

The Land of the Free?

Alli Sullivan¹

"It's a stark fact that the United States has less than five percent of the world's population, yet we have almost 25 percent of the world's total prison population. The numbers today are much higher than they were 30, 40 years ago despite the fact that crime is at historic lows."

- Hillary Clinton, 2015

While Hillary Clinton's track record when it comes to the criminal legal system leaves much to be desired, her statement above highlights an incredibly concerning reality. The very nation, whose abundance of "freedom", is at the center of their national pride has more individuals living in cages than any other nation on the planet. The very nation that regularly engages into conflict with other nations regarding abuses of human rights, itself, consistently violates the human rights of their own citizens.

How can we be, both, "the land of the free" and "the home of the" world's largest incarcerated population?

¹ **Alli Sullivan** is a 19 year-old death penalty and prison abolitionist who currently resides in Oregon. She just began her undergraduate studies at the University of Oregon, where she is majoring in Social/Cultural and Biological Anthropology. Alli has always gravitated towards social issues pertaining to justice, however, it was not until learning of the federal execution spree that occurred under the Trump/Barr administration that she really sprung into action. When she is not in class or at work, you can find her writing to one of the few dozen incarcerated individuals she is in regular communication with or brainstorming how she can turn this work into her future career. Alli hopes to attend law school and build a life defending individuals on death row.

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The truth is we can't.

Many citizens of the US believe that the United States' horrific history of human rights abuses was just a part of the "past", but our current reality still leaves us much to reckon with and confront. As I see it, the human rights abuses that are standard practice in this country are part of our past, present, and future, unless we can change this trajectory, and fast, too.

Chattel slavery did not disappear with the adoption of the 13th amendment in 1865. It reinvented itself, multiple times; just like racism did not disappear with the "abolition" of slavery. The mass boom in incarceration as we see today is the newest iteration of slavery. It is this country's most novel way of institutionally justifying racism. The level of dehumanization required in the early years of this country to justify owning other human beings as property and abusing them for labor is exactly the same type of dehumanization seen today that allows us to justify the strikingly high levels of incarceration we see and the state-sanctioned murder of those individuals banished to the farthest reaches of our criminal legal system. Lynching has not gone away, it just became legal. The first section of the 13th amendment states that slave labor is no longer permitted, "except as a punishment for crime whereof the party shall have been duly convicted". As a result our country has in a way been incentivized to find alternate approaches to criminalize hoards of mostly black and brown people as to continue reaping the benefits of their free, or extremely inexpensive labor.

Understanding the context from which the criminal legal system emerged and currently operates to be part of the lasting legacy of slavery and racism is vital in recognizing how truly little we have come from those former days, and a stark reality check of just how far we still have to go to become a country that truly operates based on the ideals it preaches.

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Our nation's preoccupation with incarcerating people and executing them as means of "achieving justice", often the most vulnerable in our society, is just one part of the lasting legacy of the racism that built our country. We are no more a free nation now than we were then. We have just gotten better at hiding and manipulating reality to serve those with the greatest societal power's agenda.

Our nation's abuse of incarceration can be understood as the result of our country, and government, not wanting to take accountability for and acknowledge their own failures. We have subverted the poverty crisis and turned it into a crime crisis. We subverted the drug crisis and made it into a crime crisis. We subverted the mental health crisis plaguing our country and turned it into a crime crisis. All of these crises should be considered violations of human rights. We reframed these crises away from what they actually are to ones of individual moral failing, deserving of harsh punishment; that likely will result in the perpetuation of these mental health issues, trauma and violence. It is a vicious cycle, where no one is winning, but everyone is losing. When we blame it on a single individual's personal failing, our greater society is no longer held liable for the effects of it, yet we continue to feel the effects of it greatly.

The most malinformed way our country could be responding to these social issues is through punishment and retribution, yet that is precisely what has defined the "American Criminal Justice" approach for generations. Even more grotesque is the fact that our nation regularly engages in state-sanctioned murders in response to the effects of these layered social crises, and manipulates the public into believing the individuals condemned to die somehow "deserved" it. Year after year, the United Nations highlights the death penalty as locus of immense concern in their annual report on human rights, among dozens of other human rights violations that this country continually engages in.

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In our media and criminal-legal system, we regularly see individuals stripped of their holistic identity. We go from recognizing their whole “humanness” to suddenly only associating them to their criminal status- “criminal”, “murderer”, “killer”. This is the first step in drawing distinction, and ultimately justifying the inferiority our society imposes upon our own people. This distinction of people within our own society is made possible with how we isolate the crime from the person. As described previously, our collective society has subverted social crises and placed the blame on an individual’s personal failing. Of course it becomes easy to ignore the person behind the crime when we have done such a good job of perpetuating a culture of individualism. I am the first to admit; however, that if we look solely at the crime committed and ignore the person behind the crime, it becomes incredibly easy to have a lot of anger and disgust toward that person. I grew up this way, wrapped up in American individualism. However; once we begin to unwrap who the person behind the crime is and the context in which the crime occurred, it becomes difficult to not see the humanity in everyone.

I recently came across a quote that went along the lines of “there isn't anyone you couldn't love once you've heard their story”. This quote perfectly illustrates what we see in death penalty cases. Almost all of the individuals condemned to die come from particularly broken backgrounds; filled with physical and sexual violence, abuse, and other trauma, often growing up in the foster or juvenile system. When we can truly understand the severity of the situation that most of these individuals have endured, it does not excuse the fact that lives were taken, but the pieces fall into place and it all makes more sense. Murdering an individual as one final act of revenge when their lives have already been fraught with trauma, much of which can be attributed to the state’s own negligence; either within the juvenile justice system, the foster care system, or any other state-run system, we can understand it as the state punishing their citizens for the state’s own failings.

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Our country's pledge to be "the land of the free " is no more than a broken promise, because a free land doesn't cage a huge portion of its population, strip them of all their freedom and humanity, and kill them as a punishment for the effects of its own incompetence. In order to realize this promise, we have to be willing to admit to our failings and meaningfully work to address them; and in America, those in charge are seldom willing to confront our horrific past and inexcusable, current reality.

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