

**“ROOT CAUSE”: SLAVERY MANAGEMENT, BLACK CRIMINALIZATION
AND IMPRISONMENT-INSTEAD-OF-EDUCATION AS MECHANISMS OF
INEQUALITY**

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Abstract: This article explores the historical roots of present-day inequalities and domination, as well of black agency in attempting self-emancipation, in the USA. It argues that these are: managing chattel slavery and the concomitant criminalization of blacks both enslaved and free; reconstruction of labor regimes following official emancipation of the enslaved; the struggles of ex-slaves to create their own, often land-based, spaces of freedom, economic autonomy and self-reliance; today’s inhumane “cradle to prison complex” buttressed by race-based educational inequality, and the license to presume all black persons, particularly males, as potential criminals. Drawing a few comparisons to the social history of slavery and economic racism in Brazil, the Caribbean and South Africa, the article ends by suggesting that it may be important to ask additional questions about the arc of racism, unequal economic opportunity and a freedom that still falls short, to enlarge our sights beyond representational aspects of affirmative action.

Keywords: chattel slavery, post-emancipation, civil rights, land ownership, African Diaspora

Resumo: Este artigo explora as raízes históricas das desigualdades atuais e dominação assim como a agência negra na tentativa de auto-emancipação nos EUA. Argumenta-se que estes são: gestão de escravidão e a criminalização concomitante de negros, tanto escravizados quanto livres; reconstrução de regimes de trabalho após a emancipação oficial dos escravizados; as lutas dos ex-escravos para criar os seus próprios, espaços de liberdade, autonomia econômica e auto-suficiência, muitas vezes baseados em terra; o complexo desumano "do berço à prisão", hoje sustentado pela desigualdade educacional baseada na raça e a licença para presumir todas as pessoas negras, especialmente do sexo masculino, como potenciais criminosos. Esboçando algumas comparações com a história social da escravidão e do racismo econômico no Brasil, Caribe e África do Sul, o artigo termina sugerindo que pode ser importante levantar perguntas adicionais sobre o arco de racismo, desigualdade de oportunidades econômicas e uma liberdade que ainda fica aquém, para ampliar nossa visão para além dos aspectos de representação da ação afirmativa.

Palavras-chave: escravidão, pós-emancipação, direitos civis, propriedade da terra, Diáspora Africana.

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“We have to learn to think in radical terms...getting down to and understanding the root cause. It means facing a system that does not lend itself to your needs and devising means by which you change that system...in order to see where we are going, we not only must *remember* where we have been, but we must *understand* where we have been” (BAKER, 2014).

“Precisamos aprender a pensar em termos radicais... a nos aprofundar e entender a causa raiz. Isso significa enfrentar um sistema que não se dedica às suas necessidades e concepção pela qual você muda esse sistema... para enxergarmos onde estamos indo, devemos não apenas nos lembrar onde estivemos, mas devemos entender o lugar onde estivemos (BAKER, 2014).

“Os mecanismos da desigualdade são econômicos, não de mérito.” (PAIXÃO, 2009-2010)

Introduction

From *12 Years a Slave* to *Fruitvale Station*, the story of enslavement and contemporary racial discrimination against black people in the USA has been emblazoned in recent films whose arc spans the mid-19th century to the 21st, in points of view from romantic to realist, based on “true” stories.² These and other films will be seen round the world, Brazil included—a useful exposure, but one needing contextualization if meaningful comparative critical discussions are to ensue. This article sketches its arguments about the roots of racial discrimination in the USA at the intersection of economics, history, sociology and social practice. Intended as a contribution to broader discussion about contemporary race-based discrimination in the Americas, the article takes as the point of departure an understanding of the African diaspora, now widely shared, that sees it as a long, centuries-old conversation, with ideas and experiences, notions of aesthetics and practices of struggle, religion, music and even fashion, flowing back and forth amongst us.³ This is a view that casts no one locality as “dominant” or superior, and that recognizes that both the convergences and divergences—similarities and differences, as Stuart Hall would say-- of our societies, communities and experiences in this far-flung African diaspora can yield valuable insights.

I will allude to some new and old scholarship, and draw a bridge between an older legacy of 20th century activism—a black Freedom Movement in the southern

² *12 Years a Slave*, Dir. Steve McQueen, Fox Searchlight Pictures, 2013; *Fruitvale Station*, Dir. Ryan Coogler, The Weinstein Company, 2013.

³ For but two persuasive arguments arguing this view of the African diaspora, see Hanchard (2004) and Patterson and Kelley (2000).

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USA--and a newer one of contemporary activist practice. For the sake of brevity, I want to refer to only a few historical-social phenomena, mainly in the society into which I was born but also with occasional diasporic comparisons, which link race with economics. These are managing chattel slavery and the concomitant criminalization of blacks both enslaved and free; reconstruction of labor regimes following official emancipation of the enslaved; the struggles of ex-slaves to create their own, often land-based, spaces of freedom, economic autonomy and self-reliance; today’s inhumane “cradle to prison complex” buttressed by race-based educational inequality, and the license to presume all black persons, particularly males, as potential criminals.

