

Winter 12-7-2020

An Understanding of Prisons, Race, and Class in the United States

Seth Ketchum
sketchu@bgsu.edu

Follow this and additional works at: <https://scholarworks.bgsu.edu/honorsprojects>



Part of the [Economics Commons](#), [Legal Studies Commons](#), [Philosophy Commons](#), and the [Political Science Commons](#)

Repository Citation

Ketchum, Seth, "An Understanding of Prisons, Race, and Class in the United States" (2020). *Honors Projects*. 555.

<https://scholarworks.bgsu.edu/honorsprojects/555>

This work is brought to you for free and open access by the Honors College at ScholarWorks@BGSU. It has been accepted for inclusion in Honors Projects by an authorized administrator of ScholarWorks@BGSU.

An Understanding of Prisons, Race, and Class in the United States

Seth Ketchum

Honors Project

Submitted to the Honors College

at Bowling Green State University in partial fulfillment of the

requirements for graduation with

University Honors 12/07/2020

Diana DePasquale, Advisor

Hrishikesh Joshi, Advisor

ABSTRACT

After a summer of protests sparked by police brutality, the United States remains divided on this most important issue. This paper will seek to contextualize this country's situation to explain that these protests stem from a history of inequality, in order to argue against claims that the protests are unjustified. With a multidisciplinary approach, we can begin to observe just how unequal this country is and understand what drives so many people to protest during the middle of a global pandemic.

Keywords: prison, abolition, slavery, United States, history, philosophy, political science, economics, education

Introduction

The political atmosphere in the United States is tense. The 2020 election saw an increase in the number of participating voters in comparison to 2016, despite the weight of a global pandemic weighing down on us. This summer saw massive protests all around the country and indeed around the world, in support of the Black Lives Matter movement and against racialized police violence. We have news networks that receive funding from the same places that politicians do, that benefit from covering news in specific ways like focusing on the isolated acts of vandalism at the protests rather than the majority of the rest of the protests with thousands of people protesting peacefully.

There also seems to be a lot of sentiment that the protests are unjustified, which misses the fact that protests do not arise out of nothing. The movement has been building for years, and this country has a history of protests against police brutality, like Los Angeles in the 1990s or Cincinnati in the early 2000s. But many are unaware of this history. The “Blue Lives Matter” view, held by those who think the protests are unjustified, is that either the cops are justified in the violence they use, or that police brutality does not exist. They may also believe the protests as more violent than they actually are, and believe that cops responding to violence with violence is justified. The ignorance some hold on to as well as the news networks that refuse to report how obviously the protests were not riots (as well as lacking any meaningful explanation on why riots are actually a negative thing) are just some of the many political battles this country faces currently.

This current climate sets the backdrop for my project. Considering the different levels of understanding that many of us are on due to different news networks and different educations, I

believe it is important to contextualize where this nation is currently, to hopefully bring all in agreement that the protests are justified. Firstly, I will establish a historical narrative for the United States. This way we can see that our current predicament has not sprung out of nowhere but is instead the result of a long history of police brutality, mass incarceration, racial discrimination, and poverty cycles. Then I will add current philosophical/ethical, economical, and educational understandings on top of the historical perspective to paint the picture of where we are today. Finally, I hope to synthesize this multidisciplinary endeavor into a new work, because often times research comes out of a single discipline which can narrow our understanding of the research. By utilizing multiple disciplines, I hope to be able to contextualize where the Black Lives Matter protests over the summer of 2020 come from, which I believe fits the spirit of my Philosophy, Political Science, Economics, and Law major, Independent Study minor, and Honors College career.

Historical Perspective

There are a couple reasons as to why I consider it important to begin with the historical perspective. Firstly, from my own experience this country does a horrendous job at grappling with its history. Anecdotally, there have been numerous instances of me learning basic historical information about the United States outside of and well after any of my primary education. It is also important to establish this historical baseline, so that we can understand that where we are currently comes after this country's long history, instead of assuming our current situation arose suddenly.

If we taught history we might understand the usefulness and importance of protests, as well as their frequency. We might understand that things are not as equal as we sometimes pretend they are. I hope to illuminate that many of our modern problems stem from us failing to recognize our history, never paying reparations to those deserving, and never sufficiently creating new systems or tampering with them to make them disaster proof, but instead shifting the older system into a newer one and simply pretending it is better. We cannot continue to claim that the past is in the past and that things are fine now, but must actively grapple with our past and make up for our many mistakes.

To understand and come to terms with our history, I will start by looking at the results of the Civil War. Three amendments to the constitution were passed, called the Reconstruction Amendments, the 13th, 14th, and 15th amendments. Amendment 15 says that the right to vote shall not be denied based on race or on being a former slave. Amendment 14 says that all people born in the United States have citizenship and cannot be denied their rights without legal procedures. And Amendment 13 says that slavery is abolished except as punishment for a crime.

