

Arrested Justice

Chris Hignett reviews Beth E Richie's powerful new book, *Arrested Justice. Black women, violence and America's prison nation*

The suspense holds to the last page, but finally the reader is released to acknowledge what a great book this is. Beth E Richie's title seems very specific - *Arrested Justice. Black women, violence and America's prison nation*. Maybe it would further damage the marginalised women to whom Professor Ritchie is committed to suggest her analysis is of wider, universal, applicability. But, finally, she gives permission, hoping her ideas will find an audience beyond the women's movement. This is important because although her focus is on how violence is perpetrated towards black women, men cannot avoid the obvious challenge. How do they plan to remedy the injustice they visit so consistently upon their fellow human beings?

Beth Richie begins with accounts of black women who have been the recipients of shocking violence at the hands of their partners, the local enforcers of public morality, and the state and its institutions. In each case considerations of fairness and justice have been reversed so that the victim becomes criminalised. How has this come about when the women's movement has been in existence for many years? Surely the mainstream thinking that trusts the criminal law ultimately to end such violence will be vindicated?

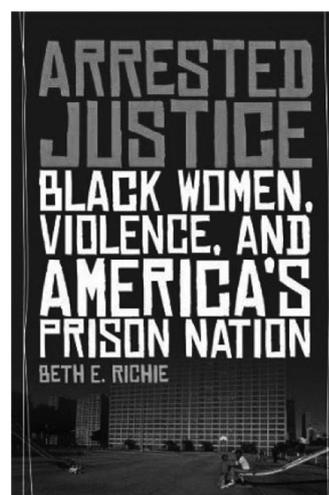
Richie disagrees. One of her powerful themes concerns how in becoming mainstream the battle against male violence has been lost for the most marginalised. The early concern to provide direct relief, via refuges, to women suffering violence from men, expanded. The need was to show that male violence could happen to every woman and that the law should be developed to stop it. But this universalisation of the issue left women who did not fit dominant views of womanhood in danger. Black women, especially those who did not conform, could be overlooked as some other characteristic was held to invalidate their first claim as a woman. The young pregnant woman, the single parent, the individual with drug problems, the sex worker, and the activist are amongst those who the law fails. Invoking the criminal justice system, in Richie's view, was the moment when the women's movement lost the battle against violent mistreatment.

Two factors account for this. The universalism of the criminal law needs social justice to first ensure that all women stand in equality with one another. When a nation has little problem institutionalising differences of race, sexuality and gender it is likely that the law will be applied differentially. Furthermore, when the justification

for these differences is found in a neoconservatism that resorts to that same criminal justice mechanism to reinforce these inequalities, there is little hope that more will be achieved via this route.

Richie expands instructively on the impact of the prison both as a literal and metaphorical instrument for the maintenance of the *status quo* in a neo conservative society. She argues that marginalised black women are the subject of a matrix of male violence that involves intimate households, the community and the state, who deliver physical assault, sexual assault and emotional manipulation. The matrix should be employed to ensure that all aspects of violence are being tackled. The remedies will come from considering how social justice can assist.

Beth Richie concludes with examples of women coming together through the academy, local and national groupings to invoke alternative strategies for advancing the rights of all women, especially the most marginalised, to be free of male violence. The book offers justification for those in this country who argue the criminal justice system does little for women. It offers such poor protection that it should be abandoned in favour of other strategies. Professor Richie argues with the fluency and urgency that can only emerge from committed scholarship and involvement in struggle with injustice. All men need to read this book to understand better the steps they must take to rid society from the curse of their violence towards women. ■



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