These historical roots of present-day inequalities and domination, as well of black agency in attempting self-emancipation—factors which seem to elude our sights when we could most use them in thinking about policy and collective action for justice and equality—still need probing and elucidation, in theory and in practice, throughout the Diaspora.⁴ Most of the insights which will be posited here are not new, but woven together in a necessarily brief and hopefully provocative sketch, they gesture towards an important conundrum we here share. What additional questions might we be asking about the arc of racism, unequal economic opportunity and a freedom that still falls short, which can enlarge our sights beyond the important representational aspects of affirmative action?

Que outras perguntas podemos fazer sobre o racismo, as oportunidades econômicas desiguais e uma liberdade que ainda nos falta, que podem aprimorar nosso pensamento para além de importantes aspectos representativos de ações afirmativas?

Se minhas observações se tornarem uma contribuição para a construção de um espaço em que continuamos a aprender uns com os outros através das nossas diferenças e semelhanças, nós fazemos questionamentos epistemológicos novos e comparativos acerca dos estudos da Diáspora Africana, o que também será proveitoso.

If my observations become a contribution to constructing a space where we continue to learn from, and with, each other across our differences and similarities, and

⁴ For a comprehensive, bold political theoretical treatment “recontextualizing the racial issues of today as the latest chapter in the continuing story of slavery and its aftermath” in Euro-America, see Thomas McCarthy (2009).

pose new and comparative epistemological questions for African Diaspora Studies, that will be good, too.⁵

“Freedom to be non-citizens”

It is customary to think of the roots of contemporary race-based economic discrimination of African-descended persons and communities in the USA (and other Americas) as deeply embedded in the institution of chattel slavery, and so they are. The 1740 “Act for the better ordering and governing of Negroes and other Slaves” in South Carolina, enacted in the wake of the Stono rebellion, is exemplary in this regard (SMITH, 2005).⁶ But some radical scholars stress a more nuanced history to the phenomenon.

Popular black radical historian Charshree McIntyre (1984/1993), for instance, concurs that dehumanization and cultural repression of enslaved Africans (and of Native Americans, she adds) were used to help justify the system of racialized chattel slavery in the Americas. But this is not a phenomenon we should associate exclusively with the agrarian South, or plantations. McIntyre argues that the existence, almost from the beginning, of small numbers of free blacks in the British North American colonies represented a threat to the emerging dominant system. Free Africans in the midst of white America signified a constant threat to revolt or escape, as well as labor competition. The white colonial elite thus found it convenient to depict African-Americans as a whole as “deviant” and the “natural populations” for the penitentiaries created in early North America. By 1790, for example, blacks were 44% of male prisoners and 75% of female prisoners in the jails of the northern states of New York, Massachusetts, Pennsylvania and New Jersey. (By comparison, *all* of the southern state of Virginia’s 1810 female prison population was black, McIntyre reports.) They were also categorized as paupers, indigenous persons and *vagrants* in hugely disproportionate numbers--then imprisoned. Persons of mixed race denominated black by law were

⁵ Insightful Brazil/USA comparative slavery scholarship is well-developed. To mention but a few examples: Alexander, 1922; Tannenbaum, 1946; Degler, 1971/1986; Bergad, 2007. Affirmative action in its differing global registers is also increasingly under analysis. But race-based economic and social discrimination in the 20th century, and especially the contemporary criminalization of and violence against black youth across the Americas, are still underexplored from a comparative perspective.

⁶ In his landmark study documenting and interpreting the Kongolese-led slave revolt at Stono, Mark Smith reprints the Act, including clauses making it illegal for slaves to learn to read or write, to produce for themselves or trade, to rent a dwelling, to move about without a pass from owners, etc.

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"thrust into the lower caste" and illegitimacy, so much so, writes McIntyre, that 18th century U.S. prisons already "contained a disproportionate number of persons identified as 'Mulattoes' ".

To meet the perceived black social and economic threat, McIntyre argues, a deliberate process of "regression," buttressed by both economic and legal measures as well as social custom, was put in place wherever there were free blacks in North America. The "path of regression" started with free blacks in Canada (Nova Scotia) and the U.S. (Virginia) as early as the 17th century, rather than with the spread of slavery which existed at first in both the North and the South. What did the early “path of regression” look like?

