

Solitary Watch

Criminal Justice Issues and Prisoners' Rights

<https://solitarywatch.org/2010/06/22/what-the-war-on-terror-owes-to-the-war-on-crime-redux/>

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by [Jean Casella and James Ridgeway](#) | June 22, 2010

As [we explain in our next post](#), we are revisiting two posts published back in February which seem all the more relevant today.

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 administration's 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](#).

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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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I speak out on this every day of my life i have come to dedicate my life to ending solitary in fact i trying to get a group off the group called rebels against solitary confinement or what will be called RASC but have no strong core and have no income for it i not shere how or what i need to do to be considered a recognized group wish i did but every one sees join wone thats going i like no they all want for this or that or what ever my group is for everyone not just mentally ill not just men or women wish but hell i got DR. Stuart E, Grassian thats for shere but hay how meny others have nashions leading expert on the resume lol but still wish more stood up for it to wish more speak out and say no to solitary may there be light in the darknes of justice for those who end in the care of the tribunal need us to speak for they have no rights we must come to free the forsaken

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