FREEDOM & JUSTICE

We are said to be a nation which embraces freedom. Freedom is said to be such a fundemental element of our nation that we insist on forcing our concepts of it upon other Countries. The government coined a military mission "Operation Enduring Freedom." The Colonists declared war on the British in the interests of freedom; freedom was a major element in the fuel for the civil war; and the U.S. invaded Iraq to "secure" Iraqi freedom. Freedom seems to be the fuel to the fire of many struggles over the centuries, in U.S. related matters.

Justice is also something that's supposedly held dear in this nation. The Justice Department, along with its affiliates, is among the biggest governmental agencies in the nation. Our Courts supposedly produce justice. People are killed by the government, via the process of Capital punishment, in the name of justice. People are killed on the battlefield in the name of justice. Unarmed men are shot down in the streets by police, in the name of justice. Justice, as we know it here in the U.S., seems to be a Reaper with a thirst for blood.

Sometimes what one says about their character is not always in harmony with their actions; the same thing is applicable to a nation. As the old saying goes, "Actions speak louder than words," and what I believe is that the actions carried out by a nation's government is the true indicator of what that nation's principles and values are. Governmental action here in the U.S. comes in the form of legislation, policy, enforcement, and rulings.

So despite what we say as a nation regarding how important freedom is, the question becomes: Is our actions in line with what we say? I think not and

here's why.

We say that we cherish freedom. In fact our Declaration of Independence says that a man's freedom is an <u>Unalienable</u> right, yet we have a higher number of incarcerated peoples than any other nation in the world. People will have many rationalizations as to why this is so but from a purely objective analysis none hold up. Being the number one weilder of human captivity, while supposedly holding man's freedom in the highest regard, is two totally irreconcilable positions.

Additionally, even as the Declaration was written and for years afterward, slavery was an accepted institution in this country. So while freedom was being formally recognized as a man's <u>Unalienable</u> right, certain men were being denied that very right. How can those two positions be reconciled?

Then there's also the issue that in our nation exists a legal restriction or regulation on almost every thing imagineable. Take something as simple as a person limo tinting their car windows, a seemingly harmless action which has been deemed illegal in most states. It is now getting so ridiculous that some jurisdiction are placing legal restrictions on a certain style of dress, making "Sagging-pants" illegal. If we really cherish freedom how can we support a law that dictates how a person dresses? What next, the fashion-police department?!

Freedom, as defined by the "Black's Law" dictionary, is: "The state of being free; liberty; self-determination; absence of restraint; the opposite of slavery." And free is defined: "Not subject to legal constraint of another." Prisoners, slavery, excessive laws; our government seems to be the "Anti-freedom." Suprisingly we, the people, seem to be oblivious to this paradox.

And who defines justice, being that it's such a fluid concept. I mean, one person's justice can be another's injustice. In the interest of having a formal gauge, I'll refer to the "Webster's" dictionary for definition. Justice is defined: "Uprightness; equitableness; fairness." Now consider some of the actions committed by our government.

During the westward expansion of this nation, the government continuously laid claim to lands that they had previously agreed to leave to the American-Indians. The American-Indians were, for the most part, patient as Buddhist monks when facing these recurring betrayals. But even a priest can reach his boiling point and when the American-Indians reached theirs, the government resorted to forcefully taking the land. To take the property of another by means of force or fear is robbery; robbery is a crime punishable by imprisonment/fine. This is not very much in line with justice is it?

Then think of the governmental approval of slavery in this country. Not in regard to the actual practice of slavery but the fact that our government once deemed it acceptable and now denounces it. The key here is that despite the reversal, the government has made no restitution for this crime. No formal apology, no monetary compensation, or any "peace-offering" to the African-American peoples.

In contrast, the German government has formally apologized and made some monetary compensation to the Jews for the Holocaust. And even in the U.S., the government has started providing compensation to the American-Indians. But I suppose that the decision makers in the government feel that the U.S. is above any measures to make amends to mere "niggers." Yet we still perceive this as a justice loving nation.

And moving right along into more modern times, a focal

point relevant to this subject is our nation's criminal justice system, which when one analyzes the processes and results of it will find it to be contrary to the meaning of justice. For starters, studies have shown that African-Americans and Hispanics receive harsher sentences and the more severe charges in comparison with their Caucasian counterparts; this is in regards to the very same or similar criminal acts.

A good example of this is the sentencing disparities between Crack Cocaine (mostly found in inner-city, "minority," areas) offenses and powder Cocaine (generally associated with suburban, Caucasian, areas). Despite the fact that the powder form of the drug has more of it than Crack, five grams of Crack will get a person the same amount of prison time as about one hundred grams of powder Cocaine. How absurd is that? There's nothing just about a system that harbors racial disparity.

In the interests of promoting a safe and healthy society, the government has instituted the position of prosecutor. In their prosecutorial duties, the prosecutor is supposed to be bound by moral, ethical, and legal restraints. One of the main legal restraints supposedly the actions of a prosecutor is the Constitutional "guarantees" that every defendant is supposed to have; in theory, a prosecutor must respect a defendant's constitutional rights.

In reality, the U.S. Supreme Court has deemed a prosecutor's violation of certain constitutional "guarantees" acceptable. Therefore prosecutors don't feel very obligated to respect a defendant's Constitutional rights. Add to this the fact that prosecutors have been granted immunity from civil liability in relation to their misconduct. This basically gives them license to disregard the law; having nothing upright, fair, or equitable about it.

There are plenty instances which can illustrate precisely how unjust the so called justice system is. Biased / racist judges and prosecutors; intentionally ineffective defense attorneys; discriminatory laws; all of these things cracks the facade of legitimacy and justness of what we call the justice system. And ironically African-Americans, the same people who were subjected to slavery, are disproportionately targeted by the criminal "justice" system. It appears that the main facet of justice in the U.S. is the overt oppression of non-Caucasian peoples. Not exactly a justice loving position for a nation.

Oh, how the Founding Fathers would be so very displeased to see our current state of the nation. If they were to be reincarnated, with the same mind & spirit, into today's U.S.A. I'm willing to bet there would be an American Revolutionary War II. Some of the things which drove them to seek a seperation from British rule, are the same things coming from our government. Unfortunately it'll only get worse because those in power have interests which works against the Constitution.