

Solitary Watch

Criminal Justice Issues and Prisoners' Rights

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by [Jean Casella and James Ridgeway](#) | January 2, 2011

For the past few weeks, progressive online media sources have been burning with outrage over the conditions in which accused Wikileaker Bradley Manning is being held. Manning (as we [first noted on Solitary Watch](#) back in July) is in 23-hour-a-day solitary confinement at a Marine brig in Quantico, Virginia, denied sunlight, exercise, possessions, and all but the most limited contact with family and friends. He has now been in isolation for more than seven months. The cruel and inhuman conditions of his detention, first widely publicized by [Glenn Greenwald on Salon](#) and expanded upon by [others](#), are now being discussed, lamented, and protested throughout the progressive blogosphere ([ourselves included](#)). Few of those taking part in the conversation hesitate to describe Mannings situation as [torture](#).

Meanwhile, here at Solitary Watch, we've been receiving calls and emails from our modest band of readers, all of them saying more or less the same thing: We're glad Bradley Mannings treatment is getting some attention, but what about the tens of thousands of others who are languishing in solitary confinement in U.S. prisons and jails? According to available data, there are some 25,000 inmates in long-term isolation in the nations supermax prisons, and as many as 80,000 more in solitary in other facilities. Where is the outrage even among progressives for these forgotten souls? Where, for that matter, is some acknowledgment of their existence?

To be fair, a few of the writers who champion Manning have mentioned in passing the widespread use of solitary confinement in the United States. A very few have gone further: One powerful piece by [Lynn Parramore on New Deal 2.0](#), for example, uses the Manning case as an opportunity to document and denounce the brutal realities of solitary confinement. She urges readers to remember the thousands of people being tortured in American prisons, including Bradley Manning, and let us send our own message back to our government: We are Americans. Most assuredly, we will not accept torture in our name. Not of the accused. Not of the mentally ill. Not even of convicted criminals.

But Parramores piece is an anomaly. More often, progressive writers and their readers, if comments are any measure, have gone to some lengths to distinguish Bradley Manning from the masses of other prisoners being held in similar conditions. Whether explicitly or implicitly, they depict Manning as exceptional, and therefore less deserving of his treatment and more worthy of our concern.

Frequently, writers and readers make the point that Manning is being subjected to these conditions while he is merely accused, rather than convicted, of a crime. Perhaps they need to be introduced to the [15-year-old boy](#) who, along with several dozen other juveniles, is being held in solitary in a jail in Harris County, Texas, while he awaits trial on a robbery charge. He is one of hundreds if not thousands of prisoners being held in pre-trial solitary confinement, for one reason or another, on any given day in America. Most of them lack decent legal representation, or are simply too poor to make bail.

We have also seen articles suggesting that the treatment Manning is receiving is worse than the standard for solitary confinement, since he is deprived even of a pillow or sheets for his bed. Their authors should review the case of the [prisoners held in the St. Tammany Parish Jail](#) in rural Louisiana. According to a brief by the Louisiana ACLU, after the jail determines a prisoner is suicidal, the prisoner is stripped half-naked and placed in a 3 x 3 metal cage with no shoes, bed, blanket or toilet. Prisoners report they must curl up on the floor to sleep because the cages are too small to let them lie down. Guards frequently ignore repeated requests to use the bathroom, forcing some desperate people to urinate in discarded containers. The cells are one-fourth the size mandated by local law for caged dogs.

There is, rightly, concern over the damage being done to Mannings mental health by seven months in solitary. Seldom mentioned is the fact that an estimated one-third to one-half of the residents of Americas isolation units suffer from mental illness, and solitary confinement cells have, in effect, become our new asylums. Witness the ACLU of Montanas brief on a [17-year-old mentally ill inmate](#) who was so traumatized by his deplorable treatment in the Montana State Prison that he twice attempted to kill himself by biting through the skin on his wrist to puncture a vein. During his ten months in solitary confinement, the teen was tasered, pepper sprayed, and stripped naked in view of other inmates, and his mental health treatment consists of a prison staff member knocking on his door once a week and asking if he has any concerns.

Finally, many have argued that the nature of Mannings alleged crimes renders him a heroic political prisoner, rather than a common criminal like most others. Those who take this line might want to look into the [Communications Management Units](#) at two federal prisons, where, according to a lawsuit filed last year by the Center for Constitutional Rights, prisoners are placed in extreme isolation for their constitutionally protected religious beliefs, unpopular political views, or in retaliation for challenging poor treatment or other rights

violations in the federal prison system. Or they might investigate the aftermath of the recent prison strike in Georgia, in which several inmates have reportedly been thrown into solitary for leading a nonviolent protest against prison conditions.

