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High Stake Essay: Significance of *13th* by Ava Duvernay and *Sing, Unburied, Sing* by Jesmyn Ward

“...Sometimes I think it done changed. And then I sleep and wake up, and it ain’t changed none..” (Ward 171). The documentary *13th* by Ava Duvernay on Netflix highlights the 13th amendment’s exception clause, and how even though traditional slavery as we know it throughout our history has been abolished, contemporary slavery is and has always been alive and well within American society. The documentary also educates audiences on how racist stereotypes of black individuals, capitalism, and civil rights movements throughout history have been fuel for political, racial, and economic agendas and manipulation ultimately providing excuses for institutions such as mass incarceration to be established and backed throughout our history. One specific example of the evolution of mass incarceration is displayed in the book *Sing, Unburied, Sing* by Jesmyn Ward, where two characters named Pop and Richie discuss their experiences as an African-American teenager and young boy at Parchman prison in rural Mississippi in the late 40s. Both the documentary and novel not only emphasize the historical problem of race within America and how it was the main reasoning behind prisons being established, but also why the prison systems are set up the way they are today.

We can’t talk about American prison systems without talking about the experience of Black Americans within our society. After the 13th amendment was put in place, being able to

own an individual was illegal. Once enslaved black individuals were now legally recognized as American citizens. However, just because it was on paper did not change the mindset of former enslavers and other white individuals who saw Black Americans as inferior. To the rest of society, black people were black bodies that could be used for a profit. While it is historically known that there was a time where slavery was not attributed to race, due to the economic gain Europeans and White Americans saw with the Trans-Atlantic Slave Trade and the eventual colonization of African countries, people of African decent and other people of color were systemically chosen to be considered the most inferior race, lacking civilization, knowledge, and regarded as less human than white people as justification to do as they pleased with an entire race of human beings. In America, this translated to the treatment of African Americans as second class citizens who, regardless of their status as citizens, were constantly reminded of their place in society and how their citizenship was nothing more than words on paper. If black people could not be controlled simply for the color of their skin and the association of that to being slaves, then the next solution was to make black people, and specifically black men, a threat to whites. Being able to portray African Americans as savages, violent animals, criminals, and anything other than human, created illogical yet legal grounds for an already racist country to instill backhanded and sneaky legislations, laws, and practices, which did not outwardly identify anyone yet targeted African Americans nonetheless. This was seen with consistent scare tactics, lynchings, Jim Crow, convict leasing, disenfranchisement, and the criminalizing and contemptuous attitudes of civil rights' movements that plagued black communities all over the country. In "Sing, Unburied, Sing" we learn that eleven year old Richie's reasoning as to why he was sent to Parchman was simply because he was stealing food to feed his hungry siblings. For

Pop, or River, it was for taking his brother home after a fight with a white man at a bar. Both of these convictions were unreasonably decided as part of a larger agenda of using the thirteenth amendment's exception clause to re-enslave black men, women, and children. This idea of seeing black individuals, regardless of their age, as a threat is also evident in Ward's novel when Jojo and his family are stopped by an officer on their way home from Parchman. Jojo, being a thirteen year old boy, and his black mother Leonie, were unashamedly cuffed by a white officer while his white father (and the only one with a criminal record) was not. To make matters worse, Jojo was also placed on his back with a gun pointed at him as if he was not just a young boy unfortunately caught up in his parent's mistakes, highlighting not only throughout the book but within the documentary that even black children were not allowed a childhood of innocence and discovery, but viewed as an individual growing into their fate as a threat to the rest of society.

That idea is one of the main justifications for the mass incarceration today and all other forms of legal slavery that came before it. The *13th* discusses the next stage of free labor in the United States which came in the form of convict leasing. Black-Americans, specifically men and boys, were stripped of their rights over petty and false crimes, and forced to work for state and private owned industries. Pop recounts his experience of the environment at Parchman to Jojo, and tells him about Kinnie, a white criminal who was in charge of the dogs to track escaped prisoners, Hogjaw, another white criminal imprisoned for murder who preyed on Richie, and "Black Annie" which was the whip used to punish prisoners. The environment at Parchman prison for Richie and Pop were almost indistinguishable from that of slaves on plantations. They were now property of the state, disposable beings, made to do whatever other white farmers did not: "...I'd worked, but never like that. Never sunup to sundown in no cotton field. Never in that

kind of heat. It's different up there...only thought of my mother...it was the only way I could untether my spirit from myself, let it fly high as a kite in them fields. I had to, or being in jail for them five years woulda made me drop in that dirt and die..." (Ward 22-23). Convict leasing eventually came to an end, not because of the conditions of the prisons or because America decided to finally do right by Black-Americans, but simply because of the loss of revenue and complaints by poor White Americans, and white farmers that black bodies were taking their jobs. Civil rights' movements were gaining momentum during the 50s and 60s, which included boycotting, peaceful and sometimes violent protesting. Instead of listening to the demands of African Americans, the government deemed black leaders as criminals to the country and chose to use these movements as more justification as to why black Americans were violent criminals who needed to be locked up in order to protect the safety of society: "So, just through sheer demographic change, we had an increase in the amount of crime...and it became very easy for politicians then to say that civil rights movement itself was contributing to rising crime rates, and that if we were to give the Negroes their freedom, then we would be repaid, as a nation, with crime..." (13th). Just like the generations before, there was now fuel for controlling the black population and containing, using, and profiting off of them to the white population's benefit. During the presidencies of Reagan and Nixon, the War on Drugs was put into effect, permitting crack (a cheaper, smokeable alternative to cocaine) to come with a heftier prison sentence than that of cocaine, its more expensive counterpart. Because of the economic disparities in income between white and black Americans during this time, the government knew that this law would affect black Americans significantly more than white Americans. By the end of the 1980s to early 1990s, Black men made up almost half of prisons in America, introducing the era of mass

incarceration. This is still extremely prevalent today with sentence minimums and maximums being established, along with the idea of keeping American society safe from crime, historically associating black Americans as thieves, thugs, drug dealers, etc., only continue to perpetuate the dangerous stereotype that African Americans are the cause of crime in the United States. While reforms have been made, and prisons are not what they used to be, there are still huge disparities in the amount of Black people in prisons, the charges given, and the time that they serve.

Even though Richie is a ghost character created from the mind of an amazing author, his words are far from a figment of imagination. Things have not changed, but have only been redesigned to be legal with the changes of American society. However, when you take a close look, every systematic, political, and societal choice that somehow still affects the majority of black and brown individuals is coming from the same, tired, narrative & agenda this country has put in place as soon as they no longer had control over black bodies. Black individuals were never meant to be citizens of this country, and the laws and amendments throughout history have consistently highlighted that to some degree: second class Americans who, in whatever way possible, should be inferior to whites.

Works Cited

Duvernay, Ava, director. *13th*. Netflix, 2016.

Ward, Jesmyn. *Sing, Unburied, Sing*. Large Print Press, 2018.