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# INTERSECTIONALITY IS THE NEW BLACK

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*Orange Is the New Black* (2013-2019), like most TV series, attempts to encapsulate its premise in its opening sequence. Saying that a color “is the new black” originated in the 1980s in the high fashion world to signify that designers were investing a particular shade as the classic fallback color, instead of black. When the show was first released, the expression was commonly used amongst New York’s upper crust, the original social milieu of the main white character, Piper Chapman. The latter has been convicted, ten years after the fact, of smuggling drugs into the country for her lesbian lover Alex Vause. Even though in the meantime, she has put her past behind her and never mentioned it to her loving fiancé, Piper is going to spend a year in prison, where orange jump suits are the standard and where inmates of her class, complexion, and even gender, are not. Although strictly speaking, the title refers to fabric colors, not race, the world which Piper and audiences are entering is one where race is bound to be part of the narrative, both within the story and in its reception.

The initial concept of the company hired for the credits was to “create a semi-surreal main title sequence of images from Piper’s point of view that would starkly contrast the hard, cold reality of her new imprisoned life against the imagined luxuries of her previous life.” (Dunne) But although the series is based on Piper Kerman’s autobiographical account of her year in prison, which does center on the author, Jenji Kohan, the woman who created the series, was inspired to make it into an epic drama about a multitude of characters, most of whom are introduced in the book. She is often quoted saying she hoaxed producers into investing in stories that are believed not to sell by pitching Piper as appealing to the mainstream demographics producers are after.

In a lot of ways Piper was my Trojan Horse. You're not going to go into a network and sell a show on really fascinating tales of black women, and Latina women, and old women and criminals. But if you take this white girl, this sort of fish out of water, and you follow her in, you can then expand your world and tell all of those other stories. But it's a hard sell to just go in and try to sell those stories initially. The girl next door, the cool blonde, is a very easy access point, and it's relatable for a lot of audiences and a lot of networks looking for a certain demographic. It's useful. (Kohan)

Kohan specifically requested a title sequence that would suggest the series was going to tell many women's stories, not just one. It is made of fast-revolving, extreme close-ups of women's eyes and mouths differing in age, make-up, and racial background. Of the 70-plus snapshots present in the sequence, more than half feature dark skin and only three pairs of eyes are blue, including those of Piper Kerman. The photographs were taken in New York and LA with formerly incarcerated women contacted through reinsertion organizations. *Orange Is the New Black* was conceived, marketed and received as a vehicle for voicing and delving into intersectional issues. Over its seven seasons, the show has included more poor, non-white and queer female characters than perhaps any other show in the history of American TV series, along with an equally diverse spectrum of white male and female characters occupying positions of continuity and contrast. The focus gradually shifts from Piper to other inmates and ultimately leaves the once central character in the background of greater causes, including but not limited to trans rights, cruel and unusual punishment, the privatization of the prison-industrial complex, Black Lives Matter, police cover-ups and racism in justice proceedings. It writes a new chapter in the representation of lesbianism in prison, revisiting tropes such as the pushy bulldykes and abusive guards, male and female, while weaving narratives of lesbian love and break-up, friendship and feud, solidarity and group rivalry. It develops a myriad of individual stories which taken together, paint a diverse picture where choices are informed by social constraint. The use of flashbacks both carries intersectional issues to the larger world outside of prison and builds empathy for the divisions within. The gradual decentering of the narrative from Piper Chapman's character to a collective of women attempts at exploiting the show's popularity to focus on the intersectional consequences of policy-making and suggesting actions to foster rehabilitation instead of punishment.

### **Privilege away from privilege**

As expressed in the opening sequence, no orange or khaki uniform made for men can strip the most downtrodden, disenfranchised woman out of her individuality. As soon as Piper meets other prisoners, they are characterized by their accents, gender identity, racial background, age, etc. Lorna Morello is the first inmate Chapman speaks to—she has a thick Italian American North-East city accent, is wearing red lipstick, blue eye-shadow and black eye-liner, and immediately asks her about which wedding dress would fit her best, taking her large sunglasses on and off for effect. In the same van leading up to the prison entrance are Janae Watson, a butch of few words sporting a short afro, and Dayanara Diaz, waving her light

brown curls in tough silence. The line of onlookers sizing up the new inmates may all be wearing similar uniforms, yet they are distinct in every possible way.