These amendments were supposed to improve the conditions of former slaves. However, the wording of the 13th Amendment allows for slavery to continue, with the requirement that someone be arrested and sent to prison. This is one of the central themes of the documentary *13th*, that an original usage for prisons in the United States was to recreate slavery immediately after abolition, and that this history influences our unjust system today.

This documentary begins with a quote from president Barack Obama information on the amount of incarcerated persons in the United States, followed by another using the president's statistics to say:

“A little country with 5% of the world’s population having 25% of the world’s prisoners? One out of four? One out of four human beings with their hands on bars, shackled, are locked up here, in the land of the free... We had a prison population of 300,000 in 1972. Today, we have a prison population of 2.3 million. The United States now has the highest rate of incarceration in the world” (13th, 0:0:29).

To have 5% of the world’s population but 25% of its prison population must communicate something. After the Civil War, the prison system was different than it is today, and so our current prison system may not exactly recreate slavery. But I argue that the prison system, as well as the other perspectives we will look at, create something of a perpetual underclass, never allowing people of color to economically or socially advance in our country.

It is important to recognize the timeline of the United States. After the abolition of slavery, many states, particularly Southern ones, were left without its unpaid workforce. That was incredibly damaging to them economically, and so their solution was to utilize the 13th Amendment and gain back as much of that workforce as it could. *13th* argues that:

“History is not just stuff that happens by accident. We are the products of the history that our ancestors chose, if we’re white. If we are black, we are products of the history that our ancestors most likely did not choose. Ye here we all are together, the products of that set of choices. And we have to understand that in order to escape from it. The 13th Amendment to the Constitution makes it unconstitutional for someone to be held as a slave. In other words, it grants freedom... to all Americans. There are exceptions, including criminals... There’s a clause, a loophole. If you have that imbedded in the structure, in this constitutional language, then it’s there to be used as a tool for whichever purposes one wants to use it” (13th, 0:1:31)

After the 13th Amendment, there was a pushback against the liberation of enslaved black people. The southern states lost a large unpaid workforce, and had to find another way to essentially recreate slavery. They did that, legally, through arresting former slaves and convicting them of crimes that were essentially non-criminal, for things like loitering, where the definition of the crime is fuzzy and where jail time arguably should not be a punishment anyway. What this would have caused, and why we cannot ignore history, is that people in majority black neighborhoods were statistically more likely to be arrested, as a result of trying to get the former slaves into prisons. It did not matter that they were arrested for the crimes of looking at a white woman, or refusing to step into the street to allow a white person full access to the sidewalk, or for vagrancy or loitering crimes that could be made up on the spot just to create a charge against whoever the law enforcement officer wanted.

This in turn will lead to a greater amount of policing in those areas. More police officers, or in the early days KKK and other such anti-black groups that took it into their own hands to make arrests, means that there are more people around to make arrests, leading to more arrests, then more policing, then more arrests, and so on. These neighborhoods lose any chance at economic prosperity as the families struggle to get by with family members in prisons. The school systems start to become unequal due to the lack of money in these neighborhoods preventing many upward mobility opportunities.

I do not think that people today should be economically worse off because of something a family member did generations ago, but it is also important to remember that many of these crimes weren't actual crimes, so generations have potentially suffered for something that was no fault of anyone except those in power and those that benefit from the system.

It is also important to note that the 14th and 15th Amendments guarantee voting and other rights. These are rights that get lost for felons, and prisoners in general lose many opportunities for improvement, such as finding a good job after leaving jail.

After the Civil Rights Act of 1964, there was a sudden increase in incarceration in the 1970s, forming a pattern with the 13th Amendment and the rise in prisons after where any time social gains are made in the United States, there is an immediate pushback that makes those gains less effective than they ought to be. One of the changes in the 1970s was the phrase ‘the war on drugs’.

About the war on drugs, 13th says:

“‘A war on drugs’. And that utterance gave birth to this era, where we decided to deal with drug addiction and drug dependency as a crime issue rather than a health issue. Hundreds of thousands of people were being sent to jails and prisons for simple possession of marijuana, for low level offenses” (13th, 16:40).

With hundreds of thousands being sent to jail for low level offenses, this is reminiscent again of the time immediately after the Civil War, where former slaves were being sent to prisons for subjective crimes like vagrancy and loitering. There was an economic reason during the Civil War but now in the 1970s there was a political reason as well.

Related to this political reason, another tactic that came about during the same time as the phrase ‘war on drugs’ was the phrase ‘law and order’. During the 1960s a significantly powerful tactic of the Civil Rights Movement was to be arrested and enter prisons as a form of protest. This was an effective strategy but had a side effect where those against the movement were able to

frame the protests as riots instead, citing conflicts with police and arrests as uncivilized actions and making calls for a return to 'law and order' in the United States.

