A Criminal Power

Miller, D. Quentin

Published by The Ohio State University Press

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A Criminal Power: James Baldwin and the Law.
The Ohio State University Press, 2012.
Project MUSE. muse.jhu.edu/book/24249.
THE PEAK of Baldwin’s notoriety came not during the long period of exile in France that incubated his earliest major works—Notes of a Native Son, Go Tell It on the Mountain, and Giovanni’s Room—but upon his return to his beleaguered country, particularly the southern United States, in the late 1950s and early 1960s. Baldwin became a public figure more than a private writer during this time. His forays into the troubled American South began what might be called his domestic journey, but he also explored some of the nation’s other volatile sites, notably college campuses, Harlem, and the headquarters of the Nation of Islam. His experiments with drama and the novel discussed in chapter 2, which had been risky and which did not receive universal praise from critics, had their counterpart in Baldwin’s essays and stories of the same period, which were widely praised and are still widely read today. The law, which had metaphorically destroyed the dividing line between public and private in his earlier works, becomes an even more menacing force in this body of work published in the late 1950s and early 1960s. As his thinking about America’s legal system matures, Baldwin realizes that the power he has been observing all along is a “criminal power,” and his response to it becomes increasingly strident as he begins to explore connections between lawmakers and law enforcement officers.

Baldwin’s initial engagement with the law during this period began with the issue of segregation. This engagement marks an expansion of his association between the law and police officers to include the legal
decisions that ultimately give the police their authority. The landmark Supreme Court decision of 1954, *Brown vs. Board of Education* (referred to hereafter as *Brown*), paved the way for a number of other decisions that effectively ended the practice of segregation. Yet for Baldwin, the law did not immediately become a benevolent force simply because of this decision and its aftereffects. Baldwin’s conclusions regarding the issue of civil rights legislation and its effects anticipate the Critical Race Theorists of the next generation who expressed “deep dissatisfaction with traditional civil rights discourse,” according to Kimberlé Crenshaw et al.: “In our view, the ‘legislation’ of the civil rights movement and its ‘integration’ into the mainstream commonsense assumptions in the late sixties and early seventies were premised on a tragically narrow and conservative picture of the goals of racial justice and the domains of racial power.” Baldwin observed how the power to legislate can even have the opposite effect of its intention: racism and racial discrimination can take more insidious forms when they are driven underground. Baldwin took his first journey to the South in 1957 to gauge the effect of the legislation that had supposedly changed the very nature of black-white relations in the United States. His essays “Faulkner and Desegregation” (1956), “A Fly in Buttermilk” (1958), and “Nobody Knows My Name: A Letter from the South” (1959) paved the way for his most profound and heralded essay, “Down at the Cross” (1962).

In “Faulkner and Desegregation,” Baldwin reveals himself to be a native son still brash enough to take on the major figures of American literature (as he had done with Stowe and Wright in his first essay collection, and as he does with Norman Mailer later in this one). He opens the essay with a concise statement of the themes that were coalescing in all of his work at this time: “Any real change implies the breakup of the world as one has always known it, the loss of all that gave one an identity, the end of safety” (*Nobody* 100). This statement could be applied to David in *Giovanni’s Room*, to Cass or Vivaldo in *Another Country*, or to Parnell in *Blues for Mister Charlie*, as much as it applies to Faulkner, who comes across in this essay as someone unwilling to accept change, to jeopardize his safety, or to admit that his world has broken up. Baldwin’s essay is a response to Faulkner’s public comments on segregation, which were brought about by “the pressure of recent events, that is, the Supreme Court decision outlawing segregation” (*Nobody* 101). The Supreme Court’s decision isn’t responsible for “any real change” in Baldwin’s view so much as it is responsible for the pressure that will create that change. The world, in other words, has not been “broken up” by *Brown*, though it has been prepared for such a rupture. According to Baldwin, the real
change to be effected is in the “minds and hearts of white Southerners today” (Nobody 100). A law cannot effect this kind of change, at least not as radically as it might appear to.

And yet, Baldwin certainly wouldn’t have opposed Brown simply because of its limited effects. Rather, he wanted to ensure that the focus of the civil rights struggle remained clear. In this essay, the reactionary comments of Faulkner are the enemy. Baldwin implies that the Supreme Court decision was necessary because the South, a nation within (or apart from) a nation, has no intention of changing: “The sad truth is that whatever modifications have been effected in the social structure of the South since the Reconstruction, and any alleviations of the Negro’s lot within it, are due to great and incessant pressure, very little of it indeed from within the South” (Nobody 101–2). In this formula the Supreme Court acts not only on behalf of the nation in general, but of the North in particular. The pressure to change, according to Baldwin, must be exerted from on high, or from up North.

Baldwin demonstrates the relationship between the North and the South with regard to the law in this quotation: “As far as the Negro’s life in the South is concerned, the NAACP is the only organization which has struggled, with admirable single-mindedness and skill, to raise him to the level of a citizen. For this reason alone, and quite apart from the individual heroism of many of its southern members, it cannot be equated, as Faulkner equates it, with the pathological Citizens’ Council. One organization is working within the law and the other is working against and outside it” (Nobody 102). The NAACP is, of course, a long-standing rights organization based in New York; the “Citizens’ Council” is short for the “White Citizens’ Council,” a group founded in 1954 opposed to integration and based in Mississippi. The WCC was a white supremacist organization, but it did not participate in the vigilante violence associated with the KKK. The NAACP is, according to Baldwin, a law-abiding organization whereas the Citizens’ Council works not only “outside” the law, but “against” it. As Faulkner attempts to collapse the distinction between the NAACP and the WCC, Baldwin seeks to reclaim the NAACP’s validity by allying it with the law. The NAACP and law together constitute a necessary “pressure” that might ultimately result in a widespread change of attitudes in the South.

Insofar as the law represents progressive or northern attitudes, Baldwin believes, it is a necessary force in effecting change in conservative or southern culture. But the Supreme Court is only one facet of the law, and to the average citizen in his or her everyday life it is perhaps is more sym-
bolic than it is truly powerful. The police in the South represent the more immediately visible power of the law, as Baldwin reminds us toward the end of the essay: “‘Things have been getting better,’ Faulkner tells us, ‘for a long time. Only six Negroes were killed by whites in Mississippi last year, according to police figures.’ Faulkner surely knows how little consolation this offers a Negro and he also knows something about ‘police figures’ in the Deep South” (Nobody 106). Those who would believe that the law is a benevolent, rational force, like Parnell in Blues for Mister Charlie, must be reminded that the law as elucidated in the high courts is not necessarily consistent with the law on the streets, and police corruption is a consistent, recurrent fact that coexists with the positive, heroic, public face of the police force. The law might be benevolent in general, but it is also a human construction, and susceptible to human flaws. Baldwin’s initial alliance in this essay with the law as it is dictated by the Supreme Court is undermined later in the essay by his critique of the law as it is manipulated by the police. In order to understand the impact of the law on American lives, Baldwin suggests, we must scrutinize all of its dimensions. To assume that Brown and subsequent desegregation legislation constitute a solution to the nation’s racial divide is to view the law too narrowly. Because it is hierarchical like any system, the law is adept at projecting the illusion of change while maintaining the status quo. Baldwin regards it with great skepticism at this point in his career and encourages his readers to look beneath its surface.

