Book Review

Sarah Haley, *No Mercy Here: Gender, Punishment, and the Making of Jim Crow Modernity* (University of North Carolina Press, 2016)

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Sarah Haley's *No Mercy Here: Gender, Punishment, and the Making of Jim Crow Modernity* is a beautifully written, empirical yet nuanced account of imprisoned and paroled Black women's lives, deaths, and struggles under convict leasing, chain gang, and parole regimes in Georgia at the turn of the twentieth century. Although the majority of Haley's book focuses on Black *women*, she notes that 18 percent of Black female prisoners were not yet 17 years old (42). One prisoner was 11 years old (96) at the time of her sentencing. The majority were young adults, many in their early twenties, some remaining imprisoned for decades. All, regardless of age, were sentenced to hard labor.

Haley ties together wide-ranging archival data gathered from criminal justice agency reports and proceedings, government-sponsored commissions to examine prison and labor conditions, petitions and clemency applications, letters, newspaper articles, era-specific research, Black women's blues, historic speeches, and other social movement materials. This breadth of data coupled with Haley's Black feminist analysis and methodology unearths the issues of Black women's imprisonment, abuse, rape, and forced labor under Jim Crow's carceral push into modernity.

Haley also presents records of white women's imprisonment, as well as their living and labor conditions, and discusses the responses these elicited from politicians, criminal justice agents, social organizations, and media outlets. Though the number of white women ensnared within Georgia's

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carceral regime was limited, these records are significant in Haley's comparative analysis, through which she uncovers white power's gendering binaries. The outrage white women's imprisonment and sentences to hard labor elicited from media and larger social forces contrasted starkly with their nonchalant response toward Black women's far more punitive sanctions. For Black women, "no mercy here" was (and still is, I would argue) an institutionalized practice deeply woven into the fabric of the criminal justice system and the large-scale economies that depend on gendered and racialized exploitation.

To piece these hidden, fragmented, and willfully forgotten portions of history together, Haley incorporates multidisciplinary frameworks drawing from philosophy, sociology, history, physics, literature, and ethnomusicology, among others. She uses Black feminist analyses and methodologies to fill in the gaps, highlighting that which can be found between the lines of official records. She connects the dots and evokes common-sense conclusions to produce a book that speaks on matters deemed unspeakable (Morrison 1989), allowing us to confront that which we have been told is unthinkable (Hartman 1997).

In *No Mercy Here,* Haley outlines the early binds that wove institutions and cultures of plantation slavery into criminal justice system formations occurring at the turn of the century. Beyond the obvious ties between criminal justice regimes and chattel slavery (demographics; violent labor extraction; carceral control and punishment; surveillance; forced immobility and migration; rape and other practices of gendered racial terror; etc.), Haley illustrates how criminal justice institutions were invoked after the Civil War to renew slavery's power in manners that reasserted and institutionalized white power.

Haley starts *No Mercy Here* with a chapter dedicated to the cultural and institutional forces that constructed Black women as not fully gendered within Jim Crow binaries of manhood and womanhood. Because Jim Crow required a gendering of all persons, the nongendering of Black women placed them within a shadowed arena of nonpersonhood. Evidence of this is found within the repeated placement of Black women within proximity to masculinity, rendering them fit to perform hard labor otherwise reserved for men. Concurrently, Black women were cast as oppositional to Jim Crow's imaginations of white womanhood. Whereas white women were assumed frail and inherently innocent, Black women were constructed as inherently criminalizable. The criminal justice and social rhetoric that legitimized hard labor and brutal living conditions for Black women simultaneously left them vulnerable to gender-specific forms of heteropatriarchal violence:

rape, forced pregnancy, domestic servitude, and an infantilizing stigma that disregarded their capacity to think, act, assess, or self-govern.

Building on the centrality of gender in Jim Crow's formations of personhood, Haley illustrates how racialized gender binaries allowed white women to occupy categories of womanhood that preserved their female personhood as they entered the otherwise male-dominated paid labor force. Additionally, imprisoned white women were often framed as too frail to be exposed to the hard labor and living conditions that Black women were forced to endure. Imprisoned Black women carried the double burdens of masculinized hard labor *and* feminized domestic labor within prison. This included cooking for and cleaning after white women and all men serving time in the same institution.

It is clear throughout *No Mercy Here* that Black women experienced (and continue to experience) the most severe manifestations of heteropatriarchy's violence. Haley provides grueling accounts of women being beaten topless in public while being forced to kneel in between their captors' knees—a whipping position reserved exclusively for Black women. Haley states, "such torture was perceived by women who experienced it as a form of sexual violation" (91)—and it was. Whereas this mirrors plantation slavery's treatment of Black women, the general denial of access to basic medical care, even during severe illness, was an acute manifestation of the criminal justice system. This is because arrest and courtroom convictions now covered the costs private citizens used to incur when paying out of pocket for enslaved labor on auction blocks.

