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Mary Ellen Curtin. *Black Prisoners and Their World, Alabama, 1865-1900.* Carter G. Woodson Series in Black Studies. Charlottesville: University Press of Virginia, 2000. xi + 261 pp. $59.50 (cloth), ISBN 978-0-8139-1984-3.

Reviewed by Patricia Hagler Minter (Department of History, Western Kentucky University)

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The World They Inhabited: Crime and Punishment in the New South

The World They Inhabited: Crime and Punishment in the New South

The story of crime and punishment in the post-Civil War South is one of the saddest in the region's history, and much of this story has yet to be told by historians. Edward Ayers started the discussion of this long-neglected chapter in Southern history in 1984 with *Vengeance and Justice: Crime and Punishment in the Nineteenth-Century South* and continued it in 1992 with *The Promise of the New South*, analyzing the relationships of race and class to the culture of crime and punishment. Picking up where Ayers' pathbreaking study ends, David Oshinsky's *Worse Than Slavery: Parchman Farm and the Ordeal of Jim Crow Justice* tells the horrible story of Mississippi's infamous institution from its founding in 1904 to the era of the Civil Rights Movement. Against a backdrop of racial and class distinctions that established a dual system of justice in one state, Oshinsky weaves together stories about labor, crime and punishment, race and class; in doing so, his work exemplifies the best of the new narrative history. Lawrence Friedman's magisterial synthesis, *Crime and Punishment in American History*, is an excellent analysis overall, but for the most part ignores the South until the twentieth century, when headline grabbing cases such as the plight of the Scottsboro Boys brought the nexus of racial injustice, class inequities, and crime in the South onto the nation's radar screen [1].

What happened between emancipation and the end of the nineteenth century is the subject of Mary Ellen Curtin's study of black prisoners in Alabama and the world they inhabited. Making excellent use of the wealth of pardon records, governors' papers, and prison bureau records, she pieces together the creation of a prison culture which had been ninety-nine percent white prior to the Civil War. After emancipation, the demographics shifted to a predominantly African-American population. How Alabama slaves moved from bondage to freedom to prison and then to the quasi-slavery of the convict lease system is one of her central questions. Curtin finds the roots of this shift in Reconstruction, when Alabama's Black Codes created new racially stratified categories of crime (curfew violations and vagrancy) that could quickly fill the prisons with freedmen. Despite the ratification of the War Amendments and the repeal of the Black Codes, Curtin argues that "the law remained a blunt instrument of social control and racial repression".[2] Thus, the fate of black prisoners in Alabama at the end of the century was shaped by the failure of Reconstruction. Convict lease would become a sad fixture in the New South, but its roots were planted firmly in post-emancipation political debates.

After white Democrats returned to the statehouse in 1874, Alabama's prisons filled with African Americans charged with crimes that had not previously been felonies; prisons became not only profit-making institutions, but also sources of cheap labor for the burgeoning industries of the New South. Curtin does a good job describing how African-American prisoners worked and survived in the infamous prison mines of Alabama, by far the most profitable prison mines in the region.[3] Why did Alabama's prison miners produce more than their counterparts in Georgia and Tennessee, where coercion never turned a profit? Curtin answers this question and makes it the heart of her argument. Instead of becoming victims, she argues, Alabama's black prisoners "took pride in mastering their work".[4] They insisted that those for whom they worked treat them as valuable

human beings, going on strike, challenging mine bosses, and complaining about working conditions. Her description of their daily lives, their sufferings and their acts of defiance, is one of the strongest aspects of the book. Particularly good is her chapter on black female prisoners, a group about whom very little has been written. Her evidence shows that imprisoned women suffered physical and sexual abuse at the hands of white guards, but they also defied white authority by refusing to wear prison garb, talking back to guards, and engaging in consensual sexual contact with male prisoners.

Curtin argues that convict laborers who toiled in mines became, over time, the black working class in Alabama. There is considerable evidence to support this argument, much more than there is for many of her arguments about black agency in the face of white oppression. Curtin tells the story of Sydney Holman, a convict forced to work in the mines. After several unsuccessful petitions for clemency and "short time," his final act was to leave a gate open in the mine, blowing himself up along with several others. Curtin sees his suicide as a final act of defiance, choosing a violent death at the time of his choosing to continued service to an unjust system. But is this suicide an act of agency and defiance, or one of desperation, of a man who sees no hope for release from the walls of the mine that imprisons him? The distinction is an important one.

In telling Sydney Holman's story, Curtin attempts to force her evidence into a theoretical model of black agency, a model that is clearly not supported by her own sources [5]. To reduce the lives of these men and women to a model that sees agency in all things is to miss a far more complex narrative–that the story of black prisoners in Alabama is both about agency and oppression; there was both defiance and acquiescence to white authority. Recognition of this duality would not detract from the story Curtin tells; instead, it would have painted a much broader picture of the lives of black prisoners in the New South and given complexity to their voices.

This criticism aside, Curtin's study makes an important contribution not only to African-American and Southern history, but it also adds to the growing literature on class formation and labor in the New South [6]. Taken together with Oshinsky's book on Parchman Farm, Curtin's *Black Prisoners and Their World* recreates an unjust system of crime and punishment in which race and class largely determined how justice was meted out. They paint a sobering picture, and one that reminds us that contemporary American society, in which prisons are a profit-making growth industry and new categories of felony crimes for non-violent conduct fill cells, still perpetuates racial and class-based inequality, instead of justice for all.

Notes

1. Edward L. Ayers, *Vengeance and Justice: Crime and Punishment in the Nineteenth-Century American South* (New York and Oxford: Oxford University Press, 1984); see also Ayers, *Promise of the New South* (New York and Oxford: Oxford University Press, 1992), ch. 6; David M. Oshinsky, *Worse Than Slavery: Parchman Farm and the Ordeal of Jim Crow Justice* (New York: The Free Press, 1996); Lawrence M. Friedman, *Crime and Punishment in American History* (New York: Basic Books, 1993).

2. Curtin, 7.

3. Curtin, 98. For data on Tennessee and Georgia, see Karin A. Shapiro, *A New South Rebellion: The Battle Against Convict Labor in the Tennessee Coalfields, 1871-1896* (Chapel Hill: University of North Carolina Press, 1998) and Alex Lichtenstein, *Twice the Work of Free Labor: The Political Economy of Convict Labor in the New South* (London: Verso, 1996).

4. Ibid.

5. Curtin, 139.

6. See Tera Hunter, *To Joy My Freedom: Southern Black Women's Labors and Lives after the Civil War* (Cambridge, Mass.: Harvard University Press, 1997); Julie Saville, *The Work of Reconstruction: From Slave to Wage Labor in South Carolina, 1860-1870* (Cambridge, Eng.: Cambridge University Press, 1994.

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