-mediated violence is redirected from white to non-white bodies. In this way, carceral fixes accompany many interlocking white supremacist projects that have become endemic to U.S. agriculture (cf. Daniel 2013).

Racism and the utility of carceral fixes

This analysis has focused on the economic impetus for reservations and penitentiaries. However, it is a mistake to see the emergence of carceral fixes in purely economic terms—that is, to assume reservations and penitentiaries were the only possible response to crisis in the food system, or that crisis mitigation was the only rationale for these strategies. Indeed, it is notable that of the myriad spatio-temporal fixes available, U.S. agriculture took advantage of these *carceral* forms. This preference for carceral fixes was not a reflection of peculiar economic challenges facing the U.S., but of long-standing structural racism within agricultural and domestic policy. The fact that carceral fixes continue to mitigate crises today is testament to the flexibility of these territorial interfaces and the ongoing utility of carceral fixes within racial capitalism.

Conclusions

In *Cherokee Nation v. Georgia* (1831), Chief Justice John Marshall wrote that the Cherokee constitute 'a distinct political society, separated from others, capable of managing its own affairs and governing itself.' But Marshall continued, insisting that Indian communities were 'domestic dependent nations' with a relationship to the U.S. resembling 'that of a ward to his guardian' (cited in Prucha 1994: 15). Within this single opinion, the Court formalized a paradox of separateness and dependence. Over time, U.S. Indian policy would find justification in one or the other depending on the needs of the state. With the growth and spread of prisons and convict leasing, southern states developed interfaces that could respond to labor shortages and the rising tide of white supremacy. Turner (2014: 227) notes: '...prisons and the diverse penal systems that they help make manifest [are] prime exemplars of how seemingly invisible, peripheral sites are integral to the functioning of a purportedly mainstream society.' Indeed, it is

the seemingly invisible, peripheral, and exceptional nature of these territories that gives the carceral fix its efficacy.

This paper argues for further identification and examination of carceral fixes in U.S. agriculture and elsewhere; a task that emphasizes the fluid relationship between free and unfree space, and the institutions that shape it. This approach offers potential contributions in three areas. First, by examining the intersection of extraterritoriality, race, and class, carceral fixes can be discovered in other contexts; for example, in the reproduction of urban food apartheid, or in Central American labor peripheries where local producers—made landless through U.S. food exports—become migrant workers for U.S. growers (Carte et al. 2019). In each case, spaces of violence are materially and discursively produced ‘outside’ the core food system. Second, by focusing attention on the interface, this approach highlights some of the challenges and opportunities inherent in collective efforts to establish and protect sovereign food spaces; for example, in Minnesota where wild rice—granted legal personhood by White Earth Nation (Ojibwe)—is suing the state for territorial protection against the construction of an oil pipeline (Gunderson 2021).

Finally, state-run prison factories, the growth of convict leasing, and the ongoing proliferation of commodity food programs on Indian reservations provide opportunities to examine how carceral fixes are evolving in response to current political economic crises. Fessel (2013: 124) writes ‘The condition of extraterritoriality transforms ... hybrid spaces into places that attempt to create long-envisioned utopias and a radical new socio-ecological order.’ But in the U.S., the utopia being constructed—an echo of Jefferson’s agrarian dream—exists within *core* landscapes of production. To achieve it, agriculture has been putting its inconvenient spaces and populations to work.

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