

Solitary Watch

Criminal Justice Issues and Prisoners' Rights

<https://solitarywatch.org/2010/02/16/what-the-war-on-terror-owes-to-the-war-on-crime/>

Campaign and Advocacy

close

Search

close

close

by [Jean Casella and James Ridgeway](#) | February 16, 2010

One of the reasons we started the Solitary Watch project was what we observed as a disconnect between the public's awareness of (and reaction to) the abuses brought about by the so-called War on Terror of the last ten years, and those already in place as a result of the longstanding War on Crime.

As we say in our [mission statement](#), many Americans have recoiled from the treatment of prisoners at Guantanamo Bay and Abu Ghraib, and [polls show](#) that a clear majority oppose the use of torture under any circumstances, even on foreign terrorism suspects. Yet conditions in U.S. prisons and jails that transgress the boundaries of humane treatment—including the widespread use of solitary confinement—have produced little outcry. They have received relatively scant media attention, and have yet to find a place in the public discourse or on political platforms.

Sara Mayeux addresses this issue in a post today on her [Prison Law Blog](#). She quotes from a recent law journal article called Exporting Harshness: How the War on Crime Helped Make the War on Terror Possible:

A common criticism of the Bush Administration was that, in prosecuting the War on Terror, the administration turned its back on fundamental American ideals such as due process, the right to counsel, and habeas corpus. (See, for instance, Jane Mayer's indispensable expose [The Dark Side: The Inside Story of How the War on Terror Turned into a War on American Ideals](#), Doubleday, 2008.) Yet, in a [recent article](#) in the [NYU Review of Law and Social Change](#), Georgetown law professor and former public defender [James Forman Jr.](#) suggests that the War on Terror was not so much a reversal, as the logical extension of the War on Crime in the era of mass incarceration.

While I share much of the criticism of how we have waged the war on terror, I suspect it is both too simple and ultimately too comforting to assert that the Bush administration alone remade our justice system and betrayed our values.

By pursuing certain policies and using particular rhetoric domestically, I suggest, we have rendered thinkable what would otherwise have been unthinkable. Moreover, as the world's largest jailer, we are increasingly desensitized to the harsh treatment of criminals. We have come to accept such excesses as casualties of war—whether on crime, drugs, or terror. Indeed, more than that, we no longer see what we do as special, different, or harsh. Certain practices have become what [NYU sociology professor] [David Garland](#) calls the taken-for-granted features of contemporary crime policy. In part for this reason, despite the mounting evidence regarding secret memos, inhumane prison conditions, coercive interrogations, and interference with defense lawyers, the Bush administrations' approach to the war on terror went largely unchecked and unchanged.

Forman argues that by placing all the blame on isolated Bush Administration officials, we avoid confronting our own responsibility. [The post is well worth [reading in full](#).]

One of the uncomfortable truths some Americans may need to confront is that both political parties bear responsibility for these challenges to Constitutional and human rights. While the War on Crime gathered steam under the Reagan and first Bush Administrations, it was Bill Clinton who signed into law two pieces of legislation that undermined the rights of Americans accused or convicted of a crime. We [look at these laws in our next post](#).

James Ridgeway (1936-2021) was the founder and co-director of Solitary Watch. An investigative journalist for over 60 years, he served as Washington Correspondent for the Village Voice and Mother Jones, reporting domestically on subjects ranging from electoral politics to corporate malfeasance to the rise of the racist far-right, and abroad from Central America, Northern Ireland, Eastern Europe, Haiti, and the former Yugoslavia. Earlier, he wrote for The New Republic and Ramparts, and his work appeared in dozens of other publications. He was the co-director of two films and author of 20 books, including a forthcoming posthumous edition of his groundbreaking 1991 work on the far right, Blood in the Face. Jean Casella is the director of Solitary Watch. She has also published work in The Guardian, The Nation, and Mother Jones, and is co-editor of the book Hell Is a Very Small Place: Voices from Solitary Confinement. She has received a Soros Justice Media Fellowship and an Alicia Patterson Fellowship. She tweets @solitarywatch.

Accurate information and authentic storytelling can serve as powerful antidotes to ignorance and injustice. We have helped generate

public awareness, mainstream media attention, and informed policymaking on what was once an invisible domestic human rights crisis.

Only with your support can we continue this groundbreaking work, shining light into the darkest corners of the U.S. criminal punishment system.

by [Juan Moreno Haines](#)

October 25, 2022

by [Solitary Watch Guest Author](#)

October 13, 2022

by [Vaidya Gullapalli](#)

September 29, 2022

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it dam right funny how we get mad at anyone who brakes a promis to the usa when we cant keep are owen like to the un bout no torcher that includes solitary like we wanted then to be like the us right thats all thare doing brakeing treetys un thinken hell if this is what us is doing we can do it to but thare at least biger minded to say but we will not go to the low level that you have like partys in usa who cares donky or elphent if we see that fighting each other like to prison gangs wanting to run the prison yard is not going to fix the wardens minds maby we need to stop fighting each other and work as a team to other thow the old ways then sher thare not doing all the gang stuff litaly but we are at each other as if we where instead of overthrowing each other for top spot first we need to work for good of all every prison can be over run if all the gangs worked as one mass a team it the same way in govment stop fighting each others and work as a dam team to meet both sides goals or like a prison we will get run down by some smaller rightet goons who have power but not a clue how to use it after one mind one nashion not 30 partys at war for power we need think what best for all till then we just runing down are defeces are power and are minds who cares who is warden you can have a grate warden but a bad staff team and it gos to hell same for govement who cares he leads if we all work as a team we are stonger so think it time the usa stonp useing it dick to think and start using the one nashion part maby we get more respect from outsiders that way and we not be in a state of ready to riet all the time

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