

THE NEW JIM CROW

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“Jim Crow” is the term used to describe the legally-sanctioned disenfranchisement of freed slaves following the Civil War. From 1865 until the end of the civil rights era, Jim Crow laws allowed state and local governments to deprive African Americans of their most basic freedoms — from the right to vote to the right to choose where to live, work, or go to school. The “separate but equal” society sustained by Jim Crow officially ended with passage of the Voting Rights Act in 1965. But as Michelle Alexander argues in this selection, the spirit of Jim Crow didn’t die: it simply assumed a new guise. In Alexander’s view, we’ve been living in a new Jim Crow era ever since the beginning of the war on drugs, which led to the mass incarceration and stigmatization of unprecedented numbers of black and brown men in America. Imprisonment for minor drug offenses, she warns, threatens to create a permanent underclass of black men cut off from any hope of “Life, Liberty, and the pursuit of Happiness.” A graduate of Stanford Law School and Vanderbilt University, Alexander (b. 1970) served for several years as director of the Racial Justice Project at the American Civil Liberties Union of Northern California before assuming the position of associate professor in the Moritz College of Law at Ohio State University. Her publications include *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* (2010), the source of this selection.

IT WAS NO ORDINARY SUNDAY MORNING when presidential candidate Barack Obama stepped to the podium at the Apostolic Church of God in Chicago. It was Father’s Day. Hundreds of enthusiastic congregants packed the pews at the overwhelmingly black church eager to hear what the first black Democratic nominee for president of the United States had to say.

The message was a familiar one: black men should be better fathers. Too many are absent from their homes. For those in the audience, Obama’s speech was an old tune sung by an exciting new performer. His message of personal responsibility, particularly as it relates to fatherhood, was anything but new; it had been delivered countless times by black ministers in churches across America. The message had also been delivered on a national stage by celebrities such as Bill Cosby and Sidney Poitier.¹ And the message had been delivered with great passion by Louis Farrakhan,² who more than a decade earlier summoned

¹*Bill Cosby and Sidney Poitier*: Two famous and highly respected African American entertainers. [All notes are Alexander’s, except 1–3 and 7.]

²*Louis Farrakhan*: Louis Farrakhan Muhammad Sr. (b. 1933), leader of the African American religious movement known as the Nation of Islam.

one million black men to Washington, D.C., for a day of "atonement" and recommitment to their families and communities.

The mainstream media, however, treated the event as big news, and many pundits seemed surprised that the black congregants actually applauded the message. For them, it was remarkable that black people nodded in approval when Obama said: "If we are honest with ourselves, we'll admit that too many fathers are missing—missing from too many lives and too many homes. Too many fathers are MIA. Too many fathers are AWOL.³ They have abandoned their responsibilities. They're acting like boys instead of men. And the foundations of our families are weaker because of it. You and I know this is true everywhere, but nowhere is this more true than in the African American community."

The media did not ask—and Obama did not tell—where the missing fathers might be found.

The following day, social critic and sociologist Michael Eric Dyson published a critique of Obama's speech in *Time* magazine. He pointed out that the stereotype of black men being poor fathers may well be false. Research by Boston College social psychologist Rebekah Levine Coley found that black fathers not living at home are more likely to keep in contact with their children than fathers of any other ethnic or racial group. Dyson chided Obama for evoking a black stereotype for political gain, pointing out that "Obama's words may have been spoken to black folk, but they were aimed at those whites still on the fence about whom to send to the White House."⁴ Dyson's critique was a fair one, but like other media commentators, he remained silent about where all the absent black fathers could be found. He identified numerous social problems plaguing black families, such as high levels of unemployment, discriminatory mortgage practices, and the gutting of early-childhood learning programs. Not a word was said about prisons....

The fact that Barack Obama can give a speech on Father's Day dedicated to the subject of fathers who are "AWOL" without ever acknowledging that the majority of young black men in many large urban areas are currently under the control of the criminal justice system is disturbing, to say the least. What is more problematic, though, is that hardly anyone in the mainstream media noticed the oversight.... Hundreds of thousands of black men are unable to be good fathers for their children, not because of a lack of commitment or desire but because they are warehoused in prisons, locked in cages. They did not walk out on their families voluntarily; they were taken away in handcuffs, often due to a massive federal program known as the War on Drugs.

³MIA...AWOL: Military acronyms standing for "Missing in Action" and "Absent Without Leave."