The abolition of slavery in the Northern states which began with the New England state of Vermont in 1777 would result, in large measure, in a kind of "freedom to be non-citizens". Free or freed African Americans, whether black or mixed-race, were then restricted by legislation to "quasi-citizenship, denied political and economic opportunities but subjected to all the responsibilities given to native-born and naturalized citizens" (MCINTYRE). The books of Northern local legislation referring to black persons were replete with constraints or prohibitions on property ownership, participation in the most lucrative types of occupations, marriage to other races, traveling, testifying in court, holding public office, receiving due process under the law, and social behavior. New laws laid down punishments for self-defense against whites, breaking minor codes and—these are most important when thinking about the persistent struggle by blacks to be free-- --*aiding runaways*, and entertaining enslaved friends and relatives in the home.

The result was a tangle of "civil and legal disabilities" right from the start of free black communities in the Northern states. Such restrictions existed before the rush of white immigration that began in the 1830s, McIntyre points out, but "hardened with the influx of so many poor European workers" eager for even the lowliest of menial jobs heretofore occupied by blacks. Once Emancipation was enacted in the course of the U.S. civil war, “regression” would become an even broader norm, especially in the U.S. South.⁷

⁷ The scholarship on emancipation and post civil war reconstruction is venerable and vast. For but a few works in this vein beyond the classic DuBois work *Black Reconstruction*, see Eric Foner (1983) and Ira Berlin and Leslie Rowland (1982/1993).

Legal and especially police measures regulating the social, economic and cultural activities of both free and formerly-enslaved, post-emancipation blacks were in fact common to all of the slave-based Americas. A January 1708 law in Barbados entitled "An Act to Prohibit the Inhabitants of this Island from Employing Negroes and Other Slaves in Selling and Bartering" was typical of regimes linking black trade to criminality, notes Caribbean historian Sir Hilary Beckles (2004). Beckles and Shepherd (2006) document across the Caribbean the control and domination purposes of post-emancipation labor contracts, and the slavery-prolonging arrangements variously known as apprenticeship (1834-38), *patronato* and *contratacion* which were enacted following legal emancipation. They note, for example, the slavery-like exploitation of free children whose birth under the "Law of the Free Womb" [*ventre libre*] should have kept them safe, and the laws with respect to so-called vagrancy, laziness, and carousing.

They document as well the severe restrictions on exercising certain skilled occupations, owning land, or selling one's agricultural and artisanal products fairly; the criminalization of black enterprises and economic cultures; and of course, the expansion of the police system to enforce all this and curb any black protest, right across the Caribbean. The colonial elites, Beckles and Shepherd conclude, "did not want to see the rise of self-confident and independent communities". Brazilian historian Wilson de Mattos (2008), on the other hand, suggests that the urban population of enslaved, free and manumitted blacks in the final decades of the 19th century in Salvador bore important similarities to pre- and post-emancipation African Americans in the U.S.

Most of the enslaved in the city worked under regimes of *ganho* and *aluguel*, and were subject, as a workforce, to policies of social control over work and leisure alike, police discipline, and economic repression. Yet they struggled as best they could to be protagonists of their own lives—deploying transgressive practices and repositioning themselves day by day “between autonomy and control,” as de Mattos puts it. Similar strictures on freed blacks were at work in the 18th century slave-based colony at the Cape of Good Hope in southern Africa, where town laws “forbade free blacks to sell such pathetic sundries as ‘toast and cakes’ on the streets,” and excluded them from agriculture, leaving only the most dangerous of fishing waters as a place for them to earn a precarious living (SHELL, 1994/2001).

Slavery, industrial factories and modern management practices

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The labor regime and management of plantation slavery, a number of historians and critical thinkers (WEB DuBois and CLR James among them) have argued convincingly, presaged and configured in important ways the organization and structuring of U.S. industry after the Civil War. The transition from chattel slavery to freedom was a global process, argue Robin Kelley and Faye Patterson (2000), and part of immensely important struggles over reconstruction of the labor force in the 19th and early 20th centuries. More recently Roediger and Esch (2012) have reminded us in their work tying race, immigration and empire to the history of management in the U.S., that the factory *coexisted* with the plantation, and indeed that textile factories were virtual staging grounds for the slave trade. On this same account, the overseer provided more than a little inspiration for early industrial supervisors of new immigrant and other factory workers. Other ideas and practices entangle slavery with the management practices of the rising new American industries post-Emancipation, including the use of gang labor, particularly in extractive and construction industries, and the sometimes military-style suppression of U.S. labor revolt and dissent. The latter drew inspiration from the earlier institution of slave patrols, as did vigilante groups such as the Ku Klux Klan, whose underlying purpose was to terrorize and retain control of black labor in the South and Midwest.⁸ “Race-saturated discourse,” Roediger and Esch (2012) write, “framed the extraction of productive value from the enslaved,” who were depicted as sullen and lazy, but also indispensable and preferred, creatures with acknowledged capacities, who were treated as animals. Plantation records and journals, these authors argue, presented some of the earliest forms for measuring productivity in industrial fashion, and they remind us that enslaved workers were accounted for as “assets”.

