

## Political Prisoners and the Repression of Animal Liberation and Intersectional Environmental Justice Movements

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### 16.1 INTRODUCTION

Josh Harper is a long-time animal liberation activist and former political prisoner who became a national figure in the movement when he was sentenced to prison for three years on “animal enterprise terrorism” charges related to his support of a direct-action campaign focused on the notorious Huntingdon Life Sciences (HLS) animal testing lab. The organization he worked with was called Stop Huntingdon Life Sciences or SHAC, and Harper was one of several activists – known as the SHAC7 – sent to prison for their involvement in this effort. The campaign was ambitious, bold, creative, and highly impactful. The aim was to shut down HLS, which was one of the largest animal testing contract services in the world and had been accused of animal cruelty and multiple violations of animal welfare laws in the United States and Britain. In addition to directly targeting HLS, the SHAC campaign also focused on businesses that supplied HLS with key resources, and further singled out those businesses that contracted with HLS’s suppliers in what activists refer to as primary, secondary, and tertiary targeting. Specifically, any business in HLS’s network of clients was pressured to cancel those contracts or face relentless public protests, including actions outside the homes of directors and employees. This series of tactics supported a strategy of starving HLS of the resources it needed to survive, and SHAC successfully persuaded scores of companies to cut ties with the laboratory. When the campaign’s victory seemed imminent, UK and US governmental authorities stepped in to provide emergency financial support for HLS and to bring the full power of state repression down on the advocacy campaign. Josh Harper paid for his activism with a three-year prison term. Harper’s time on the inside was difficult, beginning with dietary concerns:

When I was sentenced to prison, one of the things that was very, very important to me was that I didn’t want to let it change who I was to the degree that I was able. I definitely wanted to be in the sort of position where I wasn’t going to let the state

force me to consume the products of the animals who I was trying to defend to begin with. I'd heard that when I was first sent down that all federal prisons offer a vegetarian option, so I was very excited by that, and thought maybe it'd be vegan, but very quickly I realized that that wasn't the case. All of the vegetarian options at FCI Sheridan contained animal lactation or they had eggs, it wasn't easy to stay vegan in there.<sup>1</sup>

Harper described his time in prison as a “monstrous...thirty-two-month nightmare.”<sup>2</sup> He has been quite open about the mental health impacts associated with serving time and has advocated that activists providing support for political prisoners do a better job of addressing those needs more directly and effectively. He stated, “Prison is something that's horribly traumatizing, I can't imagine most people being incarcerated for very long at all without having some sort of long-term effect on their lives.”<sup>3</sup>

In this chapter I examine prisons and imprisonment to explore how these institutions, policies, and practices constitute a form of multispecies repression and a set of structural forces that are directly harmful to animal liberation movements and intersectional environmental justice movements (those grassroots efforts focused on defending marginalized communities and their land bases). I argue that by imprisoning animal liberation activists and intersectional environmental justice movement leaders, the criminal legal system hampers or removes critical resources for addressing the harm to nonhumans and that prisons themselves are sites of routine violence against more-than-human populations. Drawing on a range of sources of evidence and literatures, I find there are two reasons explaining this wide-ranging series of impacts by carceral institutions on both human and more-than-human communities:

First, some of the most effective leaders in the animal, earth liberation, and intersectional environmental justice movements are locked behind bars. Removing them from society and daily engagements with social movements significantly diminishes their ability to foment social change. Key activists from groups like SHAC, the Animal Liberation Front, the Earth Liberation Front, as well as “lone wolves” have spent many years behind bars, making it difficult for them to intervene materially and discursively in service to the cause of defending and protecting nonhuman populations and ecosystems. Frequently, when such activists speak out from behind bars during their time in prison, they are severely punished. For example, while he was in prison, SHAC<sup>7</sup> activist Kevin Kjonaas wrote a statement about animal liberation that a musical artist read over the public address system at a concert, and Kjonaas was punished by prison officials. Similarly, his colleague Josh Harper was placed into solitary confinement for one hundred days for speaking out

<sup>1</sup> Interview by *It's Going Down with Josh Harper*, Animal Liberation Activist (May 28, 2017).

<sup>2</sup> Interview with Josh Harper, Animal Liberation Activist (Nov. 9, 2009).

<sup>3</sup> *Id.*

from prison. And when they are released from prison and return to their communities, these activists frequently carry the burdens of their disabling time in prison and feel less efficacious and less willing to engage in the level of activism they pursued prior to incarceration.

While many committed animal liberation activists have spent time in America's penal system, activists from revolutionary movements in communities of color and Indigenous communities (such as the Black Liberation Army, MOVE, Puerto Rican Independence, and American Indian Movement) have tended to face much harsher sentences as well as more violent repression by agents of the state (compounding the more general, daily repression those entire communities face). While the latter set of movements is not usually thought of in the vein of animal liberation causes, I include them here because I consider them to be a part of intersectional environmental justice movements. By that, I mean they are concerned with defending and improving the well-being of marginalized populations and their land bases, which are necessarily multispecies territories. What also makes these movements relevant to intersectional environmental justice is that among their primary concerns are combating state and corporate power, racism, colonialism, and militarism and their effects on vulnerable peoples and ecosystems, in favor of community-based solutions that would result in peoples exercising democratic control over land, territory, and space. The American Indian Movement continues to fight for Native American treaty rights and sovereignty. The Puerto Rican Independentistas seek nothing short of the removal of the US occupying government from that island, while the Black Panther Party and the Black Liberation Army have fought for the same with respect to African American communities. And the MOVE organization in particular is explicitly anti-racist, anti-capitalist, anarchist, and pro-animal liberation. More recently, the rise of the Black Lives Matter movement (or the Movement for Black Lives) has continued to build on these earlier efforts, promoting a vision of justice that is intersectional and deeply critical of racist state violence. In sum, these revolutionary movements offer an opportunity to articulate and achieve a broader aim, which is to develop a more robust way of linking movements for animal liberation and environmental and social justice, with efforts to abolish prisons in particular and the caging of living beings of any species more broadly.

