

The Criminal Injustice System

An interesting fact about the U.S. criminal justice system is that the people charged with enforcing the laws are people with virtually no desire to act justly. The cops have incentives to collect revenue for the state; they have few if any constraints on their gratuitously bullying people; and they are practically beyond accountability except in rare instances of utterly outrageous, publicly observed actions. The prosecutors are worse because they have immensely greater discretionary power, virtually no constraints on their misuse of that power, and incentives to act unjustly by bulking up their convictions via threatening defendants with multiple charges and compelling them to cop a plea (about 95 percent of convictions never get to a jury).

This system clearly deserves to be called the criminal injustice system, as the huge rates of incarceration and other legal penalties in the USA attest. If someone wanted to seek justice, he would have to abolish this entire system and replace it with one in which the enforcers had incentives to act justly.