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# RACIALISM: ABOLISHED OR STILL PRACTICED BASED UPON THE BOOK – “ JUST MERCY: THE STORY OF JUSTICE AND REDEMPTION ”

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Shazia Yousuf, Symbiosis Law School, Hyderabad

## ABSTRACT

The book and the Movie “ just Mercy: a story of justice and redemption” by Brian Stevenson<sup>1</sup> depicts the case of “Walter McMillian, an innocent black man who had a white girlfriend in Monroe County, Alabama, framed by the Sheriff, the District Attorney, and sentenced by a Jury for the murder of Ronda Morrison” in a dry cleaner’s shop. The book describes how racialism was practiced in the united states of America. *Racism* is an ideology resulting in discrimination based on their skin color, which negatively impacts individuals’ self-concepts, health and well-being, and life trajectories. Racism does not let the people in society live harmoniously and unitedly. It was a human tendency to believe that whites were superior, and they enslaved the dark skin people. This ideology resulted in slavery, where blacks were transported and enslaved by whites. However, slavery, as well as racism in now made illegal, but the question arises whether it is abolished or still practiced. As far as the observations and analysis made through various reports, it is estimated that around 14,500 – 17,500 people are still being human trafficked in the united states every year. Furthermore, many recent instances, like George Floyd being killed by a white police officer, further expanded the black lives matter movement, killing Dwayne Johnson, Jc Clarke, Eric Garner, etc., to prove that racism is still practiced. It is now mandatory to learn from the past, take a step forward, and create awareness in society about the ill effects of racism and the need to stop the evil before things go out of our hands.

**Keywords:** Racism, Non-Aborigines, Homicide, the lethality index.

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<sup>1</sup> (Cretton, 2019)

## **INTRODUCTION**

### **ABOUT THE AUTHOR**

Bryan Stevenson founded and serves as Executive Director of the Equal Justice Initiative, a human rights organization based in Montgomery, Alabama. Under his guidance, EJI has taken on the most difficult felony cases, including postponing excessive and unfair sentences, exonerating innocent dying row inmates, challenging maltreatment of the jailed and the mentally ill, and supporting minors charged as adults. Mr. Stevenson's paintings have earned him various honors, including the prestigious ABA Medal, The MacArthur Foundation "Genius" Prize, and the American Civil Liberties Union's National Medal of Liberty. Mr. Stevenson is the author of the New York Times bestseller *Just Mercy*, which Time Magazine named one of the ten finest nonfiction books of 2014 and 2015.

### **ABOUT THE MOVIE**

Bryan Stevenson's narrative of his decades-long career as a prison investigator is told in the film *Just Mercy*. Stevenson defends several death row convicts in Alabama, even though the book focuses on the case of Walter McMillian. Walter's reputation suffered as a result of his involvement with Karen Kelly, a white lady from a bad network in Monroeville. The greater the depth of EJI, the more enraged effective police and the white network get. Interspersed between pieces of Walter's story, Stevenson narrates the stories of many different people who were treated unfairly by the crook justice method.

Stevenson examines the cases of various teenagers sentenced to life in prison for murder and non-murder offenses, including Trina Garrett, Antonio Nez, Joe Sullivan, Evan Miller, Ian Manuel, and Ashley Jones. According to Stevenson, mass imprisonment, which disproportionately affects people of color and minorities, is the current manifestation of systematic racial and socioeconomic violence. He argues that adolescent lawbreakers deserve tolerance and compassion because of their problematic origins, undeveloped mental development, and capacity for alternative and redemption. Finally, EJI wins major Supreme Court cases prohibiting life sentences for young criminals.

### **RESEARCH METHODOLOGY**

The present research study uses the qualitative research methodology wherein a concise

understanding of the issue is given and read. The primary sources used for this research are the book and movie "Just mercy: a story of redemption and Justice," The secondary sources are various literature works like articles, journals, books.

### **RESEARCH QUESTIONS:**

- 1) Is racism abolished or still practiced?
- 2) How can we reduce racism?

### **LITERATURE REVIEW**

#### **1) "I am a Black woman, and the metaverse scares me by Breigha Adeyemo".<sup>2</sup>**

This article portrays the author's personal opinion regarding the discrimination faced by Blacks in various aspects and her personal experience on how a dark skin toned people are mistreated. The article explains the difference between life on social media and real life. It makes a comparative study on various social media platforms and points out how the internet has become a platform of discrimination.

