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US Penal Labor: A Legal System Rooted in a Complex Past

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In the United States, a silent workforce generates billions of dollars in economic value each year yet it exists behind prison walls. Known as penal labor, this system allows incarcerated individuals to perform a variety of jobs, from manufacturing to maintenance, all legally permitted under the 13th Amendment of the United States Constitution. The amendment abolished slavery except as a punishment for a crime.

For many, this legal exception is more than a constitutional detail. It's a direct link to America's painful past. After slavery was officially outlawed in 1865, Southern states faced economic collapse. To fill the labor gap, lawmakers turned to prison labor, supported by the enforcement of "Black Codes." These laws, often targeting newly freed African Americans for petty or fabricated offenses, led to mass incarceration and forced labor that resembled slavery in all but name.

By the late 1800s, states were leasing prisoners to private industries. Inmates were put to work in coal mines, on railroads, and in lumber camps, often with little food, harsh discipline, and no real protection. Alabama was the last state to end convict leasing in 1928, but the legacy of profit-driven incarceration had taken root.

Today, prison labor continues to play a significant role in both the public and private sectors. Incarcerated individuals produce over \$2 billion in goods and provide \$9 billion worth of services annually. Programs like the Prison Industry Enhancement Certification

Programs allow some inmates to earn wages, but the pay is still far below the federal minimum. In most federal facilities, inmates make as little as 12 to 40 cents per hour.

Supporters argue that penal labor builds job skills and gives inmates a sense of purpose. But critics say it exploits a vulnerable population, placing profit before rehabilitation.

As conversations around justice reform grow louder, penal labor remains one of the most contentious issues. Its deep roots in racial injustice and economic exploitation continue to raise ethical questions: Should prison work be a path to redemption, or has it become a modern extension of the past we thought was behind us?

Either way, the debate over how America uses and compensates its incarcerated workforce is far from over.

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