These phrases were political tools used by government officials to further the goals of the Republican party. 13th argues that:

“This call for law and order becomes integral to something that comes to be known as the Southern Strategy. Nixon begins to recruit Southern whites, formerly staunch democrats, into the Republican fold. ...Persuading poor and working class whites to join the Republican party in droves... By speaking to in subtle and non-racist terms... A thinly veiled racial appeal... talking about crime, by talking about law and order or the chaos of our urban cities unleashed by the Civil Rights Movement...” (13th, 17:15).

The goal of the Republican party was to gain back political power that they had not had in decades, and how they accomplished that was by recruiting Southern democrats using political euphemisms. The Democratic party had, intentionally or otherwise, made race a partisan issue by sponsoring the Civil Rights Act of 1964. The Republicans realized that they could recruit Southern racists, who fought vehemently against desegregation, to their party. But it had to be done subtly, it was no longer acceptable to be as out-and-out racist as it was previously. Ronald Reagan's campaign strategist said:

“Now y'all don't quote me on this. You start out in 1954 by saying [racial slurs]. By 1968 you can't say [racial slur], that hurts you. It backfires. So you say stuff like forced-bussing, state's rights and all that stuff. And you're getting so abstract now. You're talking about cutting taxes and all of these things you're talking about are totally economic things and the by-product of them is blacks get hurt worse than whites” (13th, 26:17).

Here is a Republican president's campaign manager arguing that the end product of the Republican party's policies is one where black people get hurt worse than white people. There's a quote from an advisor to the Nixon administration also saying:

“The Nixon campaign in 1968, and the Nixon White House after that, had two enemies: the antiwar left and black people. You understand what I'm saying? We knew we couldn't make it illegal to be either against the war or black... but by getting the public to associate the hippies with marijuana and blacks with heroin, and then criminalizing both heavily, we could disrupt those communities... We could arrest their leaders, raid their homes, break up their meetings, and vilify them night after night on the evening news. Did we know we were lying about the drugs? Of course we did” (18:08)

None of this should be surprising considering much of the information that came out of president Trump, his campaign staff and administration, and his base, considering Trump's comments around the border wall and Mexico, or referring to other countries as “****holes”. But it shows that their political commentary has a goal behind it, to gain the support of racists which allows them to gain a larger voter base, and that this has been a strategy of the Republican party since at least the 1960s.

With all this information from the documentary *13th*, there are a couple arguments that I want to make. Firstly, that there is a clear line from the racial tensions and pushback against civil rights advancements and the protests occurring this year. With racist ideology embedded in the popularity and rise of the Republican party, it should be no surprise that protests over police brutality and police killings of black people should arise today. After over a century of unjust arrests for subjective crimes to arrests for minor drug possession crimes that had less to do with drugs in the United States and more to do with gaining votes and harming political opposition, it

should be no surprise to have plentiful elected officials fight to prevent cops from receiving punishment.

The documentary *Jim Crow of the North*, directed by Daniel Pierce Bergin, released on YouTube by Twin Cities PBS, has a quote explaining some of Minnesota's history:

“And what’s so powerful about this kind of scale of measuring investment, it was about values in people... The fact of the matter is that there was no evidence that those people that lived in those communities predominantly black and brown people and foreign born people would have defaulted on loans... There are no firm realities behind the close proximity to blackness and your property values going down” (*Jim Crow of the North*, 28:50).

This quote comes after explaining redlining, where maps were drawn to show the most valuable places to live in cities, and the documentary showing majority black neighborhoods with wonderful and prosperous histories being given the rating with the least value. And a really important thing to consider for Minneapolis in terms of redlining is the following quote:

“...Probably the most important and the worst was this legacy of racial covenants... So when people purchase a home, traditionally you get an abstract package. And it shows every time your property, the property you’ve just purchased, changed hands. And in Minneapolis properties that were plotted after 1910 are very likely to have these racial restrictions embedded in the property deed.” (*Jim Crow of the North*, 12:00)

The documentary speaks of a time where a black person built a home and moved into a neighborhood in Minneapolis, and 5,000-6,000 white people came to protest this person moving in. The restrictive covenants were becoming more popular and were starting to become expected.

So not only did most houses have restrictions on who and who could not buy based on their race, houses without those covenants would be protested should a black person move in. Add redlining to that information and we can see that neighborhoods that were exclusionary were deemed more economically prosperous.

So on top of a history of slavery, we can see the inequality that was enforced even after abolition. I am certain that Mississippi is not unique in this regard, and that all over the country there are likely histories of preventing equal housing and other things. We can also consider this a violation of human rights, tying together the unjustness of felons being restricted from voting, and people of color being prevented from housing, that there are rights that humans should be guaranteed that are not guaranteed in this country, and that these rights are less guaranteed to racial minorities.