Baldwin treats the issues he raises in “Faulkner and Desegregation” in much greater detail in “Nobody Knows My Name.” Here again he confronts the relationship between the North and the South, again brings up the WCC and the NAACP, and again indicates the potential for police abuse; toward the essay’s conclusion, he writes, “On any night, in that other part of town, a policeman may beat up one Negro too many” (Nobody 97). The essay shows a fascinating shift in perspective: Baldwin begins by acknowledging his own prejudices about the South as he flies in. He admits fear as he gazes for the first time on the “Old Country” (Nobody 86) and indulges his paranoia about the “rust-red earth of Georgia” which he imagines “had acquired its color from the blood that had dripped down from these trees. My mind was filled with the image of a black man, younger than I, perhaps, or my own age, hanging from a tree, while white men watched him and cut his sex from him with a knife” (Nobody 87). His view of the South has clearly been informed by the phantasmagoria of history: his plane has not yet touched down when he experiences this vision.
By admitting his own prejudices, though, Baldwin is attempting to overcome the northern superiority that he is warned about in “A Fly in Buttermilk.” His challenge is to avoid seeing the South as another country. As his perspective shifts once he has touched down, he is aware that the divisions between regions are superficial, or that they mask the more meaningful divisions that exist between classes, between the uneducated and the educated, between urban and rural regions, and between races. These divisions are, after all, what segregation was all about and what *Brown* purported to redress. Baldwin expresses how his thinking has changed on this subject: “the South is not the monolithic structure which, from the North, it appears to be, but a most various and divided region. It clings to the myth of its past but it is being inexorably changed, meanwhile, by an entirely unmythical present: its habits and its self-interest are at war. . . . Segregation is unofficial in the North and official in the South, a crucial difference that does nothing, nevertheless, to alleviate the lot of most Northern Negroes” (Nobody 93). Having deconstructed his own opposition between North and South, Baldwin brings his microscope closer to examine the inner workings of the conflict.

The nuances of the crisis take the form of legal haggling, in Baldwin’s estimation. The Supreme Court decision was a way to catalyze local governmental officials to discover what power they had to interpret the decision and respond to it on their own terms. He writes of the city officials of Charlotte, North Carolina, “The NAACP there had been trying for six years before Black Monday [a derogatory term for the day of the *Brown* decision] to make the city fathers honor the ‘separate but equal’ statute and do something about the situation in Negro schools. Nothing whatever was done. After Black Monday, Charlotte begged for ‘time’: and what she did with this time was work out legal stratagems designed to get the least possible integration over the longest possible period” (Nobody 92). Baldwin sees the NAACP as one of the best chances to make *Brown* an effective decision as it trickles down to “test cases” tried in local and municipal courts. He even defends some of the white lawyers who are segregated from well-to-do blacks in Atlanta: “Some of the lawyers work with the NAACP and help push test cases through the courts. (If anything, by the way, disproves the charge of ‘extremism’ which has so often been made against this organization, it is the fantastic care and patience such legal efforts demand)” (Nobody 95). The NAACP’s legal wrangling, in other words, is necessary to ensure that power is not abused in the hands of the ruling white majority. Even the white mayor of Atlanta, according to Baldwin, “is doing his best to keep [test cases] out of court” (Nobody 96).
While politicians and lawyers quibble over legislation, Baldwin argues that it is even more important that individuals examine their consciences: “Any honest examination of the national life proves how far we are from the standard of human freedom with which we began. The recovery of this standard demands of everyone who loves this country a hard look at himself, for the greatest achievements must begin somewhere, and they always begin with the person” (Nobody 99).

There is a suspicion lurking at the bottom of all of Baldwin’s essays of this era that the benevolence of the law will not change the minds and hearts of citizens regardless of the actions of the police, the mayors, or the Supreme Court. In “Notes for a Hypothetical Novel” (1960) he says, reminiscent of Thoreau, “A country is only as good—I don’t care now about the Constitution and the laws, at the moment let us leave these things aside—a country is only as strong as the people who make it up and the country turns into what the people want it to become” (Nobody 126). Baldwin’s skepticism about the effects of the law (to say nothing of its power) crystallizes here, and he explores this idea obliquely in the essay “A Fly in Buttermilk” which examines the desegregation issue as immediately as possible—by interviewing a young boy who has become the only black student in an otherwise all-white school, as well as interviewing the school’s principal. The essay is pessimistic about the future of the country in the aftermath of the Supreme Court decision that has “forced” Southerners “to reexamine a way of life and to speculate, in a personal way, on the general injustice” (Nobody 85). Baldwin delves into the heart of the issue at this essay, leaving aside, again, the Constitution and the laws in order to examine the people whom they affect.

One of the reasons Baldwin is such a fascinating critic of the law is that he has experienced and examined its power dynamics on every level, from its penal institutions, to the actions of law enforcement officers on the street, to courtroom trials, to legal decisions. This range of perspectives is perhaps one reason he is able to anticipate the basic tenets of Critical Race Theory decades before it coalesced as an academic discipline. In his most celebrated essay he demonstrates how he can synthesize these perspectives to advance a coherent critique. The impoverished, oppressed young man who developed intense emotional responses to the police and prisons merges with the sophisticated cultural critic whose vantage point was regional, national, and global by turns. The Fire Next Time (1963) is a pivotal work in Baldwin’s career. It consists of two essays: “My Dungeon Shook: A Letter to my Nephew on the One Hundredth Anniversary of the Emancipation,” originally published in Progressive, and “Down
at the Cross,” a lengthy, twenty-thousand word essay that first appeared in *The New Yorker*. Upon the publication of the two essays as *The Fire Next Time*, readers couldn’t help but pay attention to Baldwin’s passionate intensity which had been building in the later essays collected in *Nobody Knows My Name*. Baldwin’s rise to prominence following his first period of exile in Europe was a response to a racially divided nation in desperate need of a spokesperson. He stepped forward to fulfill that role, publishing “Down at the Cross” as a loud wake-up call to his blissfully ignorant countrymen. David Leeming describes it as “his consideration of Western culture from the perspective of the people oppressed by that culture.”

The essay called attention not only to people like Baldwin, but to Baldwin himself, as it involved elements of personal history, class, religion, and of course race. This widespread attention landed him on the cover of *Time* magazine on May 17, 1963 and garnered him an invitation for a personal audience with Attorney General Robert Kennedy the following week (which resulted in a much-publicized meeting that satisfied neither Kennedy nor Baldwin and his entourage). Moreover, the essay cemented his status as the intellectual leader of the Civil Rights movement, which was entering its most turbulent phase.

“Down at the Cross” integrates experience and observation in one of the most rhetorically powerful essays of the Civil Rights era, culminating in a biblical pronouncement that earned Baldwin the title of “prophet” so frequently used to describe his role in American life. This essay is about the antithetical forces that contribute to the American conundrum: belonging and exclusion, individuals and groups, black and white identity, Christianity and Islam. It is a social critique in the broadest sense, about a specific time period (“this difficult era”), a nation (“an Anglo-Teutonic, antisezual country”), and an individual (“I was utterly drained and exhausted, and released, for the first time, from all my guilty torment”) (*FNT 87, 30, 31*).

The force that connects these three perspectives and that demonstrates so clearly the power relationship between them is the law as it is defined as well as practiced. Baldwin regards the law as a visible manifestation of power, which, mistreated as it sometimes is, becomes a racially divisive force that systematically destroys the American dreams of unity, freedom, equality, and unmitigated respect for the individual.

Baldwin clearly sensed the urgency of his nation’s crisis at this point in history and was called to expand his understanding of what Crenshaw et al. describe as “the vexed bond between law and racial power.” *The Fire Next Time* moves from the law’s power on the street (represented by the police) to the law’s power on the national stage (represented by the
Supreme Court) as a way of demonstrating its pervasiveness in his experience, but also as a way of participating in the reshaping of American democracy through the advancement of a thorough critique. Baldwin’s essay asks this question: if the law can supposedly change racial discrimination, then why is the law the very force that seems to harass, subordinate, and torment the victims of such discrimination? To question the law in this way is to reveal a disjunction between law in theory and law in practice, and to show how the disempowered are not necessarily empowered by the legal decisions that supposedly affect the course of history.

In *Whispered Consolations* Jon-Christian Suggs advances some key notions that can be applied to Baldwin; for instance, he writes, a “metaphor for the relationship between American law and African American narrative is that of the palimpsest, in which one text is written over another. . . . African American narratives overinscribe legal texts of the same issues, place, figures, events.” Suggs also speaks of a reciprocal relationship between the law and African American narrative that he understands in terms of Henry Louis Gates’s concept of “signifying”; he writes, “African American literature exhibits new concerns, other complexities, makes unheard statements in response to the interrogative signifying of the law.”