And then there were the twin notions of “whiteness as management” (being a manager or supervisor almost completely synonymous with being white) and the persistence of the “wages of whiteness” (Roediger, 1999), both of which came to fruition in the aftermath of slavery. It was WEB DuBois, in his 1935 *Black Reconstruction in America*, who first described the “psychological wages” of whiteness—the public deference and flattery, admission to public spaces, better schoolhouses,

⁸ On the malevolently pervasive ideas and practices in publicly regulating slavery and policing enslaved and free blacks which were embodied in U.S. slave patrols, see Hadden (2001). Despite the burgeoning studies comparing slavery in the Americas, from South African Boer *komandos* to Brazil’s *capitães do mato*, this is a specific theme still ripe for comparative diasporic studies.

and relative leniency before the law shown to white laborers, which mitigated their own exploitation, and gave them a higher rung in the social hierarchy. Proponents of critical race theory argue that attending to the matter of white privilege is a requisite of historical analysis, not to mention future resolution, of the problem of racial inequality, and certainly it belongs in any full account of slavery and its institutional aftermaths.⁹

Despite the many gains of both the black freedom and the labor movements in the USA, some would argue that these ideas and paradigms continue to exert influence at the junction of race, work and labor in the contemporary USA. But there is also another side to the terrain of slavery and economic freedom, a space the ex-slaves struggled mightily to shape and occupy for themselves.

Freedom self-devised, freedom thwarted

“I am going for my family,’ they say. ‘Are you not afraid to risk it?’ I ask. ‘No, I know the Way,’ they reply.” (White officer writing to his superiors in the Freedmen’s Bureau)¹⁰

“...in the future, as in the past, we propose to be a law abiding people. As in the past, we have by our labors enriched our masters, in many instances, besides supporting ourselves and our families. We now, simply ask that we may be secured as others, in the just fruits of our toil: protected from unjust and illegal punishments, and we are sure we will keep our families from want, and do our part as good citizens of the United States...” (Tennessee freedman, 1865)

“I, the within-signed woman of color, do hereby bind myself with E. W. Reitzell as laborer on his plantation from this the 1st day of August, 1865, to the 1st day of January, 1866. I further agree and bind myself to do all the work he may require of me, to labor diligently and be obedient to all his commands, to pay him due respect, and do all in my power to protect his property from danger, and conduct myself as when I was owned by him as a SLAVE.”... The consideration paid on the part of the employer will be of the same quality and quantity as were furnished the employee while she was the SLAVE of the employer.” (Labor contract for agricultural work signed by a Freedwoman)

"A band of Ku Klux visited Dublin last Wednesday night and paid their respects to the bad elements. Vagrants, tramps, thieves and lewd women were taken charge of and severely punished...*A Negro was killed.*" (Published in the Dublin, Georgia *Post*, August 26, 1885)

⁹ On critical race theory’s foundational ideas, see, for example, Kimberlé Crenshaw and Garry Peller (1995).

¹⁰ This epigraphic testimony and the two which follows are part of a rich set of archives increasingly available online which finally allow the voices of the ex-slaves to be heard across the centuries. Examples include the archive from which the passages and testimonies cited in this section are taken, the Freedmen & Southern Society Project, at <http://www.history.umd.edu/Freedmen/> which utilizes the U.S. National Archives to make patent “the drama of emancipation in the words of the participants: liberated slaves and defeated slaveholders, soldiers and civilians, common folk and the elite, Northerners and Southerners”. Also extremely useful in this regard is the University of North Carolina at Chapel Hill’s Documenting the American South, at <http://docsouth.unc.edu/>, which has a lode of first-person accounts of the Civil War and Reconstruction.

The four epigrams cited above and the illustrations seen below signal simply but graphically both the determination to devise their own freedom, and the challenges faced by the freedmen and freedwomen in the U.S. South after the Civil War. A well-known body of scholarship has documented and interpreted from many vantage points this historical period, and it would be superfluous to do so here.¹¹ But it may be useful to call attention to a few things. First, the extent to which the ex-slaves drew on their *own* ideas about economic organization and ways of life is still insufficiently explored.

Consider, for example, the “back-stories” behind the vaunted, but aborted, policy popularly recalled as “40 acres and a mule” to be awarded to freedmen and women in coastal South Carolina (including the Sea Islands) and Georgia. The basic, radical idea is fairly well-known: the federal government proposed massive confiscation of private property -- some 400,000 acres -- formerly owned by Confederate land owners, which would be methodically redistributed to former black slaves in 40-acre segments (no mule actually was promised). Conventional wisdom styles this as the idea of Union General William T. Sherman, through a field order issued on January 16, 1865.¹²