Keeping this historical perspective in mind, I will now look at economic and educational considerations, and will hope to emphasize that this historical information is important to consider in addressing our current situation.

Economic/Educational Perspective

The reason I combine these two is because a quality education is one way to escape poverty, which is something that is often denied for people of color in the United States. An important reason for this comes from the historical perspective, where we can see that things are not equal. This then leads to decades of inequality, many of it we would not be able to see without the

historical foundation first. Now we can begin to look at where we are currently and how that stems from our history.

The podcast “This American Life” did an episode entitled *The Problem We All Live With – Part One*. This episode features a reporter for the New York Times who did research into a school district called Normandy in Missouri. The reporter, whose name Nikole Hannah-Jones, found that the most effective way to fight against inequality in schools was integration, or sometimes referred to as desegregation, meaning to move students of color into majority white schools.

The podcast begins with her research into the No Child Left Behind Act, where Hannah-Jones went to various schools and observed their policies around improvement. These policies included things like “[w]e’re going to really focus on literacy, we’re gonna start an early college high school which kids would earn college credit in high school, we’re gonna improve teacher quality, we’re gonna replace the principal, more testing” (*The Problem We All Live With – Part One*, 00:00:36). Schools were trying tons of different things all trying to improve the quality of their district and education. The schools were all talking about solving the same issues. The podcast then says:

“And what she noticed was that it never worked. I mean like. Never. The bad schools never caught up to the good schools. And the bad schools? Were mostly black and Latino. The good schools? Mostly white. And sure there might be a principal here or a charter school here that might do a good job improving test scores but even there they were just improving their student scores. The minority kids in their programs were still not performing on par with white kids. They hadn’t closed the achievement gap between black kids and white kids... And my question is, all of these different ways that we say we’re going to address

this issue aren't working. So, what actually works?" (*The Problem We All Live With – Part One*, 00:00:58).

The central argument of this episode, what Hannah-Jones found in her research to answer her question of what actually works, was integration. She argues the most effective way to close the achievement gap was to integrate students of color into majority white schools, and give them access to the greater financial resources, leading to more extracurriculars, higher paid and therefore often higher quality and more prepared faculty and staff, greater opportunities, and improved test scores. Her research shows that between the start and the height of school segregation, the achievement gap was halved:

“In other words, on standardized reading tests in 1971, black 13 year olds tested 39 points worse than white kids. That dropped to just 18 points by 1988 at the height of desegregation. The improvement in math scores was close to that though, not quite as good. And these scores are not just the scores of the specific kids who got bused into white schools. That is the overall score for the entire country. That's all black children in America, halved, in just 17 years. When I asked Nikole if that was fast she was all like ‘well, black people first arrived on this continent as slaves in 1619, so it was 352 years to create the problem, so another 17 to cut that achievement gap in half? Pretty fast’” (*This American Life*, 2:59)

The main problem with this being the most effective solution? No one is actually pursuing it.

Hannah-Jones, however, discovers the school district of Normandy, Missouri. What happened with this school district is that it was severely underperforming for years, below where it legally should have been allowed:

“Each year, the Missouri Department of Elementary and Secondary Education puts out a report that shows how each of its 520 school districts is doing. It’s a numeric snapshot of the type of education students are receiving. Districts get points for academic achievement, for how many students graduate, for how well they’re prepared for college. In 2014, Michael Brown’s senior year, here’s how the Normandy school district was performing. Points for academic achievement in English: 0. Math: 0. Social studies: 0. Science: 0. Points for college placement: 0... 10 out of 140 points, that was its score... Normandy is the worst district in the state of Missouri.” (*This American Life*, 13:03)

An important thing to consider is that public schools receive much of their funding through taxes. Neighborhoods with less money are likely to either have less money to give for taxes, or to vote against taxes not because they do not care about school but because they need the money to live. Taxes are important because we explored redlining and housing covenants, as well as prisons as a historical reason in the United States for communities to be economically worse off. Because of this unequal history, it is logical that unequal school systems are a current reality. Where we are is a result of our past.

The podcast also says that:

“In fact, it had been on probation for 15 years. Schools in Missouri get accredited by the state. Almost every district is accredited. But if you’re doing really bad, you get put on notice. That’s called provisional accreditation. That’s supposed to be like a warning. But

Normandy had provisional accredited for 15 years. That means there are entire classes of students, nearly all of them black, who came in as kindergarteners and graduated 12 years later without ever having attended a school that met state standards. In the St. Louis area, nearly 1 in 2 black children attend schools in districts that perform so poorly the state has stripped them of full accreditation. Only 1 in 25 white children are in a district like that.”
(This American Life, 17:03).