Although official records do not recognize or report rampant rape within prisons, Haley locates many instances of documented pregnancy and childbirth during imprisonment. Because imprisoned women cannot give consent, Haley properly concludes that pregnancy during imprisonment is evidence of rape. She adds to this the records of anti–convict leasing campaigns waged by the Women's Christian Temperance Union (WCTU), whose members anchored their critique of convict leasing upon their distaste for the numerous mixed-race children being born in prison. As Haley unearths this history, the reader is once again confronted with conditions deeply reminiscent of slavery: both slavery and the criminal justice system provided white men with unfettered access to Black women's bodies. Both institutions produced resentment among white women, who insisted that Black women were responsible for the sexual attention they received from white men.

Throughout the book, Haley dedicates several chapters to the brutal details of white men's violence against Black imprisoned women. In chapter 4, she introduces us to the role that white women played in this exploitation. Earlier in the book, we learn that white women of the WCTU had advocated and won parole policies that used domestic servitude within white homes as an alternative to hard labor in prison for Black women. As with most alternatives to imprisonment, new forms of punishment became absorbed into carceral power, serving as additions to, not replacements for, already existing punishment options (Cohen 1985). Black women continued to endure hard labor in prison, exiting through parole into precarious conditions of domestic servitude within white homes. For white women who stayed home, paroled Black women in their homes revived slavery's patterns of white women wielding power over Black women forced to labor inside their homes under the threat of violence. With these reforms in place, the WCTU ceased all prison reform campaigns and refocused their resources toward already existing prolynching campaigns. They insisted that lynching was a necessary protection for white women against Black men, who were generally considered overly aggressive, hypersexual, and obsessed with preying on white women. As Haley brings these issues to the surface in her book, her readers become equipped to better address key pitfalls of white feminist ideology, especially its complicity and participation in patriarchal regimes of racial terror.

In her chapter on penal reform, Haley discusses the anti–convict leasing campaigns of the National Association for Colored Women (NACW) and Black clubwomen's organizations in contrast to the WCTU. She records the emergent and competing contradictions of class struggle within Black communities. On one hand, middle- and upper-class Black women's organizations publically embraced an uplift philosophy that accepted white supremacist assertions framing Black economic struggles as a result of shortcomings within Black culture. Contrary to white power narratives, however, these organizations localized such mythologies to working-class Black people and created a praxis of charity and social work to uplift working-class Black women. Haley presents evidence that Black women's social organizations understood that convict leasing and criminal justice regimes also relied on uplift narratives to enforce brutal violence against imprisoned Black women, resulting in a decision to abandon such rhetoric in their campaigns. Nonetheless, they failed to address the foundational flaws of criminal justice policies and ideologies when they embraced a penal reformist agenda that sought to improve a system that needed to be abolished. Haley's presentation

of social movements against carceral Jim Crow institutions is important, because it presents a good sampling of the pitfalls that are inherent to the politics and strategies of penal reform across the spectrum of intention and inspiration. There is strong evidence that the same pitfalls of penal reform exist today (Davis 2003).

To build an appropriate analysis of imprisoned Black women's experiences, Haley utilizes a Black feminist technique of radical imagination (Kelley 2002). This allows her readers to release some of the racist images inherited from the Jim Crow and slavery regimes. She begins her chapter on gendered racial terror with a rewritten firsthand account of Adeline Henderson and Nancy Morris's experiences serving their sentences together. This style invokes Octavia Butler (1979) and Toni Morrison (1987), namely their recreations of Black women's lives through historic fiction rewritten to read as neoslave narratives. Parham (2009) and Wood (2007) discuss the significance of neoslave narratives, suggesting that the firsthand accounts revived by Black feminist authors are key to undoing dominant white narratives on Black life and death under slavery. When Black feminists rewrite Black women's history using firsthand accounts, they produce counternarratives, or neoprisoner narratives. This enables us to imagine our way out of white mythologized conclusions about history by accessing the details of institutionalized anti-Black violence. Black feminist scholars and writers who use this technique (Butler 1979, Hartman 2007, Jordan-Zachary 2017, Morrison 1987) achieve two key objectives, both of which are also accomplished by Haley in *No Mercy Here*.