All of these cases are exceptional, but only in that they earned the attention of some journalist or advocate. Most prisoners held in solitary confinement are, by design, silent and silenced. Most of their stories of thousands of them are never told at all. And solitary confinement is now used as a disciplinary measure of first resort in prisons and jails across the country, so its use is anything but exceptional.

All across America, inmates are placed in isolation for months or years, not only for fighting with other inmates or guards, but for being disruptive or disobeying orders; for being identified as gang members (often by a prison snitch or the wrong kind of tattoo); or for having contraband (which includes not only weapons but a joint, a cell phone, or too many postage stamps). In Virginia, [a dozen Rastafarians](#) were in solitary for more than a decade because they refused to cut their dreadlocks, in violation of the prison code. In many prisons, juveniles and rape victims are isolated for their own protection in conditions identical to those used for punishment. And for more serious crimes, the isolation simply becomes more extreme, and more permanent: In Louisiana, two men convicted of killing a prison guard have been in solitary confinement for [38 years](#).

Moreover, if solitary confinement is torture or at the very least, cruel and inhuman punishment then it shouldn't matter what a prisoner has done to end up there. As Lynn Parramore writes, The placement of human beings in solitary confinement is not a measure of their depravity. It is a measure of our own.

The treatment of Bradley Manning, which has introduced many on the left to the torment of solitary confinement, may present an opportunity for them to measure their own humanity. They might begin by asking themselves whether prison torture is wrong, and worthy of their attention and outrage, only when it is committed against people whose actions they admire.

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

Solitary Watch encourages comments and welcomes a range of ideas, opinions, debates, and respectful disagreement. We do not allow name-calling, bullying, cursing, or personal attacks of any kind. Any embedded links should be to information relevant to the conversation. Comments that violate these guidelines will be removed, and repeat offenders will be blocked. Thank you for your cooperation.

I agree mostly with Chas, except for one part.

The scary thing about torture isn't that the torturers are natural sadists, it's that putting regular people in certain positions in certain circumstances with the right mental framework will change a normal person into someone capable of torture.

Just like you say, once you start making exceptions for torture, or qualifying certain types as especially abhorrent, you open the door for a schema which may condone torture in a specific circumstance.

I think the immense amount of soldiers coming back from the war with emotional problems related to their roles as brutalizers of civilians, both in official torture sessions and as terrorists who break down doors, drag people screaming into streets to those torture sessions, or fill cars full of families with lead.

I'm one of those who have simply been unaware of solitary confinement as it is now being practiced. In fact, it's been due to the Bradley Manning imprisonment that I've had a look around the web and stumbled onto your article. I'm grateful for the heads up. I'm going to keep up my interest. I'm not at all sure what I can do just now beyond that, but it's a start. May all beings be free and happy.

America whines about the Chinese human rights record? What a joke! If I was Premier Hu when taken to task by Obama I would simply have replied. Guantanamo. Abu Ghraib.

Sadly, progressives simply don't get it. The truth is, they aren't really all that progressive. Oh, they have their hot button issues, but for the most part they're quite satisfied with the status quo and they don't really want to see it threatened. After all, most of them are doing quite well by it.

With bitter irony, every comment so far on this article reveals the same inability to see the issue for what it is (with the possible exception of the comment by Joshyn, which I can't make head or tails of).

First, Mary Lou Brncik shows her concern for mentally ill people who are being tortured in our prisons. But if you say that it is worse to torture a mentally ill person, then what you are really saying is that maybe it's OK to torture someone who isn't mentally ill. As soon as you make the argument one of degree, you leave it open to anyone's decision as to what degree makes torture acceptable.

The Jsck chimes in to reveal that he doesn't get it at all either. It is true that selecting particular cases to highlight humanizes the issue and makes it more likely that people will respond (a very sad commentary on human beings from my perspective), but those chosen could very well be anyone. Why not choose examples who have been driven insane by years of this treatment? Why choose Manning, a relative newcomer to solitary confinement and torture?

Well, Jsck tells us why: because Manning has only been accused of a crime; he hasn't been convicted of one yet. Translation: well, after he's convicted, then maybe it will be justifiable to torture him. Jsck reveals that he doesn't really believe that the argument against torture will stand on its own: it has to be buttressed by arguments of presumed innocence.