Here, we have evidence from schools in the state of Missouri that black children on average receive worse educations than white children, and Normandy is a majority black school. Here is where the podcast really becomes useful for us to consider. It explains that:

“In January of 2013... Normandy lost its accreditation from the state. No one really explained why they’d lost it after all this time. Remember, they’d been on probation for 15 years. The school stayed open. But this rare event triggered a little known Missouri law called the transfer law. The transfer law gives students in unaccredited districts the right to transfer to a nearby accredited one for free. Any student in Normandy was now allowed out” *(This American Life, 19:43).*

This is the what the podcast sets out to explore, that:

“Today, after years where very few communities were launching new desegregation programs, Nicole found a place that just three years ago unintentionally started school desegregation. Seriously, nobody in charge planned this, a school system got integration, and Nicole got to see what happened to the kids, what happens with the parents which is not pretty, and what happens with the politics in modern day America when school

desegregation shows up uninvited to the table by any of the usual people in charge” (*This American Life*, 10:35).

Unfortunately, the example of Normandy is unable to truly explore desegregation as an option. It faces many challenges along the way, such as Normandy being forced to pay tuitions and bussing for the students that leave its district. The students face difficulties, such as busses arriving at 5 A.M. to discourage switching schools. And after a year, the state of Missouri switches Normandy from ‘unaccredited’ to ‘nonaccredited’, becoming the only nonaccredited school, as the state took it over and removed the option for kids from that district to attend other schools.

What is important about this podcast is it highlights the inequality that we currently have. We can see the disparities between the education that white students receive and that black students receive. We can see that the district of Normandy was additionally punished economically by paying for tuitions and busses, only for it to be taken over by the state. The podcast says that Normandy ends up facing the same problems it did while being unaccredited as it did being nonaccredited.

I think it is also important to consider that the school district was performing worse than it should have been allowed to. Would a majority white school system have been allowed to get away with being unaccredited for 15 years? While this paper is mostly trying to explain why we have inequality, it is important to recognize that there is not simply a divide between racist American history, and non-racist American present. It is not the case that racism and racial biases do not exist today, but that these results simply naturally stem from a history of racism. Racism still exists today, and I certainly think it can be argued that racism may be a reason as to why Normandy was allowed to continually underperform, that White people with the power to

positively change the school district had something to gain by allowing it to continue underperforming. We will now begin to look at some examples of modern-day racism.

The book *So you want to talk about race* by Ijeoma Oluo has a chapter entitled “What is the school-to-prison pipeline?” In it, the author has the following quote:

“[Natasha’s] son Sagan, portrayed as a violent, out-of-control kid in the school email, had never been in trouble at school before. But his day had started out poorly, and as the discipline continued with each outburst, he acted out more and more. There’s no indication in the many paragraphs documenting the incidents that any staff members tried to redirect Sagan’s energy or ask him why he was upset. Each of the four staff members he encountered that day simply ordered him to stop doing what he was doing, and instituted some sort of punishment when he didn’t respond the way that they wanted” (*So you wanna talk about race*, p. 122).

Oluo describes her initial reaction to reading this school email as one of reading about a violent kid who needed to be suspended or worse, but then hearing the actual story and learning that his behavior was nowhere near as bad as described. Natasha, Sagan’s mother, did not have time to address her son’s behavior at a school meeting about it, when the staffer suddenly claims Sagan ‘assaulted’ staff. This seems to be an attempt to make the story sound much worse, and to make Natasha stay. While his behavior may not have been okay, Sagan was a five year old, and is unlikely to be able to cause any actual harm to an adult staff member. But the framing as his actions as violent, and the lack of interest in asking how Sagan was doing or in allowing him chances at redemption before simply suspending him, Oluo argues, is an example of how “[o]ur public-school system sees black and brown children as violent, disruptive, unpredictable future criminals” (*So you wanna talk about race*, p. 124).

Oluo describes higher rates of suspension for black students, saying:

“[b]lack students make up only 16 percent of our school populations, and yet 31 percent of students who are suspended and 40 percent of students who are expelled are black. Black students are 3.5 times more likely to be suspended than white students. Seventy percent of students who are arrested in school and referred to law enforcement are black. In the 2011-2012 school year alone, 92,000 students were arrested” (*So you wanna talk about race*, p. 124).

These statistics are yet another way to highlight inequality between students in education. They also, importantly, tie into our discussion of prisons, police brutality, and unequal educations. Not only are black students more likely to receive worse educations, but they are also more likely to be denied their education as punishment, with some punishments resulting in police involvement. There may be a solution to this cycle that is worth exploring.

