**An Unjust Administration of Justice**

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Introduction

Throughout recent years, we have begun to realize that our education system is not perfect… well, at least the parents of students are finally realizing it. Students are overworked, and are suffocating under the very system that they are not only reaching into their pockets to pay for, but are glorified for doing so. Some may say, “at least students get an education, right? There are worse things you can be in, like jail.” One can find a plethora of sources on the issues present within the education system, but it is also important to take a look at the second part of this statement. Let us explore the criminal justice system, about how jail is a common thing for people in certain areas.

What is the point of jails, one may ask. In theory, they are created to protect society, by removing criminals from the street and scaring people from committing crimes with the threat of isolation from society. This begets multiple questions. First of all, if jail is supposed to protect society, then why are punishments so great for minor offenses that do little harm? Finally, why are so few people concerned about the presence of justice (or lack of) in the criminal justice system? These are the questions that we will be tackling in this paper.

Administering Justice?

There is a drug that puts its consumers in a disillusioned state. It has led to its customers making terrible decisions, and enacting violence and harm towards people around it. Annually, it causes 3.3 million deaths worldwide.⁠1 There is another drug, which slowly deteriorates the very environment that we live in, causing physical harm such as asthma, cancer, and cardiovascular disease.⁠2 It is the cause of 1 in 5 deaths in the United States alone.⁠3 There also exists a third drug. This one interferes with attention and balance. However, it can be used to dramatically decrease pain, including neuropathic and physical pain. Also, it has been “used to stimulate appetite among HIV/AIDS patients and others who have a suppressed appetite due to a medical condition or treatment.”⁠4 It can be used outside of drug-related purposes, as fabric for clothing, paper, insulation for homes, weed control (meaning that farmers would not have to use pesticides), water and soil purification, and much more. It has been recorded to be the direct cause of death of 0 people.⁠5

Despite these facts, only one of these three drugs are illegal. For some reason, not only is the miracle drug illegal, but connection with the drug leads to insane prison sentences (a minimum of one year for possession, and a minimum of 5 years for selling or growing it) in the United States,⁠6 especially for a drug that rarely harms anybody. Juxtapose this to Henry Ford, who received no jail time for using Jewish slaves to build vehicles for Hitler and the Nazis.⁠7 In addition to this, the very possession of this drug is a felony, meaning that it can remove one from programs such as scholarships for college, job opportunities, and even the right to vote. Most people can tell just from the aforementioned that some of our laws are unjustly made and administered. But this is just the tip of the iceberg.

When we look at who suffers the most from unjust laws such as this one, we get a far worse image of the criminal justice system.

Throughout race, the amount of the use of this drug is relatively equal. The American Civil Liberties Union reports, “In 2010, 14% of Blacks and 12% of whites reported using marijuana in the past year; in 2001, the figure was 10% of whites and 9% of Blacks. In every year from 2001 to 2010, more whites than Blacks between the ages of 18 and 25 reported using marijuana in the previous year.”⁠8 However, people of the African diaspora are far more likely to be arrested for it. In the same report, it is stated that on average, a black person was 3.73 times more likely to be arrested for marijuana possession⁠9.

This begets many problems. For one thing, it means that a disproportionate amount of black people are being criminalized and arrested, compared to the amount of arrests for other races, even when the crime rates are relatively equal to each other. As a result, in coherence with other factors, about one out of every 13 black males in America have lost the right to vote, a percentage four times greater than the rest of the adult population.⁠10

Interestingly enough, this disproportionate arrest rate helps people reinforce the myth that black people are more likely to be criminals, which justifies a greater police presence in neighborhoods dominated by black people, which means that that there is a greater arrest rate of African Americans, since many police departments have quotas. It is a never-ending circle of criminalizing black men and women.

It is important to ask ourselves, ‘why is this the case?’ Well, it may be that parts of the criminal justice system just have not changed. Police forces have been used since before the Fugitive Slave Act to control black populations. For centuries, the narrative of blacks being sub-human and inherently inferior have been shoved into the subconscious of American and European countries, in addition to the countries in which they have had influence (so almost the entirety of the known world). Because of this, most people, do not empathize with the struggles of black people. We can see an extension of this lack of care for black people with the Tuskegee experiment. African Americans were given syphilis, the disease, while being told that they were being treated for “bad blood.” The study lasted for 40 years (from 1932-1972), and the subjects were not given the medical assistance to heal their ailment, even though penicillin was the drug of choice by 1947.⁠11

Conclusion

Although there have been a few (legal) advancements in tackling racial inequality, a large number of laws have been used against African Americans, sometimes nullifying the positive effects of these few advancements in society. Sometimes, the law in itself is unjust, even if it is enforced equally. This may prove to some that protecting society and administering justice cannot be the major motivations behind the criminal justice system. Perhaps there are other reasons, ones not as poetic as ‘protecting society’.

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4 "Health Effects of Cigarette Smoking." Centers for Disease Control and Prevention. February 6, 2014. www.livescience.com/24554-medical-marijuana.html

5 "FIRST, DO NO HARM: CONSEQUENCES OF MARIJUANA USE AND ABUSE." Marijuana and Medicine: Assessing the Science Base. 1999. http://www.nap.edu/openbook.php?isbn=0309071550&page=109.

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8 "The War on Marijuana in Black and White." American Civil Liberties Union. June 1, 2013. www.aclu.org/sites/default/files/field\_document/1114413-mj-report-rfs-rel1.pdf.

9 Ibid.

10 Chung, Jean. "Felony Disenfranchisement: A Primer." The Sentencing Project. April 1, 2014. http://www.sentencingproject.org/doc/publications/fd\_Felony Disenfranchisement Primer.pdf.

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