

10 Mold-Breaking Ideas on the Concept of Justice

Lisa Beebe, October 18, 2019

As part of UCLA's centennial celebration, the UCLA School of the Arts and Architecture is holding a series of conversations called [10 Questions: Centennial Edition](#). Every Tuesday evening for ten weeks, experts from diverse disciplines are exploring answers to some of life's biggest questions, including "What Is Justice?", "What Is Truth?" and "What Is Love?" The discussions, held at Kaufman Hall on UCLA's campus, are open to community members, free with [RSVP](#). Can't attend? We'll be sharing weekly highlights.

What is justice? On October 15, Victoria Marks, professor of choreography and associate dean of academic affairs for the UCLA School of Art and Architecture, moderated a discussion on the topic between Funmilola Fagbamila, artist, playwright, and activist; Jennifer Mnookin, evidence scholar and dean of UCLA School of Law; and Stephanie Pincetl, founding director of UCLA's California Center for Sustainable communities. Marks started by saying, "It will not be our goal this evening to answer the question 'What is justice?' It's simply too big." Instead she suggested that panelists consider how we can live well — or better — together. Below are some of the ideas that came up.



Justitia | Maarten van Heemskerck, 1556

1. Wrongful convictions happen more often than we suppose. Before DNA, most people believed wrongful convictions were extremely rare. Dean Mnookin talked about how ideas about wrongful convictions have opened the door for a broader conversation about the criminal justice system. With the rise of DNA testing, she said, “There began to be DNA exonerations that showed that, in fact, there were people who had been behind bars for very lengthy periods of time, who DNA evidence now proved dispositively hadn't done the thing that they were accused of.”

While there are still lots of questions about how often wrongful convictions occur, we now understand that innocent people are regularly being convicted of serious crimes, and that the “protections” of the justice system may not be protecting them. Mnookin said, “That changes how we think about criminal justice and justice more generally.”



WATCH: Obie Anthony III was wrongfully accused of murder in 1994. [SoCal Connected looks at his struggle to win compensation for years lost in prison.](#)

2. Our understanding of justice has grown more complex. Mnookin said, “This wrongful conviction space, which began in a narrow way, has opened up some spaces for these important broader stories about our criminal justice system and bigger questions about how do we do justice? What counts as injustice? How do we create a system that we believe can be fair to all?”

She went on to say, "It's created a space where we're beginning to see some real traction for criminal justice reforms, ranging from transformation of the bail system, for example, to a new engagement around the death penalty and the appropriateness of those kinds of punishments, to the creation of the progressive prosecution movement where there are starting to be prosecutors who are interested in questions like the integrity of convictions, and are there ways to go about this that would reduce mass incarceration? Wrongful convictions have begun to change that narrative."



READ: [What Prison Reform Looks Like Inside California State Prison, L.A. County](#)

3. Justice guides how we treat the natural world. Stephanie Pincetl's work focuses on social and environmental justice and finding equitable ways to reduce human impact on the planet. She pointed out that as we develop new technologies, we need new kinds of elements, and said, "Those elements are found in places like the Congo, like Mongolia, places where there's an enormous environmental and social impact and there's no accountability about those impacts." She offered the example of an open pit copper mine, and said, "What's happened is we've scraped off the best. The best copper has already been mined. That is beginning to happen for a number of these really important elements. What does that imply? It means that the next layer, the next level of quality is going to require a lot more energy resource to extract."

[WATCH](#): An Inupiaq community in Alaska is divided over their own search for justice as economics and cultural preservation collide. Watch this clip from "Earth Focus."

4. **Justice is an attitude (and not in a lawless vigilante kind of way).** Pincetl said, "It has to be about principles of ethical living, which involve compassion. We have to be able to engage in a compassionate way with others." To do this, she explained that we need wisdom, ethics, love, courage, grace, goodness, and morality. She said, "We all know what these words actually mean, right? But we don't practice them enough."



Ruth Bader Ginsburg United States Supreme Court Justice | Simmie Knox, under commission of the United States Supreme Court

5. **Justice involves being “woke” — and willing to work together.** Instead of a presentation, Funmilola Fagbamila performed part of her stage play, “The Intersection: Woke Black Folk,” which explores several black characters with different social and political views. It ends with the statement, “What I’m saying is quite simple. We cannot throw each other away. We are complex and conflicted, often stuck in our ways. But regardless of all that, we’re absolutely here to stay. Let’s teach one another and be open to receive because we really need each other. This is a fact. Guaranteed.”