⁴Michael Eric Dyson, "Obama's Rebuke of Absentee Black Fathers," *Time*, June 19, 2008.

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.⁵ The mass incarceration of people of color is a big part of the reason that a black child born today is less likely to be raised by both parents than a black child born during slavery.⁶ The absence of black fathers from families across America is not simply a function of laziness, immaturity, or too much time watching *SportsCenter*.⁷ Thousands of black men have disappeared into prisons and jails, locked away for drug crimes that are largely ignored when committed by whites.

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 risen to power, fame, and fortune. For those left behind, especially those within prison walls, the celebration of racial triumph in America must seem a tad premature. More black men are imprisoned today than at any other moment in our nation's history. More are disenfranchised today than in 1870, the year the Fifteenth Amendment was ratified prohibiting laws that explicitly deny the right to vote on the basis of race.⁸ Young black men today may be just as likely to suffer discrimination in employment, housing, public benefits, and jury service as a black man in the Jim Crow era—discrimination that is perfectly legal, because it is based on one's criminal record.

This is the new normal, the new racial equilibrium.

The launching of the War on Drugs and the initial construction of the new system required the expenditure of tremendous political initiative and resources. Media campaigns were waged; politicians blasted “soft” judges and enacted harsh sentencing laws; poor people of color were vilified. The system now, however, requires very little maintenance or justification. In fact, if you are white and middle class, you might not even realize the drug war is still going on. Most high school and college students today have no recollection of the political and media frenzy surrounding the drug war in the early years. They were young children when the war was declared, or not even born yet. Crack is out; terrorism is in.

Today, the political fanfare and the vehement, racialized rhetoric regarding crime and drugs are no longer necessary. Mass incarceration has been normalized, and all of the racial stereotypes and assumptions

⁵One in eleven black adults was under correctional supervision at year end 2007, or approximately 2.4 million people. See Pew Center on the States, *One in 31: The Long Reach of American Corrections* (Washington, DC: Pew Charitable Trusts, Mar. 2009). According to the 1850 Census, approximately 1.7 million adults (ages 15 and older) were slaves.

⁶See Andrew J. Cherlin, *Marriage, Divorce, Remarriage*, rev. ed. (Cambridge, MA: Harvard University Press, 1992), 110.

⁷*SportsCenter*: A daily sports news program on the ESPN cable network.

⁸See Glenn C. Loury, *Race, Incarceration, and American Values* (Cambridge, MA: MIT Press, 2008), commentary by Pam Karlan.

that gave rise to the system are now embraced (or at least internalized) by people of all colors, from all walks of life, and in every major political party. We may wonder aloud "where have the black men gone?" but deep down we already know. It is simply taken for granted that, in cities like Baltimore and Chicago, the vast majority of young black men are currently under the control of the criminal justice system or branded criminals for life. This extraordinary circumstance—unheard of in the rest of the world—is treated here in America as a basic fact of life, as normal as separate water fountains were just a half century ago.

States of Denial

The claim that we really know where all the black men have gone may inspire considerable doubt. If we know, why do we feign ignorance? Could it be that most people really don't know? Is it possible that the roundup, lockdown, and exclusion of black men en masse from the body politic has occurred largely unnoticed? The answer is yes and no.

Much has been written about the ways in which people manage to deny, even to themselves, that extraordinary atrocities, racial oppression, and other forms of human suffering have occurred or are occurring. Criminologist Stanley Cohen wrote perhaps the most important book on the subject, *States of Denial*. The book examines how individuals and institutions—victims, perpetrators, and bystanders—know about yet deny the occurrence of oppressive acts. They see only what they want to see and wear blinders to avoid seeing the rest. This has been true about slavery, genocide, torture, and every form of systemic oppression.

Cohen emphasizes that denial, though deplorable, is complicated. It is not simply a matter of refusing to acknowledge an obvious, though uncomfortable, truth. Many people "know" and "not-know" the truth about human suffering at the same time. In his words, "Denial may be neither a matter of telling the truth nor intentionally telling a lie. There seem to be states of mind, or even whole cultures, in which we know and don't know at the same time."⁹

Today, most Americans know and don't know the truth about mass 15 incarceration. For more than three decades, images of black men in handcuffs have been a regular staple of the evening news. We know that large numbers of black men have been locked in cages. In fact, it is precisely because we know that black and brown people are far more likely to be imprisoned that we, as a nation, have not cared too much about it. We tell ourselves they "deserve" their fate, even though we know—and don't know—that whites are just as likely to commit many crimes, especially drug crimes. We know that people released from prison face a lifetime of discrimination, scorn, and exclusion, and yet

⁹Stanley Cohen, *States of Denial: Knowing About Atrocities and Suffering* (Cambridge, UK: Polity, 2001), 4–5.

we claim not to know that an undercaste exists. We know and we don't know at the same time.

