

## How Is a Prison Like a War?

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The similarities between mass incarceration and mass murder have been haunting me for a while, and I now find myself inspired by Maya Schenwar's excellent new book *Locked Down, Locked Out: Why Prison Doesn't Work and How We Can Do Better*. This is one of three books everyone should read right away. The others are *The New Jim Crow* and *Burning Down the House*, the former with a focus on racism in incarceration, the latter with a focus on the incarceration of youth. Schenwar's is an overview of incarceration in all its absurd and unfathomable evil — as well as being a spotlight leading away from this brutal institution.

*Locked Down, Locked Out* is both an incomparably put together report incorporating statistics and studies with individual quotations and anecdotes, and a personal story of how incarceration has impacted the author's own family and how the author has thought through the complex issues.

Yes, I did recently write an article specifically criticizing the widespread habit of calling everything a "war," and I do still want to see that practice ended — but not because the linguistic quirk offends me, rather because we make so many things, to one degree or another, actually be like wars. As far as I have seen, no other practice bears remotely as much similarity to war as does prison. How so? Let me count the ways.

1. Both are distinctly American. No other nation spends as much on its military or its prisons, engages in as many wars or locks up as many people.
2. Both are seemingly simple and easy solutions that don't solve anything, but seek to hide it away at a distance. Wars are waged thousands of miles from home. Prisoners are stored out-of-sight hundreds or thousands of miles from home.
3. Both are fundamentally violent and dependent upon the notion that a state "monopoly" on violence prevents violence by others, even while the evidence suggests that it actually encourages violence by others.
4. Both rely on the same process of dehumanizing and demonizing people, either enemies in a war or criminals in a prison. Never mind that most of the people killed by bombs had nothing to do with the squabble used as motivation for the war. Never mind that most of the prisoners had nothing to do with the sort of behavior used to demonize them. Both populations must be labeled as non-human or both institutions collapse.
5. Both are hugely profitable and promoted by the profiteers, who constitute a small clique, the broader society actually being drained economically by both enterprises. Weapons factories and prisons produce jobs, but they produce fewer and lower-paying jobs than other investments, and they do so with less economic benefit and more destructive side-effects.

6. Both are driven by fear. Without the fear-induced irrational urge to lash out at the source of our troubles, we'd be able to think through, calmly and clearly, far superior answers to foreign and domestic relations.

7. Both peculiar institutions are themselves worse than anything they claim to address. War is a leading cause of death, injury, trauma, loss of home, environmental destruction, instability, and lasting cycles of violence. It's not a solution to genocide, but its wellspring and its big brother. U.S. prisons lock up over 2 million, control and monitor some 7 million, and ruin the lives of many millions more in the form of family members impacted. From there the damage spreads and the numbers skyrocket as communities are weakened. No damage that incarcerated people could have done if left alone, much less handled with a more humane system, could rival the damage done by the prison industry itself.

8. Both are default practices despite being demonstrably counter-productive by anybody's measure, including on their own terms. Wars are not won, do not build nations, do not halt cruelty, do not spread democracy, do not benefit humanity, do not protect or expand freedom. Rather, freedoms are consistently stripped away in the name of wars that predictably endanger those in whose name they are waged. The nation waging the most wars generates the most enemies, thus requiring more wars, just as the nation with the most prisoners also has the most recidivists. Almost all prisoners are eventually released, and over 40% of them return to prison. Kids who commit crimes and are left alone are — as many studies have clearly and uncontroversially documented — less likely to commit more crimes than kids who are put in juvenile prison.

9. Both are classist and racist enterprises. A poverty draft has replaced ordinary conscription, while wars are waged only on poor nations rich in natural resources and darkish in skin tone. Meanwhile African Americans are, for reasons of racism and accounting for all other factors, far more likely than whites to be reported to the police, charged by the police, charged with higher offenses, sentenced to longer imprisonment, refused parole, and held to be violating probation. The poor are at the mercy of the police and the courts. The wealthy have lawyers.

10. The majority of the casualties, in both cases, are not those directly and most severely harmed. Injuries outnumber deaths in war, refugees outnumber the injured, and traumatized and orphaned children outnumber the refugees. Prisoners' lives are ruined, but so are the greater number of lives from which theirs have been viciously removed. A humane person might imagine some leniency for the convict who has children. On the contrary, the majority of U.S. prisoners have children.

11. Both institutions seem logical until one imagines alternatives. Both seem inevitable and are upheld by well-meaning people who haven't imagined their way around them. Both appear justifiable as defensive measures against inscrutable evil until one thinks through how much of that evil is generated by optional policies and how extremely rare to nonexistent is the sort of evil dominating the thinking behind massive industries designed for a whole different scale of combat.

12. Both war and prisons begin with shock and awe. A SWAT team invades a home to arrest a suspect, leaving an entire family afraid to go to sleep for years afterward. An air force flattens whole sections of a city, leaving huge numbers of people traumatized for life. Another word for these practices is terrorism.

13. Both institutions include extreme measures that are as counterproductive as the whole. Suicidal prisoners put into solitary confinement as punishment for being suicidal are rendered more suicidal, not less. Burning villages or murdering households with gunfire exacerbate the process of making the aggressor more hated, more resented, and less likely to know peace.

14. Both institutions hurt the aggressor. An attacking nation suffers morally, economically, civilly, environmentally; and its soldiers and their families suffer very much as prisoners and prison guards suffer. Even crime victims suffer the lack of apology or restitution or reconciliation that comes with an adversarial justice system that treats the courtroom as a civilized war.

