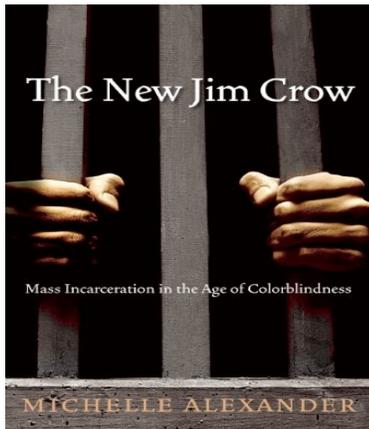


Below is a comprehensive book review and a Huffington Post interview with Professor Alexander
Posted by: Alan Bean | August 4, 2010. **Review of Michelle Alexander's The New Jim Crow**



Michelle Alexander has produced the best book ever written on mass incarceration and the war on drugs.

The new Jim Crow isn't just the old version implemented through different means; it is a new order rooted in different assumptions. There has been a real change in the way people view race. Today, assertions that appear to tolerate or promote racial inequality or blatant white supremacy will be rejected by the vast majority of Americans, conservative or liberal. Alexander believes this change in thinking isn't just cosmetic, it is real. The New Jim Crow represents a new kind of racial caste system designed by people who embrace colorblindness.

The author admits that she once viewed the idea that mass incarceration constitutes a new Jim Crow as simplistic, extreme and overblown. Her years working for racial justice with the ACLU of Northern California gradually changed her mind.

The policy of mass incarceration is rooted in the assumption, unspoken and often unacknowledged, that poor black males are both dangerous and economically superfluous. Therefore, they must be controlled using the war on drugs and prison. Ms. Alexander places far particular emphasis on the radical reduction of opportunity and basic civil rights that inmates encounter when they leave prison. The term "re-entry" is inaccurate, she says, because it suggests that inmates return to the free world. In reality, ex-offenders move from prison into a world devoid of opportunity and basic human rights. Not surprisingly, few can survive in a world designed to encourage failure. Most end up returning to prison.

Alexander argues that the rapid progress of black professionals had made it difficult for most Americans to believe that a large portion of the black community has been forced into a permanent new caste (she intentionally avoids the word "class") very similar to slavery or life in the Jim Crow South. This kind of bondage, and the social pathologies associated with it, is an intentionally constructed reality sponsored by politicians skilled at fomenting racial division and a big business community that no longer needs uneducated laborers.

The war on drugs was declared by the Reagan Administration in 1982, three years before the crack epidemic hit the streets of American cities. When law enforcement showed little enthusiasm, financial inducements such as the Byrne grant program were established as a not-so-subtle financial inducement to get with the program.

As in the days of slavery and the Old Jim Crow, poor whites are still encouraged to resent and fear poor blacks. This eliminates the possibility of an interracial human rights movement rooted in shared interest. Issues like affirmative action, welfare and crime are used to keep uneducated and economically strapped whites voting for politicians funded by the corporate sector.

The New Jim Crow enjoys broad bi-partisan support. Alexander points out that Bill Clinton won the White House by showing that he could be as tough on crime as anybody. Ronald Reagan's war on drugs was embraced by Democrats as well as Republicans and received the endorsement of most members of the Black Congressional Caucus.



Alexander demonstrates that Supreme Court rulings since 1985 have made it impossible to make claims of racial bias in the criminal justice system unless you can produce documented evidence of overt racial hostility. Simply by offering a race neutral rationale for a practice, law enforcement officers and prosecutors are given carte blanche permission to do virtually anything without oversight or accountability. She points out that a civil suit filed in response to the egregious injustice in Hearne, Texas (the basis for the film American Violet) only succeeded because the prosecutor was dumb enough to use racial epithets. (Few realize it, but a similar argument could be made in connection with the legal victory in Tulia, Texas).

The criminal justice reform community, Alexander says, used a civil litigation strategy to win *Brown v. Board of Education* in 1954 and has stuck to this strategy ever since. Unfortunately, this approach is no longer works. Legal precedent now makes it virtually impossible to attack mass incarceration or the racial bias implicit within the war on drugs from within the legal system. "Lawyers have a tendency to identify and concentrate on problems they know how to solve," she says, "problems that can be solved through litigation. The mass incarceration of people of color is not that kind of problem."

The criminal justice reform movement is ineffectual, she suggests, because it takes a piecemeal approach to reform, assuming, incorrectly, that the system is interested in adopting best practices designed to produce fair and equal justice.

Any movement to end mass incarceration must deal with mass incarceration as a racial caste system, not as a system of crime control. We need an effective system of crime prevention and control in our communities, but that is not what the current system is. This system is better designed to create crime, and a perpetual class of people labeled criminals, rather than to eliminate crime or reduce the number of criminals."

Once this is understood, Alexander says, we will stop complaining that mass incarceration is a failed public policy. "Saying mass incarceration is an abysmal failure makes sense," she argues, "only if one assumes that the criminal justice system is designed to prevent and control crime. But if mass incarceration is understood as a system of social control—then the system is a fantastic success."

If we fail to grasp this fundamental fact, she asserts, we will end up tinkering eternally with the machinery of mass incarceration but will never end it. This leads to the central challenge of the book:

The central question for racial justice advocates is this: are we serious about ending this system of control, or not? If we are, there is a tremendous amount of work to be done. The notion that all of these reforms can be accomplished piecemeal—one at a time, through disconnected advocacy strategies—seems deeply misguided. 2.

All of the needed reforms have less to do with failed policies than a deeply flawed public consensus, one that is indifferent, at best, to the experience of poor people of color.

