



*Journal of*  
**Theoretical & Philosophical Criminology**

July, 2015,

---

Book Review:

Matt Taibbi. (2014). *The Divide: American Injustice in the Age of the Wealth Gap*.

New York, NY: Spiegel and Grau. ISBN: 081299342X. 416 pages.

Andrew M. Bland

Millersville University

---

*“The victims of oppressive social forces ... are not the problem; their predicament is the end result. To me, ‘the poverty cycle’ is not the problem, the ‘breakdown of the family structure’ is not the problem. These are only symptoms of the real problem, which is a system that encourages racism, greed, materialism, exploitation, and refusal to look upon one’s fellow beings as brothers.”*

- George Mitchell

*“Criminology [needs] to refrain from attempting to continue to seek out a generalized theory of criminal offending. ... [Although] we share a social world, our experience of that world is very different and predicated upon a variety of complex relationships that are simply not generalizable in any convincing way.”*

- David Polizzi

Making sense of the current socio-economic-political situation in America is a daunting and sometimes dangerous task. A complex but silent network of socially-constructed assumptions, givens, and truths—what Payne (2005) referred to as “hidden rules”—abounds. Knowledge of and access to these hidden rules typically is disfavored, even forbidden, outside of specific social circles

July, 2015, Vol. 7(2): 137–142

A. Bland

insofar as they exist in order to preserve and maintain a sense of identity, cohesion, and protection for the communities of people on either side of concomitant social, cultural, and economic continua who live by them. When cultural clashes happen—e.g., the recent police-community conflicts in Ferguson, Missouri; in New York City; in Arizona and New Jersey, and most recently in Wisconsin—these hidden rules momentarily become publicly exposed. Unfortunately, however, meaningful discourse about them often is brief and is typically based on only cursory awareness of the inherent macro-systemic issues at work. Life tends to quickly return to business as usual, and many Americans resort to either unilaterally blaming the victim or inconsequentially directing *ad hominem* attacks toward the police and/or other political leaders as the breaking news headlines continue to flood in.

All the while, a quagmire of statistics and sound-byte quotations and pontificating commentaries drowns out the salient underlying issue—namely, as Matt Taibbi proposes in *The Divide: American Injustice in the Age of the Wealth Gap*, that Americans have “a profound hatred of the weak and the poor, and a corresponding groveling terror before the rich and successful, and [that] we’re building a bureaucracy to match those feelings” (p. xx). This, he contends, accounts for an upsurge in both white-collar crime and in “no-sweat ten-second convictions” (p. xx) of non-violent crimes in contemporary American society—both of which generate a snowball effect of “collateral consequences” (p. 17) that fray the threads of family and community life in the United States. “This is a story that doesn’t need to be argued,” Taibbi says. “You just need to see it, and it speaks for itself. Only we’ve arranged things so that the problem is basically invisible to most people, unless you go looking for it” (p. xxiii).

The tension between the haves and the have-nots is nothing new, whether in American society or elsewhere in human history. However, Taibbi emphasizes that what makes the contemporary American situation both unique and particularly troublesome in the early 21<sup>st</sup> century is that “it turns out that we prosecute administrative/political violations like serious crimes, and serious crimes like administrative violations” (p. 242). White-collar crime has become too complex to track down in an increasingly corporatized, technologized, instant-ized, and globalized society: “Oftentimes it’s not even clear where the offense took place, who had guilty knowledge and who was just following orders, who thought their activities were sanctified by legal opinion and who didn’t” (p. 405). What’s more, for all intents and purposes, white-collar crime practically has become permissible as long as it serves to uphold America’s faltering reputation and status in the global eye: “The system is not disgusted by the organized, mechanized search for profit. It’s more like it’s impressed by it” (p. 384). Meantime, the image-conscious American social character—which values achievement at all costs and which unequivocally vocalizes fear and shame toward any sign of weakness—has developed a precarious package of social policies that serve to work against its own people, particularly those who have little say in determining the fate of their social standing:

This is where the drive for money and conquest is so intense that it crosses over into a kind of hatred and bloodlust, where the payoff stops being about money at all and becomes a search for something more desperate and seminal. It’s about winning, in the ultimate sense of the word. (p. 249)

This, Taibbi suggests, accounts for the curiosity that since the 1990s violent crime has decreased in America while poverty has increased and while the proportion of incarcerated individuals has doubled.