Then Stephanie Meredith chimes in with the age-old appeal to selfish motives: it could happen to you, too. Well, it probably won't, Stephanie. So does that make it OK to torture others? If I'm sure I'll never be the victim, can I avert my gaze?

When a person adds irrelevant detail to an argument, it means that they don't really believe that their argument is strong enough without that detail.

You see the same logical failure over and over again when progressives write about the torture at Abu Ghraib or at Gitmo or Bagram or wherever. They are quick to point out that many of these victims are innocent as if that makes it all somehow worse.

Well, it can only be worse to torture innocent victims if it's better to torture guilty victims. Every time a pundit or a commenter focuses on innocence or special circumstances, they are making the argument that there may be some circumstances under which torture might be OK. The same thing is true for those who try to categorize methods of torture into really bad tortures vs. painful-but-maybe-not-quite-torture methods.

Let's get something very clear: all torture is evil and utterly abhorrent to any truly moral individual. There are no exceptions. None. Not Saddam Hussein. Not Adolf Hitler. Not John Wayne Gacy. The guilt or innocence of the victim is utterly irrelevant. And there are no degrees involved: Saddam Hussein or Mahatma Gandhi, it is equally abhorrent. It is obvious that those who argue otherwise are actually proponents of torture, if we can find the right victims.

This is how all torture occurs. First you propose that under some circumstance, torture is acceptable or even honorable. Then you create this circumstance. For example, the ticking time bomb scenario, one of the most ludicrous logical fallacies ever foisted on unsuspecting human fools. Under this scenario, it is OK to torture a person if by doing so a large number of lives will be saved. The absurdity of this argument should be apparent to anyone with half a brain or more. If this were true, then one can justify the torture of anyone. After all, it is open to argument as to how many people constitutes a large number. Why not one? Would it be OK to torture one person to save the life of another? Well, what if it wasn't certain to save that person's life, but it probably would or it might? Would that be sufficient? What if we had to torture 50 bad people to save the life, maybe, of one innocent person? Who decides this?

But even beyond that axis, there is another: how do we know whether a ticking time bomb even exists? The only person who knows that for sure is our victim. So shouldn't we torture him in order to learn whether the time bomb exists? Isn't that the safest route? We can always apologize afterward, and think of the lives we'll have saved.

And haven't we just justified the torture of everyone and anyone in our Easter egg hunt for the bad guys?

Of course, all this is absurd from the start because torture is never used to obtain information. The reasons for torture are various, but none involves the ticking time bomb. The most common reason for torture is because the torturer can. The torture is its own justification. It proves that the torturer has the power, and the victim does not. What good is power if it isn't used? Give someone the right to torture, and he will find the reasons to use it.

Another major reason for torturing a person is for pleasure. Most torturers enjoy torturing. In fact, my bet is that all of them do, or they wouldn't do it. If they did get some information and that were the point, then the torture would end and so would the fun. So why get information?

Another major reason, and the reason that others often order torture, is to obtain false confessions. These can be used to justify all sorts of things, including the torture itself.

Put it all together and you have a pretty ugly sight. Most humans are more than willing to torture or to permit torture. But they want to feel like just and moral human beings, so they need a rationalization for torture. The ticking time bomb is one rationalization. The they earned it by their criminal acts is another. If we fight to prevent the torture of some innocent victims, then maybe we won't feel so bad as we secretly enjoy the torture of those we hate.

Remember that humans are those animals that will show up at a lynching or public execution with their kids and a picnic basket. They will watch and cheer and goad the torturers on as the victim is tortured and killed. Then they will take photos of the corpses with themselves standing nearby and send them as postcards to friends or use them as mementos. And some will even cut off parts of the bodies as souvenirs. And this has happened through all of history and in both wartime and peacetime everywhere on earth. There are no

exceptions, and America is one of the worst offenders.

And that's the real reason behind the selective outrage. It's not really outrage at all. It's posturing in order to present oneself as a moral and upstanding human being, while looking the other way as the worst atrocities are committed all around us every day. Fight for Bradley Manning while ignoring the every day torture and you can feel good about yourself while secretly feeling just fine that others are getting what they deserve.

Where are the Religious Leaders like Pastor Dr. Stan Moody who lives John 14:12 Because you believe in Me (Truth) greater works will you do than I for I go to My Father healing such Hebrews 6:6 We crucify Christ afresh and put Christ to an open shame.