If *The Fire Next Time* can be seen as a palimpsest laid over *Brown*, the “new concerns, other complexities, [and] unheard statements” are the very substance of Baldwin’s essay. In short, Baldwin’s recognition of the power of the law to desegregate is undermined by his realization that the law has not relinquished any of its power in doing so. The law giveth and the law taketh away. The Supreme Court decision that was supposed to integrate American blacks and whites might have represented some social progress, and yet the unheard statement at the core of Baldwin’s essay is a plaintive cry: why are the lives of African Americans still regulated primarily by legal power, even to the point of oppression? Moreover, is individual will completely overshadowed by legal power? Referring to Baldwin’s final essay *The Evidence of Things Not Seen*, Richard Schur writes, “For Baldwin, legal change without cultural transformation put African Americans at risk because racial barriers still existed, even if the signs announcing segregation had been removed.”

The same trend can be discerned in “Down at the Cross.”

One of the formative documents of Critical Race Theory is an essay by Derrick Bell, “Brown v. Board of Education and the Interest-Convergence Dilemma.” Like Baldwin, Bell questions the motives behind *Brown* as well as its long-term effects, albeit from a legal theorist’s point of view looking at the decision a quarter-century after it was written. According to Bell,
Brown benefited white policymakers as well as black citizens in need of a better education: “I contend that the decision in Brown to break with the Court’s long-held position on these issues cannot be understood without some consideration of the decision’s value to whites, not simply those concerned about the immorality of racial inequality, but also those whites in policymaking positions able to see the economic and political advances at home and abroad that would follow abandonment of segregation.”

This is not to take away from the obvious social benefits of the decision so much as to look beyond them, and to see the case as a manifestation of legal power, a benevolent gift from on high that could have only a limited effect on the mind-set of average citizens. Before he discusses Brown, Baldwin understands the intersection of legal power and widespread discriminatory attitudes as manifested on the street in the form of the police just as he did in “Faulkner and Desegregation.” This direct, experiential contact with the law’s power enables Baldwin, in the immediate aftermath of Brown, to advance a similar critique to Bell’s critique, which derives its authority through legal and historical perspectives.

The dominant note of “Down at the Cross” is not despair over the depraved state of the law in America; as Lawrie Balfour writes, “Does Baldwin’s unsettling narrative recommend the abandonment of equality as a political principle? Not at all. In fact, Baldwin’s critique is made in the name of the equal humanity of all persons, regardless of race, and of the equal entitlement of all Americans to the basic rights of citizenship.” And yet, while “equality” was the ostensible aim of Brown, it was certainly not the effect, in Baldwin’s eyes. It is difficult to know how to rebel against the law’s power other than to commit crimes, often more serious ones than stealing sheets. In “Down at the Cross” crime becomes one of the “gimmicks” that seems to offer a way out of the ghetto, but it is illusory as such. Baldwin observes, “One did not have to be very bright to realize how little one could do to change one’s situation” and he recalls how a “cop in the middle of the street muttered as I passed him, ‘Why don’t you niggers stay uptown where you belong?’” (FNT 19). This quotation is evidence of a hard fact of Baldwin’s upbringing: law-abiding citizens and criminals of Harlem alike are kept in their place by the law. Ironically, American citizens pride themselves on the freedom of mobility, both literally in the sense that one can live where one chooses and metaphorically in such phrases as “class mobility.” Here we see a law enforcement officer attempt to define a place for black people, an attempt which is, of course, the legacy of slavery and, later, of segregation. The police officer’s question cannot be separated from his uniform, the symbol of power and
often, in Baldwin, the mask of its abuse. At another point in the essay Baldwin describes a young black robber being “carried off to jail” (FNT 20), and it is obviously the police who are carrying him. This is another case of law enforcement officers re-placing the black citizen, putting him where, they have decided, he “belongs” (as discussed in chapter 2). Harlem as a whole is, by this association, itself a prison. Baldwin makes this association explicit in his 1971 essay “An Open Letter to my Sister, Angela Davis”: “Black people were killing each other every Saturday night out on Lenox Avenue, when I was growing up; and no one explained to them, or to me, that it was intended that they should; that they were penned where they were.”

The question of “belonging” applies not only to segregation in public spaces such as streets and schools, but to less apparent restrictions enforced by property law as well. In his study *Race, Place, and the Law*, David Delaney argues that, in the first half of the twentieth century until a 1948 U.S. Supreme Court decision that invalidated “restrictive covenants” that allowed for racial discrimination in housing, the legal system had been consistently used to determine where black people did, in fact, belong. The end of restrictive covenants, which Delaney describes as “legal techniques for shaping geographies of race and racism,” led directly to Brown.11

Baldwin had experienced first-hand the effects of restrictive covenants throughout his youth, when blacks were “penned” in Harlem despite the fact that it was officially illegal to deny tenancy or property ownership to U.S. citizens based on race since the Civil Rights Act of 1866, as discussed in chapter 1. His awareness of this history is triggered by the policeman’s comment. The trajectory of “Down at the Cross” from that moment leads back in time rather than forward into a harmonious future. Moving outside of himself and his community into history, Baldwin discusses the legacy of black servants robbing their white employers.12 Here he not only redefines crime, but he shows how it can be justified in such a way as to reinforce stereotypes about racial hierarchy: “Negro servants have been smuggling odds and ends out of white homes for generations, and white people have been delighted to have them do it, because it has assuaged a dim guilt and testified to the intrinsic superiority of white people. Even the most doltish and servile Negro could scarcely fail to be impressed by the disparity between his situation and that of the people for whom he worked; Negroes who were neither doltish nor servile did not feel that they were doing anything wrong when they robbed white people” (FNT 22). Morality and legality are at odds with one another in this analysis. It is an example of what Karla Holloway describes in *Codes of Conduct*:
“In our contemporary culture, there is too frequent a coupling between altered ethical codes and negative ethnic experiences and stereotyping.”  

The act of robbery, officially a crime, is not considered a sin by either white or black people: the latter “did not feel that they were doing anything wrong” and the former were “delighted.” Both races see it as inevitable, but it is another version of the “placement” I describe above: since the rich, white people feel superior, in Baldwin’s eyes, a perspective which places them above their thieving servants. The law, in this case, is applied selectively, and is in the control of those in power, reinforcing social hierarchy rather than seeking to erase it. More importantly, though, the law can be interpreted historically, as Baldwin does here: “white people, who had robbed black people of their liberty and who profited by this theft every hour that they lived, had no moral ground on which to stand. They had the judges, the juries, the shotguns, the law—in a word, power. But it was a criminal power, to be feared but not respected, and to be outwitted in any way whatever” (FNT 23). The most striking facet of Baldwin’s definition here is that power is defined exclusively as legal power, except in the case of firearms: power is “the judges, the juries . . . the law.” This power is itself “criminal,” though, and therefore does not garner respect. There is “no moral ground” underneath it: it is simply force, which makes sense of the seemingly incongruous word “shotguns” in the middle of Baldwin’s definition.

Those in power—wealthy white people who have benefited historically from the legacy of slavery—are thus recast as the criminals of this society. Even more generally, “society” commits a crime by convincing the young Baldwin that he, too, “belongs” in jail, or back in Harlem: “the moral barriers that I had supposed to exist between me and the dangers of a criminal career were so tenuous as to be nearly nonexistent. I certainly could not discover any principled reason for not becoming a criminal, and it is not my poor, God-fearing parents who are to be indicted for the lack but this society” (FNT 23). By indicting his society, Baldwin is calling not only for an overhaul of the prejudiced attitudes that contribute to the racial divide, but also for a reexamination of the legal system that invisibly reinforces such attitudes. The racist comment of one police officer expands here to encompass legal power on other levels: the judges, the juries, the shotguns, and the law.

