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Intro into Ethics

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Mandatory Minimum Sentencing Laws

Mandatory minimum sentencing laws, according to *The Medium* are “Predetermined prison sentences based on a type of crime,” (Robinson and Rodriguez). Millions of people have been affected by mandatory minimum sentencing laws. State and Federal mandatory sentencing laws were put into place in the 1980s to the early 1990s, to fight the epidemic of crack cocaine. Although these laws were enacted to protect the public, mandatory sentencing laws do more harm in communities, than good and should be banned because of racial bias and bias against people with lesser socioeconomic status.

Racism and prejudice are one of the main reasons why mandatory sentencing laws should be banned. The media has created the common misconception that minorities are the main ones committing the crimes to get them convicted in the first place. This however is false. According to *Drugpolicy.org*, “Prosecutors are twice as likely to pursue a mandatory minimum sentence for black people as for white people charged with the same offense.” (Race and the Drug War). This blatant racism in the judicial system is reflected in the sentencing outcomes of the individuals charged. Without these laws, the racial disparity of the convicted would be severely impacted.

Another reason why mandatory sentencing laws should be banned is because of differing socioeconomic status. Some may believe individuals of lesser economic status are more inclined

to commit crimes, therefore more likely to be arrested and convicted of said crimes. The article, *The Poverty-Crime Connection*, shows the reasons why people of lower economic status resort to crime. Even though there's a connection between poverty and crime, this connection would diminish if the laws were equally affecting communities of higher economic status and lower economic status. One example of the unequal treatment of mandatory sentencing laws on the lower economic status communities is that the federal law imposes harsher sentences for the possession of crack cocaine versus the possession of powder cocaine, even though it's the same drug. Powder cocaine is more expensive and pure than crack. This is why richer people tend to gravitate more toward the powder rather than other versions of cocaine, like crack. Because crack is cheaper, it is more commonly consumed in poorer communities. According to *Criminaldefenselawyer.com*, "A person convicted of a first offense of possessing five grams of crack had to be sentenced to five years in federal prison. By contrast, under the 1986 Act, a coke-snorting user had to be caught with *100 times* that amount of powder cocaine (500 grams, or over a pound) in order to face a similar five-year mandatory minimum sentence." (England). With that being said, mandatory minimum sentencing laws are harmful and unfair to these poorer communities.

These reasons brought up against mandatory sentencing laws can relate to Malcolm X's teachings on Insurrectionist Ethics. An insurrection is a violent uprising against a government or authority to stop the oppression of the oppressed. In this case, the oppressed are people of lesser socioeconomic status and minorities. Even though this seems extreme, the issues with discrimination towards these groups of people are also extreme. Malcolm took the approach called "By and Means Necessary" This approach aids the argument against mandatory minimum

sentencing laws for non-violent crimes. In the reading, Malcolm X talks about how the government is responsible for the racial injustice happening in America. This can also connect to the injustice and inequality faced by people of lesser economic status in America. He says that the government is run by rich, white people, for rich white people. This is shown in the quote, “And the government has shown its inability, or unwillingness, to do whatever is necessary to protect life and property where the Black American is concerned.” This unwillingness is shown throughout these reasons why mandatory sentencing laws should be banned. It’s difficult to follow the law that was made to target you. The War on Drugs was launched to target poor minorities due to its unfair mandatory minimum sentencing laws. This ties into another connection to Malcolm X’s teachings. Due to the unequal treatment for all crimes, it’s unfair and how it’s unfair that these people in these oppressed groups are being put away for long periods of time for non-violent crimes.

In conclusion, mandatory minimum sentencing laws are unfair to minorities and communities of lesser economic status due to racism in the judicial system as well as unjust legislation put in place to oppress these groups of people. Malcolm X’s teaching about Insurrectionist ethics calls out the unfair treatment of these oppressed groups. Although these laws were put into place to fix issues with drug abuse, these laws should be banned to make America, more of an equal society.

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