

Book Review of *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*

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The New Jim Crow: Mass Incarceration in the Age of Colorblindness by Michelle Alexander (2012) New York New Press, USA, pp. 312.

"As a criminal, you have scarcely more rights and arguably less respect, than a black man living in Alabama at the height of Jim Crow." (Pg. 2)

"Today a criminal freed from prison has scarcely more rights, and arguably less respect, than a freed slave or a black living "free" in Mississippi at the height of Jim Crow." (Pg. 141)

Yes, the author repeats herself. But well taken. Ex-criminals and ex-prisoners (sometimes they are not the same) are legally discriminated against disrupting most efforts for rehabilitation. Yes, some criminals are incorrigible and dangerous, but blanket condemnatory discrimination promotes criminality rather than civility.

The author sees all with brown or black colored glasses. The criminalization of males is well detailed from 1970 when there were 300,000 men in prisons to 2010 when over 2 million were incarcerated, a majority of them blacks. The author says "the drug war is new Jim Crow" (Pg. 3). Blacks especially, she offers, are identified as suffering from this "rebirth of caste," because being released from prison and serving one's sentence is meaningless if one remains criminalized and demonized forever. There is a stigma of the prison label which deprives of basic civil rights and equality.

In what itself could be called "racism", Alexander pushes over criminalization as a racial phenomenon. She considers the massive incarceration of blacks to be a major cause of the demise of the black family. Daniel Patrick Moynihan's infamous report on the black family is used to identify a black "subculture" and the "tangle of pathology" that criminalizes (Pg. 45). It is disturbing that whites are generally excluded as victims of an uncivil punitive society.

The war on drugs is identified as instrumentally racist because the automatic mandatory sentencing required was overwhelmingly used against blacks. In 1986, House legislation allocated \$2 billion to the drug correction crusade of punitiveness. The Senate followed with tougher anti-drug legislation with harsher penalties. The President signed the Anti-Drug Abuse Act of 1986 into law, with severe punishment for distribution of crack associated with blacks and powder cocaine associated with whites (Pg. 53). As racial incarceration became embarrassing, punishers (nee' judges) began compensatory efforts to jail more whites. Regardless, the prisons filled with non-violent drug abusers--"as of September, 2009, only 7.9% of federal prisoners were convicted of violent crimes" (Pg. 101).

Opinion

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"Color of Justice," chapter 3, describes the basic functioning of government bureaucracies from the Whitehouse to Social Security desk clerks. All readers can confirm bureaucratic functioning as readily identical to the human interactional "power corrupts" paradigm discovered in the Stanford Penitentiary Experiment (check Wikipedia). Authoritarian punishing is certainly present in all judicial, prosecution and criminal punishment schemes.

Chapter 4, "The Cruel Hand", describes the plight of leaving prison: most don't know where they are going to sleep; they have no job; there is no way to pay the accumulated, and at times, massive debts owed. The odds are low for anything but anti-social activity to earn money and survive.

I was reminded of my own "paternal training program" recommendation at 1970 which was alluded to on Page 178. Today, black women cannot find black men because they are in prison. (To that I would add that white men cannot find white women who want to establish a traditional family atmosphere and home.) Education is not helping – a young male student is quoted "How can you tell us to be anything when they treat us like we are nothing?" This fit my observations in that prisoners are automatically treated worse and in ways impossible to change from how they were treated prior to prison. Rehabilitation in prison is a myth for the most part. But having paid the decreed penalty, one now needs civil rights for those being released from prison rather than bigotry against ex-criminals who have been stigmatized profoundly. For a while, ex-prisoners could not vote, could not get their social security while in prison which is an outrageous confiscation of assets by the government. Applying for loans, volunteering for schools, "Have you ever been convicted of a felony?" is a question which means that the organization is bigoted. "History of violence" is appropriate for concern, but society created these ex-prisoners and ex-criminals, and it should have some responsibility for positive rehabilitation.