Upon reflection, it is relatively easy to understand how Americans come to deny the evils of mass incarceration. Denial is facilitated by persistent racial segregation in housing and schools, by political demagoguery, by racialized media imagery, and by the ease of changing one's perception of reality simply by changing television channels. There is little reason to doubt the prevailing "common sense" that black and brown men have been locked up en masse merely in response to crime rates when one's sources of information are mainstream media outlets. In many respects, the reality of mass incarceration is easier to avoid knowing than the injustices and sufferings associated with slavery or Jim Crow. Those confined to prisons are out of sight and out of mind; once released, they are typically confined in ghettos. Most Americans only come to "know" about the people cycling in and out of prisons through fictional police dramas, music videos, gangsta rap, and "true" accounts of ghetto experience on the evening news. These racialized narratives tend to confirm and reinforce the prevailing public consensus that we need not care about "those people"; they deserve what they get....

How It Works

Precisely how the system of mass incarceration works to trap African Americans in a virtual (and literal) cage can best be understood by viewing the system as a whole.... Only when we view the cage from a distance can we disengage from the maze of rationalizations that are offered for each wire and see how the entire apparatus operates to keep African Americans perpetually trapped.

This, in brief, is how the system works: The War on Drugs is the vehicle through which extraordinary numbers of black men are forced into the cage. The entrapment occurs in three distinct phases,... The first stage is the roundup. Vast numbers of people are swept into the criminal justice system by the police, who conduct drug operations primarily in poor communities of color. They are rewarded in cash—through drug forfeiture laws and federal grant programs—for rounding up as many people as possible, and they operate unconstrained by constitutional rules of procedure that once were considered inviolate. Police can stop, interrogate, and search anyone they choose for drug investigations, provided they get "consent." Because there is no meaningful check on the exercise of police discretion, racial biases are granted free rein. In fact, police are allowed to rely on race as a factor in selecting whom to stop and search (even though people of color are no more likely to be guilty of drug crimes than whites)—effectively guaranteeing that those who are swept into the system are primarily black and brown.

The conviction marks the beginning of the second phase: the period of formal control. Once arrested, defendants are generally denied meaningful legal representation and pressured to plead guilty whether

they are or not. Prosecutors are free to “load up” defendants with extra charges, and their decisions cannot be challenged for racial bias. Once convicted, due to the drug war’s harsh sentencing laws, drug offenders in the United States spend more time under the criminal justice system’s formal control—in jail or prison, on probation or parole—than drug offenders anywhere else in the world. While under formal control, virtually every aspect of one’s life is regulated and monitored by the system, and any form of resistance or disobedience is subject to swift sanction. This period of control may last a lifetime, even for those convicted of extremely minor, nonviolent offenses, but the vast majority of those swept into the system are eventually released. They are transferred from their prison cells to a much larger, invisible cage.

The final stage has been dubbed by some advocates as the period of invisible punishment.¹⁰ This term, first coined by Jeremy Travis, is meant to describe the unique set of criminal sanctions that are imposed on individuals after they step outside the prison gates, a form of punishment that operates largely outside of public view and takes effect outside the traditional sentencing framework. These sanctions are imposed by operation of law rather than decisions of a sentencing judge, yet they often have a greater impact on one’s life course than the months or years one actually spends behind bars. These laws operate collectively to ensure that the vast majority of convicted offenders will never integrate into mainstream, white society. 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.

In recent years, advocates and politicians have called for greater resources devoted to the problem of “prisoner re-entry,” in view of the unprecedented numbers of people who are released from prison and returned to their communities every year. While the terminology is well intentioned, it utterly fails to convey the gravity of the situation facing prisoners upon their release. People who have been convicted of felonies almost never truly re-enter the society they inhabited prior to their conviction. Instead, they enter a separate society, a world hidden from public view, governed by a set of oppressive and discriminatory rules and laws that do not apply to everyone else. They become members of an undercaste—an enormous population of predominantly black and brown people who, because of the drug war, are denied basic rights and privileges of American citizenship and are permanently relegated to an inferior status. This is the final phase, and there is no going back.