The first season fully exploits the fish-out-of-water storyline and contrasts Piper's life in prison with romantic flashbacks of her life with Larry. The first scenes in prison present a petrified Piper who is appraised by other inmates with strong sexual undertones. Unlike Piper Kerman's novel, which warmly thanks "my husband, Larry Smith, whose ferociously stubborn love sustains me and without whom I would not have written this book," the series immediately stages the Piper-Larry relationship as doomed with flashbacks of Piper and Alex who, unlike what happens in the book,<sup>1</sup> are reunited at the end of the first episode through a miraculous transfer to Litchfield prison and the prison world becomes rife with lesbian possibilities. As a thin, blond, upper-class woman, Piper enters a world where although she is stripped of her right to basic human dignity—as made clear by the stripping scene and her first few encounters with guards, both male and female—she benefits from race, class, and even sexual privilege more clearly than she might have been aware of outside of prison.

The first episode establishes that whether she wants to or not, she belongs with the white women who offer some toiletries and a seat at their table. When in the first episode, she gravely offends Red, the Russian-born mother figure, by complaining about the food she was not aware Red was in charge of cooking, she has no choice but to make amends or never eat a full meal again, for she has no other prison family to turn to.

By season 2, episode 9, social dynamics are well established and although Piper has made friends with several black and Latina women, when they hear that she got furlough to visit her dying grandmother when others cannot attend a parent's funeral, the racial divide is palpable. The scene takes place in the cafeteria where Piper is standing in line for food. Poussey Washington, Tasha "Taystee" Jefferson, Cindy Hayes ("Black Cindy"), Yvonne "Vee" Parker and Suzanne Warren ("Crazy Eyes") are loudly commenting on the "special treatment" Chapman is getting. The crew serving food is Latina and Aleida Diaz and Blanca Flores make fun of Chapman's excuse for getting out, "sick *abuela*, the fuck you came up with that one?," suggesting some kind of deception. Taking a seat at a separate, all-black table just behind

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<sup>1</sup> Alex Vause is based on Cleary Wolters, whose pseudonym is Nora Jansen in the book: Piper and Nora meet only when they are summoned to testify against their former drug boss, towards the end of Piper's sentence. In the book, lesbian relationships are rare and most lesbians are said to be "gay for the stay." Yet, the book never discounts Piper's past lesbian relationship, never expresses homophobia and does include a few intense moments about each of the women Piper meets, creating attempts to explore racial and social issues in prison, all of which was fertile ground for what the series eventually became.

Piper's all-white table, Poussey points to her privilege when she says, "Chapman ain't got no strife in her life, but bitch gets the red carpet laid out for her." "The new Jim Crow," adds Vee, suggesting separation in prison is no more equal than outside of it. When Cindy says Piper must have gotten furlough in exchange for oral sex, Piper dramatically rises from her seat and proclaims:

Yes, I am white! We have established that. And I got furlough, too. I guess white privilege wins again. And as a speaker for the entire white race, I would like to say I am sorry you guys got the raw deal, but I love my fucking grandmother. And yeah, she may be a whitey, too... But she's a fucking person, and she's sick... And she needs me. (S02E09)

The tension between the white character's anger at having to justify her furlough, which by definition is a "privilege," and her grandstanding statement over what only a rich white inmate could possibly consider reasonable cause for furlough, is resolved when Suzanne "Crazy Eyes," who has had an unrequited crush on Piper in the previous season, hits her with a piece of blueberry pie to the back of the head. It is never confirmed that a furlough was granted on the basis of any kind of special treatment, because that is how privilege works: the "new" Jim Crow is not written in law, it is a practice inherited from history, as acknowledged by Piper's recognition that "you guys" got a "raw deal". Privilege repeated over time turns people into representatives of their race, as Piper complains about herself while in the same tirade, she lumps together non-whites as "you guys." The issue of Piper's furlough directly addresses intersectional dynamics in prison, as Poussey comes from a relatively privileged background (she is an army brat, speaks fluent German and went to college), and is clearly the most upset about the situation as she did not get furlough when her mother died. Being set in the cafeteria, the scene also prefigures Poussey's killing in the finale to season 4.