The first objective is taking back and reviving historic Black women's voices. Firsthand narratives allow Black women today to *speak*, not just theorize or record, on that which has been deemed unspeakable (Hartman 1997, Morrison 1989). The second objective corrects the rampant falsehoods of white supremacy. When Black feminists write in the first person, they provide new, likely more accurate narratives that negate the fictitious and imagined representations of Blackness existing in archived white accounts of history. For example, when Haley reprints the racist images of Black people officially recorded in staged photographs and throughout newspapers, she is not presenting fact but white *fictions* on Blackness that have been repeated and passed down for centuries. These fictions continue to abound today. They are caricatures that, though obviously untruthful, continue to occupy dominant imaginations and discourses on imprisonment, race, and gender. We cannot fully eradicate these falsehoods without providing new imaginations and narratives. When Haley rewrites official records as firsthand

accounts of Adeline and Nancy's experiences, she imagines a sisterhood that white formal records could not archive. Though we will never know if Nancy and Adeline were close, we can learn from Haley's work about the intimacy that likely existed amongst Black women imprisoned under these conditions. Haley's firsthand account articulates a more realistic depiction of the carceral violence they experienced and the resistance this violence necessitates, thus providing a counternarrative to that which has been, or not been, documented within white power's archives. Such counternarratives open the door for new understandings unreachable in sterile academic discourse.

Garb (2017) specifically, and problematically, decries Haley's use of "speculative accounting" (Haley 62). Although Haley's firsthand accounts are rooted in what the records and common sense prescribe, Garb suggests they place an otherwise important text within the domain of, in her view, Trump's era of rampant lies. In her book review, Garb fails to recognize that rampant lies littered white accounts of Blackness in the United States long before Trump's rise to power. She fails to consider that formal records are invested in *erasing by not recording* the experiences of oppressed people. Moreover, Western reason is not being objective when it insists that the lack of formal records equates loss beyond recovery for these histories and voices. This conclusion is tainted by the imaginations (not just historic records) of white power's proprietors, beneficiaries, consumers, and victims. Alternatively, Haley's use of speculative accounting in *No Mercy Here* enables her audience to join her in reading between the lines of white power. This does not distort formal records, but instead completes them, by reinserting the annexed pain, sisterhood, and resistance practiced by Black women whose carceral experiences were real and continue to matter today.

In the final chapter of *No Mercy Here*, Haley appropriately gives the last word to the Black women who endured and resisted Jim Crow's carceral push into modernity. Haley details a spectrum of resistance, including everyday acts of disruption that are recorded in the infractions cited by prison guards and wardens (insubordination, refusal to work, bad work, etc.), as well as more coordinated efforts to sabotage and break down convict leasing (such as setting a prison work camp on fire). Haley appropriately concludes that these acts of sabotage constitute resistance and survival strategies. They were meant to undermine and break, rather than reform and improve, the system. To further develop this analysis, Haley examines the words and intonations recorded in "the blues of Black feminist sabotage" (212). She provides a thematic, contextual lyrical analysis of various songs, including works by well-known artists alongside those recorded by Black women in prison or

working in the field. In these we hear the actual voices of imprisoned women and girls clapping back, warning, mocking, and undermining white carceral authority. Within the lyrics, Haley uncovers several critiques of the system, including the central abolitionist argument that "legal objectivity is a 'violent ruse'" (213). In "the blues of Black feminist sabotage," Haley locates a desire and encouragement to refuse to cooperate with a system structured upon the violation and exploitation of Black women.

No Mercy Here provides a strong context upon which we can build and connect contemporary struggles within and against carcerality. At times I struggled with the seemingly localized (Southern) and historicizing language of the book, given how wide-reaching and relevant these institutions remain. Aside from Haley's reference to Black women being shackled during childbirth in prison, there was very little mention of how and when these histories continue to be resurrected and institutionalized today. At the same time, we must recognize that *No Mercy Here* is dedicated to Black women's lives and death under Jim Crow's carceral modernity, a portion of history that rarely gets our full attention.

Haley's book provides an in-depth exploration of the intergenerational, institutionalized violence that Black women faced at a specific time and place in US history. As such, we must catalogue this book as a reference point toward locating and articulating the roots and rebirths of slavery and Jim Crow today. Just as *No Mercy Here* locates and documents the ties that bind plantation slavery and the criminal justice system under Jim Crow modernity, so should it inspire us to consider the ties that bind current economies to today's varying and growing manifestations of racial carceral power. With few exceptions, book reviews have referenced *No Mercy Here* as a text on the history of Jim Crow (McCrie 2017, Nickerson 2018), but it is my hope that readers will resist this inclination, instead viewing *No Mercy Here* as a precursor to modern manifestations of the criminal justice system's use of "no mercy here and now."

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