The second reason for the wide-ranging spectrum of impacts of carceral institutions on multispecies communities is that prisons and jails produce a range of direct and indirect harms to nonhuman species and ecosystems. In many cases, carceral facilities are constructed on or adjacent to lands and bodies of water that are critical habitats for vulnerable and/or endangered species. Prisons and jails regularly pollute waterways through waste discharges, both routine and accidental, which place many aquatic species at risk. Furthermore, the day to day functioning of a prison or jail is made possible by the mass consumption of nonhuman animals for food, clothing, and other "goods" and "services," reflecting the general trends we see outside of prisons. Finally, the carceral system contributes significantly to global

anthropogenic climate change by producing considerable greenhouse gas emissions,<sup>4</sup> a socioecological phenomenon that, in turn, contributes to the devastation of nonhuman habitats, well-being, and lives.

Below I elaborate on these two arguments above by considering cases that support these claims.

## 16.2 PRISONS AS SITES OF POLITICAL REPRESSION

Many activists from animal liberation, earth liberation, and social justice movements have served time in carceral facilities, making it difficult for them to promote and support transformative social change. This is a major aim of the prison industrial complex – to repress the people and ideas that generate resistance to multispecies oppressions and to ensure the continued functioning of a white supremacist, heteropatriarchal, speciesist, ecocidal capitalist state.

### 16.2.1 *Spaces of State Repression*

Marius Mason is currently serving time in prison for his actions in the name of earth and animal liberation. He is a longtime supporter of the radical environmental movement group Earth First!, has worked as a gardener and a volunteer for a free herbal health care collective, and made great strides to unite labor and environmental activists through volunteering for the Industrial Workers of the World (IWW) and building alliances alongside famed radical labor-environmental leader Judi Bari. Mason was involved in an arson at Michigan State University intended to destroy data and equipment that he believed were used to further the production of genetically modified crops. This action was intended as a material demonstration of solidarity with global South nations struggling under the weight of free trade agreements that favor the transition from natural crops to genetically engineered agriculture. The day after the arson action at Michigan State, Mason and his partner set fire to commercial logging equipment at a timber camp in Mesick, Michigan, as a direct action and protest against deforestation. Mason later acknowledged that he also burned boats owned by a mink farmer as a protest action directed at the fur industry. Mason said his actions were “individual acts of conscience,” and that the property damage he committed was intended “to protect my community and the Earth, to respond in defense of the living systems of animals, land and water.”<sup>5</sup> In alignment with the published guidelines of the Earth Liberation Front and Animal Liberation Front (both of which are underground radical movements that

<sup>4</sup> Julius Alexander McGee et al., *Locked into Emissions: How Mass Incarceration Contributes to Climate Change*, SOC. CURRENTS 1, 3–5 (2020).

<sup>5</sup> Transcript of Sentencing Hearing at 91, *United States v. Mason*, No. 08-CR-47, <http://freemarius.mayfirst.org/wp-content/uploads/2016/08/mason-sentencing-transcript.pdf> (W.D. Mich. Feb. 5, 2009).

deliberately refuse mainstream, reformist tactics and strategies), no people or animals were physically harmed as a result of these arsons.

Drawing on legislation prohibiting “terrorism” in defense of nonhuman animals, a judge sentenced Mason to twenty-one years and ten months in prison – the longest sentence that any animal or earth liberation activist has faced. Mason was instantly and widely regarded as a political prisoner, given this extraordinary punishment for what amounted to arson and property damage (actions that are already illegal under the law and for which the typical sentence is far less harsh). He is an outspoken transgender man who advocates for the rights of marginalized populations, both human and nonhuman. And while imprisonment has clearly made his activism more difficult, like many political prisoners, Marius Mason continues to seek out ways to make a difference from behind bars. For example, Mason is a prolific artist who has produced numerous paintings that are featured in publications and zines within activist communities around the nation and the world. Mason’s paintings include a wide range of subjects, speaking to a radical intersectional politics that I have elsewhere called a “total liberation” framework,<sup>6</sup> which seeks to confront all forms of hierarchy, inequality, and domination. A sampling of Mason’s many paintings features the following:

\*Nonhuman animals facing oppression in: “tigers for sale” – concerning tigers left in limbo after the closure of the Ringling Bros. circus; chimpanzees facing threats from a large hydroelectric dam in Guinea; a painting decrying laboratory experimentation on mice titled “The Toxicity Test” or “Welcome to Hell, Exhibit A”; and a painting highlighting the plight of the endangered vaquita porpoise in the Gulf of California titled “Netting Vaquitas”;

\*A series on transgender luminaries titled “Trans Hero/Heroine Series.” This series includes: “Sylvia Rivera: Trans Action Revolutionary”; “Chris Mosier – transathlete and activist”; a painting of African American writer, social activist, and trans woman imprisoned for fighting back against transphobic, racist violent vigilantes, titled: “Cece McDonald”; a painting of an imprisoned African American transgender woman who was refused hormone therapy and wrongfully placed in a male prison facility, titled “Ashley Diamond”;

\*A number of paintings celebrating Indigenous environmental justice activists. This series includes: “Tara Houska of Honor the Earth” and “For Naelyn Pike [San Carlos Apache] standing with Standing Rock”;

\*Paintings honoring a number of political prisoners, including Puerto Rican *independentista* Oscar Lopez Rivera while he was incarcerated, titled “Free Oscar Lopez,” and “Pine Ridge Sundance Tree for Leonard Peltier”;

Mason has also produced artwork focused on the struggle against environmental racism in America’s cities (“The Trouble in Flint”) and much more. In addition to

<sup>6</sup> DAVID PELLOW, *TOTAL LIBERATION: THE POWER AND PROMISE OF ANIMAL RIGHTS AND THE RADICAL EARTH MOVEMENT* (2014).

his paintings, Mason writes poetry and offers words of inspiration in letters to supporters and activists worldwide. And while Mason's intersectional environmental justice activism has inspired many supporters and admirers, the prison system severely limits his capacity to engage in that work. For example, he has had to fight for his right to vegan meals while being placed in solitary confinement.

