“Orange is the Same White”

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Review Essay

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Orange is the New Black, Netflix, 2013, 2014.


Orange is the New Black, the Netflix series, is a mass cultural product that is quite uneven in its normative connotations. It differs sharply in this respect from the excellent prison memoir written by Piper Kerman; the latter is acutely sensitive to its representational challenge. The premise for both the series and the memoir is that Kerman, a white Smith College graduate, took a trip on the wild side with a lesbian lover during her early twenties and spent a year participating in a global heroin smuggling ring. She comes to her senses on her own accord, breaks up with her lover, and leaves that scene behind. Chastened, she settles into a heterosexual middle class professional lifestyle, complete with a charming fiancé. However, after a decade of normalcy in which she passes undetected in her “authentic” world, her infamous past catches up to her. She is convicted for money laundering, and sentenced to serve 15 months in minimum security federal prison.

Privileged whites typically reside in our silos of hypersegregation, far from contact with the realities of mass incarceration, even though, in a simple geographical sense, prisons are everywhere. The “hook” works like this: we privileged whites rarely consider the prison; when we do so, prisoners are by turns repulsive and strangely fascinating to us. Kerman is the interpretive guide to a colonized underworld with whom we, the privileged and largely white audience, can identify; we can relate to her well enough to trust her to pull us into to the story and to serve as our translator. Sharing her perspective with us, she makes this absolutely foreign space alluring, knowable, and digestible for us. (On the back cover of the book, a Los Angeles Times reviewer enthuses, “This book is impossible to put down because [Kerman] could be you. Or your best friend. Or your daughter.”) Our identification with Kerman gives us safe passage and allows us to act as comprehending voyeurs.

In her memoir, Kerman quite rightly makes privileged white narcissism and the invisibility of mass incarceration the subject of extended critical meditation. While she is doing her time, she receives plenty of high-quality books from her sympathetic friends on the “outside,” and she is acutely aware that she thereby becomes endowed with rare and enormously valuable resources (pp. 78–79, 148). She demonstrates great empathy and trust for women of color on the inside, especially her Haitian “bunkie” who teaches her how to “do time” with great
dignity (pp. 74–75, 84–85, 104, 139). Kerman gradually overcomes her fears about interacting with the low-income prisoners on her cell block; she recounts her friendships with a diverse group of white, black, and Latina insiders in a genuinely respectful and moving manner (pp. 98, 178, 268–269, 292–293). Throughout the book, she builds up a damming critique of the War on Drugs and the toll it is taking, especially insofar as that burden falls disproportionately upon poor women who have committed non-violent offenses (pp. 138, 180, 200–201, 299, 301). She denounces, in particular, the grossly insufficient pre-release programs that seem designed, in effect, to promote recidivism, rather than rehabilitation (pp. 249–251, 297–298).

By calling *Orange*, the Netflix series, a mass cultural commodity, I do not mean to suggest that it projects a unilinear message. I would argue that the television version of *Orange* is successful in part because it has an investment in making us a little more comfortable with injustice. But the show certainly does not interpellate the audience as a unified national civic culture. Mass cultural products like *Orange* have become much more sophisticated, plural, and self-contradictory; they are endowed with multiple entry points and promote scores of parallel reception tracks. Their target audience is no longer the homogeneous nation, but the mashups of niche market audiences by the dozens. *Orange* is a successful show because it can be almost all things to almost all people: softcore porn for the male homophobe; confirmation of racist and ethnic slurs about irresponsible and work-shy black women and Latinas for white cultural racists; and a limited but accurate archive of sex positive lesbian history. It features brilliant multicultural female ensemble acting of Shakespearean quality for *The Sopranos* audience. If you enter the series title into the YouTube search engine, towards the top you get a homemade mixed tape of the lesbian scenes pulled out of all the episodes—it is a mixed tape that is good to go for all sorts.