15. Both horrors create alternative realities to which people sometimes long to return. Prisoners unable to find work or support or friendship or family sometimes return to prison on purpose. Soldiers unable to adapt to life back home have been known to choose a return to war despite suffering horrifically from a previous combat experience. The top killer of U.S. soldiers is suicide. Suicide is not uncommon among prisoners who have recently been released. Neither members of the military nor prisoners are provided serious preparation for reintegrating into a society in which everything that has been helping them survive will tend to harm them.

16. Both war and prisons generate vicious cycles. Crime victims are more likely to become criminals. Those imprisoned are more likely to commit crimes. Children effectively orphaned by incarceration are more likely to become criminals and be incarcerated. Nations that have been at war are more likely to be at war again. Solving Libya's problems three years ago by bombing it predictably created violent chaos that even spilled into other nations. Launching wars on Iraq to address the violence created by previous wars on Iraq has become routine.

17. Both institutions are sometimes supported by their victims. An endangered family can prefer incarceration of a violent or drug-addicted loved one to nothing, in the absence of alternatives. Members of the military and their families can believe it is their duty to support wars and proposals for new wars. Prisoners themselves can see prison as preferable to starving under a bridge.

18. Both institutions are disproportionately male in terms of guards and soldiers. But the victims of war are not. And, when families are considered, as Schenwar's book considers them so well, the victims of incarceration are not.

19. Both institutions have buried within them rare stories of success, soldiers who matured and grew wise and heroic, prisoners who reformed and learned their lessons. No doubt the same is true of slavery or the holocaust or teaching math by the method of applying a stick to a child's hands.

20. Both institutions are often partially questioned without the possibility of questioning the whole ever arising. When Maya Schenwar's sister gives birth in prison and then remains in prison, separated from her baby, people ask Schenwar "What's the point? How is Kayla being in prison helping anyone?" But Schenwar thinks to herself: "How *is anyone* being in prison helping anyone?" Candidate Barack Obama opposed dumb wars, while supporting massive war preparations, eventually finding himself in several wars, all of them dumb, and one of them the very same war (or at least a new war in the very same nation) he had earlier described in those terms.

21. Both institutions churn along with the help of thousands of well-meaning people who try to mitigate the damage but who are incapable of redeeming fundamentally flawed systems. Reforms that strengthen the system as a whole tend not to help, while actions that shrink, limit, or weaken support for the whole machinery of injustice deserve encouragement.

22. Both are 19th century inventions. Some form of war and of slavery may go back 10,000 years, but only in the 19th century did it begin to resemble current war and incarceration. Changes through the 20th and early 21st centuries expanded on the damage without fundamentally altering the thinking involved.

23. Both include state-approved murder (the death penalty and the killing in war) and both include state-sanctioned torture. In fact much of the torture that has made the news in war prisons began in domestic prisons. A current war enemy, ISIS, had its leadership developed in the cauldron of brutal U.S. war prisons. Again, the aggressors, the torturers, and their whole society are not unharmed.

24. Crime victims are used to justify an institution that results in more people being victimized by crime. Victims of warlike abuse by others are used to justify wars likely to harm them and others further.

25. Prisoners and veterans often leave those worlds without the sort of education valued in the other world, the “free world” the prisoners dream of and soldiers fantasize that they are defending. A criminal record is usually a bar to employment. A military record can be an advantage but in other cases is a disadvantage as well in seeking employment.

26. Beyond all the damage done by war and prisons, by far the greatest damage is done through the trade-off in resources. The money invested in war could pay for the elimination of poverty and various diseases worldwide. A war-making nation could make itself loved for far less expense than what it takes to make itself hated. It could hang onto a much smaller, more legitimately defensive military like those of other nations while attempting such an experiment. The money spent on prisons could pay for drug treatment, childcare, education, and restorative justice programs. A nation could go on locking up violent recidivists while attempting such a change.

27. Restorative justice is the essence of the solution to both war and prison. Diplomacy and moderated reconciliation are answers to the common problem of writing an enemy off as unreachable through words.

I might go on, but I imagine you get the idea. Huge numbers of Americans are being made seriously worse citizens, and almost all of them will be back out of prison trying to survive. And, if that doesn't do it for you, consider this: when incarceration is this widespread, there's every possibility that it will someday include you. What if you're falsely accused of a crime? What if somebody puts a link on a website to illegal pornography and you — or someone using your computer — clicks it? Or you urinate in public? Or you use marijuana in a state that legalized it, but the feds disagree? Or you blow the whistle on some abuse in some branch of the government that you work for? Or you witness something and don't report it? Or you work so hard that you fall asleep driving your car? An injustice to one is an injustice to all, and injustice on this scale is potentially injustice to every one.

What to do?

Californians just voted on their ballots to reduce prison sentences. Get that on your ballot. For the first time ever, this week, a prosecutor was sent to prison for falsely convicting an innocent person. We need a whole reworking of the rewards and incentives for prosecutors who have long believed that locking people up was the path to success. We need activist resistance to prison expansion, divestment from for-profit prison companies, and educational efforts to begin changing our culture as well as our laws. *Locked Down, Locked Out* provides a terrific list of organizations to support, including those that can help you become a prisoner's pen-pal. Schenwar explains that there is nothing prisoners need more, as long as they are locked up. Those *not* receiving mail are seen as the easiest targets for abuse by guards and other prisoners. And our receiving their letters may be the best way for us to learn about the hidden world in our midst.

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