The War Widows

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It happened to me for several days in 1997 in a local jail for minor offenses. I was denied bond and sprayed in the face with freeze spray and put in solitary only given a bible in a holding cell. I was allowed to read birthday cards and they were then taken away from me. Men could walk by and peer into my window in the door and watch me use the toilet sitting in the middle of the back wall, including jail trustees (prisoners). They took my clothes, blanket, pillow, etc. I was left to lay on a concrete block with no socks or shoes in a hospital gown. When I complained that I was cold they turned up the air conditioning and the very bright lights were left on me all night as well. There is little hope of sleeping under these conditions I was appalled. I have a bachelor of science degree in Criminal Justice Administration and worked in the local juvenile court for 8 years prior to this incident and the persons authorizing this inhumane treatment were once my friends and co-workers!!!! DONT THINK IT CANT HAPPEN TO YOU OR SOMEONE YOU LOVE! Yes, it can.. This all happened prior to conviction for any offense!

I read this article on the Counterpunch web site. Certainly you make a valid point regarding the inhumanity of solitary confinement of any and all incarcerated persons. The fact that such conditions as you describe continue to persist in this country is a contradiction of our supposed focus on humane interpersonal treatment, freedom and democracy. This kind of treatment of confined persons discredits any supposition of this countrys basic moral and religious beliefs. The conditions described are simply unacceptable in our society.

There is good purpose in addressing the incarceration of Bradley Manning, especially in regards to the barbaric conditions of that imprisonment. Individualising Mr. Mannings treatment allows for discussing a specific injustice rather than the generalized concept of mistreatment. Generalizing such an issue weakens the effect of the attention brought to bear. The individuals presumed misbehavior can be compared with the conditions of his imprisonment allowing those conditions to be more clearly understood for their egregious character. Generalizing the implementation of barbaric treatment reduces the publics ability to empathise with the subject of that treatment.

Bradley Mannings case stands out in another and more serious way. Mr. Manning is only accused of a crime or misdeed. He has not been found guilty of anything. He has not been judged in a court nor by a jury. The fact that Manning is held in such barbaric conditions while awaiting his day in court is incredible and should itself be judged to be a criminal action. The question of the nature of his activities for which he is only accused of a misdeed is more so a better reason for moral outrage. He is accused of divulging information. That that information is of the character described by Mannings accusers, sensitive enough to be labeled as top secret, is yet to be demonstrated.

These are reasons for taking a stand in Bradley Mannings defense as an individual. There is a human face on this one accused and mistreated American. What he did has not been established to be a crime. In fact it has not been established in a court of law that he has committed the actions for which he is accused.

yes this is the nation we call free just and loving when i see a flag the pome raged old flag comes to mind but i do not see the marks of war i see the do not see the white i see red black and blue torn rips in the flag from the harm it calls justice that it has done to those who it flies for or so they say note that every thing has a shadow when you look at a flag in the wind blowing nest time note the one side shows the flag poud in all its glory but note as it terns the darker side that is not lit up the shadow that flies by for but if not even a secont in your site but that other side is the usa that we should be shamed of for it is what the other side tries to cover every day i have seen so much opened my self from my solitary time and seen the real usa the one that makes me unabel to see the flag and not be still proud of what it stands for but even more so ashamed of what it hides and dose to those it flies for everyday i see red for the blood of the who died fighting for freedom but as well the tears of blood of those of its nashion that it holds the white or the gray you may say it is all collers in one the true mack and the blue hope and every stare a sigel state each all alone still never touching as to say each a solitary soul we are not the usa we say we right now are but a shame to are founders who thank god are not hear to see the usa of today for i know what they would say this is not the land we made this is not are proud usa

As the founder of a non profit in Arizona, Davids Hope, I am dedicated to seeing the end of the incarceration of the mentally ill. Those living with a mental illness deserve mental health treatment rather than the brutal conditions of confinement. We are functioning as we did in the early 1800s when those suffering with mental illness were chained to the walls of our asylums. The asylums are gone but the mentally ill continue to be incarcerated in our prisons without regard to their mental illness. Often there is even a refusal to acknowledge mental illness as a true medical diagnosis. Those suffering from an organic brain disease are thought to be manipulating the system when they fail to obey the commands of their jailers and often are the recipients of the most severe of punishments including cell extractions with dogs, chemical agents, beatings and solitary confinement. Dear God hear the cries of those who are sick and in prison due to mental illness.

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