The show initially centers on Piper, as the promotional material makes strikingly clear,<sup>2</sup> and even drastically expands on the narrative ramifications of her criminal past by reuniting her with her former lesbian lover and partner in crime. At the same time, over the course of seven seasons which cover much more than the already detailed 400-page book, all characters are expanded upon in keeping with the TV series' very essence. Character-driven long narratives require many twists and turns, including the reversal of first impressions about minor characters

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<sup>2</sup> Not to be confused with fan art, promotional material can be googled by typing the title and searching for images of DVD covers or promotional posters. With very few exceptions towards the end of the show, they all feature Taylor Schilling at the center.

who should not be too quickly judged, a technique that becomes a breeding ground for intersectional seeds.

### **Flashback as Agit-prop**

The use of backstories developed in flashback sequences is a classic trope of character development in TV series. For example, amongst truly very many, *Lost* (2004-2010) heavily relied on flashbacks to find out more about each character and try to figure out what had happened to them, or *This Is Us* (2014-) is built on flashbacks about the main characters' family history together. A sort of conflation between the two – “what did they do to get here” / “how did they grow up” – *Orange Is the New Black*'s use of flashbacks becomes a potent tool of intersectional narrative probing.

At first hailed for its diversity, the show was quickly criticized for its inability to represent relatable, sensitive, intelligent characters of color. Typically, Mike Hale's 2013 *New York Times* mixed review of the first six episodes praised the show for including a lot of unknown black and Latina actors, specifically Dasha Polenco (Dayanara Diaz) and Uzo Aduba (Suzanne “Crazy Eyes” Warren), and went on to focus on the more famous white actors (Kate Mulgrew, Natasha Lyonne, Laura Preppon, and Lea DeLaria) who at first, are indeed the most relatable, if only because Daya is too quiet and Crazy Eyes is too crazy. During the first couple of seasons, feminists and intersectionally-minded people started to criticize the show for its unequal representation of people of color as opposed to the white protagonists whose stories were foregrounded even though they were not necessarily the most interesting to everyone. Roxane Gay, who would later co-author the first Marvel comic book starring black lesbian characters, *World of Wakanda* (2016-2017), also wrote a mid-first season review of *Orange Is the New Black* entitled “The bar for TV diversity is way too low,” in which she questioned whether quantity could compensate for quality in what she called “a lovingly crafted monument to White Girl Problems” in which “diverse characters are planets orbiting Piper's sun.” She goes on to quote Aura Bogado's review for *The Nation* entitled “White is the new white,” which likens the show's premise to mid-nineteenth century slave narratives and how they are framed by a white introduction to validate the veracity of what follows and more generally, a white point of view. Bogado refuses to stand by yet another exploitation of the disproportionately black experience of incarceration by white women, regardless of how well-intentioned they are (as were abolitionists), pointing out “wildly racist tropes: black women who, aside from fanaticizing about fried chicken, are called monkeys and Crazy Eyes; a Boricua mother who connives with her daughter for the sexual attentions of a white prison guard; an Asian woman

who never speaks; and a crazy Latina woman who tucks away in a bathroom stall to photograph her vagina...”

I myself was struck by the shallowness of the black characters and frankly, the difficulty to relate to them compared with the main characters who at first are not only Piper and Alex, but Red, Nicky, Pensatucky, and several of the white C.O.s and wardens, in other words, very predominantly, the white characters. But TV series, when they are successful, last for more than one season, and although scholars prefer to study them as a whole once completed, audiences tend to appreciate them as a series of seasons, some of which may be skipped or speed-watched to get to the next one. Moving from one season to the next, the show delves into each character and has them evolve while slowly but surely criticizing the privatization of prisons, racist double standards, and incarceration itself. Indeed, the show has exploited its immense popularity to introduce every intersectional issue presently under close examination in American culture (race, class, sexuality, gender identity, mental illness, age, citizenship...), were flashbacks have a major role to play in winning over audiences to each character’s personal struggles that eventually sent her to prison.