American Indian Movement political prisoner Leonard Peltier was a dedicated AIM activist during the early 1970s, during which time he actively supported Native sovereignty and opposed predatory federal and corporate activities designed to extract mineral and ecological wealth from Native lands. He was sentenced to two consecutive life terms for the alleged murder of two FBI agents during a government assault on the Pine Ridge reservation. Peltier's writings from prison also articulate a critique of US colonialism and empire as environmental racism directed at Indigenous peoples:

White society would now like to terminate us as peoples and push us off our reservations so they can steal our remaining mineral and oil resources. It's nothing new for them to steal from nonwhite peoples. When the oppressors succeed with their illegal thefts and depredations, it's called colonialism. When their efforts to colonize indigenous peoples are met with resistance or anything but abject surrender, it's called war. When the colonized peoples attempt to resist their oppression and defend themselves, we're called criminals.<sup>7</sup>

Peltier's argument reflects the widely held view among AIM supporters and human rights attorneys that his imprisonment was based on scant evidence and rooted in the US state's desire to punish an Indigenous man and movement for resisting conquest.

MOVE is a Black revolutionary group founded in Philadelphia in the early 1970s. The group organized around a determination to improve community health and to challenge the racist-capitalist state, and the dispossession, police brutality, and industrial pollution it routinely metes out. A clear illustration of a movement committed to intersectional environmental justice, many MOVE members were vegetarians and staunch animal rights advocates. Not surprisingly, MOVE was targeted with massive police repression and militarized violence, and numerous members were killed while others were imprisoned, including Ramona Africa. Years after her release, MOVE activist and former political prisoner Ramona Africa describes how she and other prisoners pushed back against their jailers by embracing multispecies ecological awareness and interdependence:

[I]t was really something to be [imprisoned] with MOVE women. . . One thing we did was we fed the birds leftover food. . . Leftover food. . . if it wasn't used, [the jail] couldn't save it according to their health codes, they had to toss it. The county jail is right along the river and there are a lot of seagulls there and the river is so polluted there is virtually no edible food for the seagulls, so we used to take leftover fish

<sup>7</sup> LEONARD PELTIER, *PRISON WRITINGS: MY LIFE IS MY SUNDANCE* 44 (1999).

sticks, eggs or bread, different things that we figured the birds would eat – we had these plastic buckets and we would take the leftovers out [during yard time]. We would dump [the food] and walk away and the birds would swoop down and eat it. This one particular day, a Sunday, we had gotten the birds some food at breakfast and we were waiting for [yard time] so we could take the food out. This one sergeant, a Black woman, was in a very nasty mood, she told us that we could not take those buckets of food out. Well, we went off. We told her, “What are you talking about? You were gonna throw this food away. Can you substantiate to us why this food should go in the trash when those birds could eat it? If you feel that life should not eat then apply it to your own self and stop eating. It’s not the birds’ fault they can’t feed themselves, they don’t wanna eat this slop, but man has poisoned their source of food. . . You’re not gonna tell us that we aren’t gonna feed life.”

We went off. Well, she got all mad, she got pissed off, she called the riot squad over, said we were disturbing the institution, they didn’t lock us in our cells then but that night at lock-in time they locked us in [and] when we got up the next morning our cell doors were locked. . . They had locked us in and gave us write-ups, misconducts. . . We got found guilty. . . [and] we each got a fifty-thousand-dollar bail, all for taking a stand on feeding the birds. We didn’t threaten anybody, you know, but that is the attitude of the prisons. But these are the things I learned from MOVE, about taking a stand for life, taking care of life.<sup>8</sup>

Ramona Africa’s story powerfully reflects the ways that incarceration is predicated on anti-ecological principles that subject caged beings to a living death, that seek to impose immobility on a world where mobility is a constant, and that seek separation and dependence in a world of interconnection and interdependence. Africa and her colleagues resisted based on the fundamental principles of intersectional environmental and multispecies justice.

### 16.2.2 *Chemical Warfare*

Another terrain of intersectional environmental struggle inside the carceral system concerns the use of chemicals. For example, the considerable volumes of pepper spray used to pacify and punish imprisoned persons for noncompliant behavior is quite concerning, which includes a range of people, particularly those suffering from mental illness.<sup>9</sup> Corrections officers routinely apply pepper spray to imprisoned persons in order to force them to follow orders and/or to subdue them during moments of conflict. The results of exposure to pepper spray can range from eye irritation and temporary blindness, burning sensations, second- and third-degree

<sup>8</sup> Interview by Sormeh Ayari with Ramona Africa, in Riverside, Cal. (Apr. 16, 2004).

<sup>9</sup> HUM. RTS. WATCH, CALLOUS AND CRUEL: USE OF FORCE AGAINST INMATES WITH MENTAL DISABILITIES IN U.S. JAILS AND PRISONS (May 12, 2015), [www.hrw.org/report/2015/05/12/callous-and-cruel/use-force-against-inmates-mental-disabilities-us-jails-and](http://www.hrw.org/report/2015/05/12/callous-and-cruel/use-force-against-inmates-mental-disabilities-us-jails-and).

burns, positional asphyxia, psychotic episodes, and possibly death.<sup>10</sup> I refer to such practices as *chemical warfare* because they are actions intended to harm, subdue, and incapacitate an individual and/or group for the purpose of controlling that population and their associated territory. The Merriam-Webster Dictionary defines chemical warfare as “tactical warfare using incendiary mixtures, smokes, or irritant, burning, poisonous, or asphyxiating gases” and, according to that same source, a chemical weapon is defined simply as “a weapon used in chemical warfare.”<sup>11</sup> I believe these definitions accurately and appropriately describe many of the practices of using chemicals on the bodies and communities of incarcerated persons *as well as* the broader realities of environmental injustice that affect communities beyond the prison walls around the world. In many ways, the prison is the ideal space for the use of chemical warfare and the practice of environmental injustice because the target population is so severely limited in its mobility and the space that is the terrain of conflict is so well defined.