¹⁰See Marc Mauer and Meda Chesney-Lind, eds., *Invisible Punishment: The Collateral Consequences of Mass Imprisonment* (New York: The New Press, 2002); and Jeremy Travis, *But They All Come Back: Facing the Challenges of Prisoner Reentry* (Washington, DC Urban Institute Press, 2005).

Nothing New?

...Today, the War on Drugs has given birth to a system of mass incarceration that governs not just a small fraction of a racial or ethnic minority but entire communities of color. In ghetto communities, nearly everyone is either directly or indirectly subject to the new caste system. The system serves to redefine the terms of the relationship of poor people of color and their communities to mainstream, white society, ensuring their subordinate and marginal status. The criminal and civil sanctions that were once reserved for a tiny minority are now used to control and oppress a racially defined majority in many communities, and the systematic manner in which the control is achieved reflects not just a difference in scale. The nature of the criminal justice system has changed. It is no longer concerned primarily with the prevention and punishment of crime, but rather with the management and control of the dispossessed. Prior drug wars were ancillary to the prevailing caste system. This time the drug war is the system of control.

If you doubt that this is the case, consider the effect of the war on the ground, in specific locales. Take Chicago, Illinois, for example. Chicago is widely considered to be one of America's most diverse and vibrant cities. It has boasted black mayors, black police chiefs, black legislators, and is home to the nation's first black president. It has a thriving economy, a growing Latino community, and a substantial black middle class. Yet as the Chicago Urban League reported in 2002, there is another story to be told.¹¹

If Martin Luther King Jr. were to return miraculously to Chicago, some forty years after bringing his Freedom Movement to the city, he would be saddened to discover that the same issues on which he originally focused still produce stark patterns of racial inequality, segregation, and poverty. He would also be struck by the dramatically elevated significance of one particular institutional force in the perpetuation and deepening of those patterns: the criminal justice system. In the few short decades since King's death, a new regime of racially disparate mass incarceration has emerged in Chicago and become the primary mechanism for racial oppression and the denial of equal opportunity.

In Chicago, like the rest of the country, the War on Drugs is the engine of mass incarceration, as well as the primary cause of gross racial disparities in the criminal justice system and in the ex-offender population. About 90 percent of those sentenced to prison for a drug offense in Illinois are African American.¹² White drug offenders are rarely arrested, and when they are, they are treated more favorably at every stage of the criminal justice process, including plea bargaining and

¹¹Paul Street, *The Vicious Circle: Race, Prison, Jobs, and Community in Chicago, Illinois, and the Nation* (Chicago Urban League, Department of Research and Planning, 2002).

¹²Street, *Vicious Circle*, 3.

sentencing.¹³ Whites are consistently more likely to avoid prison and felony charges, even when they are repeat offenders.¹⁴ Black offenders, by contrast, are routinely labeled felons and released into a permanent racial undercaste.

The total population of black males in Chicago with a felony record (including both current and ex-felons) is equivalent to 55 percent of the black adult male population and an astonishing 80 percent of the adult black male workforce in the Chicago area.¹⁵ This stunning development reflects the dramatic increase in the number and race of those sent to prison for drug crimes. From the Chicago region alone, the number of those annually sent to prison for drug crimes increased almost 2,000 percent, from 469 in 1985 to 8,755 in 2005.¹⁶

When people are released from Illinois prisons, they are given as little as \$10 in "gate money" and a bus ticket to anywhere in the United States. Most return to impoverished neighborhoods in the Chicago area, bringing few resources and bearing the stigma of their prison record.¹⁷ In Chicago, as in most cities across the country, ex-offenders are banned or severely restricted from employment in a large number of professions, job categories, and fields by professional licensing statutes, rules, and practices that discriminate against potential employees with felony records. According to a study conducted by the DePaul University College of Law in 2000, of the then ninety-eight occupations requiring licenses in Illinois, fifty-seven placed stipulations and/or restrictions on applicants with a criminal record.¹⁸ Even when not barred by law from holding specific jobs, ex-offenders in Chicago find it extraordinarily difficult to find employers who will hire them, regardless of the nature of their conviction. They are also routinely denied public housing and welfare benefits, and they find it increasingly difficult to obtain education, especially now that funding for public education has been hard hit, due to exploding prison budgets.