#### **2) "Dismantling anti-Black racism in our schools: Accountability measures are key by Tanitiã Munroe".<sup>3</sup>**

This article describes the lack of equality in education. It explains how blacks are deprived of equal education opportunities like proper faculty and chances to experiment and in rankings in states like Canada. The author stresses the fundamental right to education without discrimination and suggests ways to reduce injustice towards blacks.

#### **3) "Sociological perspectives on Racial Discrimination by Mario L".<sup>4</sup>**

This article focuses on different ways of racial discrimination and how unintentional racial discrimination takes place across the globe.

#### **4) "Race Discrimination: An Economic Perspective by Kevin Lang and Ariella Kahn-**

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<sup>2</sup> (Adeyemo, 2021)

<sup>3</sup> Small, M. L., & Pager, D. (2020) Sociological Perspectives on Racial Discrimination.

<sup>4</sup> Lang, K. & Spitzer, A K-L (2020) Race Discrimination An Economic Perspective

**Lang Spitzer”.**<sup>5</sup>

The article mostly focuses on racial discrimination in the labor market and criminal justice system. It points out various instances of police actions or court rulings that delivered unequal justice.

**5) “The book: Black Skin, White masks by Frantz Fenton”.**<sup>6</sup>

This book provides a powerful philosophical, literary, clinical, and political study of the profound repercussions of colonialism and main racialism on black people. The book gives a detailed idea about how people of color experience discrimination, their lives, minds, and relationships.

**6) “The Book: The language of genes by Steve Jones”.**<sup>7</sup>

The book takes up a very interesting subject of the natural selection process as per the theory of Darwins. He takes up a few instances of racist behavior of humans, mostly against blacks, and puts forth a question of whether discrimination against blacks is because whites are naturally regarded as superiors?

**7) “Black and Asian women are more likely to experience stillbirth or die during pregnancy: why and what can be done by Sally Pezaro and Amanda Firth”.**<sup>8</sup>

The above article provides shreds of evidence for racial discrimination against Black even in providing them hospitality to pregnant ladies. It provides accurate knowledge about how this can affect the ladies and children born, and the authors also suggest ways to prevent this injustice further.

**8) “Terrorism laws target racism, but what about racism in the legal system by Amy Swiffer and Kris Millett”.**<sup>9</sup>

This article explains how racial discrimination has reached an extent in the state of Canada that blacks are usually considered terrorists without pieces of evidence and how such prosecutions

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<sup>5</sup> Lang, Kevin, and Ariella Kahn-Lang Spitzer. 2020. "Race Discrimination: An Economic Perspective." *Journal of Economic Perspectives*, 34 (2): 68-89.

<sup>6</sup> (Charles L. Markmann & Richard Philcox, 1967)

<sup>7</sup> (Jones, 2000)

<sup>8</sup> (Firth, 2021)

<sup>9</sup> (Millett, 2021)

are affecting blacks.

**9) “Racial discrimination is linked to suicidal thoughts in Black adults and children by Janelle R. Goodwill”.<sup>10</sup>**

Does the article thoroughly describe what racism is? And how racism is practiced in this generation and how people facing such discrimination suffer and have ill thoughts about themselves that they tend to end their lives.

**10) “South African cricket furor points to deep-seated and unresolved issues of racism by Kamilla Swart”.<sup>11</sup>**

The article provides information regarding various aspects and how people, especially blacks, are maltreated and emphasizes how even in the field of sports, blacks are discriminated against and looked down upon.

## **ANALYSIS**

### **WHAT IS RACISM?**

“Racism is a worldwide hierarchy of superiority and inferiority along the human line that has been generated and maintained by capitalist and modern institutions. People classified the humans above the human line as human beings and have access to all rights, material resources, and social recognition for their perspectives, identities, epistemologies, and faiths. People below the human line are regarded as subhuman or nonhuman; their humanity is questioned, and they are deprived of their identities and rights; as a result, their living is invalidated.”

There exist many kinds of racism in various places depending upon various histories or backgrounds of that era. “The hierarchy of superiority/inferiority along the lines of the human can be formed through many racial markers, depending on the distinct colonial histories in various places of the world. Racism can be distinguished by race, nationality, culture, religion, language, etc”.