But Harvard scholar Henry Louis Gates (2013) asserts that this idea, which might have led to such a different set of economic outcomes for the formerly enslaved, was actually the result of a discussion that Sherman and Secretary of War Edwin M. Stanton held four days *before* Sherman issued the Order, with 20 leaders—half born free, half newly emancipated-- of the black community in Savannah, Georgia. This was where Sherman had been headquartered following his famous March to the Sea. Stanton, Gates recounts,

had suggested to Sherman that they gather "the leaders of the local Negro community" and ask them something no one else had apparently thought to ask: "What do you want for your own people" following the war? And what they wanted astonishes us even today.... "The way we can best take care of ourselves," Rev. Frazier began his answer to the [question] "is to have land, and turn it and till it by our own labor ... and we can soon maintain ourselves and have something to spare ... We want to be placed on land until we are

¹¹ One of the more fertile fields for comparative scholarship on freedpersons' determination to construct new, decent lives is in the field of education. Ideas about citizenship, knowledge and culture, and hence the urgent appeals for schools for their children and the joining together of sparse means to create such schools themselves, by post-Emancipation black people in the USA and Brazil, were in many ways echoes of one another. (See, for example, ALBUQUERQUE, 2009 and WILLIAMS, 2005).

¹² A conventional version of this history may be seen at William T. Sherman's Special Field Order No. 15.

able to buy it and make it our own." And when asked next where the freed slaves "would rather live -- whether scattered among the whites or in colonies by themselves," without missing a beat, Brother Frazier (as the transcript calls him) replied that "I would prefer to live by ourselves, for there is a prejudice against us in the South that will take years to get over ... "

The freed-persons knew well the possibilities they so earnestly sought. In 1861 during the so-called Port Royal Experiment, black residents of the Union Army-liberated Carolina Sea Islands, including the main harbor at Port Royal, had successfully worked the lands abandoned by their former plantation owners, reorganizing the local economy. President Andrew Jackson ended the experiment in 1865, though, by returning the lands to white owners.¹³

This unfortunate and deliberate quashing of economic freedom, underscores a second issue, which is this. Due to the rapid restitution of white economic power over black freed-persons in the U.S. South, the so-called "gift of freedom" that was official Emancipation, some recent scholarship argues, was in many ways "a swindle" (Marcus Wood, 2010). The brief interlude of Reconstruction, that radical experiment in partial freedom and "interracial democracy" was all too-quickly overthrown. As is now widely-recognized, many black people who strove to keep lands they managed to purchase, sought new economic occupations, or just wanted decent work to support their families, found themselves forced to accept contracts so like their previous condition as to be almost indistinguishable from it.¹⁴

Others were caught in the new version of slavery, share-cropping, like those depicted in the illustrations below.¹⁵ In the 1890s post-card photograph of a Georgia plantation (left) we are assured that cotton is "still king," and black labor, repressed and super-exploited. And in the *Harpers* weekly, December 1868 cartoon of Ku Klux Klanners (right), we see but one facet of the massive terror and political repression which helped assure the new/old regime.

¹³ For more on this little-known historical episode, see W. L. Rose (1964/1978).

¹⁴ For a more detailed account of the "patently separate but unequal" regime fashioned to "preserve white supremacy, especially for the disadvantaged whites," in a system which wanted unskilled, but not skilled, blacks, see Gerald Jaynes (1986). The real question for the white-controlled New South, Jaynes argues, was this: "*Would the free Negro continue to work like a slave?*"

¹⁵ The images of Klansmen (055h813p.jpg) and sharecroppers (03992136.jpg) are from the online collection of the Schomburg Center, New York Public Library, entitled Digital Schomburg Images of 19th Century African Americans, at http://digital.nypl.org/schomburg/images_aa19/reconst.cfm?

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Picture 1



Picture 2



Picture 3

The association between being black, criminalization and economic discrimination have deep roots as well in another post-Emancipation historical institution, the one some scholars and activists have rightly termed “slavery by another name”: convict labor. Making no bones about it, the chief argument for black convict labor, according to the *Dublin Post* of Georgia in 1881, was that it “competes with no free white labor”. The “totally free labor” of barbarously-treated, leased black convicts was enjoyed by, among others, the Georgia turpentine, mining, railroad construction

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and maintenance industries, as well as sugar cane companies in Florida and Louisiana, beginning in the 1860s (JAYNES, 1986).

Writing about this period, Blackmon notes that

In Alabama alone, hundreds of thousands of pages of public documents attest to the arrests, subsequent sale, and delivery of thousands of African Americans into mines, lumber camps, quarries, farms, and factories...debt slavery...arrests for inconsequential charges or violations of laws specifically written to intimidate blacks...hundreds of forced labor camps came to exist...operated by state and county governments, large corporations, small-time entrepreneurs, and provincial farmers. ...By 1900, the South's judicial system had been wholly reconfigured [for] coercion of African American to comply with the social customs and labor demands of whites....A world in which the seizure and sale of a black man—even a black child—was viewed as neither criminal nor extraordinary had reemerged. Millions of blacks lived in that shadow—as forced laborers or their family members until...World War II, when profound global forces began to touch the lives of black Americans...”