The Kerman memoir handles the sensationalism of its material with great insight and care; the Netflix series, by contrast, promotes the narcissism of the privileged white gaze—a gaze that often has a male heterosexual structure—to an unconscionable degree. True, there are moments in which the narcissism is so extreme that it slides into critical farce, but in those scenes, the screen is populated by wealthy Jews who are acting out stereotypical roles. Yet, even with these fatal flaws, the Netflix series retains its irreducibly plural structure; here and there, we can find fugitive moments of social critique.

Before we get to those fugitive moments, let me note a few more elements that make the series morally objectionable. The racist gaze is especially satiated by the series’ promotion of the idea that our social problems can be traced back to the absolute failure of low-income black women and Latinas to meet a minimum standard where parenting is concerned. As Dorothy Roberts has shown, this trope is central to the discourses of law and order and welfare reform. In Season 2, for example, we are introduced to Vee, a black woman who sadistically poses as a substitute mother as she preys upon the ghetto kids and directs a drug dealing ring with cunning determination. Consider, too, the corruption of Kerman’s values at the end of the second season, when she causes her ex-lover Alex to be caught with a handgun by her parole officer. The refrain from “Don’t Fear the

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Reaper” plays over and over again—“she had become just like they are”—suggesting that she has been incited to abandon her values because of her contaminating contact with her fellow prisoners.

Just like the celebrated HBO programs The Wire and Girls, Orange the Netflix series rewards us to the extent that we take a double position on resistance: depictions of micro-resistance are provided for our enjoyment but we are also encouraged to adopt an extremely cynical posture toward collective organizing. The character Brook Soso, who stands in for Occupy, animal rights activism, and environmentalism, is a chatty lightweight. Is it any coincidence that she is an Asian American?

Prison hunger strikes are no joke. They are very important protests that are pursued at great cost to the inmates—consider the strike in California’s prisons last year, in which the strikers targeted, in their demands, the crucial issue of solitary confinement conditions. Consider, too, the provocative work of Banu Bargu on the weaponization of life, which is inspired, in part, by the hunger strikers in Turkish prisons. In the Netflix series, however, Soso’s hunger strike is set up uncritically as a comic device.

Sister Jane, the aging nun who was arrested in protests against nuclear war and the School of the Americas, is set up in Season 1 as our moral compass. In Kerman’s memoir, the nuns on the inside are serving their sentences for their antiwar protests with great dignity (pp. 70, 160–161, 268–269). In Season 2 of the Netflix series, however, we learn that Sister Jane is a publicity-hungry fake. There is a shadow of genuine terror that falls over her face when the guards pull her out of the hunger strike and prepare her for forced feeding, but the moment goes nowhere. It takes an already highly conscious audience to understand the immanent brutality. Blink and you can easily miss it.

There are independent, alternative television media out there that are easily accessible. Consider, as worthy alternatives, Treme (HBO); Pitbulls and Parolees (Animal Planet); and The Interrupters (Kartemquin Films), a documentary about community organizing against gang violence. Or consider John Oliver’s remarkable commentary on US prisons. Will these programs be doomed to marginality because they consistently challenge injustice, interrupt the racist gaze, and refuse to participate in sexualized sensationalism?

It is nevertheless the case that Orange the Netflix series sometimes deviates from its dominant political narratives to offer moments of fugitive critique, in which the prisoners, including a transgender woman, finally become human beings with compelling life stories for us, the outsiders, rather than unfortunate statistics or social problems whom we would rather forget.

First, there are the visual depictions of solitary confinement, the SHU or special housing unit, in Seasons 1 and 2, and the narrative demonstrates that post-conviction punishment takes place in a due process vacuum; the guards and the administration need not concern themselves with judicial review. That the guards are perfectly free to act like tyrannical masters over the insiders is clear from Kerman’s memoir (pp. 161, 236–237, 239–240), and credible human rights

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3 See https://www.youtube.com/watch?v=_Pz3syET3DY (accessed September 18, 2014).
organizations around the world have found solitary confinement to be so brutal as to be a form of torture. The Netflix version of *Orange* at least shows us that the SHU is no laughing matter. And yet, we only see Kerman, the beautiful young blonde with the college degree, undergoing the mind-crushing time-ticking experience of SHU; black women and Latinas cycle there and back but somehow the series only asks us to identify closely with Kerman's excruciating pain.

