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English 1101, Reflective Annotated Bibliography

Probing Underneath the 13 Amendment

Introduction:

On January 31, 1865, the 13th Amendment was passed by former president Abraham Lincoln and ratified on December 6, 1865. This is the amendment that abolished slavery and was meant to create a better life for African Americans in America, but it only freed African Americans from legally being enslaved. So, how did the 13th Amendment work against African Americans? While the 13th Amendment did abolish slavery, the next section in this amendment is hypocritical to the first. There is a passage in the 13th Amendment that states, “Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.” This passage means that if you are a criminal, by law, you can serve labor involuntarily as punishment. This served as a loophole against African Americans to reinforce a modernized form of subjugation. Even though slavery was abolished, African Americans have been disproportionately incarcerated and filled inside of prisons regardless of innocence and in unfair methods, and taken up the involuntary roles of servitude forced upon them. After slavery was abolished by the 13th Amendment, the racism that African Americans have faced stilled strongly remained and the law enforcement system did not treat African Americans fairly. African Americans would be given much harsher sentences for crimes and were also targeted for arrest more than anyone else. In 1865, exactly when slavery was abolished, laws like Jim Crow were placed, making it so African Americans couldn’t do everything that everyone else was able to

do, giving police even more ability to arrest African Americans. In 1971 when Richard Nixon was the 37th president of the United States, he inaugurated a war on drugs. Nixon's plan was to associate African Americans with drugs like heroin, marijuana, and crack, and then heavily criminalize those drugs while vilifying them on the news every night so he can disrupt this community. This plan and the new policies he set in place made it so a significant amount of African Americans were targeted and incarcerated. The *Washington Post* reported that "Blacks are far more likely to be arrested for selling or possessing drugs than whites, even though whites use drugs at the same rate. And whites are actually more likely to sell drugs." African Americans were much more likely to be stopped and searched by the police. This was followed by a conviction and extreme sentence that didn't match the crime. Multiple laws have been put in place that allowed for African Americans to be targeted and filled in prisons while facing long sentences. The 13th Amendment still allowed for a similar situation of slavery to occur.

I. First Source

1. *13TH*. Directed by Ava DuVernay, produced by Kandoo Films, Netflix, and Forward Movement, 2016.
2. In the 13th Documentary on Netflix, we get an analysis of the 13th Amendment and how it reinforces modern day slavery, how it contributed to America's history of racial injustice, and how the criminal law system is currently is currently impacting the lives of African Americans. The documentary explains how African Americans were filled inside of prisons at a much faster and disproportionate rate than any other race, and how multiple laws like Stop and Frisk, 3-Strikes, and more that affected the rate of African

Americans being arrested were also brought to light and how the political lobbying group ALEC was behind many of these laws, also, how corporations capitalized on the exploitation that African Americans faced. The documentary involves several reports and news broadcasts, articles, and interviews to show evidence of the discrimination and policies put in place and make connections. This documentary's final message was that we as a society are tolerating the injustices that we view and that we shouldn't be tolerating it, that we shouldn't criminalize race and do something to prevent these situations from proceeding into the future.

3. I believe that this documentary was incredibly informative about the depth of the racial injustice that exists in America. Many people aren't aware about a lot of the policies being created or that were created that directly harmed many minorities. People are usually only aware of the general idea of racial injustice but not the specifics of the situations going on, and this documentary can help enlighten people on the severity of the situation. I believe that this documentary will be very useful in helping me write my research annotated bibliography because it has a lot of information for me to use that is related to my research question. In fact, I picked this topic and my research question because of this documentary.
4. Ava DuVernay is a director, writer, and marketer who has won awards and been nominated for the Golden Globe Award for Best Director and Academy Award for Best Documentary Feature, which was actually for her 13th documentary. She has been involved in the production of several movies, many of which are well known. This

documentary is a journalistic style publication where many professionals talked about the policies of the criminal justice system that impacted the lives of many African Americans, real people who were targeted by the system were shown, and several videos of police brutality were shown. According to the reviews website Rotten Tomatoes, (<https://www.rottentomatoes.com/m/13th>), this documentary was produced by Ava DuVernay, Howard Barish, and Spencer Averick. The documentary is highly reliable. The purpose of the documentary is to inform its audience about the truth and severity of the criminal justice and prison system and how it impacts African Americans. I found this documentary to be very useful to my research, it had an immense amount of information and was very interesting to watch, and it also was most related to my research question.

5. I believe that Ava DuVernay chose to produce this documentary through the streaming platform Netflix because of the large audience that it has. Netflix is the biggest streaming platform right now, so DuVernay not only got to reach a large audience, but the production of the documentary was also funded very well and leaned on the higher end of documentary productions. I also believe that Ava DuVernay chose this genre because she wanted to inform everyone about the history of racial injustice in America within the prison system and how the 13th Amendment has a loophole that people have used to exploit African Americans. In my opinion, this was a very good genre because it was very smart to use the largest streaming platform out to spread the documentary, it allowed for many people to view it. It also helped educate its viewers more about racial inequality. It tackles the subject of more recent times regarding racism and it still affects people's lives to this day. It may be a little bit explicit and more intended for a more

mature audience because in some parts it shows footage of actual cases of police brutality, but it's not overbearingly explicit. This documentary is definitely something people could watch or share to help be more informed on subjects like this.

6. In the documentary, Michelle Alexander, one of the professionals who spoke on the issues presented in the documentary stated, "So many aspects of the old Jim Crow are suddenly legal again once you've been branded a felon. And so it seems that in America we haven't so much ended racial caste, but simply redesigned it." Also, NJ Senator Cory Booker claimed that, "Right now, we now have more African-Americans under criminal supervision than all the slaves back in 1850s."

II. Second Source

1. Kusha, Hamid. "Chapter 7" *Islam's Challenge to American Penology*. Ashgate Publishing, Routledge, 2009.
2. Chapter 7 of Hamid Kusha's book titled, "Islam's Challenge to American Penology" is an extensive piece about how the Nation of Islam impacted African Americans lives in prison as a form of redemption as well as an explanation behind the intentions of America's criminal justice system. More specifically, the author made a series of points about the disproportionate mass incarceration of African Americans and how it's a form of modernized segregation and how America's 13th Amendment didn't eradicate the bondage of African Americans. Kusha utilizes several articles from The Constitution, multiple legislations, articles about The Nation of Islam, and hyper analyzes them. He concludes by stating that Louis Farrakhan, the Nation of Islam's leader, established "a