The character whose evolution most exemplifies this phenomenon is probably Tasha “Taystee” Jefferson. In the book, Taystee is “Delicious” and is only mentioned in passing in a few scenes that are actually reproduced in the series, such as the mock job fair<sup>3</sup> (S02E02) and the famous “You’ve got them TV titties” line<sup>4</sup>. At first, Taystee is very stereotypical in the way she seems to just enjoy life in spite of the circumstances. She is smart, but tends to trivialize everything, including in a premonitory scene when flanked by Poussey, she runs for the inmates’ advisory council and her campaign promise is to get fried chicken on the menu because it’s “delicious, everybody likes it. Chicken for the people! I rest my case.” (S01E06) Yet, from season 1 to season 7, Taystee evolves drastically, especially after her best friend Poussey Washington’s murder at the end of season 3 (S03E12) and the riot that ensues. In season 4, she soon becomes one of the inmate’s most articulate and politically focused spokesperson, along with Alison Abdullah who has a political vision for their actions. Having consulted all the inmates, they eventually come up with a list of ten grievances for better treatment and better conditions, which includes “equal treatment of prisoners regardless of race, status, or celebrity.” (S05E03) The list comically involves demanding Cheetos but this time, Jefferson is against

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<sup>3</sup> Pages 333-135 of the book, Piper, Delicious (Taystee), Pom-Pom (Black Cindy), and Vanessa (Sophia) all participate in the mock job interviews. There is no “winner” (Taystee wins in the series), instead Piper’s “tweed librarian outfit” is said to be “most work-appropriate.”

<sup>4</sup> The line found p.141 in the book appears at 1’20’’ in the series’ first episode.

including the item; it is imposed by other inmates or perhaps, by the show's difficult balance of comedy in an increasingly serious narrative.

Jefferson's rising political consciousness is made possible by the show's length. She appears in all but 2 of the 91 episodes and not unlike Crazy Eyes who gradually becomes better known as Suzanne, Taystee becomes Tasha as she matures as a character. Her evolution is also expressed through her haircuts, from mid-length curls to cornrows, to pulled hair in a crown braid or a bun, to a short afro, all to be contrasted to the long straight hairpieces she wears in some flashbacks. Jefferson's political transformation is Socratic, as she slowly comes to realize, along with the audience, her predicament is far from being of her own making. Two flashbacks in season 2 show how she is recruited as a child by drug dealer Yvonne Parker at an adoption fair (S02E02) and raised to work for her with little incentive to give up crime when the only other option is a low-paying job at an inner-city fast-food restaurant called Storky's Burger. Towards the end of the second season in which Taystee's childhood is revealed, Taystee is discussing her predicament with Poussey in the library and whether "it's all because of the cycle of poverty and the bad schools and the government cheese and because I'm brown and my mom was on crack. But I think it's because I was just being an asshole." (S02E13) Immediately following her rebuttal, which the flashbacks have already contradicted, Taystee goes on to joke about the sex scenes in Diana Gabaldon's book *Outlander*, which she is recommending to Poussey, except for how pale the handsome Highland warrior is and that if she had a chance to go back in time, she'd rather find a Nubian king. Even though Taystee is yet to question the system, the scene does indict cultural hegemony – Poussey responds by memories of fantasizing about the film *Back to the Future* (Robert Zemeckis, 1985) with the sad conclusion that "her DeLorian never came," again contrasting white fiction with the reality of black lives.