Second, Taystee's back story combines institutional racism's structural barriers to upward mobility with compelling individualistic narrative. Taystee grew up as a ward of the child welfare system. She is deeply traumatized by a predatory "father" figure at a group home, an institution located in ghetto conditions of hypersegregation and failed schools. Even though she has a knack for mathematics, Taystee's only possible future on the right side of the law is a fast-food job. Vee easily seduces her into her drug dealing gang by doling out her psychotic version of familial love. After serving her sentence, Taystee is actually released on parole but the prison has done absolutely nothing to prepare her for life outside. Even its measly GED program was shut down. As soon as Taystee is released, she is lost. There is no transitional release program that houses and feeds her, and no Brother's Keeper program for her; nor is she directed to free and meaningful educational opportunities and a decent paying job. Taystee is obliged to sleep in a filthy and crowded apartment run by her cousin. In only a few days, she violates her parole and the system returns her to Litchfield. There, on her second stay, Taystee re-encounters Vee who has been arrested and convicted herself. Taystee resumes her role as a hardened drug dealer inside the prison for her substitute mother.

Third, there are gripping commentaries that are threaded through both seasons of the television series on aging prisoners and the untreated conditions of addiction and mental illness among the inmates. In one scene, Trisha, an inmate, is forced to deal hard drugs by a sadistic guard, Officer Mendez, even though he knows that she is an addict. When she ODs on his smuggled supply, he fakes her suicide and the body is cremated immediately without a toxicology report. In another absolutely riveting scene, Pensatucky, is subjected to a brutal examination by a prison psychologist; she is placed in a cage and asked to give an account for her religious beliefs. Pensatucky's freedom of conscience and her right to be free from cruel and unusual punishment are grossly violated by the prison psychologist. Not satisfied with her answers, he orders her to be tied down to a bed and sedated.

In a recent report, Human Rights Watch took the macro and non-cynical social justice perspective that the producers of the TV series chose not to take. It called for five basic reforms designed to address mass incarceration:

1. establishing proportional sentences; including the elimination of mandatory minimums and life without parole;
2. securing the different treatment of youth and adult offenders;
3. promoting drug policies that respect liberty, autonomy, and privacy;
4. reducing criminal sentences for immigration offenses; and
5. ensuring that drug laws and drug law enforcement are not discriminatory, including the elimination of the racialized crack/powder cocaine sentencing disparities.\(^4\)

After 30 years of harsh sentencing, wherein blacks and Latinos are over six times more likely to be incarcerated than whites, we now have 2.2 million persons incarcerated in this country, mostly for non-violent crimes. Female prisoners are the fastest growing insider population, and most women inmates are serving time for low-level, non-violent crimes.

In our allegedly post-racist culture of colorblindness, television programs like Orange have a reassuring and self-immunizing message for white liberals and progressives. You are hip enough to see right through the privileged white narcissism that we have set up for your entertainment; relax, chill out, have a carefree laugh about the worst kinds of authoritarianism because in the end, its all just a cute exchange of knowing winks and nods: you are sharp enough to see through our little games and to pick out the fugitive critique, and once you take our little humorous diversion tour, you will go on as before, unaffected, to do the right thing, as researchers, teachers, and citizens, in the end. But what if we, the audience, are not the supreme masters of such desensitization ideology? What if this ideology “has us,” in whole or in part? What if Orange is the same white, all over again?

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Notes on contributor
Anna Marie Smith is a political theorist in the Department of Government at Cornell University. She is currently working on a book manuscript on Charles Hamilton Houston and the NAACP’s legal strategies during the 1930s and 19040s.