From a multispecies justice and animal liberation perspective, we can also point to the ways in which chemical warfare directed at *nonhumans* generally precedes and facilitates chemical warfare used against humans. Studies of pepper spray’s primary active ingredient – oleoresin capsicum (OC) – have been used to determine its efficacy and safety on humans by first using it on nonhumans, particularly mice. One recent study notes that OC causes numerous physiological reactions: “Cardiopulmonary functions such as respiratory depression, severe irritation, inflamed respiratory tract, hyperventilation and, tachycardia are the most affected ones when it comes to the riot control agent oleoresin capsicum (OC) exposure.”<sup>12</sup> It is noteworthy that the authors of that study explicitly name OC as a method of “riot control,” which is an open acknowledgment of its use as a weapon of state violence.

European American activist Ray Luc Levasseur was deeply involved in anti-war and anti-racist organizing in the 1960s and 1970s. In 1986, he was indicted and charged with taking part in paramilitary actions in support of a range of anti-imperialist and social justice struggles (including support for Puerto Rican Independence, the Anti-Apartheid movement in South Africa, and opposition to US military involvement in Central America) as part of the United Freedom Front. All of these movements – anti-war, anti-imperialist, anti-racist – are, in my view, clearly and comfortably within the ambit of environmental justice, as they are organized in support of democracy, self-determination, public health, and the reclamation of territories by colonized peoples. While he was acquitted of seditious conspiracy, Levasseur still had to serve his original sentence. During his time

<sup>10</sup> *Id.*

<sup>11</sup> *Chemical warfare*, Merriam-Webster.com, [www.merriam-webster.com/dictionary/chemical%20warfare](http://www.merriam-webster.com/dictionary/chemical%20warfare).

<sup>12</sup> Pompy Patowary et al., *Cardiopulmonary Function and Dysregulated Cardiopulmonary Reflexes Following Acute Oleoresin Capsicum Exposure in Rats*, 405 TOXICOL. & APPL. PHARMAC. (Oct. 15, 2020), <https://doi.org/10.1016/j.taap.2020.115188>.



incarcerated at ADX – Administrative Maximum, in Florence, Colorado, the nation’s highest security prison – Levasseur noted the presence and power of pepper spray and rightly called it an instrument of chemical warfare:

I’m deeply cornered in their prison. My sight is diminished, but I maintain my vision. I see their hand in the use of four point “restraints” to spread-eagle prisoners, something inherently abusive regardless of the excuse. I see forced feedings, cell extractions, mind medications, and *chemical weapons* used to incapacitate.<sup>13</sup>

Other forms of chemical warfare in carceral facilities are quite widespread. Recent reports have surfaced that immigrant children apprehended by federal authorities and placed in prisons (“detention centers”) have been forcibly injected with psychotropic drugs, rendering them lethargic, dizzy, listless, incapacitated, afraid, and obese.<sup>14</sup> And while these chemicals are not strictly “incendiary,” they are indeed *weapons* used to neutralize and pacify populations deemed enemies. Author, professor, and former Black liberation political prisoner Angela Davis served time in a jail in New York state in a section where all or most of the female imprisoned persons were mentally ill. While serving time, Davis’s capacities to work as an activist were severely hampered – one of the key aims of state repression. But she also noticed that many of the women in the prison were being given Thorazine (now called chlorpromazine) – a drug intended to control the moods of mentally ill persons, and one that is reportedly overused in many prison settings:

After they took their seats, they became completely absorbed in themselves, blank stares telling me that no matter how much I wanted to talk, it would be futile to approach any of them. Later I learned that these women received Thorazine with their meals each day and, even if they were completely sane, the tranquilizers would always make them uncommunicative and detached from their surroundings. After a few hours of watching them gaze silently into space, I felt as though I had been thrown into a nightmare.<sup>15</sup>

There was resistance to this practice as well, Davis reported:

One morning in the day room, Barbara, the young Black woman from the cell directly across from mine, broke her habitual silence to tell me she had refused her daily dose of Thorazine. It was very simple: she was tired of feeling like a vegetable all the time. She was going to resist the Thorazine and was going to get out of 4b [a special section of the jail where mentally ill prisoners were held].<sup>16</sup>

<sup>13</sup> Raymond Luc Levasseur, *Trouble Coming Every Day: ADX – The First Year*, in *THE NEW ABOLITIONISTS: (NEO)SLAVE NARRATIVES AND CONTEMPORARY PRISON WRITINGS* 45, 48 (Joy James ed., 2005) (emphasis added).

<sup>14</sup> Matt Smith & Aura Bogado, *Immigrant Children Forcibly Injected with Drugs at Texas Shelter, Lawsuit Claims*, TEX. TRIB. (June 20, 2018) [www.texastribune.org/2018/06/20/immigrant-children-forcibly-injected-drugs-lawsuit-claims/](http://www.texastribune.org/2018/06/20/immigrant-children-forcibly-injected-drugs-lawsuit-claims/).

<sup>15</sup> ANGELA DAVIS, *ANGELA DAVIS: AN AUTOBIOGRAPHY* 39–40 (1998).

<sup>16</sup> *Id.* at 42–43.