The book *Injustice for All: How Financial Incentives Corrupted and can Fix the US Criminal Justice System* by Chris W. Surprenant and Jason Brennan argues that:

“The point isn’t whether people work for profit or not. Everyone works for profit. Rather, the question is whether the background rules induce them to seek profit in ways that serve others or to hurt them instead. Bad rules create bad incentives which produce bad behaviors and bad outcomes. Good rules create good incentives which produce good behaviors and good outcomes. If you want to change the outcomes, change the rules” (*Injustice for All: How Financial Incentives Corrupted and can Fix the US Criminal Justice System*, p. 23).

This book argues that there are far too many financial incentives that create undesirable outcomes, and how one potential way to fix inequality in our nation is by changing how the financial

incentives work. One example of a negative outcome comes from *13th*, saying “[t]hey want everybody to vote. I don’t want everybody to vote. As a matter of fact, our leverage in the elections quite candidly goes up as the voting populace goes down” (*13th*, 55:56). Here, Republicans and the corporations that back them understand that many of those currently disenfranchised, who are currently disenfranchised due to a system that did not originally allow them to vote and has not sufficiently restructured itself to make voting entirely equal, would vote Democrat. This incentivizes them to uphold the status quo.

So one potential way to fight inequality may be to fight the incentives that encourage inequality to continue. *Injustice for All: How Financial Incentives Corrupted and can Fix the US Criminal Justice System* argues:

“When we see bad things happen, it’s tempting to blame the bad things on bad intentions. But bad intentions can hardly explain why the American criminal justice system is so unusually cruel, punitive, and violent. Yes, there is racism, and yes, there are bad apples, but we have no reason to believe that in the past 40 years people have gotten meaner.

“The simpler explanation is to follow the money—to think of the incentives different actors face. The US had a crime and drug problem, but voters had no incentive to think clearly about it. As a result, politicians had every incentive to sell the simplest sounding pseudo-solutions—to be tough on crime and to wage a War on Drugs. The US is an outlier in that it elects prosecutors and even judges, so the people pressing for and issuing sentences had every incentive to compete by having the highest conviction rates and pushing for the longest sentences. Local jurisdictions had financial incentives to substitute incarceration, which others pay for, for police, which they pay for. Small towns lobbied to build more prisons—a source of income and jobs—and politicians build them as pork barrel projects

to keep rural voters happy. The federal government militarized local police departments to help fight the War on Drugs, and the result of federal financial incentives is that local police have become increasingly violent ‘warrior cops,’ who act less like a constabulary and more like the occupying force they were trained to be” (*Injustice for All: How Financial Incentives Corrupted and can Fix the US Criminal Justice System* pp. 38-39).

Here we can see a series of things that all correlate, and how bad financial incentives create results that are unjust. So economically, we must fight to reverse the financial incentives that create the situation that we are currently in. People will not reverse it by themselves. In fact, the book leaves room for the interpretation that not all involved in the system are bad people, but that the system encourages negative outcomes. While the authors understand that racism still exists, you might be able to imagine a system that financially rewards anti-racism, where racists are not given the power or encouraged to act in ways that create racist outcomes. While I am unsure as to what that system may look like, or as to how we may go about calling for us to change to a system, I think we can see why many choose to protest. Once we understand the inequality that exists and the potential for something better to exist, we understand that it would be worth fighting for.

Educationally and economically, we can see both the disparity between educations received by black and by white students, and we can begin to understand some of why that occurs. For one, how we got to this situation was through decades of inequality, so it should come as no surprise. Another reason is that powerful economic players may have things to gain from a large prison system, considering the financial incentives of building a new prison, which then necessitates more prisoners to occupy it, increasing our prison population. And because black schools are the poorest due to things like redlining and restrictive covenants, we can understand

why those schools with majority black students may be more likely to suspend or arrest students, without the financial resources to try other methods of changing behavior.

Ethics/Philosophical Perspective

The ethical/philosophical perspective is important to consider because it will allow us to understand more human and more ideological reasons as to why we are in our current situation. This will help us add another perspective with insights into how people think, and allow us to consider racism through another lens.

In her book *New Jim Crow: mass incarceration in the age of colorblindness*, Michelle Alexander speaks of prisons, the Obama administration, and the idea of ‘colorblindness’ or the argument that the best way to fight racism is to ignore race entirely. Alexander writes:

“What has changed since the collapse of Jim Crow has less to do with the basic structure of our society than with the language we use to justify it. In the era of colorblindness, it is no longer socially permissible to use race, explicitly, as a justification for discrimination, exclusion, and social contempt. So we don’t. Rather than rely on race, we use our criminal justice system to label people of color “criminals” and then engage in all the practices we supposedly left behind. Today it is perfectly legal to discriminate against criminals in nearly all the ways that it was once legal to discriminate against African Americans. Once you’re labeled a felon, the old forms of discrimination—employment discrimination, housing discrimination, denial of the right to vote, denial of educational opportunity, denial of food stamps and other public benefits, and exclusion from jury service—are suddenly

legal. As a criminal, you are afforded scarcely more rights, and arguably less respect, than a black man living in Alabama at the height of Jim Crow. We have not ended racial caste in America; we have merely redesigned it” (*New Jim Crow: mass incarceration in the age of colorblindness*, p. 2).