Baldwin’s definition of power in terms of the law explains his identification with those who are subjugated by force and his initial interest in the Black Muslims, who represent a viable challenge to the law’s power. If the law can take an innocent black man and intimidate him to
the point of self-destruction, then it is a powerful force indeed. This realization is a kind of rite of initiation for Baldwin in “Down at the Cross” (not unlike his religious conversion) in which he describes “a fear that the child, in challenging the white world’s assumptions, was putting himself in the path of destruction. A child cannot, thank Heaven, know how vast and how merciless is the nature of power, with what unbelievable cruelty people treat each other” (FNT 27). He realizes that “White people hold the power . . . and the world has innumerable ways of making this difference known and felt and feared” (FNT 25–26). The primary source of fear in Baldwin’s personal history is the ubiquitous presence in Harlem of the police. The effect of their presence is an invisible barrier that separates the white world from the world where African Americans supposedly belong. “Down at the Cross” in its entirety can thus be read as a meditation on legal power and the barriers it creates.

The first few pages of “Down at the Cross” are saturated with wall-imagery. The essay begins with Baldwin’s reflection on his discovery, as a teenager, of “God, His saints and angels, and His blazing Hell” (FNT 16). Beyond the obvious and stark distinction between acceptance and punishment, this God is also synonymous with safety, and Baldwin says, “I supposed Him to exist only within the walls of a church—in fact, of our church” (FNT 16). These walls separate good from evil, and saints from sinners in the mind of the teenaged Baldwin, but for the mature Baldwin these walls are symbolic of the problems of modern society rather than the solutions to its problems. “Safety” in Baldwin’s work is always an illusion, or a force that consistently prevents individuals from giving themselves over to love.14 In a speech entitled “The Artist’s Struggle for Integrity” he says, “Art is here to prove, and to help one bear, the fact that all safety is an illusion” (CR 42). Even the young Baldwin takes refuge in the church out of fear; he says, “I became . . . afraid of the evil within me and afraid of the evil without” (FNT 16). Religion becomes a way to purge the evil within and promise that punishment will come to the evil-doers of the world, if it hasn’t already. The walls of the church are meant to protect the saints from the sinners; yet the notion that evil or sin can be purged from the self and the notion that one can ever be in a truly safe place are both self-deceptive, and Baldwin astutely associates the church walls with other institutions that attempt to preserve societal power. The walls of the church in this quotation develop into prison walls later in the essay and throughout Baldwin’s career.

Because the walls of the church and of prison are associated with safety and goodness, they are sometimes invisible to those who are most affected
by them—those who have been deemed sinners or criminals, often for no other reason than their social status, their sexual orientation, or especially their race. These walls do little more than divide a community. Part of Baldwin’s fear of the evil in the world around him is the fate of his friends: “one found them in twos and threes and fours, in a hallway, sharing a jug of wine or a bottle of whiskey, talking, cursing, fighting, sometimes weeping: lost, and unable to say what it was that oppressed them, except that they knew it was ‘the man’—the white man. And there seemed to be no way whatever to remove this cloud that stood between them and the sun, between them and love and life and power, between them and whatever it was that they wanted” (FNT 19). Here the barrier is some abstract notion of white power that is placed directly in the middle of a black man’s life that separates himself from his aspirations. “The man” is also, of course, a euphemism for a police officer, as in Baldwin’s most vitriolic short story “Going to Meet the Man,” discussed later in this chapter. Baldwin foresees the publication of that story in “Down at the Cross” when he writes, “Whoever debases others is debasing himself. That is not a mystical statement but a most realistic one, which is proved by the eyes of any Alabama sheriff” (FNT 83).

This association with “the man” is foretold in “Down at the Cross” immediately after the quotation in which Baldwin recalls the policeman’s comment, “Why don’t you niggers stay uptown where you belong?” and relates an incident when he was ten: “two policemen amused themselves with me by frisking me, making comic (and terrifying) speculations concerning my ancestry and probable sexual prowess, and for good measure, leaving me flat on my back in one of Harlem’s empty lots” (FNT 19–20). This exercise of power becomes an example of “the evil without” from which the young Baldwin must take refuge. His world is a dangerous place, not necessarily because of the criminals who pervade it—“the whores and pimps and racketeers on the Avenue” (FNT 16)—but because the law that is supposed to protect him from those criminals reveals itself to be a criminal power. In a dialogue with Nikki Giovanni, Baldwin said, “a cop is a cop. . . . All I know is, he’s got a uniform and a gun and I have to relate to him that way.” Keneth Kinnamon writes that the incident Baldwin describes in “Down at the Cross” is isolated: “[Baldwin] did suffer harassment from white policemen, including a terrifying incident at the age of ten mentioned in The Fire Next Time and treated at length in Tell Me How Long the Train’s Been Gone. But for the most part white oppression was an abstract force, responsible somehow for the poverty and desperation which surrounded him, the invisible cause of a visible result.”
Baldwin, however, describes police harassment as a repeated motif in his life, and anything but abstract; he writes later in the essay, “When a white man faces a black man, especially if the black man is helpless, terrible things are revealed. I know. I have been carried into precinct basements often enough” (FNT 53). Referring to a remark by Allen Ginsberg who said, “Don’t call the cop a pig, call him a friend. If you call him a friend, he’ll act like a friend,” Baldwin remarked, “I know more about cops than that” (RR 128).

Baldwin’s need to seek safety from such a criminal power is a real one, but one that damages his soul, for he realizes later in life, “To defend oneself against a fear is simply to insure that one will, one day, be conquered by it; fears must be faced” (FNT 27). To hide from the law would be to acknowledge its intimidating power, and thus to sacrifice one’s own power. Without blaming himself, Baldwin realizes the mistake he had made as a youth in supposing that there was a hiding place: “That summer,” he says, “all the fears with which I had grown up, and which were now a part of me and controlled my vision of the world, rose up like a wall between the world and me, and drove me into the church” (FNT 27; emphasis mine). Late in the essay, Baldwin completes the relationship between power, the legal system, and religion when he discusses the desire of the so-called American Negro to gain the sort of power and notoriety black men have in places like Africa: “As [American Negroes] watch black men elsewhere rise, the promise held out, at last, that they may walk the earth with the authority with which white men walk, protected by the power that white men shall have no longer, is enough, and more than enough, to empty prisons and pull God down from Heaven” (FNT 77). Baldwin’s description of the revolt against a white God’s power in terms of a prison riot solidifies the connection he sees between religion and the law as institutions that preserve racial hierarchy.

The walls of the early part of the essay are all associated with white power and with punishment, and it follows that the law gradually replaces the church in Baldwin’s imagination. In the shorter prefatory essay in The Fire Next Time, “My Dungeon Shook,” Baldwin makes clear the connection between a false sense of safety and wrongful imprisonment; he writes, “those innocents who believed that your imprisonment made them safe are losing their grasp of reality” (FNT 9). He plays with the notions of innocence and crime throughout this brief essay: the “innocents” in this quotation are in fact guilty, in Baldwin’s mind; they are the perpetrators of the crime of dooming their black brethren to the life of poverty and crime described at the beginning of “Down at the Cross.” He writes, “I
know what the world has done to my brother and how narrowly he has survived it. And I know, which is much worse, and this is the crime of which I accuse my country and my countrymen, and for which neither I nor time nor history will ever forgive them, that they have destroyed and are destroying hundreds of thousands of lives and do not know it and do not want to know it” (FNT 5). He goes on to equate criminality with innocence in the essay’s most powerful rhetorical turn: “But it is not permissible that the authors of devastation should also be innocent. It is the innocence which constitutes the crime” (FNT 5–6). Here Baldwin redefines the very terms of the legal courtroom—crime and innocence—to prove his point: “innocence” is a close substitute for “ignorance” here, and ignorance, as the saying goes, is no excuse for breaking a law. The crime he speaks of here is a crime against humanity, enabled through a willingness to erase history’s impact on the present. This essay is, after all, occasioned by the hundredth anniversary of the Emancipation Proclamation. Baldwin disposes of the notion of “innocence” in a nation that has been historically guilty, but that has never allowed itself to be tried for its crimes. In an atmosphere in which there appear to be victims of history but no acknowledged criminals, Baldwin has no choice but to criminalize the very notion of innocence, just as he has recast safety as a dangerous illusion.