“Anatomy of racial inequality”

Given this history of racial inequality, it should be no surprise that the arguments made by some contemporary scholars stress what they view as lingering psychological and economic effects. Among them is Brown professor Glenn Loury, who has written (though not unproblematically) a structural analysis of the strong links between racial stereotypes, racial stigma and the economics of discrimination. His argument, in brief, is that in the U.S. socially-rooted, unexamined racial classifications are used subjectively, with feedback effects in spheres such as employment and police action. The resulting decisions, behaviors and performances largely prejudicial to black people, Loury argues, are not those of so-called “rational economic actors”. On this view, employers and the police use “instinctive pattern recognition, based on beliefs about racial markers on the body of the black person--man, woman, boy, girl” when considering the facts, the record, the resumé, the school transcript, or the police report. In other words, the supposed link between blackness, criminality and moral or cultural depravity keeps the stigma engendered by slavery going in the U.S. Loury suggests that these assumptions of supposed racial inferiority of blacks carry as well assumptions about white capacity. Race plays a large role in what Loury terms “this game of inference,” but so also does social class, an aspect of individuals and groups often “read” through dress, manner, occupation, and speech. On this view, it is easy to see how class and race are imbricated in a host of economic decisions and outcomes with

respect to black people. Duke University economist William Darity (2000) marshals a different set of persuasive arguments about the phenomena of race-based discrimination, or what he calls “stratification economics”. Poor prospects for economic inclusion and justice, for this economist, have little to do with cultural differences, but can be traced back to the outright theft of black assets, especially land, in the previous era. Nevertheless, a large majority of black people in the U.S. have even more to worry about than a lack of economic assets to pass on to their offspring, for economic discrimination has been taking dramatic, punitive forms.

From the “prison-industrial complex” to the “New Jim Crow”

The classic texts on the U.S. ‘prison-industrial complex’ have, of course, been written by radical black activist, scholar and philosopher Angela Davis. Her writings and speeches have “outed” many of the companies using prison labor or selling prison-made products: IBM, Motorola, Compaq, Texas Instruments, Honeywell, Microsoft, Boeing, Nordstrom department stores. It is still worthwhile to recapitulate her analysis here:

Imprisonment has become the response of first resort to far too many of the social problems that burden people who are ensconced in poverty. These problems often are veiled by being conveniently grouped together under the category “crime” and by the automatic attribution of criminal behavior to people of color. Homelessness, unemployment, drug addiction, mental illness, and illiteracy are only a few of the problems that disappear from public view when the human beings contending with them are *relegated to cages*. ...But prisons do not disappear problems, they disappear human beings. And the practice of disappearing vast numbers of people from poor, immigrant, and racially marginalized communities has literally become *big business*.... the expanding penal system can now be characterized as a “prison industrial complex.... (DAVIS, 1998)

The policy of privatizing U.S. prisons, moreover, has made the expansion of the system an important economic interest of many towns and cities throughout the country (CHAPPELL, 2012).¹⁶ Now the analyses of Davis and others is being buttressed and

¹⁶ Also bringing the inhumane treatment of U.S. private prisons to light, and linking it clearly with the millions, or in some cases billions, in earnings by private prison companies are a spate of other recent articles in newspapers and magazines with headlines like “The Caging of America” and “Louisiana is the World’s Prison Capital”. There are numerous reports as well from civil society and professional organizations with titles like “Barbaric conditions at for-profit youth prison in Mississippi exposed” (Southern Poverty Law Center); and “Federal Folly: FY2012 Department of Justice budget gorges on prisons, gouges juvenile justice” (Justice Policy Institute), to mention but a few.