We can see connections here between Alexander’s writing and the quote from *13th* about euphemisms being abstract enough to communicate racism while being socially permissible. Today, racism may be more subtle, but that does not mean it exists less. Perhaps this is a reason why there is so much disparity between people surrounding the protests, because many privileged white folks have been able to ignore the more subtle euphemisms. Or they compare the euphemisms to more blatant racism and argue that things are not as bad anymore. But as Alexander writes, many of the old forms of discrimination become permissible again, and some of it may be even worse.

Alexander also writes that:

“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. 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.’ 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” Crow (*New Jim Crow: mass incarceration in the age of colorblindness*, pp. 221-222).

Alexander’s argument is that we need to be incredible careful with the conversations that we have. These conversations are important, but especially for someone in such a high position, reinforcing a stereotype by not being nuanced enough in your speech may have incredible consequences. This speech then gets reiterated and internalized by potentially thousands of people.

In *Race as a Carceral Terrain: Black Lives Matter Meets Reentry*, Williams writes:

“While slavery and Jim Crow served carceral purposes against Blacks, it is important to note that these systems materialized from the construction of race. Thus, it is Blackness itself that was (and is) criminalized (Muhammad, 2010), and, therefore, just existing as Black contemporaneously identifies one with a carcerality of Blackness—which is the expectation of racialized never-ending punitiveness, especially when in contact with the ‘justice’ system and even as one navigates traditionally non-punitive geographies (i.e., Trayvon Martin, walking to his father’s home, or Deborah Danner, sitting in the confines

of her Bronx home) (*Race as a Carceral Terrain: Black Lives Matter Meets Reentry*, introduction paragraph 4).

The argument made by Williams is that white people have tied the idea of incarceration to black identity. Race is a social construct, by which we mean the rules surrounding race are defined by society. So one of our nation's constructs surrounding race is that black identities are criminalized. Combined with Alexander's writings, we can see how this construction of race can be continued, even unintentionally.

The philosophical perspective allows us to consider more on what race means and how biases continue. We can also tie this to Oluo's writings on using the word 'assault', a word with strong connotations and one that likely has harsher punishments for a black kid than a white one. That is the kind of language that can get reinforced, and the more it perpetuates the more it feeds into unconscious biases. With Obama's quote, thousands of white Americans may, even unintentionally, have the belief that black fathers are absent from the kids' lives. As these sources show, many of these beliefs are not even founded in the truth, and we also may be unaware that we carry them. The more we have conversations where we actively struggle with and fight against these biases, the more we may be able to encourage a staffer to recognize their unequal and racist bias of assuming a young black boy is attempting to assault them, and we may be able to fight in another way against unfair and unequal prisons populations and so on.

These beliefs are also built on top of a history of believing that black people are poorer and therefore somehow worse, so another way we can fight is by giving the proper wholistic understanding of this country. That includes our history, including an unjust beginning to prisons and housing, and how that influences where we are today. This wholistic approach may allow

many who are currently siding against the Black Lives Matter protests to understand why they are important.

Conclusion

This project started out with me wanting to examine the positions of defund and abolish the police, but as I worked on the project I found myself needing to understand where those positions came from, and I found it necessary to understand and contextualize the story of our country. I would still like to research into abolition and defunding, the pros and cons, and who is arguing for what, but I found myself unready. The sources that I found also led me in another direction, especially considering that the specific protests of the summer of 2020 are more recent and have less academic writing surrounding them. This is something I will take with me for the rest of my life, that there is always more to these issues, and that I am likely not as informed on any given topic as I think I am. I made many mistakes during this project, though I do believe this final paper highlights many important things about our country and that it can tell a unique story due to its multidisciplinary nature.

From the sources that I used, I found a couple things that I think would be most important to explore next. I recognize that this paper is not the be all end all to this topic but merely another piece in conversation with many others. To continue this work, I think it would be important to look further into the following.

Firstly, I would like to explore desegregation and integration more. As the podcast *This American Life* discusses, one potential solution to inequality in schools is to merge students of

color into majority white schools. This gives them access to the larger resources that white schools tend to have. I believe that many facets of inequality tie into one another; for example, we can see that voting rights and prisons as a tool to take them away may be economically and politically beneficial for corporations, encouraging corporations to keep the status quo, and that this may tie into things like increased arrests in school for black children, which may in turn impact black neighborhoods' abilities to grow economically, creating a sort of poverty cycle. So it is important to recognize with a solution like desegregation, it may impact a larger part of inequality than it may appear to at first, influencing not just education but the prison system and perhaps economic inequality too. Further research into desegregation and integration could reveal such results, though I would be curious to learn how effective of a solution it may be.