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<sup>10</sup> (Goodwill., 2021)

<sup>11</sup> (Swart., 2021)

Even though since the colonial era, color racism has been considered the most eminent form of racism across the world, but color racism is not the sole form of racism. For example: In the colonial past, The British forced their superiority on Irish people on the grounds of religion and not on the grounds of their skin color. Similarly, today, Islamophobia can be seen in the states of Europe and the United States. There, Muslims are considered as abusive, terrorists, uncivilized, gay, etc., which is racism based upon their religion and not merely skin color. However, the current study deals with racism based upon skin color/blacks. Racism is a system of defining and allocating value based on physical characteristics such as skin color. This "system" unfairly disadvantages some people and groups while also harming their physical and mental wellbeing. Its implications span from racialized everyday interpersonal encounters to racialized prospects for a decent job, housing, and even education among other things. It manifests itself through inequities in wealth, income, justice, health, and voting, among other things. It also unjustly benefits members of socially and politically prominent racial groupings. Racism manifests itself in structural, organizational, interpersonal, and internalized forms.

### **IS RACISM ABOLISHED?**

Though color racism is considered unethical, immoral, and even illegal in some states, racism still exists in some form. There are numerous recent instances wherein blacks are still treated poorly like:

**1) “MURDER OF GEORGE FLOYD”:** “Derek Chauvin, a 44-year-old white Police officer, murdered George Floyd, a 46-year-old black man, on May 25, 2020. Floyd was detained on accusations of using a forged \$20 banknote. While Floyd was tied and lying face-down in the street, Chauvin knelt on his neck for more than nine minutes. J. Alexander Kueng and Thomas Lane, two additional police officers, aided Chauvin in detaining Floyd. Lane had aimed a gun at Floyd's head before putting him in handcuffs. Tou Thao, a fourth police officer, stopped spectators from intervening in the matter.”

**2) “MURDER OF ERIC GARNER”:** “In August 2014, the death of Garner, a 43-year-old father of six, was deemed a murder. Eric Garner's final comments were recorded on a cellphone video by a colleague. Garner's confrontation with Daniel Pantaleo and Justin D'Amico, white police officers for allegedly selling loose cigarettes on Staten Island, New York, is captured in a video. It concludes with Garner lying on the sidewalk, belly down, saying "I can't breathe" 11 times until he dies.”

The list of blacks being killed and accused is never-ending. Apart from the most famous instances, there are several other times where blacks like Breonna Taylor, Gilbert, Dwayne Johnson, JC Clarke, Kumanjayi walker, Ahmaud Arbery, Laquan McDonald, Tamir Rice, and many others are discriminated against, falsely accused, and even killed.

There exist several reports and surveys that prove that colorism still exists in various parts of the world. Some results of the analysis help us to drive out the conclusion that blacks are treated inferior to whites are listed down below:

1) “According to a Home Office assessment of police stop and search trends in England and Wales conducted in 1998, blacks were 7.5 times more likely than whites to be stopped and searched”.<sup>12</sup>

2) The drug war in the United States is predominantly fought against black Americans. For example, while “white drug offenders outnumber black drug offenders in the United States, blacks account for 62.7 percent of all drug offenders sent to state prison, and black males are imprisoned on drug offenses at 13.4 times the rate of white men”.<sup>13</sup>

3) “Over two years in the United States state of Maryland, blacks comprised 79.2 percent of the drivers stopped and searched by police on Interstate 95, although constituting just 17.5 percent of the drivers who were violating traffic regulations”.<sup>14</sup>

4) “Black people in Australia are 9.2 times more likely than non-Aborigines to be arrested, 23.7 times more likely to be imprisoned as adults, and 48 times more likely to be detained as juveniles”.<sup>15</sup>

5) “According to a study of the federal death penalty released in September 2000 by the United States Department of Justice, 80 percent of federal defendants facing capital charges were members of racial minorities, as were 74 percent of convicted defendants for whom prosecutors recommended the death penalty”.<sup>16</sup>

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<sup>12</sup> (statistics on Race and the Criminal Justice System, 1998)

<sup>13</sup> (punishment and prejudice: racial disparities in the war on drugs, 2000)

<sup>14</sup> (Lamberth, 1999)

<sup>15</sup> (Broadhurst, 199)

<sup>16</sup> (A statistical survey, 2000)

6) “The death penalty is considerably more likely to be sought and imposed in the United States for killing a white person than a person of another race: 82 percent of capital prosecutions feature a white victim, even though only 50 percent of homicide victims are white nationally”.<sup>17</sup>

7) The use of force by the police may differ depending on the subject's race. In Brazil, darker colored persons are nearly twice as likely as whites to be killed by police: “the lethality index for black and brown-skinned people shot in favelas was 8.66, compared to a white lethality index of 4.63.”