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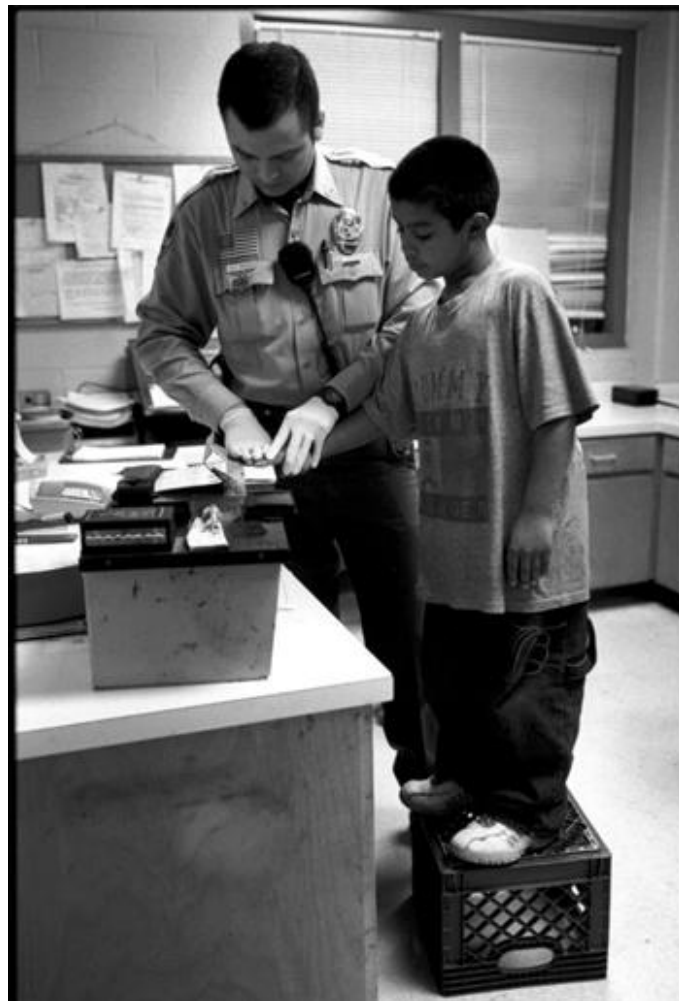
updated by observers who argue that, while affirmative action in maintaining diversity in elite colleges and universities is important, the arc of race-based economic discrimination continues ominously in this new century as mass incarceration. The latter has become a "comprehensive and well-disguised system of *racialized social control*" similar to the old Jim Crow system established after Reconstruction, activist attorney and legal scholar Michelle Alexander (2012) has recently asserted. The ultimate purpose of the *New Jim Crow* is to warehouse *a now-disposable population*, as their labor is no longer needed.

Poor black and brown men, once incarcerated, are denied access to the mainstream economy, Alexander points out, including being legally denied employment, housing, and public services. Consider the fact that the US currently has a larger percentage of its black population in prison than did South Africa under apartheid. Three out of four young black men, mostly from poor neighborhoods, will be imprisoned at some point, research done by Alexander and others suggests. Almost 5 out of every 100 male African-Americans are in jail, a rate more than five times that of white Americans.

"The current system of control," Alexander argues, "permanently locks a huge percentage of the African American community out of the mainstream society and economy," creating an *undercaste* of persons, by law and custom. Moreover, the U.S. prison system, as Angela Davis long ago pointed out, is increasingly gendered. This mass incarceration, Alexander and a legion of U.S. community activists insist, is not a *consequence* of poverty, unequal education or the drug market. Rather, it either helps *cause* or perpetuates them.

Many activists are now calling the phenomenon of youth of color (black and Latino) being incarcerated at unprecedented levels the "cradle-to-prison pipeline". Even a partial run-down of the statistical picture, portrayed in a Children's Defense Fund 2007 report, supports their arguments. About 580,000 black males are serving sentences in state or federal prison, while fewer than 40,000 black males earn a bachelor's degree each year. One in 3 black men, 20–29 years old, is under correctional supervision or control. Black juveniles are about four times as likely as their white peers to be incarcerated. Black youths are almost five times as likely to be incarcerated as white youths for drug offenses. Of the 1.5 million children with an incarcerated parent in 1999, black children were nearly nine times as likely to have an incarcerated parent

as white children; Latino children were three times as likely as white children to have an incarcerated parent. On the other hand, according to a Harvard Civil Rights Project and Urban Institute report, only 50 percent of black and 53 percent of Latino students graduated from high school on time with a regular diploma in 2001. When black children do graduate from high school, they have a greater chance of being unemployed and a lower chance of going directly to full-time college than white high school graduates.



Picture 4

What do the statistics on poverty, the other side of this coin of inequality, reveal, according to the Children's Defense Fund study? Black children in the U.S. are more than four times as likely as white children to live in *extreme* poverty. One in 3 Latino babies and 2 in 4 black babies are born into poverty; 1 in 4 Latino children and 1 in 3 black children are poor. Such figures are often startling to audiences accustomed

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to media images of a steadily-enlarging black middle class. Recent scholarship is taking a closer look at this picture, too, and disputing the escape of many African-Americans from the “path of regression”. Sociologist Becky Pettit’s study, for instance, on the large swathe of black males whom we do *not* see in the conventional success stories, shows regression on economic equality and closing the black-white wealth gap in the U.S., once imprisoned blacks are put back into the national statistics from which they have been removed since 1984.

The “cradle to prison pipeline,” the enduring racial inequities in education, and even the persistent question of unjust alienation of land are all being challenged by an array of social movements in the U.S. which we have not the space to chronicle here. Because the author has been involved with a project to preserve but transfigure the legacy of the Southern Freedom Movement,¹⁷ I should like to end with a brief mention of two such current struggles, and in doing so, link them back to the arguments made thus far.

