

Review by Patrick Webb

Michelle Alexander (2012). *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*, The New Press. ISBN 9781595586438 (336 pages).

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In *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* legal scholar Michelle Alexander is concerned with a shocking statistic: “More African American adults are under correctional control today—in prison or jail, on probation or parole—than were enslaved in 1850, a decade before the Civil War began.” She offers a comprehensive and unique perspective on the mass incarceration of African Americans in the United States, taking a brave aim at all she holds responsible for the humanitarian crisis.

Within the context of political agendas and class-based stratification systems, the text explores the social and systemic influence of racial stereotypes in relation to policies that undergird the incarceration of minorities. Alexander explains that “They will be discriminated against, legally, for the rest of their lives – denied employment, housing, education, and public benefits. Unable to surmount these obstacles, most will eventually return to prison and then be released again, caught in a closed circuit of perpetual marginality.” Her thesis is that the criminal justice system and particularly the ‘War on Drugs,’ is a legalized system of discrimination against Afro Americans that has devastated the Afro American community in the United States.

In the *Introduction* section of the text Alexander defines her thesis by discussing the struggles associated with ensuring citizenship among African Americans. This pursuit is identified by highlighting a comparison between the origins of discrimination in which historical components of skin color is now being replaced with contact in the criminal justice system. The reality associated with the systemic and political function of labeling among African Americans is emphasized which lends itself to the shaping of a stratification process referred to as a racial caste system. The priority and efficacy of criminal justice reform is discussed within the context of the mass incarceration and the use of incarceration as a means of social control. The purpose of her thesis, which emphasizes the need for discussions related to the existence of race-based hierarchy, is reiterated and the section is concluded by providing a synoptic overview of each subsequent chapter in the text.

In chapter 1, entitled *The Rebirth of Caste*, the deceptive nature of freedom that originated from the Emancipation Proclamation is introduced in order to discuss the growth of Jim Crow. This

involves the adaptive and historical existence of racism through a number of distinct periods in the United States. An analysis of each period includes the economic and social origins of slavery, the development of white supremacy, the legality of segregation, negative conservative-based responses to racial progress, and the political strategies associated with the development and justification of racially based mass incarceration. The chapter concludes by discussing the impact of certain presidential administrations and their initiatives in relation to the ‘War on Drugs’.

Chapter 2, entitled *The Lockdown* begins by discussing the unrealistic perceptions of the criminal justice system; which often stems from faulty media based influences and leads into a descriptive analysis whereby a systemic culture exists in which the existence and the application of justice may be perverted. The priority, funding, and influence of federal drug law enforcement measures are highlighted which includes the arbitrary use of tactics designed to arrest minorities suspected of drug-related offenses. From a legal standpoint, this includes a lack of, and inadequate, representation. Overall, it appears that justice may be sacrificed at the expense of political objectives and public perceptions. The chapter concludes by discussing the impact of the prison system within the context of sentencing those accused of drug-related offenses along with the deplorable aspects of stigmatization and the cyclical nature of incarceration among the formerly convicted. Alexander analyses the ‘War on Drugs’ and the involvement African Americans in crime from a structural political perspective, that is a world away from the individualist explanations of rational choice theory deployed in Neoclassical criminology and from Individual Positivism that attributes crime to individual biology.

In chapter 3, entitled *The Color of Justice*, the impact of the ‘War on Drugs’ is revealed through the use of law enforcement and legal efforts related to the disparity of treatment between minorities and non-minorities in association with drug-related allegations. Alexander begins by outlining short case histories that exemplify the shocking brutality with which the ‘War on Drugs’ impacts upon the lives of Afro Americans. She also demonstrates the strategies that are designed to destroyed empathy with those who experience the consequences and to garner public consensus related to the war against drugs and the disproportionate confinement of African Americans. Significantly, the chapter “debunks the notion that rates of black imprisonment can be explained by crime rates and identifies the huge racial disparities at every stage of the criminal justice process—from the initial stop, search, and arrest to the plea bargaining and sentencing phases.” Details related to the problem emphasize the use of discretion among police and prosecutors with an emphasis on the influence of societal, psychological, and legal-based (i.e., Supreme Court rulings) factors. This type of injustice is revealed with regards to targeted individuals and locations along with corresponding evidence along with a discussion related to the futility of civil litigation, due to systemic racial discrimination. Finally, the chapter concludes by discussing the denial of racism within the criminal justice system as well as the Supreme Court’s rulings which may be perceived as a causal influence of such systemic mistreatment. The influence of racism as a contributing factor is highlighted within racial profiling and incidents of pedestrian stop and frisks along with corresponding studies.

