

Criminal Justice and the Injustice of Patriarchal Capitalism - A Marxist Analysis

this [criminal justice system essay](#) contains mentions of sexual assault and domestic abuse viewers please be advised the synthesis of race class and gender in the American justice system is an issue that still circles scholarly discussion to this day race class and gender regardless of what some will say are extremely significant in the decision-making the policy and the practices of the criminal justice system through the criminalizing of one's skin color the criminalizing of poverty and the reinforcement of patriarchal domination the fuel for the increased incarceration and disenfranchising of women is all exposed it is the patriarchal white centered institution of capitalism that perpetuates this private prisons police corruption and extensive male chauvinism as staples of capitalism have historically perpetuated conditions that entrapped women particularly black women into lives of constant struggle abuse criminal activity and in many cases even death through figures such as former Black Panthers Angela Davis and Assata Shakur with their respective works our prisons obsolete along with Shakur's autobiography along with the writings of women's studies professor made a Chesney Lynde and Beth Ricci the impact of these practices are detailed in great lengths patriarchal chauvinism as mentioned is one of the most pivotal factors in the practice of capitalism a male-dominated sphere the idea that women are to be subservient to men essentially to be nothing more than property and playthings perpetuates the suffering of women in socio-economic political and judicial proceedings in the stage of explicitly slave driven capitalism as detailed by Davis disparities and racial and gender dushman are already apparent in contrast to white women black women in the era of slavery were quote-unquote subject to regimes of punishment that differed significantly from those experienced by white women punishments for black slave women included a form of whipping specifically designed for pregnant slaves in order to harm the woman while protecting her fetus why did the slave master care to protect the fetus if he was inflicting such a brutal punishment anyway plantations often doubled as a forced breeding ground wherein slave masters typically rape their female slaves for the purpose of Korea future slaves to keep the quote-unquote workforce strong the quote-unquote authority of these masters allowed them to take advantage of and sexually abused women in authority similar to a more advanced form of enforcing slavery these intrusive violating practices have carried into the modern institution of slavery one of the many vertebrae in the backbone of neoliberal capitalism the private prison industry the conditions that often place women in situations leading to incarceration are reflective of practices similar to those of prison guards it is unfortunately common in the home environment for women to be subjected to rampant objectification and domestic abuse according to Richie there are 700,000 women who have experienced being raped or being subjected to other forms of sexual violence every year as of 2003 this number has likely risen exponentially these abuses often bring these women to the point of desperation for coping with continuous harassment and violence many women turn to drug use as a means of easing the pain and in some cases resorting to killing their abusers the criminal justice system apparently holds no sympathy for victims of abuse as half of the women who are incarcerated for murder and manslaughter had killed in self-defense along with another 60 percent of women who were imprisoned for nonviolent drug charges bodily autonomy has no meaning for women behind bars even more so than on the streets of your average City the conditions described by Chesnee Linda and Richie act as the precursor to the violently sexualized prison practices as Davis lays out within these private prisons guards and other employees have been known to engage in the sexual

abuse of prisoners both by means of direct physical force in addition to blackmail and coercion the actions of the guards are reprehensible however the justification of these and other sexual attacks is absolutely disgusting a doctor from the Valley State Prison in California notorious for performing gynecological exams in response to the most mild of illness had a very peculiar justification for this how did they justify this the doctor claimed and I quote women prisoners had rare opportunities for male contact and they welcomed these superfluous pelvic exams the patriarchal formula has embedded itself so deeply into capitalist society this is what male chauvinism has come to claiming that women enjoy being forced upon if they haven't had recent sexual relations the case of one Assata Shakur is a prime example of the toxic masculinity rampant in the privatized criminal justice and prison system Shakur's account of what goes on within the confines of these prisons details how gruesome these practices can be strip searches which are basically an evolved form of stop and frisk were a frequent occurrence for both Shakur herself along with two fellow members of the Black Panther Party guards would quote-unquote finger-fuck women to put it bluntly as a means of quote-unquote searching for contraband and alike this alone is an insane abuse of power and furthermore the penalty for refusing to search is responsible for further psychological and physical deterioration being essentially forced into solitary confinement women are and I quote locked in the hole and they don't let you out until you consent to be searched internally this ties back to the issue of domestic abuse with isolation and denial of necessary services being one of many tactics of an abusive partner carried over into the private prisons the biography of Assata Shakur sheds further light on practices utilized by the American Police / prison system in the continued abuse of disenfranchised women on trial for allegedly robbing a bank in 1971 throughout the entirety of the trial the actions of the police the FBI and those in the jury selection reflected the racial disparities in prison and courtroom proceedings it was in holding that Shakur experienced severe repercussions for a rather monotonous action refusing to have her photo taken immediately agents and marshals began essentially manhandling Shakur in order to take her photo without consent of course in the search for a legitimate jury of her peers Shakur and her / aunt Evelyn weeded out a great selection of potential predominantly white male jurors withholding racist views the large selection of white jurors predominantly holding racist beliefs alongside the fact that both of the prosecutors in this case we're your typical anglo-saxon males displays the systematic bias in the criminal justice system towards black women and men the Proceedings of this trial would have in essence had they gone inline with the plan of the prosecution been nothing more than a glorified show trial the capitalist courtroom was and still is designed to further patriarchal and racial domination institutions of oppression discover new loopholes new methods of control and new means of enforcing their typically racist misogynistic and chauvinistic ideals capitalism is the entity that synthesizes all of these within the confines of the private prisons an institution of gendered and racially charged abuse neglect and punishment the ceasing of these practices is an absolute necessity though there are some who seek to quote-unquote help women in prisons through questionable means rather than targeting the nature of capitalism targeting the inhumanity of the private prison system where a person is just another dollar sign some liberal critiques have laid claim that women should be treated the same as men behind bars known as vengeful equity this line of reasoning has resulted in the introducing of female chain gangs bringing further brutalization and violation of imprisoned women under the chauvinistic and exploitative nature of capitalism the emancipation of women cannot happen by such liberal

philosophies ignorant of the material conditions of the current stage of global capitalism in order to prevent more cases of women abusing drugs being abused by spouses and facing extreme levels of sexual harassment and assault in order to put an end to practices used on Assata Shakur and other disenfranchised black women educational programs must be improved job security and wages need to be monumentally improved and the biggest step to take of all will be the abolition of the private prison system prisons for profit pushed to fill cells with as many bodies as possible no matter who has to occupy them for the sake of profiteering and the expansion of the prison system and the prison industrial complex in order to cease the ongoing toxic hyper masculinity and chauvinism the end of capitalism must be one of the highest priorities for those looking to change these conditions