“Movement emerges from Movement”

“We tolerate a *sharecropper’s* education.” (Bob Moses)

One dimension of a new, 21st century political struggle for equality takes as its point of departure the educational legacy left by the regime constructed post-Emancipation and Black Reconstruction to keep African-Americans subjugated. It is a movement which seeks to bring to public attention, and break, the stubbornly-enduring links between racism, poor-quality public education, and economic discrimination in the U.S.

One of its leading proponents is Harvard-trained mathematician and former Mississippi Student Non-Violent Coordinating Committee (SNCC) field secretary Bob Moses, who is also on the board of a recently-established SNCC Legacy Project. For Moses, mathematics is not just the language of science and technology, but “a tool of liberation”. His national Algebra Project has for more than two decades been pursuing the goal of establishing “*math literacy for freedom and citizenship*”.¹⁸ Moses and his allies of concerned public educators, activist youth of color, and veterans of the

¹⁷ I refer to the SNCC Legacy Project about which there is more at <http://www.sccclegacyproject.org/>.

¹⁸ For more on the Algebra Project, see Moses and Cobb (2001).

Southern Freedom Movement encapsulate their ideas in the notion that “*Quality education is a constitutional right.*” They draw an analogy between the political, economic and technological transformations in the South which first made black sharecropping families the economic and social prisoners of white landowners, and then rendered black people “exportable” to the North, on one hand, and the educational plight of many black and poor youth today, on the other. “Sharecropper education in the age of cotton has been transported alive and kicking into the age of information,” Moses argues.

In the view of these activists for educational justice, economic access passes through the possibility of taking advantage of new technologies. That, in turn, requires a knowledge of math, and more broadly, better-quality education all-round. We should mention, at this point, that Brazil’s own black social movements have long made similar arguments, and institutions such as the Steve Biko Institute in Bahia have made the struggle to link math, science and equality a key plank in their missions.¹⁹

Fighting for land in Southwest Georgia

Land ownership, that old sore spot of black freedom thwarted in the U.S. (as elsewhere), is also looming once again on the horizon of struggle in some of the very spaces that this brief analysis of race and economic discrimination has mentioned. It should be recalled that rotating credit associations (as in Africa) were one of the stratagems that freed-persons deployed immediately after Emancipation to purchase homesteads. Land Associations, as they were called, were started up all over the South, including Southwest Georgia. But it was a “Negro Agrarianism” which ultimately floundered on lack of start-up capital, white terror, planters’ power, and Jim Crow, where the brief hope of “40 acres,” withered in a new regime which favored the old masters rather than the new freed-people.

Southern Freedom Movement veterans became the progenitors of a renewed cooperative movement begun in the late 1960s. One example was the Georgia New Community Land Trust, founded by members of SNCC and other civil rights movements, which became the umbrella for a new cooperative founded in 1969 by

¹⁹ How the posited link between access to math and science education in the 21st century and freedom is being approached in different parts of the Diaspora has yet to be comparatively explored in any systematic way.

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black families in the Albany, Georgia area.²⁰ The Trust has seen ups and downs since then, and its members plagued by institutional discrimination, not least at the hands of the U.S. Department of Agriculture.

But a long judicial struggle against discriminatory US farm policies led by former SNCC activists Charles and Shirley Sherrod, on behalf of the area’s black farmers, recently resulted in a financial settlement making possible the recovery of 6000 acres for sustainable farming, affordable housing, and collective ownership of land, but also private ownership of property. The struggle, and the agrarian experiment in black freedom in the U.S., seems far from over.



Picture 5

Convergence/ Divergence?

I will end where I started, with more questions. What can we learn from each other about race and economic discrimination—about affirmative action in education, of course, but also about even deeper structural injustices which go beyond representation

²⁰ Once again, black efforts at achieving economic freedom offer the potential to help resolve a broader set of national social issues. According to a recent Cornell University case study, Community Land Trusts such as the black-owned one in Southwest Georgia, while not without their own array of problems, may be a model for preserving home affordability for low-income families. See http://government.cce.cornell.edu/doc/pdf/BaranRees_CLT.pdf and also <http://atlantadailyworld.com/2013/10/22/black-farmers-finally-collect-in-1-2-billion-in-discrimination-case/>

in universities? What does the emerging topology of struggle in Brazil – I think of it as a “theory-methods package” of territory/citizenship/difference-with-equality/knowledge/culture/power – suggest for thinking more broadly about the contemporary links between race and social justice? If we were to study *together*, say, the quilombola community of Rio dos Macacos or the Southwest Georgia community land trusts, or the Steve Biko Institute’s Oguntek and the Algebra Project, or going further back in time, the Port Royal experience of Reconstruction and the 19th century Brazilian quilombos and mocambos, what might we learn about the practice of freedom—including economic freedom-- in the African diaspora? The possibilities are nearly endless and seem vibrantly important.

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