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13th Documentary: Rhetorical Analysis

Criminal. When that word comes into mind people image a person whom has committed a heinous crime. However, that may not be the case in a lot of instances dating back to slavery and leading currently with the increase in mass incarceration. *13th* brings up the controversy topic of the 13th amendment and how it is being used as an excuse to lock up the African American community. Presenting African Americans as the main focal point of prejudice in the United States. Ava DuVernay, the director of *13th*, uses ethos, logos, and pathos to persuade the audience to acknowledge the many injustices of race and mass incarceration that plague us which stem from the times dating back to slavery.

The documentary begins by stating the 13th amendment to the constitution and how people used it to keep the African Americans enslaved by depicting them in a negative way. White people used things like *Birth of a Nation* to increase the public ideology that African Americans were these savages and deserved to be punished. This led to terrorizing of African Americans by public beating and lynching for no reason. Jim Crow laws were later passed that didn't allow African Americans to do things that white people could do easily like vote or go to the same schools as them. The civil rights movement caused many people to protest, which caused crime to rates to increase. The War on Drugs was heavily pushed by Reagan. This resulted in more African Americans being arrested for possession and being given unfair sentencing. When mass incarceration begun to rapidly rise, ALEC's hold also grew as they

increased financial. Lastly, The Black Lives Matter movement started with the constant police brutality towards African Americans and how people protested, making their discontent known.

DuVernay uses ethos in the documentary *13th* to convey the creditability of the information given (Lunsford et al. 1127). Ethos is used throughout the documentary to show the creditability of the speaker so that the audience believes what the speaker. The documentary opens with a powerful voice who stated, “So let’s look at the statistics, the United States is home to 5% of the world’s population, but 25% of the world’s prisoners. Think about that” (DuVernay). The audience immediately knows that the voice is former president Barack Obama knowing this they will recognize the importance of the fact. Similar to when Khalil G. Muhammad, a Harvard professor of history, race, and public policy (DuVernay) began to speak, his name and job description appeared so that the audience knows that they are creditable people giving out the information they can trust what they are being told. The use of past clips from big news outlets like CNN to show how horrible immigration facilities were because of the Corrections Corporations of America or CCA.

Logos is being used to show that the information is factually correct. It is defined as, “Ways an author uses reasons and evidence to persuade an audience to accept a claim” (Lunsford et al. 1132). In *13th*, there were many statistics. For example, a white male has a 1 in 17 chance of ending up in prison, but the Bureau of Justice states that a black male has a likelihood of 1 in 3 (DuVernay). They showed this statistic in a graphical way so that the audience can see the significant difference in the two different incarceration rates. For instance, “Black men account for roughly 6.5% of the U.S population they make up 40.2% of the prison population” (DuVernay). This was used to shock the audience with the fact that such an overwhelming number of a single population is being singled out. The number of incarcerated people in America jumped from 357,292 in 1970 to 2,306,300 in 2016 (DuVernay). This static invokes not

only logos but pathos because it shocks the audience on how much of a spike in the number of people incarcerated in a short period of time.

The documentary's significant use of pathos helped to communicate the feelings of the audience. Pathos means, "Ways that authors appeal to an audience's emotions, values, and beliefs by arousing specific feelings" (Lunsford et al. 1127) in *13th*. From the pictures, videos, music, and how the speakers spoke. For example, videos like Eric Gardener being harassed and pinned to the ground while he was saying he couldn't breathe or Philando Castile who was stopped because of a broken tail light and then shot. The graphic showing of these instances makes the audience come to the realization that they were unfairly target because of their race and unjustly killed. Another example is in the use of voice overs of Donald Trump's speech with videos of African Americans being mistreated and abused. The lyrics in the song *Chains*, "It's still the same, man don't act I made it up" (DuVernay) correlates with the idea that the way African Americans were treated hasn't changed they are still victimized.

Even though the documentary *13th* is persuasive, some individuals believe that one major problem factor in this documentary is that it is very biased, which is a failure of ethos. The opposition was not represented well. Grover Norquist, board member of American Conservative Union, was trying to explain that the war on drugs wasn't designed to pinpoint the African American race, but he stumbled on his words several times (DuVernay). Van Jones laughed at Norquist explanation on why democrats defended Willie Horton then completely disregarded that reasoning. They further have other speakers speak against his subjugation of Willie Horton while he was the only one to disagree. When discussing ALEC, Michael Hough was the only speaker who pushed for ALEC, and his voice was strong and trustworthy.

In conclusion, the documentary *13th* was a persuasive piece that used ethos, logos, and pathos to inform the audience on the harass treatment of the African American race using

incarceration. DuVernay wanted the audience to understand that mass incarceration is slavery.

13th use of well-known speakers gives the audience more assurance that the speaker knows what they are talking so the information is creditable. The use of statistics such as the increased incarceration rate over time conveyed logos with its factual evidence. The use of music and graphic videos invokes the emotions of the audience which this expresses pathos. The use of all three elements makes this documentary persuasive.