Taibbi tackles this quandary in the Introduction, stating that “it [is] impossible to answer that question without simultaneously looking at the question of who *does* go to jail in this country, and why” (p. xx). In Chapter 1, he explores America’s image problem in the face of instant media and globalization, which has leaked into the attitude of federal prosecutors who now place “a huge premium ... on not losing” (p. 37) when they choose whether or not to take on corporations in the courtroom. Taibbi continues that “by coming up with a calculus to determine who was big enough

July, 2015, Vol. 7(2): 137–142

A. Bland

and important enough to command jurisprudential mercy, they were simultaneously making a calculation about who was small enough and unimportant enough not to qualify” (p. 38). This, he suggests, is the backdrop against which the 2008 mortgage crisis took place—and more importantly, against which those who perpetuated the crisis were practically able to walk away scot-free and unscathed.

In the subsequent chapters, Taibbi employs an admirable technique of flip-flopping between perspectives on how contemporary America is experienced among the privileged (i.e. the elite and wealthy, usually White and male) and among the underprivileged (i.e. specifically populations of so-called minorities with limited financial means). In Chapters 2 and 3, he calls into question the validity of the “innocent until proven guilty” adage by exploring the controversial stop-and-frisk method and other forms of “sub-misdemeanor policing” (p. 96) utilized by metropolitan police departments in the face of budget cuts brought on by decreased rates of violent crime. In addition to emphasizing how these methods propagate mutual mistrust among impoverished individuals of color and the police forces that serve them, Taibbi outlines the host of burdens (financial and temporal) and barriers (e.g., disqualification from student loans, jobs, public assistance, etc.) that these methods impose.

Thereafter, Taibbi devotes Chapter 4 to exploring the intricate dynamics of white-collar crime. Tracing the series of a bankrupt investment company’s “flawed disclosures ... [of] complicated maneuvers ... executed in an undefined legal space” (p. 191, 186, 142), he proposes that “the real issue [is not] *legal or illegal?* but [rather] *seen or unseen?*” (p. 141). Taibbi’s narrative echoes Frankfurt’s (2005) distinction between lies and bullshit—in which the former entails “promulgating a falsehood” (p. 46) whereas the latter involves “fakery” (p. 47), a deliberate “attempt to deceive about [one’s] enterprise, [and to] misrepresent what [one] is up to” (p. 54). Because white collar crime rarely involves outright lies but rather a thick smokescreen of bullshit, litigation is nearly unattainable. Thus, Taibbi explains, the principal issue has even less to do with big dog corporations’ abilities to so easily fly below the radar than it does with the justice system not knowing where to begin and therefore throwing in the towel: “Many believe that [Wall Street] *can’t* be policed” (p. 143, emphasis added).

Taibbi tackles the “war on immigrants” (p. 210) in Chapter 5. In the wake of local economies destroyed by globalization, “the jailing-Hispanics business [became] the perfect mix of politics and profit” (p. 214) via a series of “exclusionary rules” (p. 203) created to make it easier to send detainees to corporate detention centers which provided jobs for the local White population. “Ironically, the very brokest people in America, Hispanic immigrants, are one of America’s last great cash crops” (p. 217).

In Chapter 6, Taibbi surveys the cutthroat, social Darwinist character of competitiveness in a globalized market, in which “crimes happen everywhere and nowhere [at once]” (p. 305). He extends his observations from Chapter 4 about the invisibility and complexity of crime leading to a kind of apathy on the part of the justice system:

Unlike street crime, where there are always enough officers to pound on a door, the resources devoted to policing financial markets are so meager that allocating any of them is a major political decision. And the issues are confusing enough that if one side hires enough lawyers and analysts and presses the case aggressively enough, the victim could end up being investigated before the aggressor, which is a serious problem in a business where the mere announcement of an inquiry can result in huge amounts of money being won or lost. (p. 311)

Taibbi concludes this chapter by reinforcing the notion that, in this atmosphere, lawyers, courts, and policymakers have found it best to do everything they can to turn the other cheek.

In Chapter 7, Taibbi addresses the issue of impossible bureaucratic procedures involved in procuring public benefits. “In addition to having an uphill climb just to keep food on the table every

July, 2015, Vol. 7(2): 137–142

A. Bland

month, ... one wrong number, one slip of the tongue, one computer error, can put you in jeopardy forever” (p. 343). Furthermore, Taibbi continues that the increasing dearth of meaningful relationships between clients and caseworkers in the face of frequent turnover leads to “an explosion of errors” (p. 344) and ultimately “a transformation wherein thousands of people who previously were caseworkers became fraud investigators” (p. 345).