She went on to talk about how even people who say problematic things can also make sense at times, and said, “I really want to advocate for human beings getting to the root. Tell the truth of where you stand and be open enough to hear somebody say something that you don’t agree with, without emotionally shutting down and preparing to combat their argument with your argument.”



READ: [Tips that may help keep Thanksgiving civil.](#)

6. **Things aren’t perfect, but they’re getting better.** Fagbamila told the audience, “Even though we haven’t reached a point where we’re living in an equitable society, we’ve been at least able to change the structure of some of the systems that cause dehumanizing devastation. We still have a lot of work to do, but there’s something that has been done, which means that in the future there’s something that can still be done, if the damn world doesn’t explode because of the damn environmental issues.”

Pincetl added, "If we can't find a way to save the planet, that is the fundamental existential threat. Then we don't have a chance to do justice or create more equality or to make the fabric of our connections deeper and better."

[Tending Nature](#) examines how traditional practices can inspire a new generation of Californians to find a balance between humans and nature.

7. None of us can fix this alone. When an audience member asked about the role of individual activism, Pincetl said, "I would change the question just slightly and say, what is my role as an individual in finding a group of people with whom to work for change? Because I think that one of the brilliant successes of late capitalism, if I may be so blunt, is to make people think that they are alone, and that they are alone in the face of all of this stuff. That it's incumbent upon them alone to do something better. But in fact, we can't do it that way. It really requires us to work in collaboration with others, because strength is in numbers. It also gives you more hope, more energy. You are feeling like you're actively participating in something that is greater than just you. Besides, change very rarely happens through the activity of just one person. There may be a person who ends up as the figurehead or as the transformative agent, but they come from something. They come from a larger set of activities with other people. You think in the civil rights movement of people like Martin Luther King. But think of the armies of people he had supporting what he was doing."



Protesters during Roosevelt High School walkout | Devra Weber, La Raza photograph collection. Courtesy of UCLA Chicano Studies Research Center

WATCH: [La Raza](#), a documentary on how young Chicanos helped tell the story of a movement.

8. The prison system has to change. Fagbamila said, "We understand in a very clear, obvious way that prisons do not rehabilitate, and they do not do what it is that they the argument is that they're supposed to do. That prisons traumatize and that the recidivism rate is high, that people go into prisons, they serve their time, they come out and then go right back into prison. Because they can't have access to the resources necessary to actually change the circumstances of their life, which might prevent them from engaging in the crime that might send them right back to prison."

[Play Video](#)

WATCH: [City Rising](#). Learn how the informal economy helps bridge give the formerly incarcerated a way to establish careers and sustain their communities.

9. We have a duty to speak out against hatred and discrimination. When an audience member asked about a bystander's responsibility when they hear someone being treated with discrimination or hatred, Fagbamila said, "I think just on a basic level that we should be willing to be courageous enough to say something, not because we want to be the heroes in the situation, but because it's wrong."

Pincetl added, "I also think there's a common sense practical side to that and that we should feel as though there's a certain amount of accountability in society. It doesn't have to be anything grand. It can be something small about people's everyday rude behaviors, and say, "That was pretty rude."

Mnookin pointed out that people sometimes take this too far. "At the other extreme there is call-out culture where, the minute somebody uses the wrong word or says something that isn't put as felicitously as they would wish, suddenly they're ostracized or made to feel like that they have no voice."



Caridad Vásquez and other street vendors protesting on the steps of City Hall | City Rising

WATCH: [City Rising](#) highlights individuals facing discrimination but fighting to change policy and improve upward mobility for their communities.

10. **To better engage, criticize the behavior, not the person.** Mnookin said, “I think that one thing that we all owe to our communities, is to make a distinction between the action and the person.” She advised, “Try to engage in a way that critiques the behavior and not the human. At least you should start there, from a place of grace and compassion. Think that this doesn't mean that this person is bad, but rather that they did something in the moment that caused harm. You have a better chance of getting them to listen and to hear and potentially to change, if you start from a place of making that distinction.”

[Play Video](#)

WATCH: [Broken Bread](#) with Roy Choi highlights organizations that focus on rehabilitation and intervention through food.

Top Image: Cherry blossom trees in Washington D.C.'s mall | Caleb Wright / [Unsplash](#)