The goal, therefore, must be to change the national consensus, and that is a mammoth undertaking.

In reality, Alexander points out, if the American prison system was scaled back to its size in 1975 (when many reformers considered it egregiously over-grown) four out of five prisoners would have to be released and at least one million employees of the criminal justice system would be out of work. In other words, mass incarceration and the war on drugs aren't going down without a fight.

Any effort to downsize dramatically our nation's prisons would inspire fierce resistance by those faced with losing jobs, investments, and other benefits provided by the current system. The emotion and high anxiety would likely express itself in the form of a racially charged debate about values, morals, and personal responsibility rather than a debate about the prison economy . . . The debate would inevitably turn on race, even if no one was explicitly talking about it.

Michelle Alexander argues that incremental criminal justice reforms will be absorbed and adapted to the needs of the New Jim Crow. To change the system we must get a feel for the big picture.

What is needed, therefore, is a bottom-up interracial movement much like the civil rights movement. The big need, initially, is for consciousness raising, beginning with folks in the Black community and those within the reform movement who have been snookered into believing that colorblindness is the goal. Ms. Alexander uses Jena as an Old Jim Crow story and laments the fact that activists and the media could only respond to Old Jim Crow symbols.

Michelle Alexander comes very close to conclusions reached independently by Friends of Justice. On virtually every page she drives her thinking deeper than previous writers have been willing to go, backing up her conclusions with rock-solid scholarship. Better still, Alexander is a gifted writer. You won't find yourself laying this book aside with a guilty yawn—it is riveting. As Alexander suggests, many activists confuse the practical mechanics and basic assumptions of the Old Jim Crow with the current regime (we saw a lot of this in Jena). We are ineffective because we over-simplify and mischaracterize a complex situation. Critics of the war on drugs often write from a quasi libertarian perspective that fails to grasp the full racial implications of the war on drugs and mass incarceration. Alexander has been deeply influenced by sociologists like Loic Wacquant, but her focus is less technical and more practical.

If you can only afford to buy one book this year, make it *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*.

[Friends of Justice](#)

Defending Equal Justice Under Law <http://freindsofjustice.wordpress.com/2010/08/review-of-michelle-alexanders-the-new-jim-crow/>

An Interview with Michelle Alexander, Huffington Post, Feb. 8, 2010

It's that time of year again, when we hear Martin Luther King, Jr.'s speeches in 10 second clips, the same clips that get recycled on an annual basis now -- radical proclamations that have been reduced over the years to mere platitudes. His booming voice declares that he's been to the mountaintop and has glimpsed the promised land. He has a dream, he says, and his voice soars.

During this year's Black History Month, like last, we will be treated to celebrations of Obama's presidency -- the ultimate symbol, we are told, of America's triumph over its ugly history of discrimination, exclusion, and racial caste. This is a time to rejoice, it is said, though we still have a long way to go.

That is the dominant racial narrative today among those who claim to care about racial justice: Look how far we have come, but yes we still have a long way to go.

Here are a few facts that run counter to that racial narrative:

* There are more African Americans under correctional control today -- in prison or jail, on probation or parole -- than were enslaved in 1850, a decade before the Civil War began.

* As of 2004, more African American men were disenfranchised (due to felon disenfranchisement laws) than in 1870, the year the Fifteenth Amendment was ratified prohibiting laws that explicitly deny the right to vote on the basis of race.

* If you take into account prisoners, a large majority of African American men in some urban areas, like Chicago, have been labeled felons for life. These men are part of a growing under-caste -- not class, *caste* -- a group of people who are permanently relegated, by law, to an inferior second-class status. They can be denied the right to vote, automatically excluded from juries, and legally discriminated against in employment, housing, access to education, and public benefits -- much as their grandparents and great-grandparents once were during the Jim Crow era.

There is a colorblind explanation for all this: crime rates. But crime rates do not explain the sudden and dramatic mass incarceration of African Americans during the past 30 years. Crime rates have fluctuated over the past few decades -- and currently are at historical lows -- but imprisonment rates have soared. Quintupled. And the vast majority of that increase is due to the War on Drugs, a war waged almost exclusively in poor communities of color, even though studies consistently show that people of all colors use and sell illegal drugs at remarkably similar rates. In fact, some studies indicate that white youth are significantly more likely to engage in illegal drug dealing than black youth.

That is not what you would guess, though, when entering our nation's prisons and jails, which are overflowing with black and brown drug offenders.

The clock has been turned back on racial progress in America, though scarcely anyone seems to notice. All eyes are fixed on people like Barack Obama and Oprah Winfrey who have defied the odds and achieved great power, wealth and fame.

But what if Obama, who has admitted to violating our nation's drug laws, had been treated like a common criminal -- what if he hadn't been insulated by growing up in Hawaii and attending a predominately white university -- where would he be now? Most likely, he would be cycling in and out of prison, trapped in the parallel social universe that exists for those labeled felons. Far from being president of the United States, he might be denied the

right to vote. He would be subject to many of the same forms of discrimination, stigma, and social exclusion that we supposedly left behind. How many black men and boys are trapped in this under-caste who might have been president of the United States? We will never know.

This is not Martin Luther King, Jr.'s dream. As described in [*The New Jim Crow: Mass Incarceration in the Age of Colorblindness*](#) the cyclical rebirth of caste in America is a recurring racial nightmare.

Michelle Alexander currently holds a joint appointment with Ohio State's [Moritz College of Law](#) and [Kirwan Institute for the Study of Race and Ethnicity](#) where she teaches courses regarding race, civil rights and criminal justice. She is a graduate of Stanford Law School.

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