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September 2, 2010

Mrs. Michelle Alexander,

I am writing this letter in regard to your immensely applicable book, *The New Jim Crow*. I commend you for writing this book and I thank you with all my heart.

Thank You.

However, I also need to discuss with you some technicalities of what is actually transpiring here. Is it "The New Jim Crow"? Or is it "Domestic Colonialism"? Or what I like to call it *Judicial Colonialism*?

The point is do we address only the Criminal *Injustice* System? Or do we address the totality of circumstances: Judicial Colonialism (the race/class subordination of minorities—especially African Americans—politically, economically, and socially)? I believe that we should address the totality of circumstances as you have so eloquently done in your beloved book—please bear with me.

So, let us begin with the three points of tragic oppression of Judicial Colonialism: Genocide; Penal Slavery; and Social/Civil Death.

The first, which in actuality is imbued in each point, is genocidal racist societal behavior. Colonialism has always been genocidal in nature perpetrated by White Americans against Black Americans: from slavery to Jim Crow to so-called Equal-Opportunity, which allowed endemic racist discriminatory practices in housing, employment, and education, it has always been genocidal. (See Professor Robert L. Allens' *The Black Awakening in Capitalist America* for discussion of Slavery and Jim Crow as Colonial states of affairs.)

The 1951 Genocide Convention, which was ratified by the United States in 1987 (18 USCA 1901-1903), could be use to *litigate* or *prosecute* members of Congress as well as former Presidents and acquire legal compensatory and punitive damages (Tort Claims) in billions if not trillions of dollars against the aforementioned Public Officials, Media outlets, Wall Street, and

Academia etc, for promoting—and in complicity to promote—genocide through racist discriminatory policies that without a doubt created socio-economic instability and chaos in African American and minority Communities and in turn created, maintained, and condoned genocidal poverty (The Ghetto) to the blatant detriment of African Americans and Minorities. (see 1969 Kerner Report and affirmation of that report by the National Commission for Criminal Justice; see also Professor Roy L. Brooks' *Atonement and Forgiveness* and *American Race Problem*; and Glen Lourys' *Anatomy of Inequality*.)

Let us examine the Genocide Convention's four Major Points:

- (a) killing members of the group whole or in part;
- (b) causing serious bodily and mental harm to members of the group;
- (c) causing deliberate infliction of life calculated to bring about its physical destruction whole or in part (Genocidal Poverty);
and
- (d) Preventions of births within the group

(a) We are fully aware as African Americans that we have always, since our brutal kidnapping and enslavement in this White Country, been brutally murdered and beaten indiscriminately. True? Today however, let us just concentrate on the 23 years since the ratification of the Convention. Blacks and Latinos have been beaten and murdered by White racist police officers and prison guards and justice has never been fully served against them (Rodney King e.g. and of course your book and Amnesty International's reports from 1987 until today indicate the gross, brutal, unnecessary, and irrational murder and brutality—genocidal punishments—against our people, including the death penalty.)

(b) Causing serious bodily and mental harm to members. Just look at the appalling incident of White racist police officers who shoved a broomstick up the poor man's anus in New York or in Boston or Rhode Island where a Black woman was punched in the face as if she were a man by a White police officer, and all of the illegal searches and unwarranted beatings of our people not only on our Black criminals but everyday average law-abiding citizens—"Driving While Black" and Racial Profiling. And, what about all the mental or psychological trauma experienced by our people for the State Police Terror and fear because of this unnecessary and irrational racist harassment etc.

(c) Causing deliberate infliction of life calculated to bring its physical destruction. Genocidal poverty; racist discriminatory economic policies and practices that created the Black Ghetto or Black Colony through racist housing segregation and White Flight removal of White Corporations, manufacturers, and businesses, etc., devastating Black economic life, causing high crime areas which in turn created the Black-on-Black crime and homicide; high imprisonment and high unequal sentencing; and the detrimental Black subculture or counterculture, and thus, all the heinous racist caste system behavior described in your book *The New Jim Crow*. (see also Professor Douglas Massey and Nancy Denton's book *American Apartheid, Segregation and the Making of the Underclass*; or Professor Manning Marbles' *How Capitalism Underdeveloped Blacks*; and Professor Douglas Glasgow's *Black Underclass*.)

(d) Prevention of births—genocidal welfare policies and further explained in Penal Slavery section, prison policies that deprive prisoners of Conjugal Visits are all genocidal punishments that of course need to be addressed.