Then in Chapter 8, Taibbi contrasts the political weight in the case of “a woman on welfare who falsely declares that her boyfriend no longer lives in the house and a bank that uses a robo-signer to cook up a [notarized] document” (p. 383). In the case of the former, charges are brought “with disgust, with rage, because in addition to committing the legal crime, she’s committed the political crime of being needy and an eyesore” (pp. 383-384). However, banks who “commit the legal crime of fraud wholesale ... are not charged because there’s no political crime” (p. 384). All the while, “you get a hundred bucks and a thank-you for bringing a [welfare] fraud case to light” (p. 356), but “when you scratch the same civic itch at JPMorgan Chase, you lose everything you own and end up living the life of a financial fugitive” (p. 356).

Finally, Chapter 9 begins with a “shocker story” (p. 395) of a college-educated White musician who was wrongly arrested and jailed under the stop-and-frisk system and who ultimately experienced diagnosable post-traumatic distress. Taibbi continues, “Imagine the same story a few hundred thousand times over, and you’re starting to plug into the ordinary urban non-White experience” (p. 395). Both situations, he argues, are “collateral consequences we’ve decided we can live with” (p. 395). Taibbi concludes that the legal-vs.-ethical conundrum of our times involves a situation in which “two people caught committing the same crime rarely suffer the same punishments if they aren’t the same kinds of people” (p. 399).

Ironically for a book review in an academic journal, perhaps the greatest strength of *The Divide* is Taibbi’s non-academic writing style. Although occasionally caricaturish, Taibbi’s rogue, deliberately-conversational delivery is refreshingly devoid of jargon and, more importantly, problematic abstraction. As noted in Mitchell’s (1973) and Polizzi’s (2013) epigrams at the beginning of this paper, singular theories seldom capture the essence of social problems and how they are internally experienced by the individuals who live through them. As a political journalist writing a popular press book for a lay audience, Taibbi manages to refrain from intellectualizing away the realities faced by an emerging majority (Ortman, 2013) of so-called minority Americans. Yet he unwittingly assembles a grounded theory analysis via exploration of original interviews and case studies of legal proceedings and of social policy development that plainly conveys the isolation of and the dialectical tension between the ostracized underdog and the hyper-competitive mogul in 21<sup>st</sup>-century America.

Reflecting his sentiment during a 2007 interview that he has “different beliefs that are all over the place” (Beckerman, 2007, ¶7), I greatly appreciated Taibbi’s ability to maintain political impartiality throughout the book while also painting a plain picture via unabashedly and irreverently scrutinizing the consequences of decisions made across the political spectrum since the mid-20<sup>th</sup> century. Like Bob Dylan’s best political songs of the early 1960s, Taibbi simultaneously points fingers at everyone and at no one in particular while seamlessly articulating the essence of the issue. This prevents *The Divide* from coming across as overtly biased and thereby losing some of its greater grounding and argumentative merit—and therefore its audience—in an overly-polarized zeitgeist (see Schneider, 2013). Moreover, this lends itself to exploration into the deeper, more basic human elements at stake. For example, in Chapter 9, in the midst of confronting a league of attorneys reluctant to take on white-collar crime because they are too well-versed in their own game, Taibbi briefly pauses to acknowledge their tendency to “admire the right kind of ‘aggressive’ for the same reason we love heist movies; we sympathize with anyone clever enough to penetrate the impenetrable” (p. 399). Therefore, *The Divide* is not a hackneyed rail against the corruptions of capitalism, but rather a lucid portrait of a still-maturing society in transition and the ill effects of its desperate efforts to persevere and to preserve its reputable image in an increasingly complex global market society. It fits comfortably on a shelf between the entitlement narrative in Kimmel’s (2013)

July, 2015, Vol. 7(2): 137–142

A. Bland

*Angry White Men* and the mass incarceration of minorities narrative in Alexander's (2010) *The New Jim Crow*.

Although not likely suitable as a principal course text, *The Divide* certainly serves as excellent supplemental reading for a variety of undergraduate and graduate courses in social psychology, sociology, criminology, and human services. For example, as a psychology instructor, I envision myself utilizing selections as a basis for discussion about concepts such as microaggressions, the just world hypothesis, Bronfenbrenner's ecological systems theory, Maslow's hierarchy of needs, Adler's *ruling/dominant* personality, and the "double jeopardy faced by poor people of color [and] poor immigrants" (Smith, 2005, p. 687). As noted in Utsey and Constantine's (2008) research, race-related stress does not cause poverty risk factors to affect quality of life; however, race-related stress does influence the degree to which quality of life is impacted by poverty.