In order for an individual to gain power against such a monolithic institution as the American legal system, he must resort to a new kind of rhetoric. In “Down at the Cross,” Baldwin attempts to redefine the concept of “crime” and the meaning of “power” in order to combat the “criminal power” that is held by the representatives of the legal system. “Crime” is synonymous with “sin” in the early section of the essay, when he has run to the church for protection from both of these things. He sees “crime” as something nearly inevitable for the residents of Harlem: it figures into their destiny. He writes, “Crime became real, for example—for the first time—not as a possibility but as the possibility. One would never defeat one’s circumstances by working and saving one’s pennies; one would never, by working, acquire that many pennies, and, besides, the social treatment accorded even the most successful Negroes proved that one needed, in order to be free, something more than a bank account. One needed a handle, a lever, a means of inspiring fear. It was absolutely clear that the police would whip you and take you in as long as they could get away with it” (FNT 21). Crime here is a way out of the cycle of poverty and despair that trapped Harlem residents in the bleak 1930s. Ironically, the police do not respond to crime in this formulation: they cause it. The police, according to Baldwin, are predisposed to mistreat
poor black Americans, so crime becomes a way—the only way—to claim one’s identity.

Even though law enforcement officers are only the most visible evidence of the law’s power, Baldwin regards them with the invective he generally reserves for church elders; he says, “All policemen have by now, for me, become exactly the same, and my style with them is designed simply to intimidate them before they can intimidate me. No doubt I am guilty of some injustice here, but it is irreducible, since I cannot risk assuming that the humanity of these people is more real to them than their uniforms” (FNT 68). The word “injustice” plays on Baldwin’s critique of the justice system, which is a much larger power than the police on the street. Baldwin’s manipulation of words related to the law (such as justice and guilt) is consistent throughout the essay: his willingness to redefine the words that have been used to define his reality is, in fact, his attempt to secure power for himself. Every society defines crime as an illegal act, and this definition is intended as a line of demarcation indicating a society’s moral beliefs. Yet when a society is permeated by widespread immorality, individuals must redefine crimes. For instance, Baldwin, describing his role as a Sunday School teacher, says, “I felt that I was committing a crime in talking about the gentle Jesus, in telling them to reconcile themselves to their misery on earth in order to gain the crown of eternal life” (FNT 39). This lesson is a “crime” in the adult Baldwin’s eyes because it is not really the handle, lever, or means of inspiring fear that will allow Harlemites to survive on the street; crime itself is. Later in the essay, musing on organized religion, he brings up the term “crime” again in a different context: “whoever wishes to become a truly moral human being . . . must first divorce himself from all the prohibitions, crimes, and hypocrisies of the Christian church” (FNT 47). Crimes here are sins against humanity, and thus act as evidence of the hypocrisy of a church that professes love and caritas. Religion in general is a way to make crimes holy; Baldwin later writes, “legend and theology, which are designed to sanctify our fears, crimes, and aspirations, also reveal them for what they are” (FNT 70). In making this link, Baldwin seeks to disempower two institutions that have seized control of the definition of American morality: the Christian church and the legal system.

Elijah Muhammad uses the same word when talking about white immorality when he speaks about “the crimes of white people” (FNT 65). These “crimes”—not specified as Baldwin conveys Elijah’s words—are presumably the racist leftovers of the system of slavery. Baldwin and Elijah Muhammad agree that these are crimes worth examining and trying,
but Baldwin chooses to focus more on the second word he seeks to redefine: power. In fact, Baldwin becomes interested in the Nation of Islam’s speeches not because of their rhetoric, but because their power seems to intimidate the police:

two things caused me to begin to listen to the speeches, and one was the behavior of the police. After all, I had seen men dragged from their platforms on this very corner for saying less virulent things, and I had seen many crowds dispersed by policemen, with clubs or on horseback. But the policemen were doing nothing now. Obviously, this was not because they had become more human but because they were under orders and because they were afraid. And indeed they were, and I was delighted to see it. There they stood, in twos and threes and fours, in their Cub Scout uniforms and with their Cub Scout faces, totally unprepared, as is the way with American he-men, for anything that could not be settled with a club or a fist or a gun. I might have pitied them if I had not found myself in their hands so often and discovered, through ugly experience, what they were like when they held the power and what they were like when you held the power. (FNT 48–49)

Baldwin finds the Black Muslims intriguing and impressive because they have a certain power over the police, who seem suddenly childish (Cub Scout uniforms and faces) in their presence. Although the police still have superior physical strength (symbolized here as clubs, fists, and guns), they now appear afraid and are rendered somewhat impotent in terms of the actual power they have. Still, though, Baldwin realizes the dangerous situation this creates: if the Nation of Islam indeed has power over the police, then there is the potential that the police will act on their fear, overcompensating by using excessive force. The power of intimidation that the Muslims exhibit is really no different from the criminal power of the police. This situation is parallel to what Baldwin concludes about Christianity and the Black Muslim movement, which are essentially similar in terms of their willingness to separate the races and place one above the other; as Baldwin puts it, “The dream, the sentiment is old; only the color is new” (57).

Baldwin ultimately does not endorse the Nation of Islam’s solution of gaining the power that has been denied them through revolt because, he believes, there is a higher force than raw power: love. Yet he acknowledges in this essay and elsewhere that it is sometimes difficult to resist the lure of power; he writes, “I knew the tension in me between love and power”
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Resisting a facile opposition between these two terms, he seeks to define love as something tough that can, in fact, stand up to the type of power he has been describing throughout the essay: “I use the word ‘love’ here not merely in the personal sense but as a state of being, or a state of grace—not in the infantile American sense of being made happy but in the tough and universal sense of quest and daring and growth” (FNT 95). The love he describes is a commitment to the self-trust and self-knowledge described by American Transcendentalists such as Emerson and Thoreau who believed that the individual conscience was the highest power and the one that all Americans should seek to develop apart from society’s institutions; as Baldwin writes, “The person who distrusts himself has no touchstone for reality—for this touchstone can be only oneself” (FNT 43). And yet, Baldwin at least raises the question about his individualistic sense of social improvement weighed against the social improvement of the Black Muslims who had managed to teach so many young men to avoid the life of crime Baldwin once saw as a near inevitability. He sees himself as “perpetually attempting to choose the better rather than the worse. But this choice was a choice in terms of a personal, a private better (I was, after all, a writer); what was its relevance in terms of a social worse?” (FNT 60–61). As Lawrie Balfour concludes, “Baldwin rejects the sort of up-by-the-bootstraps individualism that is often associated with the term [personal responsibility].”

If Baldwin believes that the solution to America’s racial crisis does not take the form of ideological, social, religious, or race-based political commitment such as that required by the Nation of Islam, then one might assume that he would look toward legal avenues for social reform. Deak Nabers argues that Baldwin’s essays of the 1960s including “Down at the Cross” marked a “turn from social clarity to historical recognition . . . fueled by a growing skepticism that legislation could meaningfully address America’s persistent civil rights problems.” He sees Baldwin’s writings as part of a larger trend: “in turning from legal and social concerns to historical concerns he participated in a widespread rearticulation of the nature of American racial inequality as the Civil Rights movement scored its major national legislative successes. The trajectory of the Civil Rights movement in the 1960s increasingly took it away from the notion that racial disadvantage in the United States could be effectively addressed by something on the order of a legal strategy.” Although there is certainly a good argument to be made that Baldwin turned to “historical recognition,” it does not necessarily come at the expense of a belief in the power of legislation, for at the end of “Down at the Cross,” Baldwin repeatedly
invokes the broadest manifestations of the law’s power—Supreme Court decisions of both the past and the present—and he even begins to use the language of the courtroom in his essay.