Thorazine/chlorpromazine is prescribed as an anti-psychotic treatment for people with schizophrenia and other mental disorders. It was the first widely prescribed anti-psychotic drug. And while Davis herself may not have been forced to ingest this drug while incarcerated, the impacts of witnessing its effects on her fellow incarcerated peers clearly left an imprint and affected her for decades. Moreover, chlorpromazine was and remains widely used in experiments on nonhuman animals.<sup>17</sup>

The relevance of chlorpromazine and oleoresin capsicum here is twofold: (1) there is evidence that these substances have been used to sedate, harm, and control human beings in carceral settings, thus reducing their capacity to think clearly and resist their conditions of confinement; and (2) like virtually any other drug on the market and like many other industrial chemicals in use, chlorpromazine and oleo capsaicin were first tested on nonhumans, reflecting the medical industry's long-standing use of "animal models" as a way of ensuring that a treatment is "safe" and acceptable for humans.<sup>18</sup> In other words, these chemicals were and are simultaneously being used on nonhumans and humans to officially advance medically and politically desirable outcomes for the capitalist, carceral state, but are also integral to maintaining the speciesist and racist brutality of the medical-industrial complex and the prison-industrial complex, which means sacrificing the lives of nonhumans in experiments and harming imprisoned persons who are force-fed or sprayed with these substances. Moreover, the use of these harmful chemicals in prisons and jails is directly linked to the broader trend of medical experimentation on incarcerated human populations, a phenomenon occurring in many prison systems around the world.<sup>19</sup>

Carceral institutions are of significance to scholars and advocates of animal liberation, earth liberation, and intersectional environmental justice movements because leaders in these movements have been routinely incarcerated, which, in addition to reflecting state-based punishment for their resistance activities, often severely limits their ability to continue the work of social change. Furthermore, the use of chemical warfare in carceral facilities is frequently used to pacify and punish imprisoned persons deemed a threat, which directly harms those populations and indirectly harms those who witness such abuses (including political prisoners), a practice that is made possible by experimentation on nonhuman animals. Even so,

<sup>17</sup> Mark A. Geyer et al., *From Antipsychotic to Anti-schizophrenia Drugs: Role of Animal Models*, 33 *TRENDS PHARMAC. SCI.* 515–21 (July 16, 2012), <https://doi.org/10.1016/j.tips.2012.06.006>.

<sup>18</sup> Anne-Noël Samaha et al., "Breakthrough" Dopamine Supersensitivity during Ongoing Antipsychotic Treatment Leads to Treatment Failure over Time, 17 *J. NEUROSCI.* 2979–86 (Mar. 14, 2007), <https://doi.org/10.1523/JNEUROSCI.5416-06.2007>.

<sup>19</sup> See Keramet Reiter, *Experimentation on Prisoners: Persistent Dilemmas in Rights and Regulations*, 97 *CALIF. L. REV.* 501–66 (2009); Silja J.A. Talvi, *The Prison as Laboratory*, 26 *THESE TIMES* (Dec. 7, 2001) <https://inthesetimes.com/article/the-prison-as-laboratory>; Mike Ward & Bill Bishop, *Becoming Guinea Pigs to Avoid Poor Prison Care: Ill Inmates Urge Each Other to Join Experiments*, *AUSTIN AM.-STATESMAN*, Dec. 17, 2001, at A1.

many such activists find ways of pursuing some level of movement support and leadership, even under exceedingly harsh conditions.

### 16.3 PRISONS AS HARMFUL TO NONHUMAN SPECIES AND ECOSYSTEMS

Prisons, jails, and other carceral facilities are also sites of direct harm to nonhuman animals and ecosystems. These impacts include the use of nonhumans for food and profit, the effects of prison construction and daily operations on sensitive ecological habits where endangered species live, and the significant contributions to global climate gas emissions associated with prison systems.

#### 16.3.1 Food

As noted earlier, Josh Harper found it difficult to maintain a vegan diet in prison because meals served in US carceral facilities in many ways reflect the general diets and eating habits embraced by much of the American public, which is heavily centered on animal products. For example, a menu from the infamous federal prison on Alcatraz Island, dated 1946, listed the following dishes: “roast pork shoulder, beef pot pie Anglaise, baked meat croquettes with Bechamel sauce, potato chowder, fried eggs and spinach with bacon.”<sup>20</sup> A 2015 analysis of prison menus from around the United States bears out this observation as well, with the following items appearing on meal trays regularly: boiled or scrambled eggs, milk, margarine, gravy, chicken livers, meat patties, hot dogs, chicken, turkey, bologna sandwiches.<sup>21</sup> In a study of a twenty-eight-day cycle menu at a large county jail in the state of Georgia, researchers found that the following items containing animal products were regularly served: sausage links or sausage patties, chicken patties, beef chili, macaroni and cheese, mayonnaise, cheese slices, lemon cake, buttered rice, cookies, chocolate cake, yellow cake, devil’s food cake, cornbread, pancakes, buttered grits, ham, charbroiled beef, and breaded fish. Not only is this menu heavy on animal products, the study’s authors concluded that it is nutritionally unhealthy in that it exceeds national recommendations (e.g., the Institute of Medicine and the National Academies’ Dietary Reference Intakes) on sodium, saturated fat, and cholesterol,

<sup>20</sup> David Reutter, *Prison Food and Commissary Services: A Recipe for Disaster*, PRISON LEGAL NEWS (Aug. 4, 2018), [www.prisonlegalnews.org/news/2018/aug/4/prison-food-and-commissary-services-recipe-disaster/](http://www.prisonlegalnews.org/news/2018/aug/4/prison-food-and-commissary-services-recipe-disaster/).

