

Historical truth behind mass incarceration in america

[Law](#), [Crime](#)



Decades after the ratification the 13th Amendment, slavery still exists in the United States in various ways. Currently, mass incarceration is the greatest form of slavery in America as it was depicted in Ava Duvernay's documentary titled "13th". The criminal justice system in the United States had been targeting African Americans in order to keep them in conditions similar to slavery and because of this, their lives are deteriorating everyday due to the unfair trials established to incriminate them.

First of all, the documentary "13th" lined up significant events that influenced the survival of African Americans over the years and illustrated the overall big picture that everyone needs to acknowledge. This documentary also identifies the source of the African Americans' inheritance of oppression in the United States. African Americans are socially perceived as "super predators, rapists and murderers", and this is an issue that did not arise recently. White folks issued those terminologies in order to control the newly freed African Americans, as a reaction to the ratification of the 13th Amendment. In the United States' Constitution, the supreme law of the land, it is stated that "Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States". White folks took full advantage of this Amendment's loophole, which was the legalization of slavery as punishment for criminals. They adopted a new system: The extensive mass incarceration. Thus, the "mythology of black criminality" emerged. As a matter of fact, "The drama film the birth of the nation released in 1915 is the perfect example of white folks portraying African Americans as rapists and murderers". Indeed, the main goal of this drama film was to convey a sense

of fear and ongoing hatred towards African Americans. This is the era when the criminal justice system became biased and started incriminating African Americans in order to enslave them. Subsequently, this also led to segregation in the United States. Two outstanding components of segregation were Black Codes and Jim Crow laws. Essentially, both laws “relegated African Americans to a permanent second class status and limited their freedom”. African Americans were compelled to live in fear because they could easily be arrested and brought back to the state of slavery when they violated those discriminatory laws.

In addition, former presidents had used similar strategies in order to confine African Americans and keep them in the second class status. For instance, Richard Nixon used “the oxymoron known as “war on drugs”, to specifically target African Americans” and incriminated them for minor crimes. Instead of trying to resolve the drug abuses with humanization, Nixon decided to respond to this uprising problem with criminalization. He did not want to recognize African Americans as dignified individuals who needed assistance. For this reason, “Prison was seen as a beast that was eating black people for breakfast and dinner”. The government kept overcrowding jails and ultimately, “Prisoners rate kept increasing massively”. As for now, the prison population in the United States is over two million and “America has the highest incarceration rate. 25% of the world’s prisoners are in the United States”. This is due to the continual “rationalized control” of African Americans.

Furthermore, prisoners were living in poor living conditions in prisons and were treated inhumanely. The architectural designs of prisons were similar to animal cages and “ some even lacked windows”. In other words, mass incarceration was a form of extreme dehumanization and on top of that prisoners have to provide free labors as punishments. “ There are corporations investing in the free Labor”. So, African Americans being consistently apprehended is a tactic to keep them working literally for free for companies such as victoria secret, and Jc Penny. They are being continuously exploited without no ability to protest, which is exactly like slavery.

Sadly, Others presidents such as Ronald Reagan, George H. W Bush, Bill Clinton and many more had been consistent with the extension of mass incarceration. “ The rhetorical war started by Richard Nixon and continued by Ronald Reagan escalated into a literal war, a nearly genocidal one”, because President Reagan and his authorities also targeted a specific group of people: African Americans. It was as if the police officers wanted to eradicate African Americans or neutralize them and the penalties they often received for minor crimes were unreasonable. Most African Americans had unfair trials and humongous sentences even with the absence of proofs and witnesses to legally condemn them. An example of this was Kalief Browder’s case. Browder was a young African American arrested for a crime that he did not commit, and he was released nearly three years after he experienced dreadful dehumanization in prison. This stress the fact that “ Everyone who

is in prison is not a criminal” and there are several evidences to prove this statement.

Unfortunately, In America white folks have more jurisdictions and the criminal justice system is mostly run by them: “ 95% of prosecutors in the United States are White”. This means that mostly white folks are in control, and they can largely do what they want. Former President H. W Bush “ Won his first election by creating fear around black men as criminal”. His campaign was mainly based on criminalization of African Americans. Also Bill Clinton created the “ 1994 crime bill which did put more police officers on the street” and prisons were becoming heavily loaded with African Americans during his presidency. This so called land of the free that many overseas countries look up to had been incarcerating innocent men.

Lastly, The United States’ criminal justice system is largely affected by the American Legislative Exchange Council (ALEC). This non-profit organization writes laws that destroy the country and politicians fund them. “ Through ALEC, the Corrections Corporation of America (CCA) became the leader in private prisons”. By having multiples inmates in incarceration, CCA generates “ 1. 7 billion profit off punishment”. Eventually ALEC and CCA both work together to shape policies that would increase criminalization in African Americans communities. In addition, CCA deliberately put African Americans behind barbed wires without consideration of their civil rights being denied once they enter prison. Altogether, after the 13th Amendment was passed, white folks redesigned a new form of slavery known as mass incarceration that contributed to the degradation of lives of millions of African Americans.

The documentary “ 13th” had unraveled the systematic strategies used in the United States over the years, from hypersegregation to criminal labels, in order to incriminate African Americans. Ava DuVernay articulates it well, “ Silent in this case is consent”. Therefore, something needs to be done in order to stop the continuous mass incarceration.