Tasha Jefferson truly becomes a leader during the riot and decides she should use Judy King, an inmate loosely based on Martha Stewart, to carry their message to the press. The decision is interspersed by two flashbacks of a young Janae Watson taking a tour of a highly privileged all-white high school to discover they are putting on a high-end production of *Dreamgirls* in which a white teenager in an afro plays Effie<sup>5</sup>, which makes Janae cry. A third flashback further connects the fight against the prison industry to the larger racist and classist

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<sup>5</sup> *Dreamgirls* is a Broadway musical created in 1981 and released as a film in 2006. Its depiction of the rise to stardom of the all-female R&B group "The Dreams" is a thin-veiled biopic of the Supremes and their ups and downs with Motown Records. Effie is inspired by Florence Ballard, the lead singer who was dropped from the group and replaced by Diana Ross. The episode is called "Sing it, White Effie," a line pronounced by Courtney, the white girl who takes Janae around the school, but without the word "white." The irony is that in *Dreamgirls*, Effie's last name is White.

forces in America when young Janae has lost the will to study and confronts her teacher: “Why bother playing a game that’s rigged?” This series of flashbacks is caused by Janae questioning Taystee’s communications strategy in the riot, which mirrors the show’s own strategy. Janae takes Taystee aside to urge her not to let Judy King speak for them and “karaoke our song,” but Taystee argues reporters “will hear more of what we saying if it comes from her mouth.” (S05E05)

Once outside, Taystee speaks as Tasha Jefferson and repeats Poussey Washington’s name several times “because it can never be said enough,” foregrounding the #SayHerName campaign fighting for the visibility of black female victims of police violence. When Judy King follows up with a heart-felt speech devoid of any real-life experience, Taystee finally registers Janae’s point and stops Judy King mid-sentence.

She will not be speaking for us because Judy King can't speak for the inmates of this prison. She was kept separate from us, held in a private room with better treatment and a seltzer-maker. And moments after our friend, Poussey Washington, was murdered by a guard for doing nothing wrong, Judy King was packing her bags to go home on early release. Because she's rich and white and powerful. Now our fight is not with Judy King. Our fight is with a system that don't give a damn about poor people and brown people and poor brown people. (S05E05)

In this key scene, Judy King stands in for Piper Chapman as a privileged inmate who cannot bear witness to the intersectional layers of discrimination within the prison system. The series reflects upon itself and, thanks to Janae’s flashback sequence, expresses its intersectional agenda within a larger framework. Its capacity to illustrate personal feelings through flashbacks and to slowly unfold the back and present stories of the poor, and brown, and poor and brown people, not only achieves the classic reversals of relationships and personal choices that long narratives are built on, but also a reversal of the show’s political agenda through metafictional reflections on its very premise. The white, middle class inmate used to infiltrate the story of many more eventually gets pushed down from her narrative pedestal. As Alison Abdullah argues in favor of including everyone in the writing of the list of demands, “the worst thing you can do is take another woman’s voice when she’s finally found it.” (S05E03)

### **Decentering Narrative**

With the murder of Poussey and the ensuing riot, to some extent, the series leaves Piper Chapman somewhat on the sidelines. During the climactic scene when Daya picks up a guard’s

gun and hesitates whether to shoot (S04E14), she is standing at the intersection of two halls with a group of Latina inmates on one side and black inmates on the other (with the exception of Judy King, held hostage). As the riot unfolds, Latina inmates are in charge of keeping the guards hostage while black inmates carry out demands. Piper and Alex literally stand outside, setting up camp in the garden (S05E05). Away from the main action, they are “sitting it out” (S05E06). After a series of events and a gruesome scene of torture when a guard holds them hostage, they eventually hide in a bunker (the prison’s old pool) with older white inmates who were hoping to pass the riot unscathed (they will not). In this ensemble show where many plotlines are intertwined, the geography of the riot mirrors the fictional space each group occupies as the narrative tables are slowly turning.

Although the series main narrative veers away from the centrality of Piper Chapman towards its last three seasons only, even before the riot, important stories besides Piper’s are being told, separate from any interaction with her. For example, transsexual inmate Vanessa Robinson, who becomes Piper’s cellmate for a short while in the book, is expanded in the series as Sophia Burset, played by Laverne Cox and her twin brother Mark Lamar in flashback. Trans rights such as access to hormones and protection from bullying are narrative threads over several seasons as Sophia becomes a target of transphobia first from the prison hierarchy, who deny her hormones and then attempt to bribe her for sexual favors, then from other inmates who harass and eventually attack her. When Sophia reports the attack, she ends up spending almost an entire season in the SHU “for her own protection.” The series also develops the story line of her wife and son, both in flashback and during prison visits, which introduces parenting and marriage. Although Sophia is always on good terms with Piper, her story line is developed very much independently, to great critical acclaim and audience interest for the specific issues of incarcerated trans people. The same could be said of the follow up over seven seasons of Suzanne and the treatment of the mentally ill in prison, of Daya’s toxic relationship to her mother Aleida, of Miss Rosa and the (non) treatment of her cancer, or of aging characters such as Frieda Berlin (Dale Soules), also mentally unstable.