<sup>21</sup> Alysia Santo & Lisa Iaboni, *What’s in a Prison Meal?* LIFE INSIDE (July 7, 2015), [www.themarshallproject.org/2015/07/07/what-s-in-a-prison-meal](http://www.themarshallproject.org/2015/07/07/what-s-in-a-prison-meal).

and because it provides less than two-thirds of the recommended daily allowance for magnesium, potassium, and vitamins A, D, and E.<sup>22</sup>

The largest single utilizer of the California state Department of General Services contracts is the California state prison system. Specifically, the California Department of Corrections and Rehabilitation (CDCR) feeds some 118,000 incarcerated persons each day. The California Prison Industry Authority (CALPIA) is the state agency that oversees the work assignments for thousands of imprisoned persons in the state's prison system, managing some 57 manufacturing and service operations. CALPIA produces these goods and services for federal, state, county, and city governments as well as tribal governments, and each year the agency makes and sells some \$65 million worth of agricultural and food products, including meat, eggs, milk, and chicken. By far the largest purchaser of these goods from CALPIA is the CDCR, revealing that the prison system is both a massive producer and consumer of animal products. Moreover, the CDCR is the largest state of California food purchaser and service provider, delivering 130 million meals each year across the state's thirty-five carceral facilities at a cost of \$150 million.<sup>23</sup> And while there are vegetarian options available to a small subset of incarcerated persons, the vast majority of meals feature animal products, making the prison system a site and source of significant nonhuman suffering and violence. Thus, within the carceral system, massive volumes of nonhumans are conscripted and consumed.

During his time in Texas prisons, environmental justice activist Keith "Malik" Washington regularly narrated the multispecies injustices occurring in that state's prisons. In an article he wrote (that was published in the radical environmental publication *Earth First! Journal*), Washington explains that the Eastham Unit (where he served time for many years) produces approximately 80,000 eggs per week and that the Texas Department of Criminal Justice (TDCJ) nets around \$100,000 in revenue each week from that operation alone.<sup>24</sup> He also noted that Eastham places 3,000 hogs, 600 sows, and ships 21 piglets out for sale each week.<sup>25</sup> Washington draws links between the struggle for nonhuman animal and human rights, and urges his readers to act:

Many prisoners have died on account of the deadly extreme heat in Texas prisons. Young pigs are vulnerable to extreme heat. Young piglets generate profits for TDCJ.

<sup>22</sup> Emma A. Cook et al., *The Diet of Inmates: An Analysis of a 28-Day Cycle Menu Used in a Large County Jail in the State of Georgia*, 21 J. CORR. HEALTH. (Aug. 14, 2015), <https://doi.org/10.1177/1078345815600160>.

<sup>23</sup> CALIFORNIA HEALTH IN ALL POLICIES TASK FORCE, CALIFORNIA STATE GOVERNMENT FOOD PROCUREMENT POLICIES AND PRACTICES, 18 (2016), [https://sdcioi.org/wp-content/uploads/2017/12/ca-state-government-food-procurement-policies-and-practices\\_2016.pdf](https://sdcioi.org/wp-content/uploads/2017/12/ca-state-government-food-procurement-policies-and-practices_2016.pdf).

<sup>24</sup> Keith "Malik" Washington, *Horrific Conditions for Live-Stock Animals in Texas Prisons Exposed*, FIGHT TOXIC PRISONS (Feb. 12, 2018), <https://fighttoxicprisons.wordpress.com/2018/02/12/horrific-conditions-for-live-stock-animals-in-texas-prisons-exposed-and-other-updates-from-malik-washington/>.

<sup>25</sup> *Id.*

A couple years ago, TDCJ invested \$175,000 for a cooling system for the pigs. The pigs are being preserved for slaughter so TDCJ can benefit. TDCJ does not have any concern for animal rights or human rights. Its main focus is profits by any means. It is time we take a closer look at what is really going on inside Texas prisons. As activists who are on the “front lines,” we have a duty to confront those entities who abuse and mistreat animals as well as pollute our precious water supplies.<sup>26</sup>

And while the consumption of nonhuman animals in jails and prisons should be a major concern for any animal liberationist, it must also be noted that the general quality and quantity of prison food in the United States and in most countries is deplorable, frequently contributing to malnutrition, illness, and even starvation.<sup>27</sup> One legal complaint on behalf of imprisoned persons held in Gordon County, Georgia’s jail reported that “inmates have told us they are so hungry they eat toothpaste and toilet paper. Most reported losing a significant amount of weight.”<sup>28</sup> These long-standing practices have only been exacerbated during this era of the privatization of food services in carceral facilities.<sup>29</sup> Imprisoned people in prisons around the U.S. and the world regularly engage in hunger strikes, riots, and other forms of resistance in response to unhealthy, unappetizing, and insufficient food.<sup>30</sup>

### 16.3.2 *Impacts on Sensitive Ecological Habitats*

There are additional reasons to be concerned about the impacts of prisons on nonhuman populations, and examining the relationship between prisons and broader ecosystems reveals some troubling trends. The Monroe Correctional Complex (North of Seattle) is the site of two interrelated problems that are increasingly common in carceral facilities: overcrowding and excessive strain on waste management systems. As a result of punitive criminal legal system policies (such as “three strikes”), many prisons and jails have incarcerated populations that are far greater than the number of people such facilities were built and designed to house. The frequent result is that sewage systems are overtaxed and break down, producing spills both inside and outside of these institutions. In the Monroe Correctional Complex case, several hundreds of thousands of gallons of sewage spilled from this prison into the nearby Skykomish river, where chinook, coho, and pink salmon populations live, and where steelhead and bull trout thrive as well. This river is also a

<sup>26</sup> *Id.*

<sup>27</sup> See Reutter, *supra* note 20; Santo & Iaboni, *supra* note 21.

<sup>28</sup> SOUTHERN CENTER FOR HUMAN RIGHTS, LETTER TO GORDON COUNTY SHERIFF’S OFFICE RE: FAILURE TO PROVIDE ADEQUATE NUTRITION TO PEOPLE IN THE GORDON COUNTY JAIL 1 (2014), [www.schr.org/files/post/files/SCHR%20to%20Sheriff%20Ralston%2010%2028%2014.pdf](http://www.schr.org/files/post/files/SCHR%20to%20Sheriff%20Ralston%2010%2028%2014.pdf).

