

Structure and rhetorical strategy in "the new jim crow"



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In *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*, author Michelle Alexander delves into the troublesome topic of social control mechanisms through the lens of race. Alexander, a professor of law at Ohio State University and joint-appointee at the Kirwan Institute of Race and Ethnicity, covers extensively the ways in which society has evolved from slavery, to Jim Crow, to a present-day social control mechanism: mass incarceration. Her background in law and as the director of the ACLU's Racial Justice Project in California gave her ample experience in the field, only furthering her argument. Readers are taken through the history and different faces of racial profiling in the United States, all building up to the most recent. In six chapters, Alexander develops and extensively supports her central thesis: A quasi-racial caste system has arisen in the United States, akin to the outdated mechanisms of slavery and Jim Crow.

In the first chapter, "The Rebirth of Caste," Alexander traces the path of social mechanisms back to the very beginning: slavery. She provides great detail on the American ideal of what was essentially "Manifest Destiny", desiring to take and own whatever was in sight for the betterment of one's country. Her view of race as a social control is established with her association of the Emancipation Proclamation with an "illusory nature" (Alexander 2012, p. 20). She then transitions into the next form of control, that being Jim Crow. She provides thorough evidence, citing multiple court cases such as *Ruffin v. Commonwealth* and *Brown v. Board of Education* (31-35). She cites the evolution of social controls such as Jim Crow as being "natural", noting that it was "difficult to remember that alternative paths were not only available at one time, but nearly embraced" (35). As she works

through the death of Jim Crow and the beginning of mass incarceration, she cites the Reagan rhetoric of “ law and order”, a recurring theme throughout her work. Her in-depth analysis of Reagan’s inflammatory presidency sets the stage for what was to come in American society.

For her second chapter, “ The Lockdown,” Alexander wastes no time in exposing the prison as a fraudulent institution designed to pick up where Jim Crow had failed. Her exposé of the prison system and the way in which it is rigged against African American men in particular finds support in court cases such as California v. Avecedo (62), Terry v Ohio (63), Florida v Bostick (64), and Atwater v. City of Lago Vista (69), to name a few. This chapter aims, in the beginning, primarily to show exactly how the system came to be what it is, illustrating the arguments derived from the Constitution and the Supreme Court decisions. Toward the end of the chapter, Alexander expands on her evidence to show the devastating effects of what being labeled a felon can have on the life of a human being, regardless of innocence.

Alexander’s heavy use of evidence makes her claims nearly indisputable.

The third chapter, “ The Color of Justice,” shows the racial disparities in sentencing, terms of imprisonment, and the ways in which drug-law enforcement differs from other types in the criminal justice system.

Alexander’s analysis of McCleskey v. Kemp (109) truly shows the struggle for equality in the courtroom and the ways in which that was prevented. Her harrowing account of young boys and men who made simply one mistake and suffer for a lifetime truly brings the issue to the heart of the reader, pushing the emotional response as well as the logical. On page 114,

Alexander writes, “ Thousands of people have had years of their lives wasted

in prison—years they would have been free if they had been white.” This is one of many of her common sense claims that truly reinforces the idea that everything from the initial interaction, or lack thereof, to the sentencing in the courtroom is heavily race-dependent, something the Constitution is supposed to protect.

In her fourth chapter, “ The Cruel Hand,” the author restates some pivotal points about the devastating effects of being labeled a felon. However, this is one of her weaker chapters, seeing as not much new information is introduced. This gives the appearance of being repetitive, and though her words are worth repeating, the reader finished three chapters over the very same material beforehand. However, this chapter serves as a neat tie between the beginning chapters, which primarily explain the issue, and the last few chapters, which provide the fire to get to the bottom of the problems. The fifth chapter, “ The New Jim Crow,” is very similar in nature to the fourth. It has the same tone of repetition, and provides little new information. It does, however, serve as a working conclusion to help the reader put all of the pieces together before moving on to the sixth chapter, where the discussion and the meaning of discussion meet. The sixth chapter, entitled “ The Fire This Time,” is designed to motivate the reader to take action. The beginning chapters lead up to the finale, which presents emotional pulls along with logical ties, making generalizations that can be followed by any reader. Alexander points out that “ criminal justice reform efforts—standing alone—are futile” (230). Her fears and hopes for the Obama presidency are also outlined in this chapter, claiming that a colorblind society might not be the best option (240) and that Obama does

not necessarily understand the perils of the criminal justice systems for African American males, though he found himself in a few tough situations (251). Her efforts in this last chapter can be summarized as urging the reader to not only hold her argument to be truth, but to act out her ambitions and spread the flame she worked to create.

Alexander's work is incredibly hard-hitting from the very beginning, launching into difficult discussions such as slavery, discrimination, and blatant racism. However, her work lacks luster throughout its entirety. She brings out very strong points in the first few chapters, but fails to provide momentum. Thusly, her work appears to be repetitive. Due to the overwhelming support for her claims, stemming anywhere from Supreme Court decisions to personal accounts, her argument is nearly finished by the end of the second chapter. The latter chapters serve as a guide for those interested in civil rights and the ways in which they can be of service. Alexander's thesis development is essentially wrapped up by the fifth chapter, although the last few chapters in that set are heavily repetitive. Her final chapters bring the fire and passion that is needed to create waves of change in society, providing what is lacking and inspiring the reader to become more socially aware. If Alexander had created this tone of urgency earlier on in the work, the book would have had a stronger sense of momentum and impact from the beginning.

Alexander's book ultimately serves as a wonderful tool for predominantly white cultures to take a step back and realize the wrongdoings that are so prevalent in their societies. It is possible that many of the readers who approach her work truly have not contemplated the tremendous effects that

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being labeled a felon could have on one's entire life, including after release from prison. Pairing that with the racial disparities in the sentencing process and the lack of ability to firmly prove race as a motive in the courtroom, Alexander's work serves to force the outsider to make the connection she provides consistently in every chapter: a new racial caste system is at work, and it cannot be stopped until every sector, group, and person realizes the devastating effects that will prevail.