In chapter 4, entitled *The Cruel Hand* Alexander begins the chapter by discussing the reality of freedom without citizenship. In an effort to explain the source of collective hatred towards African Americans, the relative impact of a criminal conviction is explored. The message of societal exclusion and stigmatization is further enhanced by identifying the experiences associated with the problematic aspects of initial release. These include policies designed to restrict those convicted of felonies which includes denial of employment, Federal Health and welfare benefits, voting. These restrictions effectively legalise discrimination. The detrimental impact of the criminal justice system is examined within the context of silence that is manifested in a type of collective denial, thus resulting in the notion of incarceration as the norm within among certain communities.

The chapter also delves into the counterproductive culture of rap and violence, in which black identity is ensnared into the stereotypical, fueling a vicious cycle of incarceration. Armstrong argues that rap operates as a contemporary iteration of the minstrel show, in which a warped black identity is offered up for white entertainment. This entails the proliferation of negative behavior through certain media image-making which is designed to pander to a false sense of superiority among whites. Alexander concludes the chapter by offering a remedy in which embracing the person and critiquing the counterproductive behavior is salient. It could be argued though that Armstrong underplays instances of successful re-integration, thus underestimating the possible influence and efficacy of resilience and individual effort.

In chapter 5, entitled *The New Jim Crow*, Alexander discusses the commonly held assumption that black men are often considered absent within the black community. She utilizes this assumption in order to demonstrate the hidden strength of racial oppression in the 21st century through mass incarceration. Their absence, she points out, is substantially due to incarceration, a fact that is generally withheld when the black community is chided over absent fathers, but it is spun as an individual choice by black men. This subterfuge is achieved through a number of media-based tactics including the absence of, and unrealistic perceptions of racial progress. These tactics are then underscored through collective denial within the black community. In order to provide clarity and reemphasize the facilitative components of the mass incarceration system, the author provides a summary of each phase which includes drug-related arrest efforts, criminal convictions, and the use of custodial measures that underscore the execution of punishment towards a specific group of minorities. A comparative assessment of racial caste systems is identified which includes the historic practices of Jim Crow and the current elements of mass incarceration. In terms of collective support for conservative crime measures, Alexander uncovers a number of views that are often based upon factors such as type of offenses and gender. The chapter concludes by discussing the availability of beneficial choices despite the existence of numerous social, political, and economic forces designed to impede racial progress among blacks.

Chapter 6, entitled *The Fire This Time*, Alexander expresses concern about how civil rights advocacy has underestimated the centrality of incarceration in racial oppression. Specifically, she

argues that this type of discrimination is often overlooked due to a number of factors in relation to the philosophies and aims of civil rights organizations. The civil rights movement has evolved from a moral to a legal crusade which rarely serves as an advocate for lawbreakers due to a history of supporting the ‘politics of respectability’ in terms of representation and progress. To address the dilemma of mass incarceration, a series of reforms are explored. This includes the necessity of exposing the normalization of racism (i.e., institutionalized, structural, etc.), the practice of discussing race in public settings, resisting the politically-based colorblind policies, and providing a critical assessment of affirmative action policies with an emphasis on its symbolic progress and its divisive impact. The chapter concludes by identifying an organization that embodies a civil rights philosophy designed to seek awareness and advocacy along with the need for the resignation of affirmative action which Alexander sees as racial bribe that perpetuates racial privilege. As an alternative, Armstrong proposes changing the philosophy of the civil rights movement from a race-based approach to the human rights paradigm. If the chapter can be criticized it may be in that the impediments to systemic change have been underestimated, though the aim itself is unassailable.

The New Jim Crow: Mass Incarceration in the Age of Colorblindness provides a multi-layered assessment of the contextual impact of politics, race, and the perception of crime in relation to the phenomenon of mass incarceration of minorities in the United States. Through the use of legal and sociological scholarship, the text provides a compelling argument regarding the possible motives and impact associated with the ‘War on Drugs’. The organizational premise of the work affords one the opportunity to understand the chronological and evolutionary development of mass incarceration. At the level of critique, the work has been castigated over the absence of Black voices and for not providing “serious or sustained critique of colonialism, imperialism or capitalism” which could have strengthened the analysis (Osel, 2012). On the other hand Cornel West in the Preface has called the text “a grand wake-up call in the midst of a long slumber of indifference to the poor and vulnerable.”

In terms of scholastic contribution, the text is a *tour de force* in relation to the study of race relations, penology, and the treatment of minorities within the criminal justice system. *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* is ideal for criminal justice practitioners as well as students interested in the study of sociology with an emphasis on the use of social conflict and structural theories. Indeed it is now considered one of the essential texts in criminology, a text that ought to be read by all policymakers.

Osel, J. 2012 Black Out: Michelle Alexander's Operational Whitewash, *The New Jim Crow* Reviewed, *International Journal of Radical Critique*, 1;1.