Beale Street Can Still Talk: Racial Discrimination in the Carceral System of America

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The correlation between race and mass incarceration in America is indicative of a discriminatory carceral system that normalizes the criminalization and relentless persecution of Black lives. In his novel *If Beale Street Could Talk*, James Baldwin calls attention to the inequities of the carceral system, and how those inequities enable the mistreatment of Black lives. The story is told from the perspective of a young Black woman, Tish, who lives in New York with her family and fiancée, Fonny. Fonny is wrongly accused of committing a crime, and Tish, pregnant with his baby, documents the devastating effects his imprisonment has on their lives, as a poor, Black family in America. Baldwin integrates the reemergence of Fonny's childhood friend, Daniel, who reveals his traumatic experience with the carceral system. By examining Baldwin's focus on both Fonny and Daniel's experiences with incarceration in America, it is apparent that this novel remains relevant in today's society due to the occurrences of racial profiling, institutional racism, and exploitative capitalism that the Black community still encounters today as victims of the carceral system.

Through Baldwin's portrayal of Fonny and Daniel's similar encounters with law enforcement, it is evident that racial profiling is extremely normalized, which results in authorities specifically targeting Black lives. When Daniel gains the courage to tell Fonny and Tish about his experience in prison, he reveals that his arrest was made on false charges. Because Daniel was found in possession of marijuana when he was forcibly removed from his house, law enforcement intimidated him into admitting that he stole a car, so he wouldn't get booked for possession of marijuana. The emotional scarring from reflecting upon the incident leaves Daniel extremely distressed, and he cries:

> They were just playing with me, man, because they could. And I'm lucky it was only two years, you dig? Because they can do with you whatever they want. *Whatever they want*[...]That car I ain't seen yet. I guess they just happened to need a car thief that day. Sure wish I knew whose car it was. I hope it wasn't no black dude's car, though. (Baldwin 54)

In this excerpt, Daniel is expressing how easily the authorities can choose to scapegoat Black men, instead of going out of their way to find the real criminals. Because of how normalized racial profiling is, it is a mere matter of convenience for authorities to suspect and arrest Black men, without facing consequences for making an unjust arrest or arresting without sufficient evidence. The way that Daniel's experience in prison affects his mental health is telling of how severely mistreated Black people are in the hands of the "justice" system. In his novel, *Begin Again: James Baldwin's America and Its Urgent Lessons For Our Own*, Eddie S. Glaude Jr. discusses the history of anti-Black racism in America through the lens of James Baldwin's writing and reveals how, even today, the structure and processes of the government and institutions of America still ensure the marginalization of Black lives. While commenting on the transformation from "old" America, to the "after times", Glaude explains:

> In critical moments of transition, when it seems as if old ways of living and established norms are fading, deep-seated fears emerge over loss of standing and privilege[...] Boys were cuffed and beaten by police, for no reason other than because they were black. But more horrific than these crimes was the country's steadfast refusal to confront the truth that made them inevitable. (Glaude 24)

Here, Glaude offers an explanation as to why Black people were continuously treated inferiorly throughout the transition from the times of slavery, to the present days of mass incarceration and police brutality. By proposing

that the idea of allowing Black people to have any semblance of power challenges the status quo of America, Glaude suggests that the institutions of today, such as prisons, are a way to guarantee that Black people cannot move up the "rungs" of society enough to cause the "loss of power or privilege" for Whites. Relating back to the story, Daniel's arrest was made mostly on the basis that he was Black, and the authorities "just happened to need a car thief that day", which is an example of how Black lives are subjugated by law enforcement. As Glaude mentions, the evidence of "the country's steadfast refusal to confront the truth" lies in the carceral system; the system itself is a vessel through which the legal oppression of Black lives is achieved. Moreover, Fonny's own experience with law enforcement further proves that racial profiling and stereotyping is normalized to the extent that, in order to live safely, Black people themselves must acknowledge racial biases in order to keep themselves and their loved ones safe. When a white man sexually harasses Tish while she is grocery shopping, Fonny comes to her defense; however, he catches the attention of a white police officer who threatens to arrest him even though he was trying to protect Tish from a predator. After the incident, Fonny is extremely upset that Tish put herself in danger by shielding him from the officer with her body. Fonny tries to explain to Tish why she should never step in front of a police officer to protect him, and he exclaims, "They got us in a trick bag, baby. It's hard, but I just want for you to bear in mind that they can make us lose each other by putting me in the shit – or, they can try to make us lose each other by making you try to protect me from it. You see what I mean?" (Baldwin 72). From analyzing this dialogue, it is apparent that the effect racial profiling has on the Black community is so volatile, that simply walking down the street or protecting a loved one becomes an incriminating action when in the presence of law enforcement. Tish has to acknowledge that even though Fonny did nothing wrong, the officer could choose to fatally harm him, so she physically places herself between the officer and Fonny, in hopes that the officer will spare him. Tish's action to protect Fonny demonstrates how susceptible Black men are to becoming targets for authorities, merely for the reason of being Black. In *Are Prisons Obsolete?*, Angela Davis explores the ease with which racial biases are created and sustained through America's carceral system. Davis specifically examines the normalization of racial profiling by discussing how law enforcement uses race to rationalize targeting individuals. Davis articulates:

> Acknowledged disparities in the intensity of police surveillance- as indicated by the present day currency of the term "racial profiling" accounts in part for racial and class-based disparities in arrest and imprisonment rates[...] Enormous numbers of people are in prison simply because they are, for example, Black, Chicano, Vietnamese, Native American, or poor. They are sent to prison, not so much because of the crimes they may have indeed committed, but largely because their communities have been criminalized. (Davis 113)

Through this analysis, Davis argues that as a direct result of being scrutinized by law enforcement, minorities are constantly arrested and imprisoned, regardless of whether they actually committed a crime or not. Davis explains that law enforcement promotes the marginalization and oppression of minorities by criminalizing the very existence of people of color. The selective intensity of police surveillance is a factor that substantially contributes to both Daniel and Fonny's arrests; the way that they are both singled out by officers is a primary example of racial profiling. Although neither Daniel nor Fonny were present at the crime scenes when the crimes occurred, they were both incarcerated, because as Davis mentions, the color of their skin was enough to incriminate them.

Additionally, institutional racism in the criminal justice system ultimately perpetuates the oppression of the Black community, as observed by the false allegations that warrant both Daniel and Fonny's arrests. Fonny's experience with the carceral system is similar to Daniel's; both men are falsely accused, arrested with little to no evidence, and wrongly selected out of a lineup, which demonstrates an established pattern of institutionalized discrimination. Fonny is falsely accused of raping a young Puerto Rican woman, Victoria, by the same officer who targeted him for protecting Tish earlier in the novel. When Tish visits Fonny in prison, she mentions:

> And – you were the blackest thing in the lineup that morning. There were some white cats and a Puerto Rican and a couple of light brown brothers – but you were the only black man[...] She says she was raped by a black man, and so they put one black man in a lineup with a whole lot of pale dudes. And so, naturally, she says it was you. (Baldwin 93)

Here, Baldwin reinforces how the procedures carried out by the criminal justice system are designed to blatantly disadvantage and incriminate Black people, and the behavior exhibited by this system is an example of institutional racism. Placing only one Black man in the lineup ensured that Victoria would choose Fonny, and because of the trauma she is suffering from, she wants to immediately pick out who resembles the perpetrator the most so she can try to place the incident behind her and move forward. The criminal justice system uses Victoria's trauma and position of oppression, as a Puerto Rican woman, and weaponizes it against Fonny, a Black man. The system takes advantage of these two oppressed groups, pitting them against each other in order to justify the institution's racial biases. Despite being wrongly identified, Fonny is incarcerated and only allowed to talk to Tish through a glass barrier. While in prison, Fonny reflects upon the treatment that the other Black prisoners are subjected to, and thinks:

> What have they done? Not much. To do much is to have the power to place these people where they are, and keep them where they are. These captive men are the hidden price for a hidden lie: the righteous must be able to locate the damned. To do much is to have the power and the necessity to dictate to the damned. (Baldwin 99)

Fonny realizes that none of the other Black men have committed crimes severe enough to justify the degradation and abuse that they endure from the system. He ponders over the dynamic between the authorities and Black prisoners, and how that dynamic is reflective of the system's relentless persecution of minorities who can't fight back without receiving further punishment. In her novel, *The New Jim Crow- Mass Incarceration in the Age of Colorblindness*, Michelle Alexander analyzes the means through which the carceral system contributes to the sustenance of a racial hierarchy that can be regarded as a "racial caste system". Alexander argues:

> Jim Crow and slavery were racial caste systems. So is our current system of mass incarceration [...]Although this new system of racialized social control purports to be colorblind, it creates and maintains racial hierarchy much as earlier systems of control did. Like Jim Crow (and slavery), mass incarceration operates as a tightly networked system of laws, politics, customs, and institutions that operate collectively to ensure the subordinate status of a group defined largely by race. (Alexander 12)

Through this assessment, Alexander proposes that the carceral system is a form of social control which is designed with the intent of oppressing Black people, and therefore, draws a correlation between the system and Jim Crow segregation laws. Alexander emphasizes how institutionalized discrimination promotes racial stratification, which ensures that Black people are presented with a more disadvantageous system, whether that means receiving harsher and longer sentences than their White counterparts, or even being denied a fair trial. Fonny's reflection of the treatment of Black lives in the carceral system demonstrates how the system misuses its power to retain the upper-hand over the Black community, as the system has the power to "place these people where they are and keep them where they are". In accordance with Alexander's assessment of the system, Fonny's realization emphasizes how the system functions as a racial caste system in which "captive men are the hidden price of a hidden lie", with the hidden price being the severe mistreatment of incarcerated Black people, and the hidden lie being that law enforcement and the carceral system better our society by protecting and treating all citizens equally. The institution displays contempt for basic human rights by consistently perpetuating anti-Black racism in America.