Nabers is correct insofar as Baldwin is skeptical of legal solutions to social problems, and Kieran Dolan uses the word skeptical as well, but says that Baldwin is skeptical “of liberal confidence that Brown represented ‘a change of heart,’ arguing rather that it was born of political pragmatism.” Baldwin is wary, as was Dr. Martin Luther King in his “Letter from Birmingham Jail,” of the white liberals’ calls for patience, and he defends Malcolm X’s point that the willingness to fight, physically, for one’s rights does not constitute “violence”: “Malcolm’s statement is not answered by references to the triumphs of the N.A.A.C.P., the more particularly since very few liberals have any notion of how long, how costly, and how heartbreaking a task it is to gather the evidence that one can carry into court, or how long such court battles take” (FNT 59). Nabers interprets this quotation as follows: “It might seem here as though Baldwin is concerned about the strategic implications of legal responses to segregation. ‘Court battles’ take too long, and exact too high a cost in human suffering, to count as effective instruments for achieving the social reform America needs. But Baldwin’s objection to Brown is not simply that it was a very costly way of confronting school segregation; it is also that it was, in an important sense, beside the point of school segregation. . . . If at first Baldwin implies that NAACP-style efforts at reform were inefficient, in terms of both time and human suffering, here he so downplays the force of those efforts as to make them seem virtually irrelevant, irrelevant not merely to the social conditions they might be thought to address but also to the legal results, like Brown, they seek to achieve.” Nabers bases his conclusion on the following passage from “Down at the Cross”:

White Americans have contented themselves with gestures that are now described as ‘tokenism.’ For hard example, white Americans congratulate themselves on the 1954 Supreme Court decision outlawing segregation in the schools; they suppose, in spite of the mountain of evidence that has since accumulated to the contrary, that this was proof of a change of heart—or, as they like to say, progress. Perhaps. It all depends on how one reads the word ‘progress.’ Most of the Negroes I know do not believe that this immense concession would ever have been made if it had not been for the competition of the cold war, and the fact that Africa was clearly liberating herself and therefore had, for political reasons, to be wooed by the descendants of her former masters. Had it
been a matter of love or justice, the 1954 decision would surely have occurred sooner; were it not for the realities of power in this difficult era, it might very well not have occurred yet.

This seems an extremely harsh way of stating the case—ungrateful, as it were—but the evidence that supports this way of stating it is not easily refuted. I myself do not think that it can be refuted at all. (FNT 87)

Baldwin’s analysis of the Cold War factors surrounding *Brown* anticipates the work of recent CRT scholars such as Mary Dudziak who concludes, “*Brown* was the product of converging domestic and international developments, rather than an inevitable product of legal progress.” Geopolitics and the force of history do seem to overwhelm moral reasons (i.e., “love or justice”) as the basis for legal reform in Baldwin’s formulation and in Nabers’s analysis of it. Yet the word “power” here must be connected to the “criminal power” Baldwin speaks of earlier in the essay if we are to make sense of the essay as a coherent whole. The “realities of power in this difficult era” involve both geopolitics and Supreme Court decisions as well as the criminal power of the police and of rich, white people that dominated the early part of the essay. In short, legal power in Baldwin’s mind is still in the hands of the oppressors, and even if it is used for good, for “progress,” it is still not in the hands of the oppressed. He uses this observation as the basis for his indignation about the very basic premises of legal decisions: “There is absolutely no reason to suppose that white people are better equipped to frame the laws by which I am to be governed than I am. It is entirely unacceptable that I should have no voice in the political affairs of my own country, for I am not a ward of America; I am one of the first Americans to arrive on these shores” (FNT 98). The word “ward” is associated with imprisonment, which brings the discussion full circle: Baldwin is denying his status as someone being watched or guarded by the state and asserting his status as someone who has the right “to frame the laws” of his nation. He insists that he should have a “voice,” which is precisely the instrument he uses to gain the power that has been used to oppress him. It is also the instrument that he lacked in his prison and trial experience in Paris.

In exercising his voice in order to gain power, it is not surprising that Baldwin adopts the rhetoric of the courtroom in the latter half of the essay. His claim to power is his ability to argue, in writing; in other words, to make a case. He is conscious of the connection between legal argument and rhetorical power from the moment he departs from the table of Elijah
Muhammad and his followers: “And I looked around the table. I certainly had no evidence to give them that would outweigh Elijah’s authority or the evidence of their own lives or the reality of the streets outside. . . . All my evidence would be thrown out of court as irrelevant to the main body of the case” (FNT 72). Even this interaction with his Muslim brothers recognizes the importance of legal rhetoric to the shaping of their reality. Baldwin does not feel that he can persuade the Muslims to see things his way. The reason again is power, because for most people, “power is more real than love. And yet power is real, and many things, including, very often, love, cannot be achieved without it” (FNT 73). In the conclusion of “Down at the Cross” he overcomes this moment of despair at his inability to persuade anyone who is steeped in any kind of ideology or seduced by power when he reaffirms the ability of “the relatively conscious whites and the relatively conscious blacks, who must, like lovers, insist on, or create, the consciousness of the others” (FNT 105). There is finally affirmation in the essay that love can triumph over power, even legal power, even criminal power.

Toward the end of “Down at the Cross” Baldwin makes explicit the central difficulty of resolving America’s racial woes; he says, “there is simply no possibility of a real change in the Negro’s situation without the most radical and far-reaching changes in the American political and social structure” (FNT 85). The legal structure is, in theory, the intersection of the American political and social structures, or at the very least the most tangible evidence of those structures. Baldwin was clearly aware of the relationship between the legal and the social/political: the preceding quotation appears in Baldwin’s essay directly after a reference to the Dred Scott decision—the 1857 case that concluded that black people were not U.S. citizens—and immediately before a reference to “the 1954 decision”—that is Brown—that ended the practice of segregation in public schools. Such examples from history and from Baldwin’s lifetime demonstrate how the legal structure of the United States exerts a powerful influence over Baldwin’s quest for identity and over his views of his nation’s unfulfilled promise of justice for all of its citizens. As he says in a 1963 interview, “there are 20 million Negro people in this country, and you can’t put them all in jail.”22 He states the same idea more obliquely in “Down at the Cross”: “there is a limit to the number of people any government can put in prison” (FNT 103). The fact that black people make up roughly 12 percent of the U.S. population but over 50 percent of the U.S. prison population suggests that the trend Baldwin noticed fifty years ago—the use of legal power to control racial geography—continues, and indeed has
increased. The “criminal power” to incarcerate, to harass, and to legislate decisions that continue to place minorities and other disenfranchised individuals where society believes they belong—in housing projects, in impoverished neighborhoods, and in jail—has certainly not diminished since the publication of Baldwin’s essay.

In the period surrounding the publication of Fire, Baldwin concentrated on producing short stories, which were collected in 1965 in Going to Meet the Man. These stories reveal Baldwin’s changing aesthetic as well as the amplification of his responses to the law’s power. Baldwin embraced one of the central lessons of “Down at the Cross” in his short fiction, namely, the difficulty and necessity of accepting the other, particularly the criminal other. Arguably the three most successful stories in the collection exemplify this theme: “Sonny’s Blues” (1957), “This Morning, This Evening, So Soon” (1960), and “Going to Meet the Man” (1965). The first two cast the “other” as criminals who have served time in prison; the third poses an even greater challenge to the reader’s empathy by focusing on the man who might have arrested them. In all three cases, the law represents a dividing line that prevents human relationships from flourishing naturally. Brown is briefly evoked in the second story, and the three together argue that its effects are meaningless as long as the law’s enforcement mechanisms (prisons and police) retain their criminal and criminalizing powers.