<sup>29</sup> See Reutter, *supra* note 20.

<sup>30</sup> Doug McMurdo, *Last Riot at Kingman Prison Could Have Been Prevented by Water, Lunch*, MINER (Sept. 6, 2015), <https://kdminer.com/news/2015/sep/06/last-riot-at-kingman-prison-could-have-been-preve/>.

popular site for human recreation, fishing, kayaking, and swimming, so when the prison's sewage system overflows, both human and nonhuman communities are placed at risk.<sup>31</sup>

In another example, a proposed federal prison to be located in Letcher County, Kentucky, would have caged hundreds of human beings and also negatively impacted critical habitat for the endangered grey bat and the Indiana bat. Both species continue to suffer extensive damage related to a deadly disease called White Nose Syndrome.<sup>32</sup> In addition to these vulnerable nonhuman populations, some seventy-one different species of fauna were potentially threatened by the construction of what would be the most expensive federal prison in US history. Furthermore, the prison would have been located atop a site where coal mining via mountaintop removal occurred for years, adding insult to injury. A coalition of incarcerated persons, prisoners' rights organizations, and environmental justice activists mobilized for years to oppose the construction of USP Letcher because it would threaten the health of imprisoned people, nonhuman species, and local ecosystems, and because the environmental impact report the government commissioned did an insufficient job of addressing those anticipated effects. In June of 2019, a group of twenty-one incarcerated people and several allied organizations succeeded in stopping this project when the federal Bureau of Prisons withdrew its proposal<sup>33</sup> – a major victory for carceral, environmental, climate, and multispecies justice.

In June of 2000, the abolitionist organization Critical Resistance filed a lawsuit to challenge the proposed construction of the Kern Valley State Prison in central California. One of the many reasons for this intervention by Critical Resistance and its coalition partners was that not only would this prison be inherently harmful for the humans caged within it; it also threatened the habitats and well-being of vulnerable nonhuman species like the Tipton kangaroo rat and the San Joaquin Valley kit fox. The unlikely coalition of partners in this struggle included the Rainforest Action Network, the NAACP, and a group called Friends of the Kangaroo Rat. While the movement lost that particular battle and the prison was built despite their efforts, the struggle underscored the many ways in which the fates of humans and more-than-human species are entangled and threatened by the prison system.<sup>34</sup>

<sup>31</sup> Rick Anderson, *Greenwashing Washington State's Prison System in a River of Sewage*, PRISON LEGAL NEWS (July 31, 2015), [www.prisonlegalnews.org/news/2015/jul/31/greenwashing-washington-states-prison-system-river-sewage/](http://www.prisonlegalnews.org/news/2015/jul/31/greenwashing-washington-states-prison-system-river-sewage/).

<sup>32</sup> HUMAN RIGHTS DEFENSE CENTER, LETTER TO BUREAU OF PRISONS RE: PROPOSED USP/FPC LETCHER COUNTY DRAFT ENVIRONMENTAL IMPACT STATEMENT 14 (2015).

<sup>33</sup> *Inmates and Activists Stop New Prison on Strip Mine Site in Kentucky*, PR NEWswire (June 13, 2019), [www.prnewswire.com/news-releases/inmates-and-activists-stop-new-prison-on-strip-mine-site-in-kentucky-300867324.html](http://www.prnewswire.com/news-releases/inmates-and-activists-stop-new-prison-on-strip-mine-site-in-kentucky-300867324.html).

<sup>34</sup> Rose Braz & Craig Gilmore, *Joining Forces: Prisons and Environmental Justice in Recent California Organizing*, 95 RADICAL HIST. REV., 95, 95–111 (2006); Mark Martin, *Critics Say*

16.3.3 *Prisons as Engines of Climate Injustice*

In a groundbreaking study, McGee, Greiner, and Appleton (2020) find that increases in the number of people incarcerated in a given state are significantly associated with growth in greenhouse gas emissions. These climate-disrupting emissions occur as a result of construction for new prison facilities, the delivery of goods and services to feed and clothe incarcerated persons, and because imprisoned people constitute a cheap labor force that provides a major economic boost to corporations that, in turn, produce additional emissions. In other words, prisons play an important role in contributing to global anthropogenic climate change and are a key component of what scholars have called the Treadmill of Production<sup>35</sup> – a theory that explains how the global economy relies on the continuous extraction of material wealth from ecosystems, which is then used to fuel capital investment, resulting in rising pollution levels and social inequalities. In the context of the prison industrial complex, these dynamics reinforce a Treadmill of Mass Incarceration, wherein the existing tensions between labor and capital are further amplified by the monopolization of low-cost, nonunionized, coerced, imprisoned workers, which feeds the process of capital accumulation.<sup>36</sup>

These linkages are (or at least should be) of great concern because climate change's effects on nonhuman populations is extensive. However, it must be noted that climate change's documented impacts on nonhuman animals are rarely centered in major scientific reports and generally ignored.<sup>37</sup> Despite that fact, the effects are grave and include: the widely documented harm to polar bears associated with the multiplier effects of Arctic sea ice loss; the widespread extinction of harlequin frogs in Central and South America due to the growth of a lethal fungus that attacks their skin and teeth;<sup>38</sup> and significant declines in the British ring ouzel population, a songbird.<sup>39</sup> More broadly, there is a general scientific consensus that we are in the midst of the sixth mass extinction, and one study quantified potential losses of species by concluding that between 15 and 37 percent of all nonhumans could be extinct by the year 2050, as a consequence of human-caused climate

*New State Prison Defies Logic*, S.F. GATE (Jan. 5, 2004), [www.sfgate.com/news/article/Critics-say-new-state-prison-defies-logic-They-2816998.php](http://www.sfgate.com/news/article/Critics-say-new-state-prison-defies-logic-They-2816998.php).