This decentering phenomenon was possibly as much due to the narrative merits of the series as to its reception, and the attachment of many audience members to specific characters since as always in long TV series, the production and writing team is made aware of audience reception. One indication is that unlike practically all of the show’s marketing material, the vast majority of fan art<sup>6</sup> does not put Piper Chapman at the center, as if the intersectional discourse

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<sup>6</sup> An Internet image search for “Orange Is the New Black fan art” will provide illustration.

at the core of the series was significantly processed and re-mediated by its fans, and may even have enhanced it. For clearly, as things became more political, and also more dangerous and life-threatening, *Orange Is the New Black* focused on specifically racial issues and gradually decentered its look. With the murder of Poussey and the prison riot eventually occupying a pivotal position over the seven seasons, the main plot shifts away from Piper Chapman, making some fans recognize that “Taystee is the real Star of *Orange Is the New Black*.” Sophia Burset could have made a close second had she not been sent to the SHU for an entire season and given early release and a cash deal to condemn Taystee.

*Orange Is the New Black* is a complex, polyphonic narrative in which no character can hold center stage or carry the gaze for long – a gaze that may be as diverse as its audience. The greater issue driving the narrative is the privatization of the prison-industrial complex and its consequences on the inmates’ conditions, with the pressure put on underpaid, undertrained prison guards, climaxing in the riot following the murder of Poussey Washington, a black, lesbian, highly-educated inmate. Thanks to the popularity of the show, Poussey’s death, at the end of season 4, was allowed a 3 season-long resolution that explored every character’s relationship to the murder, the riot and its aftermath. The show launched the still active<sup>7</sup> Poussey Washington fund devoted to the support of women in prison. The seventh and final season introduced the pressing issue under the Trump administration of undocumented workers serving time before being deported. The addition of an ICE detention center, with its terrible living conditions and extreme promiscuity, put Litchfield inmates in a new position of privilege<sup>8</sup>. Two long-running characters, Maritza Ramos and Blanca Flores, are put under ICE detention because they were not born in the US, which under new policy becomes cause for separation. Added dramatic tension comes from Maritza not knowing she was born outside the country and believing herself the victim of a paperwork glitch while Blanca, who has been expecting to reunite with her husband since the very first episode, is immediately deported upon her release. With these story lines, in parallel to Tasha Jefferson being accused a crime she did not commit during the riot, sticking to her non-guilty plea and getting sentenced for life, season 7 condemns the injustice against people of color and undocumented or foreign-born Latinos.

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<sup>7</sup> The Fund was launched on July 26, 2019, along with the last season, and is presented in the last scenes of the show’s finale. It is still active in May 2020.

<https://charity.gofundme.com/o/en/campaign/pwf/pousseywashingtonfund>

<sup>8</sup> The intersectional position of disempowerment of undocumented women of color is precisely at the center of Kimberlé Crenshaw’s 1994 paper “Mapping the Margins,” a major follow up to her seminal 1989 article “Demarginalizing the intersection of race and sex,” considered to have coined the term “intersectionality.”

Hailed at first for its socially-conscious humor, the show ultimately gained respect by consistently weaving the complex responsibility of injustice and discrimination around the institutions rather than individuals. This is made most clear by the rotation of wardens who, for several of them, truly intend to make a difference, but are no match for the system at large. Although no Netflix product can truly be in a position to entirely uphold the capitalist system it stands upon, the show's use of long multiple narratives to contextualize poverty and decenter the initial white upper-class position of the main protagonist set the bar for TV diversity perhaps just a little bit higher.

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