

# Netflix's *Orange Is the New Black*, Season 3: Life goes on in a women's prison

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Just over a year ago, I reviewed the first two seasons of the Netflix series *Orange Is the New Black*, a comedy-drama set in a fictional women's prison. The central character in the series is Piper Chapman (Taylor Schilling), a middle class woman who, a decade earlier, was involved in drug running. Chapman is eventually sentenced to 14 months in prison. The series explores the lives and experiences of the various female prisoners.

In last year's comment, I first noted some figures on the American criminal justice system and its horrific program of mass incarceration. Suffice it to say that the intervening year has not seen the slightest let-up in this feature of everyday reality in the United States. On the contrary, its prominence, and that of state repression more broadly, has only increased.

The murders of Michael Brown in Ferguson, Missouri, and Freddie Gray in Baltimore—the most notorious instances of police violence—aroused widespread public outrage. Botched executions and the relentless efforts of various state governments to find ways, no matter how savage, of putting people to death have also dominated the headlines.

In February of this year, reports emerged of a police-run “black site” torture facility in Chicago. In March, US prison officials denied access to United Nations torture inspectors. Simply put, a great deal of water has flowed under the bridge in the span of just one year.

How does this process and the social crisis in general find artistic expression?

Season 3 of *Orange Is the New Black* deserves some credit in this regard, especially in its compassionate portrayal of inmates in a minimum security federal prison. Violence, grinding poverty, drug and alcohol addiction, depression and suicide, solitary confinement, poor food and living conditions, a lack of educational opportunities and even of books—these issues receive serious treatment, often with powerful results.

As in the previous two seasons, the inmates generally come across as human beings. Season 3 continues to explore the back stories of their incarceration and, in the best cases, sheds light on the social component of those stories.

A central theme in the new season is corporate domination of American life, addressed through the privatization of the prison where the story is set.

When mismanagement and corruption threaten Litchfield penitentiary with closure, assistant to the warden Joe Caputo pulls things together as best he can to make the facility look like a good investment for private prison firm MCC. Celebration about the subsequent takeover is short lived. Though Caputo has saved his colleagues' jobs, a host of changes makes conditions intolerable for both the inmates—who eat pre-cooked food shipped in large plastic bags—and the guards, who lose half their hours, all of their benefits and union representation.

Caputo's new boss Danny Pearson (Mike Birbiglia) assumes the title “Director of Human Activity.” With the insincerity, arrogance and indifference of a young Silicon Valley hotshot, Pearson undermines safety standards and any other perceived impediments to company profits. In a telling scene, Danny interrupts a use-of-force training session for the new guards (correction officers, or COs) because he does not want to pay for it.

As a result of the lack of training, a new CO peppers inmates having a nonviolent disagreement about a card game. Another CO refuses to intervene when several inmates harass and beat up a transgender inmate. The latter, Sophia (Laverne Cox), ends up in solitary confinement, punished for threatening a lawsuit against the prison for gross negligence. MCC executives refer to this as “protective custody.”

Another of Pearson's projects involves selecting inmates to work at the new on-site sweatshop for

“Whispers,” a reference to lingerie company Victoria’s Secret. The inmates generally express excitement at the prospect of employment, and a competitive spirit surrounds the written test whose results will determine which inmates will go to work making women’s underwear.

When Caputo expresses to Pearson his concern about how the women were selected, the latter provides a remarkable answer. He simply pulled 40 applications out of the pile at random. The test that everyone was so concerned about was something he found on the Internet.

The depiction of Pearson and MCC in *Orange Is the New Black* also touches on something familiar in the contemporary workplace: the everyday, omnipresent verbal falsification of reality. Every cutback, speedup or other attack on employees is mystified and shrouded in euphemism. Nowadays, a disciplinary action is a “dialogue.” Being laden with unpaid additional responsibilities is called “being empowered,” etc. In this regard, the series hits the nail on the head.

As more and more inmates request kosher meals because they hate the new boil-in-the-bag food from MCC, Pearson struggles with how to eliminate this increased cost. He eventually asks Caputo, “Who are the Jews?” Caputo replies that the authorities are no longer allowed to make Jews wear little stars on their uniforms, ever since World War II.

Like previous seasons of *Orange*, Season 3 has definite weaknesses. The ratio of sex scenes to non-sex scenes approaches 1:1. While a precious few of these actually advance the drama—the romantic encounter of the young Tiffany Doggett, aka “Pennsatuckey,” stands in sharp relief to her earlier prostitution and subsequent rape by a CO—the overwhelming majority of such scenes seem aimed at the viewer’s baser instincts.

A more pervasive weakness is the tendency to reduce the histories of and relationships between the characters to the workings of individual psychology, or at most, to family dynamics. Broader social forces occasionally show up but appear, for the most part, beyond the grasp of the writers of *Orange*. This, despite the massive overall expansion of the prison population, especially the number of female prisoners.

An ACLU report in 2013 observed that females were the fastest growing group of incarcerated persons in the US. The study commented: “In the past 25 years the number of women and girls caught in the criminal justice system has skyrocketed. There are now more than 200,000 women behind bars and more than one million on

probation and parole. Many have been swept up in the ‘war on drugs’ and subject to increasingly punitive sentencing policies for non-violent offenders. ... The toll on women, girls, and their families is devastating.” This social atrocity is bound up with the sharp polarization of American society and the impoverishment of wide layers of the population.

Social conflict finds expression in *Orange Is the New Black* in a distorted and misleading manner, in the form of the prison guards’ efforts to organize a union. This is typical of the film and television industry’s effort to paint police and guards as “regular working guys.”

At an organizing meeting, one boorish, overweight CO bursts out with “Do You Hear the People Sing?,” an ostensibly revolutionary anthem, from *Les Misérables*. How realistic is this? Is it not more probable that a real CO would sympathize with Inspector Javert instead of the persecuted Jean Valjean or the Parisian masses?

Caputo is the central figure in these scenes, wavering between careerism and taking a role as union organizer. The juxtaposition between the two absolutes—pure egotism and pure, heroic selflessness, especially when a member of the prison staff is concerned—simplifies far too much. Contemporary life poses more than this banal dichotomy.

To make a decisively realistic and compelling film or series about a prison, it would help to have some idea about the social function of such an institution and the general character of the state machinery. One has the sense that although the creators and writers of *Orange Is the New Black* are genuinely sympathetic to the prisoners, they would be hard-pressed to offer any alternative to the penal system or explain its cancerous growth.

Season 3 of *Orange is the New Black* digs into a number of important matters, but more than an artist’s intuition is required.



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