Furthermore, Baldwin explores the means through which exploitative capitalism within the carceral system takes advantage of the families of prisoners, specifically, by displaying the adversity that Fonny's family faces while trying to pay for his bail. A family desperately trying to remove a loved one from prison is an opportunistic incident that allows lawyers and bondsmen to capitalize off of the family's despair. After visiting Fonny in

prison, Tish describes the uneasy feeling she experiences when observing the masses of lawyers, bondsmen, and families surrounding her when she exits the building. While walking through the corridor, she comments, "If you cross the Sahara, and you fall, by and by vultures circle around you, smelling, sensing, your death[...]The poor are always crossing the Sahara. The lawyers and bondsmen and all that crowd circle around the poor, exactly like vultures" (Baldwin 3). Tish draws a correlation between bondsmen, lawyers, and vultures to emphasize how the carceral system inevitably promotes the exploitation of socioeconomically disadvantaged families. Like vultures, the lawyers and bondsmen prey on these vulnerable groups who have given up hope of receiving even a shred of fair treatment. Despite the fact that every member of Tish's family is working, they are still living in poverty, but have no other option than to spend all of their money on legal assistance. The processes of the criminal justice system are supported by the ideologies of capitalism; business and money are the basis that ideals are built upon in order to survive in America. Expectedly, Fonny's imprisonment has severe repercussions on his family, as they struggle greatly to attempt to pay Fonny's bail. Tish and Fonny's fathers are both making every effort to repair their children's broken lives, no matter how they have to do it, and Tish expresses:

> Joseph is coldly, systematically, stealing from the docks, and Frank is stealing from the garment center and they sell the hot goods[...] They don't tell us because, if things go wrong, we can't be accused of being accomplices. We cannot penetrate their silence, we must not try. Each of these men would gladly go to jail, blow away a pig, or blow up a city, to save their progeny from the jaws of this democratic hell. (Baldwin 65)

The urgency to collect money for Fonny's bail forces the fathers to resort to stealing, which brings attention to the inequitable money bail system. The structure of the criminal justice system and the methods that are utilized assure that the wealthier the defendant, the faster they will be liberated from prison, while poor defendants remain detained because they can't afford their bail. Eventually, Fonny's father, Frank, is caught stealing at the garment center and faces the threat of imprisonment; the immense amount of hopelessness and intimidation that he feels subsequently causes him to take his own life. Ultimately, the catalyst of Frank's death was the impending pressure of providing enough money to save his son from the system. Jackie Wang, a writer and human rights activist, questions and observes how the carceral system is structured in a way that exploits poor, Black prisoners and their families in her book, *Carceral Capitalism*. Wang's writing specifically focuses on exploitative capitalism, and after analyzing the methods carried out by the carceral system, Wang states:

> You could also call these legal financial obligations a racial surtax, it is a form of extraction that funds the very government activities that are engaged in expropriating from black residents. Criminal justice debt affects not only the individuals ensnared in the criminal justice system but also their family members and loved ones, who sometimes go into debt to pay for criminal justice-related fees and fines, or to communicate with and financially support incarcerated loved ones. (Wang 47)

Wang argues that the system expropriates from Black people by forcing them into debt with the administration of criminal justice-related fees, or "racial surtax", a term which Wang uses to describe the inequitable distribution of fees to Black prisoners and their families. Wang proceeds to mention how this money that is extracted from Black people is then put right back into the system that discriminates against and exploits them. While trying to collect the money for Fonny's bail, his family spreads themselves so thin to try to get the money, that the overwhelming amount of pressure leads to Frank's death. As Wang conveys, the criminal justice system not only affects the prisoners, but it also ensnares their families and exploits them to the extent that these families are forced into debt or, in Frank's case, feel that taking their own lives is the only way out of the situation. The exploitative capitalism within the carceral system drives socioeconomically disadvantaged families to the point of debt, thus inducing a vicious cycle revolving around incarceration, money, and death. In this way, the carceral system can be viewed as an iterative cycle that is propelled by capitalistic motives.

Ultimately, the racial profiling, institutional racism, and exploitative capitalism that Baldwin portrays in this novel are the basis that the carceral system is built upon, and the structure of the system remains unchanged to this day. Baldwin's focus on Fonny and Daniel's experiences highlights the flaws of the criminal justice system, which are rooted in anti-Black racism. Without a doubt, it can be said that this novel remains relevant, because the human rights crisis that James Baldwin portrayed is just as prevalent today. The most compelling evidence of this is the multitude of contemporary rappers and singers who can express what being Black and incarcerated in America truly means. When listening to these singers voice their struggles, oftentimes, the lyrics may just go over one's head because of how desensitized people are from constantly hearing about police brutality and incarceration, which is proof that this novel is telling of the conditions of today's society. Having to go out in the streets to protest for basic human rights and equality signifies that there is much work to be done to turn this country into a safer place for all people. The structure of the carceral system and the methods carried out by it continue to contribute to a racially stratified society. Discrimination against Black lives in the carceral system is an ongoing human rights crisis that demands reformation to eliminate the racist and capitalistic ideals that the system is built upon.

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