8) “In June of 2000, police turned their backs and abandoned a Dalit untouchable hamlet in India's Bihar state as an upper-caste mob stormed it and massacred thirty-four lower-caste men and women, and children”.<sup>18</sup>

## **CONCLUSION**

From the above study, it can be concluded that though colorism is considered unethical, it is still practiced. There are many instances of recent times that prove the discrimination on the grounds of skin color. The above study also concludes that among all the skin tones of humans, the blacks suffer the most and are victims on the most part. It is very much clear from the study that whites are considered superior to blacks. In many cases in which white police officers kill a black, they are fired from their employment. It is now clear that murdering a person and being fired from employment is not equivalent and not justice. Blacks are generally deprived of employment opportunities, educational opportunities, freedom of mobility, etc., which affects their mental health to a great extent. Later on, they will be further deprived of medical facilities. However, the generation must remove such prejudices altogether because every individual has the right to live and equality irrespective of their skin tone. A developed state exists where no such prejudices are considered.

## **RECOMMENDATIONS**

1) “Data on the quantity and nature of racist or xenophobic occurrences or acts, as well as suspected bias crimes, should be compiled, made public, and be prosecuted accordingly”.

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<sup>17</sup> (Deaww)

<sup>18</sup> (World report, 2001)

- 2) “Governments should mandate police, courts, and prison officials to collect, store, and publish statistical data that specifies the color, ethnicity, or descent, as well as the gender, of everyone involved in the criminal justice system, from those stopped by police to those jailed”.
- 3) “Governments should thoroughly examine the functioning of all institutions within the criminal justice system to uncover patterns of prejudice and then implement necessary measures to resolve any detected discrimination”.
- 4) Citizen review committees should be established to oversee police behavior, including racial or other bias indications.
- 5) In both law and practice, governments should assist victims of prejudice with fast and effective redress and justice.
- 6) “To address racial discrimination and associated intolerance, governments should implement training for all individuals engaged in the administration of justice, including police and other law enforcement officers, prosecutors, judges, and prison employees”.
- 7) “The death penalty should be abolished as an inherently cruel, irreversible penalty and particularly susceptible to discrimination in its application”.

**REFERENCES**

1. (n.d.). Death Penalty Information Center. Retrieved from [www.deathpenaltyinfo.org/dpicrace.html](http://www.deathpenaltyinfo.org/dpicrace.html).
2. (1998). *statistics on Race and the Criminal Justice System, Chapters 3 & 4*. London, England: A Home Office Publication. Retrieved from [www.usdoj.gov](http://www.usdoj.gov).
3. (2001). *World Report*, p. 197. Human rights watch.
4. A statistical survey. (2000, September 12). *The Federal Death Penalty System*. Washington D.C: U.S Department of Justice. Retrieved from [www.usdoj.gov](http://www.usdoj.gov)
5. Adeyemo, B. (2021). I'm a Black woman and the metaverse scares me. Retrieved from <https://theconversation.com/im-a-black-woman-and-the-metaverse-scares-me-heres-how-to-make-the-next-iteration-of-the-internet-inclusive-173310>
6. Broadhurst, R. (199). *aborigines and crime in Australia*. University of Chicago Press.
7. Charles L. Markmann & Richard Philcox. (1967). *Black skin, white masks*. U.S: Grove Press.
8. Fanon, F. (n.d.).
9. Firth, S. P. (2021). Black and Asian women are more likely to experience stillbirth or die during pregnancy: why and what can be done. Retrieved from <https://theconversation.com/black-and-asian-women-are-more-likely-to-experience-stillbirth-or-die-during-pregnancy-why-and-what-can-be-done-171629>
10. Goodwill., J. R. (2021). Racial discrimination is linked to suicidal thoughts in Black adults and children. Retrieved from <https://theconversation.com/racial-discrimination-is-linked-to-suicidal-thoughts-in-black-adults-and-children-168363>
11. Jones, S. (2000). *The language of Genes*. Flamingo.
12. Lamberth, J. (1999, August 16). *Driving while Black*. Washington.

13. Millett, A. S. (2021). Terrorism laws target racism, but what about racism in the legal system? Retrieved from <https://theconversation.com/terrorism-laws-target-racism-but-what-about-racism-in-the-legal-system-170942>
14. punishment and prejudice: racial disparities in the war on drugs. (2000, May). *Human rights watch*. Retrieved from [www.hrw.org](http://www.hrw.org).
15. Swart., K. (2021). South African cricket furore points to deep-seated and unresolved issues of racism. Retrieved from <https://theconversation.com/south-african-cricket-furore-points-to-deep-seated-and-unresolved-issues-of-racism-170840>