“Sonny’s Blues” has become Baldwin’s most famous work and has been thoroughly analyzed as such, both for its sharp moral message (the narrator has to learn how to listen to his brother rather than to judge him) and for its keen understanding of the blues, both musically and culturally. Sonny is the epitome of Baldwin’s conception of the artist; according to David Leeming, “For Baldwin the artist was a victim and a savior who ‘plays’ for his very life and for ours.” The narrator’s difficulty in accepting his brother as a victim/savior stems from his notion of public respectability: the narrator has gotten out of the ghetto by upholding a conventional, bland middle-class life, teaching the emotionally neutral subject of math. Sonny, though, plays jazz music, which the narrator considers a low art form and, much worse, he takes heroin. Yet the story is catalyzed not by Sonny’s playing jazz or using heroin, but by his arrest. The public stigma of incarceration fully distances Sonny from the narrator and sets in motion their path toward healing.

It is curious, then, that “Sonny’s Blues” carefully sidesteps Sonny’s incarceration to the point that the narrator never uses the words “arrest,” “prison,” or “jail.” In fact, he seems to avoid these words on purpose, and he refuses to imagine what Sonny’s prison experience must have been like.
In all references to this period of Sonny’s life, the narrator uses phrases that refer to nonspecific but still physical sites. Sonny is not arrested, but rather “picked up” (GM 103). The police are not even named as the narrator describes the border that is the prison wall: “they’ll let him out. And then he’ll just start working his way back in again” (GM 108). Inmates commonly refer to prison as “inside,” but the narrator’s purpose in describing Sonny’s incarceration this way seems to be related to his avoidance of the subject; he observes his fellow teachers walking through crowds of students “quickly . . . to get those boys out of their sight and off their minds” (GM 105) just as he does with his brother. Similarly, in his uncomfortable conversation with Sonny’s friend, he admits, “All this was carrying me some place I didn’t want to go” (GM 107). The physical placement of Sonny in jail is a way for everyone who considers themselves innocent to have him “out of their sight and off their minds,” and to enclose him “some place” where they don’t want to go: that is, prison.

Sonny perhaps understands his brother’s unwillingness to fully see the place that confines him. In his initial letter from prison, Sonny refers to his location nonspecifically as “here” and “down here” (GM 109). He speaks of his condition metaphorically: “I feel like a man who’s been trying to climb up out of some deep, real deep and funky hole and just saw the sun up there, outside. I got to get outside” (GM 109). This description is meant to reveal his emotional state as well as his attempts to recover from heroin use, but it evokes his actual setting: “the hole” is a common term for solitary confinement, and “outside” refers to the space outside the prison walls. After reading the letter, the narrator begins “finally, to wonder about Sonny, about the life that Sonny lived inside” (GM 110), again referring to his interior life, but also alluding to his incarceration. As the brothers begin to talk honestly to one another about suffering, about heroin use, and about the emotional power of music, they continue to avoid a discussion of Sonny’s arrest and prison experience, which has presumably altered his perspective and which has catalyzed the narrator’s awareness of his brother. The narrator refers to Sonny’s arrest and incarceration as his “trouble” (GM 127) and Sonny himself again refers to his jail cell without naming it as such: “I can’t forget—where I’ve been. I don’t mean just the physical place I’ve been, I mean where I’ve been” (GM 134). The story again pushes us away from Sonny’s experience in prison in favor of concentrating on his spiritual and emotional crisis; yet here he acknowledges that the physical place of prison has contributed to his perspective.

“Sonny’s Blues” is not just a “social problem” story about how black men end up committing crimes and serving time for doing so; to return to
Baldwin’s early arguments with Stowe and Wright, it is not “protest literature.” Sonny has committed a crime and is “picked up” for it. The narrator does not bemoan this fact and Baldwin does not encourage us to see it as injustice. Yet prison effectively acts as a metaphor in the story for any of the forces that can separate individuals, and these forces must be resisted if a society is to flourish. The story asks the reader to consider difficult questions about interpersonal relationships and responsibility. When Sonny’s friend reads about Sonny’s arrest in the paper, he says, “The first thing I asked myself was if I had anything to do with it. I felt sort of responsible” (GM 107). The narrator does not initially feel this way because he has failed to learn his mother’s basic lesson about brotherhood: “You may not be able to stop nothing from happening. But you got to let him know you’s there” (GM 119; italics original). When the narrator finally does begin to act in accordance with this lesson, he begins to develop from a static, insensitive prig into the role he should have filled all along: the older brother who is willing to listen. His initial contact with Sonny takes the form of a letter to his brother in prison. The implications of Baldwin’s message can be applied to much of his work during this period: the social constructs that serve to separate and compartmentalize society—like prison, like segregation laws, like religious institutions—can be easily overcome through an understanding that we are all connected and that we can demonstrate how we are there for one another even if we can’t prevent everything bad from happening.

“This Morning, This Evening, So Soon” presents the same message to the reader in an even more challenging way, for here the relationship between the “innocent” narrator and the story’s criminal, Boona, isn’t familial (although Boona refers to the narrator as “brother,” both in English and in French). The story’s initial conflict involves the narrator’s anxiety over his repatriation to his native America, but the conflict shifts and develops upon the arrival of Boona, a North African who joins the narrator and a group of American college students along with Vidal, the European director of the narrator’s recent film. Just before Boona arrives, the young Americans ask the narrator and Vidal their opinions, from a European perspective, of the Brown decision: “‘Then you haven’t been back since Black Monday,’ Talley says [to the narrator]. He laughs. ‘That’s how it’s gone down in Confederate history.’ He turns to Vidal. ‘What do people think about it here?’” (GM 181). Vidal responds, “It seems extraordinarily infantile behavior, even for Americans” (GM 181) and goes on to say that he doesn’t understand Americans. The infantile behavior he refers to is presumably the tension following the Supreme Court decision
rather than the decision itself, though Vidal never clarifies, and the narrator adds nothing to the conversation. As a black expatriate, he is perhaps not aware of the changes in his home country brought about by the legal end of school segregation. Boona’s arrival into the story, then, serves as a reminder of the complexity of the narrator’s racial identity and the nagging questions of poverty and criminality that are not addressed by the Supreme Court’s decision.

The crucial question at the center of “This Morning, This Evening, So Soon” is, again, not to figure out how to prevent crime so much as it is about understanding what to do with people who have committed a crime. When the young American tourist Pete informs the narrator that Boona has stolen money from his friend Ada, and that the theft has been corroborated by a reliable witness, the narrator tries to explain it away: “I do not know what to say or what to do, and so I temporize with questions. All the time I am wondering if this can be true and what I can do about it if it is. The trouble is, I know that Boona steals, he would probably not be alive if he didn’t, but I cannot say so to these children, who probably still imagine that everyone who steals is a thief. But he has never, to my knowledge, stolen from a friend. It seems unlike him. I have always thought of him as being better than that, and smarter than that. And so I cannot believe it, but neither can I doubt it. I do not know anything about Boona’s life, these days. This causes me to realize that I do not really know much about Boona” (GM 187). The narrator is clearly aligned with the narrator of “Sonny’s Blues”: both are successful men who are incredulous when their “brother” commits a crime, and both admit that they don’t know their brother as well as they should. Yet if the narrator of “Sonny’s Blues” is too judgmental, this narrator is perhaps too generous, or insufficiently critical. He also may be deceiving himself, especially when it comes to his point about Boona never stealing from friends. The passage echoes another passage from early in the story when the narrator realizes that his North African friends—whom he also thinks of as “brothers” (GM 156)—have stolen from him: “my collection of American sport shirts had vanished—mostly into their wardrobes. They seemed to feel that they had every right to them, since I could only have wrested these things from the world by cunning—it meant nothing to say that I had had no choice in the matter; perhaps I had wrested these things from the world by treason, by refusing to be identified with the misery of my people. Perhaps, indeed, I identified myself with those who were responsible for this misery” (GM 157). The word “right” is important here following an oblique discussion of civil rights vis-à-vis Brown as it reveals the narrator’s guilt.
and confusion, for his success is itself a kind of crime ("treason"). Just as Baldwin uses history to explain why black servants justifiably steal from white employers in "Down at the Cross," so here does he justify North Africans’ stealing from an American, especially one who has "identified himself" with white Americans, presumably through his economic success.