I found two primary limitations in *The Divide*. First, on a practical level, although I regard Taibbi's contrasting narrative sequence (discussed earlier) effective for building his case, his tendency to revisit minor themes from earlier chapters via lengthy tangential asides sometimes posed a distraction from his greater points. For this reason, in several cases it would not be sufficient simply to assign a particular chapter from this book to a group of students, but rather to carefully delineate specific sections within the chapter to avoid unwarranted confusion for those unfamiliar with the greater narrative and context of the book.

Second, despite his overall ability to present an unaffiliated political treatise, Taibbi does occasionally fall into the slippery slope of one-sidedly pinning a complex host of issues on a singular factor. For example, in the conclusion of Chapter 7, he attributes a campaign maneuver by Bill Clinton as an almost single-handed cause of the current welfare bureaucracy crisis. I found that this simplistic censure detracted from Taibbi's otherwise noteworthy portrayals earlier in the chapter that so closely mirrored the difficulties encountered by the numerous impoverished clients I have served as they struggled to secure public assistance to fulfill their basic needs.

Despite these issues, *The Divide* is a remarkably accurate portrayal of the contemporary American social character. Specifically, America confuses superficial production for creative productiveness and neurotic competitiveness for natural confidence. It espouses values of freedom and equality while in practice it eschews these principles for an overwhelming number of its citizens. In turn, it sacrifices its internal well-being in the interest of preserving and protecting a favorable but fleeting external image. Freed from the shackles of academic abstraction, Taibbi's work transparently conveys the experience of inequality in America—and how that inequality plays out in the form of mistrust between Americans and the American criminal justice system—during the second decade of the 21<sup>st</sup> century. Taibbi's work serves as the logical follow-up to Galbraith's (1958) prophetic sentiment in *The Affluent Society*:

The final problem of the productive society is what it produces. This manifests itself in an implacable tendency to provide an opulent supply of some things and a niggardly yield of others. This disparity carries to the point where it is a cause of social discomfort and social unhealth. The line which divides our area of wealth from our area of poverty is roughly that which divides privately produced and marketed goods and services from publicly rendered services. Our wealth in the first is not only in startling contrast with the meagerness of the latter, but our wealth in privately produced goods is, to a marked degree, the cause of crisis in the supply of public services. For we have failed to see the importance, indeed the urgent need, of maintaining a balance between the two. (p. 198)

## References

- Alexander, M. (2010). *The new Jim Crow: Mass incarceration in the age of colorblindness*. New York, NY: New Press.
- Beckerman, M. (2007). *An interview with Matt Taibbi*. Retrieved from:  
<http://reason.com/archives/2007/11/09/an-interview-with-matt-taibbi>
- Frankfurt, H. G. (2005). *On bullshit*. Princeton, NJ: Princeton University Press.
- Galbraith, J. K. (1958). *The affluent society*. Boston, MA: Mentor.
- Kimmel, M. (2013). *Angry White men: American masculinity at the end of an era*. New York, NY: Nation.
- Mitchell, G. (1973). *I'm somebody important: Young Black voices from rural Georgia*. Urbana: University of Illinois Press.
- Ortman, J. M. (2013). *U.S. population projections: 2012 to 2060*. Retrieved from  
<http://www.gwu.edu/~forcpgm/Ortman.pdf>
- Payne, R. (2005). *A framework for understanding poverty* (4th ed.). Highlands, TX: aha!
- Polizzi, D. (2013). Review of the book *A theory of African-American offending*, by Unnever and Gabbidon. *Journal of Theoretical and Philosophical Criminology*, 5, 96-98.
- Schenider, K. (2013). *The polarized mind: Why it's killing us and what we can do about it*. Colorado Springs, CO: University Professors Press.
- Smith, L. (2005). Psychotherapy, classism, and the poor: Conspicuous by their absence. *American Psychologist*, 60, 687-696.
- Utsey, S.O., & Constantine, M. G. (2008). Mediating and moderating effects of racism-related stress on the relation between poverty-related risk factors and subjective well-being in a community sample of African-Americans. *Journal of Loss and Trauma*, 13, 186-204.