It is clear that the White American Criminal *Injustice System* has been brutally committed to genocidal practices for the last 23 years and, historically, in contemporary society; they have consistently practiced Judicial Colonialism. (see Frantz Fannon's *Wretched of the Earth* and compare the present-day totality of circumstances or the Criminal *Injustice System*; see also Stokely Carmichael's *Stokely Speaks: Black Power to Pan Africanism*).

Now let us consider Penal Slavery. Penal Slavery started at the Northwest Ordinance of the 31st parallel, or the *Northwest Territory*. (I'm sure you're familiar with the 13th Amendment's history and all of this, but for the sake of this discussion let's continue in this light). Thomas Jefferson, the genocidal, racist slaveholder used the English Abolitionist Thomas Clarkson's *Essay on the Slavery of and Commerce of the Human Species*, justifying Penal Slavery of Blacks and offenders of the law.

The very same language was used for the 13th Amendment that was used for the *Northwest Ordinance* against convicted criminals prohibiting slavery in the "private sector", but allowing the government to practice this heinous institution. (see Scott Christianson's *500 Years of American Imprisonment*). Moreover, in the 1871 *Ruffin v. Commonwealth of Virginia* case (62 Va. 790, 791), the opinion of judge Christian stated:

A convicted felon, whom the law in its humanity punishes by confinement in the penitentiary instead of with death is subject while undergoing that punishment to all the laws which the legislature in its wisdom may enact for the government of that institution and the control of its inmates. For the time being during his term of service in the penitentiary he is in a state of penal servitude to the state... he has as a consequence of his crime, not only forfeited his liberty, but all his personal rights except those which the law in its humanity accords to him. He is for the time being the slave of the state; he is *Civiliter Mortuus* and his estate if he has any is administered like that of a dead man.

It is clear that the 13th Amendment provided this abominable crime against humanity to exist. Then, the despicable Judge Christian declares the structure of that enslavement with the peculiarity of *Civiliter Mortuus*, civil death, deprivation of all personal or citizenship rights.

We wonder why in civil society, not just in prison, African Americans suffer racist genocidal discriminatory practices at the mainstream economy and we find our answer with Civil Death. We are still considered slaves under *Civiliter Mortuus*, a slave instrument.

In addition, economic decisions are genocidal in nature because of denial of legitimate work or employment creates financial instability in the home between spouses, which creates the family instability and dysfunction, which in turn affects entire communities. (see *Dark Ghetto* by Kenneth Clark and *Truly Disadvantaged* by Professor William Julius Wilson).

Based on the above information and your book, whole entire Black communities are suffering from slave punishments, social death, and artificial poverty, which creates artificial crime. (see Karl Marx' *Communist Manifesto* for a better understanding of artificial poverty, and Professor Orlando Patterson's *Social Death* for a discussion of social death).

As it stands, we see prisoners suffering from Social Death and Slavery—social death by having no conjugal visits (something that is not based on any public or penological interest) because the apex and foundational premise of every civilized society has marriage and family as its most important institutions. So why are prisoners being deprived of the most important aspect of civilized society, essentially promoting familial irresponsibility?

Furthermore, there is no adequate minimum or living wage enabling family members to excel in life. Why are prisoners being deprived? (see U.S. vs. Moreland where hard labor is legally recognized. In other cases prison officials do not have to pay prisoners or provide reasonable working hours, and the Department of Correction regulations allow slave wages). There are plenty of Federal statutes that make it a convictable or fineable offense if “privately practiced”, however, the United States and each state thereof are able to structurally practice slavery and social death, despicable crimes against humanity.

How has it continued for so long?

The point is the United States has committed and is committing Judicial Colonialism (which is an international crime, something Mr. Ralph Bunch who wrote many of the United Nations' Trustee Council Resolutions prohibiting colonialism and provides compensation to colonial peoples from offender states), genocide, slavery, and social death.

There needs to be a major Landmark case against the past and present Establishment Officials that would ultimately end judicial colonialism or as you call it, the New Jim Crow (Genocide, Slavery, and Social Death—see 22 USCA 8213: Violations of Humanitarian Act, which allows the president to investigate these crimes and punish offenders).

In closing I am asking: Will you write back and provide me with your much needed opinion? Will you open this discussion of Judicial Colonialism in public discourses? And is it possible that you can help me file a major Human Rights complaint to address these atrocities? (Please note that the United States has violated all of its International Agreements regarding the prohibition of slavery and institutions similar to slavery, so the case is entirely plausible and reasonable).

Whatever assistance you can provide is accepted and appreciated greatly. So let us please end this tragic and contemptible system together. Thank you for your consideration, and please contact me at your earliest convenience.

In the Struggle,

Abdur Nadheeru-Islam

(Mbiti) Because we are, I am.
I am because we are.