The impact of the new caste system is most tragically felt among the young. In Chicago (as in other cities across the United States), young black men are more likely to go to prison than to college.¹⁹ As of June 2001, there were nearly 20,000 more black men in the Illinois state prison system than enrolled in the state's public universities.²⁰ In fact, there were more black men in the state's correctional facilities that year *just on drug charges* than the total number of black men enrolled

¹³Alden Loury, "Black Offenders Face Stiffest Drug Sentences," *Chicago Reporter*, Sept. 12, 2007.

¹⁴Ibid.

¹⁵Street, *Vicious Circle*, 15.

¹⁶Donald G. Lubin et al., *Chicago Metropolis 2020: 2006 Crime and Justice Index* (Washington, DC: Pew Center on the States, 2006), 5, www.pewcenteronthestates.org/report_detail.aspx?id=33022.

¹⁷Ibid., 37.

¹⁸Ibid., 35.

¹⁹Ibid., 3; see also Bruce Western, *Punishment and Inequality in America* (New York: Russell Sage Foundation, 2006), 12.

²⁰Street, *Vicious Circle*, 3.

in undergraduate degree programs in state universities.²¹ To put the crisis in even sharper focus, consider this: just 992 black men received a bachelor's degree from Illinois state universities in 1999, while roughly 7,000 black men were released from the state prison system the following year just for drug offenses.²² The young men who go to prison rather than college face a lifetime of closed doors, discrimination, and ostracism. Their plight is not what we hear about on the evening news, however. Sadly, like the racial caste systems that preceded it, the system of mass incarceration now seems normal and natural to most, a regrettable necessity.

Mapping the Parallels

Those cycling in and out of Illinois prisons today are members of America's new racial undercaste. The United States has almost always had a racial undercaste—a group defined wholly or largely by race that is permanently locked out of mainstream, white society by law, custom, and practice. The reasons and justifications change over time, as each new caste system reflects and adapts to changes in the social, political, and economic context. What is most striking about the design of the current caste system, though, is how closely it resembles its predecessor. There are important differences between mass incarceration and Jim Crow, to be sure...but when we step back and view the system as a whole, there is a profound sense of *déjà vu*. There is a familiar stigma and shame. There is an elaborate system of control, complete with political disenfranchisement and legalized discrimination in every major realm of economic and social life. And there is the production of racial meaning and racial boundaries....

Symbolic production of race. Arguably the most important parallel between mass incarceration and Jim Crow is that both have served to define the meaning and significance of race in America. Indeed, a primary function of any racial caste system is to define the meaning of race in its time. Slavery defined what it meant to be black (a slave), and Jim Crow defined what it meant to be black (a second-class citizen). Today mass incarceration defines the meaning of blackness in America: black people, especially black men, are criminals. That is what it means to be black.

The temptation is to insist that black men "choose" to be criminals; the system does not make them criminals, at least not in the way that slavery made blacks slaves or Jim Crow made them second-class citizens. The myth of choice here is seductive, but it should be resisted. African Americans are not significantly more likely to use or sell prohibited drugs than whites, but they are *made* criminals at drastically higher

²¹Ibid.

²²Ibid.

rates for precisely the same conduct. In fact, studies suggest that white professionals may be the most likely of any group to have engaged in illegal drug activity in their lifetime, yet they are the least likely to be made criminals.²³ The prevalence of illegal drug activity among all racial and ethnic groups creates a situation in which, due to limited law enforcement resources and political constraints, some people are made criminals while others are not. Black people have been made criminals by the War on Drugs to a degree that dwarfs its effect on other racial and ethnic groups, especially whites. And the process of making them criminals has produced racial stigma.

Every racial caste system in the United States has produced racial stigma. Mass incarceration is no exception. Racial stigma is produced by defining negatively what it means to be black. The stigma of race was once the shame of the slave; then it was the shame of the second-class citizen; today the stigma of race is the shame of the criminal....

It is precisely because our criminal justice system provides a vehicle for the expression of conscious and unconscious antiblack sentiment that the prison label is experienced as a racial stigma. The stigma exists whether or not one has been formally branded a criminal, yet another parallel to Jim Crow. Just as African Americans in the North were stigmatized by the Jim Crow system even if they were not subject to its formal control, black men today are stigmatized by mass incarceration—and the social construction of the “criminalblackman”—whether they have ever been to prison or not. For those who have been branded, the branding serves to intensify and deepen the racial stigma, as they are constantly reminded in virtually every contact they have with public agencies, as well as with private employers and landlords, that they are the new “untouchables.”