Having extracted the decreed penalty, society now needs to offer civil rights instead of bigotry and hatred of ex-criminals – and, from my experience, there is an almost complete anti-Christian treatment of those “on the cross” as criminal and victim—which is the case when the punishment does not fit the crime and when over criminalization is a money making scheme for judges and other mini-emperors.

The private prison system is mentioned on Page 231 – “... the market for private prisons is as good as it has ever been. The largest private prison operated in the United States is thoroughly optimistic. His company boosted net income by 14% in 2008, and he fully expects the growth to continue.” If any judge, prosecutor, investigator, or police officials own stock in the private prison industry or prison supporting companies, all resultant convictions should be overturned and dismissed for the past 20 years.

“Public Defender Offices should be funded at the same level as Prosecutor’s Offices to eliminate the unfair advantage afforded the incarceration machine” (Pg 233). This fits with the basic concept of “equality before the law” discrepancy in that cost of litigation must be corrected and equalized. The law today is a fee creation system needing continuous expansion for the deluge of law school graduates—The law is a metastatic totalitarianism run by confabulating mini-emperors uncaring for truth or justice except as propaganda that the law deserves “respect.”

The author describes some corrective efforts:

The success of private programs like Operation Cease Fire and Oakland’s Lifeline Program – which reach out to gang members and offer them jobs and opportunities rather than prison time if they cease their criminal activities – and dramatically reducing violent crime rates should not be met with shock and amazement” (Pg. 237).

Disturbingly, she demonizes “the white man” (Pg. 255) as she imitates what she objects to, as do so many lap-dog trained in affirmative-action victimhood rather than productivity and self-responsibility.

She talks of a “radical restructuring of society” quoting Martin Luther King (Pg. 260). One must wholeheartedly agree. There used to be three learned professions: medicine, law and divinity. All we have now is law worship. Almost everything is illegal unless sanctioned by law which is ridiculous. To trace problems is to see that the law creates them and makes money from them, the Common Good pretended. Virtuous freedom is reduced as many are criminalized every time a new law is passed. Obviously the profession of medicine needs to be freed from the unreasonable and irrational anti-counterproductive impact of the law. Needed also is the return of divinity so there is a genuine pursuit of happiness enhanced traditional values and virtues (at least the ancient Greek virtues of prudence, temperance, fortitude, and justice) which should render the law unnecessary many times over. Unfortunately, all have been brainwashed to think laws are needed for more reasons than keeping the law schools filled.

In the submarine service at the height of the Cold War, I was vigorously writing the United Nations to start a “United Nations Organization for Empathy (UNOE)” and I offered the

Flag of Mankind/Humanity (PeaceMercy.com) and the Pledge of Humanity:

I pledge allegiance to mankind and to its flag for which no one should die; and to evolving life on this planet for living things are precious. I pledge to treat all humanely by caring for and respecting others’ bodies; by understanding other’s minds but being true to myself without disrespect; and by accepting the emotions of others as I control my own. I will have mercy on others with gentle liberty and empathic justice for all.

It begins with education: UNOE, Greek virtues at least, and the Pledge to Mankind will be a start, much better than paralyzing victimhood and imitating by reverse discrimination those once wrong as if two wrongs make a right.

Students need to learn how to be a “full human being” and not someone disunited from humanity by color, race, religion, criminality, ex-prison status, et cetera. In prison I witnessed a remarkable example when the black man in the upper bunk next to me greeted his new bunk-mate, a white man moving into the lower bunk. This muscular tattooed Black slid off his bed, extended his hand to the white guy and said “I am Chris and I am not Black.” The muscular tattooed white man looked up, firmly shook the extended hand, bright eyed, startled, and said, “Well I am Tony, and I am not white.” They both smiled, patted each other on the back, had a brief dialog, and then went about their business. I was astonished at this amazing example of genuine humanbeingness (totally unique) by two criminals. Comparable efforts might even prevent the return of Jim Crow, except for the punitive-ness of arrogant, know-it-all, malicious investigators, prosecutors, judges and politicians.