<sup>35</sup> See KENNETH A. GOULD ET AL., *THE TREADMILL OF PRODUCTION: INJUSTICE AND UNSUSTAINABILITY IN THE GLOBAL ECONOMY* (2015).

<sup>36</sup> McGee, *supra* note 4, at 11–12.

<sup>37</sup> Wayne Hsiung & Cass R. Sunstein, *Climate Change and Animals*, 155 U. PA. L. REV., 1695, 1695–1740 (2007).

<sup>38</sup> Alan J. Pounds et al., *Widespread Amphibian Extinctions from Epidemic Disease Driven by Global Warming*, 439 NATURE 161–63 (2006), [www.nature.com/articles/nature04246](http://www.nature.com/articles/nature04246).

<sup>39</sup> Colin M. Beale et al., *Climate Change May Account for the Decline in British Ring Ouzels *Turdus Torquatus**, 75 J. ANIMAL ECOL. 826–28 (2006), <https://doi.org/10.1111/j.1365-2656.2006.01102.x>.

disruption.<sup>40</sup> It should also be noted that the vast majority of scholarly and activist narratives around *climate justice* focus almost entirely on the uneven and disproportionate impacts of anthropogenic climate change on vulnerable and marginalized *human* populations.<sup>41</sup> Given the clear and undeniable effects of climate disruption on nonhuman communities, it would behoove scholars and activists to consider expanding the ambit of their concerns to include a multispecies climate justice framework.

Carceral institutions present major threats to the well-being and futures of nonhuman populations because of (1) the common construction and location of prisons in critical animal habitat and fragile ecosystems; (2) the routine, daily operations of prisons that extract life from millions of nonhumans for food (among other goods and services); and (3) prisons' production of substantial greenhouse gas emissions, contributing both to anthropogenic climate change and mass extinction.

#### 16.4 CONCLUSION

Prisons and jails represent a form of multispecies violence and repression directed at nonhuman animals and their defenders. Carceral institutions are literally built on and rely upon the bodies and territories of nonhumans and vulnerable human populations, producing massive harm across species and space. Furthermore, activists from animal liberation, earth liberation, and intersectional environmental justice movements have been frequently imprisoned as punishment for their resistance efforts and as a way to neutralize their efficacy, which means they have fewer means to promote justice for nonhumans and humans alike. Since this book volume is aimed at confronting the logic of criminalization and incarceration as a pathway toward justice for nonhumans, this chapter offers a critical perspective on this matter. The evidence presented here suggests quite clearly that the criminal legal system and the prison-industrial complex operate in ways that are deeply detrimental to the present and future life chances of nonhumans for a myriad of reasons.

My inclusion and consideration of intersectional environmental justice movements (such as the American Indian Movement, the Black Liberation struggles, the Puerto Rican Independence movement, and the Movement for Black Lives) stems from my view that these political formations present scholars and activists with an opportunity to articulate substantive linkages between animal liberation and environmental/social justice efforts, with a specific focus on prison abolition and the abolition of caging across species. Here I draw on the wisdom and vision of the Black Liberation struggle to make this case. Mumia Abu-Jamal is a former member of the

<sup>40</sup> Chris D. Thomas et al., *Extinction Risk from Climate Change*, 427 NATURE 145 (2004), [www.nature.com/articles/nature02121](http://www.nature.com/articles/nature02121).

<sup>41</sup> See KUM-KUM BHAVNANI ET AL., CLIMATE FUTURES: REIMAGINING GLOBAL CLIMATE JUSTICE (2019); NAOMI KLEIN, THIS CHANGES EVERYTHING: CAPITALISM VS. THE CLIMATE (2014).



Black Panther Party, a supporter of the MOVE organization, an internationally renowned journalist and activist on death row in Pennsylvania. Widely viewed as a political prisoner, Abu-Jamal is serving time at SCI Frackville, Pennsylvania, for the alleged murder of a police officer, another case based on highly questionable and suspect “evidence.” During the 1980s, Mumia Abu-Jamal served time at SCI Huntingdon in Pennsylvania, and, in 1989, wrote about contaminated water in that facility:

It appears that this water problem is more than prison wide; civilian communities, sharing the same water source, are also affected. . . The heavy gaseous odor still lingers, and a dark oily ring stains cups. It makes me wonder about a saying my wife and I share, that bars and steel can't stop the power of love. The dark side of that also is true: bars, steel, and court orders can't stop the seepage of pollution that afflicts both the caged and the “free.” Despite the legal illusions erected by the system to divide and separate life, we the caged share air, water, and hope with you, the not-yet-caged. We share your same breath. As John Africa teaches, “All life is connected.”<sup>42</sup>

In the passage above, Abu-Jamal quotes MOVE founder, the charismatic John Africa, who once declared, “Go as far as you want in the forest, and you won't find no jails. Because the animals of the forest don't believe in jail. But come to civilization, that's all you see.”<sup>43</sup>

These two quotations underscore my view that carceral systems are harmful and destructive of everyone and everything they touch because caging – whether of humans or nonhuman animals – is inherently violent and environmentally unjust. Abu-Jamal and Africa both insist that all life is connected, so whether one is among the caged or the “not-yet-caged,” the overwhelming majority of us are impacted by the prison industrial complex's widescale impacts on our bodies, climate, land, food sources, and water, and therefore have a vested interest in seeking its abolition.

<sup>42</sup> MUMIA ABU-JAMAL, *LIVE FROM DEATH ROW* 50–52 (1995).

<sup>43</sup> Craig R. McCoy, *Unsettled Legacy of MOVE*, PHILA. INQUIR. (May 9, 2010), [www.inquirer.com/philly/news/homepage/20100509\\_Unsettled\\_legacy\\_of\\_MOVE.html](http://www.inquirer.com/philly/news/homepage/20100509_Unsettled_legacy_of_MOVE.html).

