

Claire Williams

Dr. Sara Benson

Oakes Core

2 November 2017

The Injustices of Justice

In the United States, the word justice has become synonymous with prison, crime, and punishment. Many people believe that prison sentences and criminal punishment methods really do create justice within the United States, but there have been many movements rising against this idea of “justice.” Those who have seen the flaw of the justice system and those who are willing to fight together with the victims of oppression would like to see a world of a renewed justice system; one that fulfills the purpose of actually doing justice. Anti-violence and anti-prison movements have exposed the injustices within the criminal justice system of the United States. The justice system is unjust because of the violence it perpetuates and the oppression it creates. Although there are no clear answers for what a more just system would look like, there are some ideas on where to start.

The United States justice system uses the prison industry to inflict violence on prisoners. Prisons have been widely accepted as the main form of justice in the United States. Many anti-violence movements have called for increased imprisonment of violent offenders while ignoring the “slashing[s], suicide[s], the proliferation of HIV, strip searches, medical neglect, and rape of prisoners” within the prison-industrial complex (Critical Resistance and Incite! 142). Prisons are seen as the answer to the anti-violence fight despite the fact that prisons themselves are extremely violent places. Rather than curing violence, the criminal justice system “has increased

the level of violence in society” (142). Men’s prisons are equipped with arsenals that include “rifles, shotguns, hand guns, ammunition, gas canisters, and riot equipment” that takes up entire rooms (Davis 6). Although the arsenals of women’s prisons are considerably smaller, they are still equipped with deadly weapons that are used against prisoners. In some cases, prison guards are allowed to inflict violence upon prisoners and, in many cases, are extremely abusive.

The biggest injustice of the United States justice system is the proliferation of sexual assault and violence against female prisoners. Women in prison live in constant fear of sexual abuse from prison guards. According to Angela Davis, “prison is a space in which the threat of sexualized violence that looms in the larger society is effectively sanctioned as a routine aspect of the landscape of punishment behind prison walls” (7). The thing that women are most afraid of in society are common place in prisons. Reports have found that “male correctional employees have vaginally, anally, or orally raped female prisoners and sexually assaulted or abused them” (7). Correctional officers use their power over female prisoners to take advantage of them. These woman have no way of escaping their assailants because investigatory procedures are not effectual and correctional officers continue to abuse prisoners because they have no repercussions (7). Prisons, a place where justice is supposedly served, are the very places where men abuse women and avoid any type of punishment. Allowing violence to continue unchecked within prisons does the opposite of providing justice: “The sexual abuse of woman in prison is one of the most heinous state-sanctioned human rights violations within the United States today” (8). A place where human rights are being violated cannot be a place of justice.

Although the prison industry is horrendous, punishments inflicted after release also serve to oppress ex-offenders. Many convicted felons lose basic democratic rights, including their right to vote and serve on juries (Alexander 142). Felons are disenfranchised and are no longer allowed to vote on the laws and law makers that control their lives. According to Alexander, “[o]nce labeled a felon, the badge of inferiority remains with you for the rest of your life, regulating you to a permanent second-class status” (142). Felons have extreme difficulty finding jobs because of workplace discrimination, which makes it difficult for them to pay rent. Despite this fact, felons cannot receive many benefits of welfare programs, such as food stamps and public housing. Many felons return to prison because of very stringent parole rules and are then subjected to even more violence. These policies “make it virtually impossible for ex-offenders to integrate into the mainstream society and economy upon release,” effectively marginalizing massive groups of people (Alexander 143). Ex-offenders are treated as outsiders because they no longer have a place in society. This marginalizing effect spreads throughout different groups, whether it be race groups, gender groups, or any other group, oppressing massive amounts of people throughout society.

The criminal justice system needs to be changed in order to end the violence and oppression it perpetuates. The first step in the fight for a better criminal justice system is combining the efforts of many different social justice movements. The anti-violence movement and the anti-prison movement must combine their efforts to create a unified fight against the criminal justice system. Prison must no longer be seen as an answer to violence, but as a perpetrator of it. Many anti-prison and police brutality movements have focused on the violence against men of color, marginalizing groups that advocate for women prisoners (Critical

Resistance and Incite! 143). These groups must also come together and advocate on behalf of all people who experience violence within the prison system in order to create real change.

According to Critical Resistance and Incite!, “social justice movements concerned with ending violence in all its forms...[must] develop community-based responses to violence that do not rely on the criminal justice system...” (143). The criminal justice system is corrupt and does not prevent violence in our society. The United States must completely recreate what we believe to be justice. As Audre Lorde states, “the master’s tools will never dismantle the master’s house” (123). Due to the fact that “prison reform movements in general have tended to bolster, rather than diminish, the stronghold of prisons on the lives of the individuals whom they hold captive,” we cannot just simply reform our prison system (Davis 4). The entire prison-industrial complex must be dismantled and replaced with a more just system. Along with completely changing the prison system, we must also recreate the integration system of ex-offenders. We must create a system in which justice is served and then offenders are allowed back into society without stripping them of rights. Rules that disenfranchise and marginalize ex-offenders and must be dissolved in order to properly integrate ex-offenders back into society once justice has been served.

To many people, the idea of justice without prisons is incomprehensible. No one knows what a system like this would look like because it has never really been done before, but there is a movement developing in the United States and around the world that seeks to see the end of justice through the prison system. The prison abolition movement has been gaining support and many organizations, such as Critical Resistance, aim to further this fight throughout the world. Critical Resistance has many video projects out trying to educate the public of the importance of

the prison abolition movement and the atrocities being carried out by the prison-industrial complex. The movement has gained increased popularity in the news, included highly-esteemed broadcasting stations, such as NPR. The prison abolition movement has been an ongoing fight for decades and will not stop until prisons are abolished and there is a more just system in place.

Works Cited

- Alexander, Michelle. *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*. New York: New Press; Distributed by Perseus Distribution, 2010. Print.
- Davis, Angela. "Public Imprisonment: Reflection on the Hidden Punishment of Women." *New England Journal on Criminal and Civil Confinement*, 1998.
- Lorde, Audre. "Age, Race, Class, and Sex: Women Redefining Difference." *Sister Outsider: Essays and Speeches*. Freedom, CA: Crossing Press, 1984. pp. 114-123.
- "Critical Resistance-Incite! Statement on Gender Violence and the Prison-Industrial Complex." *Social Justice* Vol. 30, No. 3 (2003): 141-150