Secondly, this country should give some form of reparations. It is clear that our current inequality in terms of social, economic, and carceral justice lays on top of a foundation of hundreds of years of racism. This includes the recreation of slavery through the prison system immediately after abolition, the more recent usage of the prison system to strip rights from black Americans and for political gain through criminalization of drugs, and unfair housing agreements that gave white neighborhoods advantages which ties into impoverished neighborhoods and unequal school systems today. This then impacts the financial ability of majority black schools, and the tax money that black families are able to give to their schools. No sufficient payment was ever given to repair and make up for our history. We cannot expect any system built on top of years of justice to right itself; therefore, there must be some kind of repayment made in order for equality to exist. To look into this issue further would be to listen to black voices and research into what reparations would look like.

Thirdly, as sources like *New Jim Crow: mass incarceration in the age of colorblindness* and *So you wanna talk about race* argue for a change in our conversations. We need to have these conversations, first of all, but we also need to recognize the harm that having these conversations incorrectly can have. Between a school's email or staffer communicating with a word like 'assault' to a 5 year old black student, to president Barack Obama reinforcing a stereotype about black fathers, to considering that black identities have been considered criminal for decades, these conversations can have serious consequences. We must be educated and prepared to have these conversations the right way, instead of having bias filled conversations, conscious of them or not. One way is to do more research and listen to more black voices, and another is to give better representation, like fighting for acting roles in entertainment that send positive messages that fight stereotypes about black fathers. We can also work to not overrepresent something, for example insuring that there are not more depictions of a black father missing from a family in media than it happens in real life.

Finally, we must work to create a system that does not have financial incentives for recreating the inequality that we currently see. We need a justice system that does not encourage, for example, plea bargains, where those accused of a crime but who did not commit one accept a shorter sentence, rather than fight through a long and expensive legal trial to potentially receive a longer sentence. Humans will seek out what rewards them the most, so we must have the most rewarding outcomes result from the most fair ones. We can work on financially discouraging the number of new prisons being built, potentially halting or reversing the growing prison population. And we also must ensure that even when something positive may be occurring, for example with integration from the Normandy school district into other schools, that Normandy does not suffer the financial costs and end up even worse off. We must also work to undo the effects of things like

redlining, where financial incentives created reasons to push black home owners out of white districts and into black ones, and then determine the value based on the racial make up of a district. We must ensure that stops happening, but as mentioned in the conversation solution, we must also acknowledge that it has happened in order to recognize inequality does exist, and then we can work to undo that history. We cannot accept colorblindness as a solution, nor can we accept a lack of acknowledging our history either, because both of these will lead to ignoring the real problems we face.

I hope that for any in the audience reading this paper who hold negative opinions about the Black Lives Matter protests in the summer of 2020, or indeed any other form of activism for minorities, to understand that there is always more to the issue that you have not seen. I hope to have highlighted a worthwhile perspective of this country, and that perhaps you can begin to realize that these protests stem from a multitude of inequalities over a long period of time.

I intend to use the information that I have understood from my sources to drive me to learn more about racism in the United States, and to have it drive me to use my career to fight for equality as much as I can. I hope to have highlighted a unique yet accurate portrayal of our nation, and hope that this paper can teach its audience a new perspective on this issue, and encourage its audience to seek out even more information, as there is much we need to do in this country to achieve inequality, but I believe it is something worth fighting for.

Works Cited

Alexander, Michelle (2020). *New Jim Crow: mass incarceration in the age of colorblindness*.

NEW Press. Kindle Edition

Bergin, Daniel Pierce, Dir (2019). *Jim Crow of the North – Full-Length Documentary*. Twin Cities PBS.

https://www.youtube.com/watch?v=XWQfDbbQv9E&ab_channel=TPTOriginals

DuVernay, Ava, Dir (2020). *13th / Full Feature | Netflix*. YouTube.

<https://www.youtube.com/watch?v=krfcq5pF8u8>.

Hannah-Jones, Nikole (2015). *The Problem We All Live With – Part One*. This American Life.

<https://www.thisamericanlife.org/562/the-problem-we-all-live-with-part-one>

Oluo, Ijeoma (2019). *So you want to talk about race*. Seal Press.

Surprenant, Chris and Brennan, Jason (2019). *Injustice for All: How Financial Incentives*

Corrupted and can Fix the US Criminal Justice System. Routledge. Kindle Edition.

Williams, J. M. (2019). *Race as a Carceral Terrain: Black Lives Matter Meets Reentry*. The

Prison Journal, 99(4), 387–395. <https://doi.org/10.1177/0032885519852062>