It is also possible that he is referring to his marriage to a white European woman. In either case, the narrator expresses a great deal of insecurity about his relationship with Boona and other North Africans, just as Baldwin had expressed mystification about the reality of Africans in his early essay "Encounter on the Seine: Black Meets Brown."

The situation is even more complex here, though, because the story takes place in the immediate aftermath of Brown when black people can ill afford any rifts in their racial community. Just as he is uneasy about his relationship with North Africans, the narrator is also insecure about his relationship to America, especially to these young students who represent a certain hope for the future. They, like the narrator, are embarrassed by Boona’s actions and want to resolve them quietly and privately, out of the judgmental eye of Vidal who represents the white colonizer to Boona, and powerful, paternalistic old Europe to the Americans. The ethical question of Boona’s behavior is a nagging one, though. The narrator is so eager to sweep the mess under the carpet that he takes full responsibility for Boona’s actions and offers to pay back the money, but he is not allowed such an easy resolution. Boona publicly denies that he has stolen the money, appealing to him "theatrically" with "tears standing in his eyes," and the narrator doubts his sincerity: "I want to say, I know you steal, I know you have to steal. Perhaps you took the money out of this girl’s purse in order to eat tomorrow, in order not to be thrown into the streets tonight, in order to stay out of jail" (GM 189). His extreme liberal position begins to break down, though; he goes on, "I also think, if you would steal from her, then of course you would lie to me, neither of us means anything to you; perhaps, in your eyes, we are simply luckier gangsters in a world run by gangsters. But I cannot say any of these things to Boona" (GM 190).

Society’s methods of social control, of crime and punishment, do not seem to apply in this situation. If Boona is stealing so that he doesn’t have to go to jail, if the world is indeed "run by gangsters" who embody a criminal power, this petty crime seems justified. This is the only way to explain the narrator’s distinction between “a thief” and “someone who steals”: he is acknowledging the complexity of the situation and suggesting that jail is not a fitting punishment for someone who steals. The situation tests his loyalties, though: he wants to ally himself with the new generation of
black Americans so that he doesn’t feel alienated when he returns to an America in which everything has supposedly changed after Brown. At the same time, he feels an ancestral race loyalty to Boona, and a kind of pity for him as someone who is stigmatized rather than celebrated in Europe. The situation is difficult and painful, with no satisfying resolution. The narrator, at the very end of the story, steps into an elevator with his son and twice describes it as a “cage” (GM 193). He may have kept Boona out of an actual jail only to have placed himself in a metaphorical jail. The illusion of social progress posited by Brown may have only served to obscure a vexing reality.

“Going to Meet the Man,” Baldwin’s most vicious work of fiction, marks a shift from those who are at the mercy of the “criminal power” of the law to those who use that power. Although the reader is encouraged to see how Jesse, the anti-hero of this story, was damaged when his parents brought him to a lynching at the age of eight, Baldwin certainly does not invite sympathy for this character who can only become sexually aroused when he thinks of abusing black people. In “Down at the Cross” Baldwin writes, “A child cannot, thank Heaven, know how vast and how merciless is the nature of power, with what unbelievable cruelty people treat each other” (FNT 27). Jesse’s childhood experience presses against this observation: in one sickening day, he gains that knowledge. The tragic premise of the story is that Jesse appropriates that power, with all of its attendant cruelty, as an adult. Profoundly unsettled by the behavior of black agitators, he longs for a simpler time when the older generation was in control: “Men much older than he, who had been responsible for law and order much longer than he, were now much quieter than they had been, and the tone of their jokes, in a way that he could not quite put his finger on, had changed. These men were his models, they had been friends to his father, and they had taught him what it meant to be a man” (GM 236). These men “responsible for law and order,” we learn, constituted a lynch mob. Despite the presence of the National Guard in southern cities, despite Brown, despite the efforts of the Southern Christian Leadership Council and the Student Non-violent Coordinating Committee, the memory of lynchings and vigilante justice live on in Jesse’s mind as the foundation of “law and order” in the South. The fact that he has become a law enforcement officer who routinely abuses black people is evidence of the “criminal power” that Baldwin fears and hopes to expose.

Jesse realizes that it is getting harder to control black people because of agitators from the North and because, in the words of the police officer from “Down at the Cross,” black people have refused to stay “uptown,
where they belong.” Jesse thinks, “If the niggers had all lived in one place,” he and the other white racists could have “set fire to the houses and brought about peace that way” (GM 237). He regards himself as a good man, and hopes to see himself and the other would-be vigilantes as “soldiers fighting a war, but their relationship to each other was that of accomplices in a crime” (GM 239). Baldwin here indicates that Jesse’s authority constitutes a criminal power, and we see him enacting it in his encounter that day with a young black man. He seems unable to control his own actions toward the young man and regards the other officers’ treatment of him as inevitable: “Big Jim C. and some of the boys really had to whip that nigger’s ass” and “they had to beat him” (GM 232). Jesse abuses this man as a way of controlling the entire black community, specifically to stop them from singing protest songs. The narrative perspective shifts; Jesse initially relates the story in first person to his wife—“I put the prod to him” (GM 232)—but by the end of the paragraph the perspective has become objective: “he kept prodding the boy, sweat pouring from beneath the helmet he had not yet taken off. The boy rolled around in his own dirt and water and blood and tried to scream again as the prod hit his testicles, but the scream did not come out, only a kind of rattle and a moan. He stopped. He was not supposed to kill the nigger. . . . His foot leapt out, he had not known it was going to, and caught the boy flush on the jaw” (GM 233). He has transferred the power he witnessed in his youth of a lynch mob into full-fledged police brutality. There are apparently limitations to his actions that differentiate his behavior from that of his parents’ generation—notably, he is not “supposed to kill” the young man—but he is unable to control his actions once he has begun them.

The law supposedly exists to maintain order and control in society. Baldwin’s meditations on legal power in the late 1950s and early 1960s, however, reveal its other, sinister dimensions. This “criminal power” knows no limits, for one thing, and as Jesse proves, it can never be extinguished. Moreover, it is motivated more by irrational fear than by the rationality that is supposedly at the core of the law. Finally, its effect is not to maintain order so much as to uphold the separations within society that were supposedly redressed by Brown. Beginning with his return to the United States in 1957, Baldwin’s period of repatriation ended in extreme frustration and anger, as one can clearly see from the tone and subject matter of “Going to Meet the Man” which, like Blues For Mister Charlie, was not universally praised by critics; Joseph Featherstone called the story “inanely simple . . . like . . . the Book of Job in the form of a comic book.”24 This judgment is harsh, but it is clearly a reaction to the fact that
Baldwin’s optimism and promise for reconciliation, evident in “Sonny’s Blues,” erodes in the next two stories I have discussed.

Whether or not they result in inferior works of art, the emotional excesses of “Going to Meet the Man” and *Blues for Mister Charlie* reveal Baldwin’s growing feelings of despair at this time. His developing confidence in his ability to combat the criminal power of the law takes a pronounced change in direction from the late 1960s to the early 1970s. Having begun to understand the relationship between the Supreme Court and the law on the streets, Baldwin found himself again focusing on powerlessness and subjugation during this period rather than attacking the institutions that promulgate power. At this time he felt better equipped to deal with the enormous potency of the law’s power as an artist in exile rather than as a reporter on the front lines of the battlefield. He was also increasingly paranoid about his own safety in the late 1960s, worried that the violence unleashed by the struggle for Civil Rights would claim him as a victim, as it had already claim Medgar Evers and Malcolm X and as it was about to claim Martin Luther King. He returned to foreign exile in the late 1960s, and returned to an examination of the law in what he saw as its most brutal symbols: prisons and the police.