

Rethinking Lady Justice

By: Mackenzie Langley

University of Denver

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Lady justice standing blindfolded with a balanced scale dangling beneath her extended arm is a powerful metaphor. It echoes a standard of law that is unbiased and unchanging. Unfortunately, the reality of law indicates that this metaphor is powerfully misled.

Sociologist David Black has spent many years solidifying his understanding of how the law behaves. Despite the metaphor of justice portrayed in the United States, the legal repercussions of a crime changes just as the situational, relational, vertical, and cultural characteristics of all the parties involved in the crime change. More simply, crimes against some people are considered more heinous than crimes against others, not because of the details of the crime, but because of the characteristics of the offender and victim.

Consider this, between 1998-2008 in conflicts where a Black offender killed a White victim, 11% of offenders were sentenced to death, and the average number of pages in the case file was 629. Contrarily, in conflicts where a White offender killed a Black victim, 0% of the offenders were sentenced to death and the average number of pages in the case files was 215. To this same point, in seven California counties between 1950-2000 forty-eight Hispanics were accused of killing White victims. Of those accused, thirty-one were convicted (65%). Oppositely, 101 Whites were



accused of killing Hispanic victims. Only nine of the accused were convicted (9%).

This issue extends beyond race and can be seen at an institutionalized level as well. The study by John Jay College of Criminal Justice also exemplifies this. Between 1950-2002, 4,392 priests faced allegations of sexual misconduct with minors. In the end, only 100 priests were sentenced to prison. This issue is echoed in the film [Spotlight](#), “if it takes a village to raise a child, then it takes a village to abuse one.”

Beyond the large statistics, the overarching point is simple: the law behaves, and sometimes even dissipates, as a result of the social geometry of the parties involved. Law puts greater value on some people than it does on others. **Why should you care?** Beyond the frightening statistics are individuals. Every death, abuse, and crime that is weighed on this tipped scale allows those in power to continue to corrupt the system. As the great Martin Luther King Jr. once remarked, “Injustice anywhere is a threat to justice everywhere.” Let’s remember this as we move forward. Because, at the end of the day, a metaphor is only as great as the truths it emits.



All Statistics included in this article and information about Donald Black can be found [here](#).