In this way, the stigma of race has become the stigma of criminality. Throughout the criminal justice system, as well as in our schools and public spaces, young + black + male is equated with reasonable suspicion, justifying the arrest, interrogation, search, and detention of thousands of African Americans every year, as well as their exclusion from employment and housing and the denial of educational opportunity. Because black youth are viewed as criminals, they face severe employment discrimination and are also “pushed out” of schools through racially biased school discipline policies.²⁴

For black youth, the experience of being “made black” often begins with the first police stop, interrogation, search, or arrest. The experience carries social meaning—*this is what it means to be black*. The

²³Whites are far more likely than African Americans to complete college, and college graduates are more likely to have tried illicit drugs in their lifetime when compared to adults who have not completed high school. See U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, *Findings from the 2000 National Household Survey on Drug Abuse* (Rockville, MD: 2001). Adults who have not completed high school are disproportionately African American.

²⁴See Julia Cass and Connie Curry, *America's Cradle to Prison Pipeline* (New York: Children's Defense Fund, 2007).

story of one's "first time" may be repeated to family or friends, but for ghetto youth, almost no one imagines that the first time will be the last. The experience is understood to define the terms of one's relationship not only to the state but to society at large. This reality can be frustrating for those who strive to help ghetto youth "turn their lives around." James Forman Jr., the cofounder of the See Forever charter school for juvenile offenders in Washington, D.C., made this point when describing how random and degrading stops and searches of ghetto youth "tell kids that they are pariahs, that no matter how hard they study, they will remain potential suspects." One student complained to him, "We can be perfect, perfect, doing everything right and still they treat us like dogs. No, worse than dogs, because criminals are treated worse than dogs." Another student asked him pointedly, "How can you tell us we can be anything when they treat us like we're nothing?"²⁵...

²⁵James Forman Jr., "Children, Cops and Citizenship: Why Conservatives Should Oppose Racial Profiling," in *Invisible Punishment*, ed. Mauer and Lind, 159.

Federal Bill Would Give America's Hens Bigger Cages



ENGAGING THE TEXT

1. Why, according to Alexander, are so many black men “missing” from contemporary American society? How, in her view, does the war on drugs make this possible? Would you agree that most Americans accept the mass incarceration of black men as a “basic fact of life”?
2. In Alexander’s opinion, what role do the media play in reinforcing the “state of denial” that characterizes the attitudes of most Americans toward the mass incarceration of men of color? How might TV police dramas, music videos, gangsta rap music, and local nightly news programs help people see mass incarceration as a matter of “common sense”?
3. As Alexander sees it, how does “the system” strip black and brown men of their constitutional rights, both in and out of prison? Do you think that convicted felons should enjoy the same rights as law-abiding citizens? Would you agree with Alexander that denying felons certain rights is a form of “legalized discrimination”?
4. Should convicted felons who have served their time have the right to keep their criminal records private? Is requiring a felon to report his criminal record on applications for employment, housing, or college admission a matter of “common sense” or, as Alexander suggests, a matter of legalized “apartheid”?
5. To what extent would you agree that the modern mass incarceration of black men has symbolically defined being black as being “criminal”? Does the stigma of mass incarceration extend, as Alexander contends, to other men of color as well?

EXPLORING CONNECTIONS

6. Drawing on Erin Aubrey Kaplan’s analysis of “the idea of President Obama” (p. 540) and Alexander’s explanation of the “symbolic production of race” (para. 30), write a journal entry or essay on the what it means to be a black man in contemporary America.
7. How might Cheryl I. Harris and Devon W. Carbado’s notion of “frames” (p. 524) help explain why most Americans accept the mass incarceration of black and brown men? How effectively, in your view, does Alexander force us to question what Harris and Carbado would term our “color blindness”? To what extent does Alexander challenge the claim that facts alone won’t help us move beyond racism?
8. In your view, is drug use a matter of what Katherine Mangu-Ward would call “positive” or “negative” liberty (p. 659)? How might Alexander explain why Mangu-Ward omits mention of the war on drugs in her discussion of the “war on negative liberty”?
9. Compare the lot of the free and enslaved Latino migrant workers described by Kevin Bales and Ron Soodalter (p. 721) or that of the parolees and