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**Justice has not been the American Dream: A study of Assata Shakur's perspective**

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**Abstract:**

Justice has not been a part of the American dream, when seen from the standpoint of the American Blacks. Although the nation was founded on the ideals of freedom, equality and opportunity to all its citizens; Blacks of America have been a subject to systematic discrimination and denial of these very promises. In spite of the achievement of the civil rights, the inequalities still persist in all walks of life. This paper focuses on the the persistent inequalities in the criminal justice system seen from the perspective of Assata Shakur as discussed in her autobiography named Assata: an Autobiography.as per her shared experience the judicial system functioned as tool for control rather that justice which lead her to mistrust the institutions which she was meant to believe in . though the discussion of hr autobiography the gap between the American ideal of justice and the lived realities of Black people on trial have been discussed.

**Keywords:** American dream, judiciary, criminal justice system, oppression

**Introduction:**

This paper focuses on the autobiography of Late. Assata Shakur, the well known Black revolutionary . The autobiography describes the life of Shakur until her capture and subsequent escape to Cuba. The account of her life is disturbing at times, yet it is a source of inspiration to the readers as well as to the people involved in a fight against racism in the United States. In this paper a critique of the judicial system will be presented from the standpoint of a convicted Black prisoner who had no hope of getting a fair trial without any Black representatives in the jury.

Viewed from the perspective of a Black prisoner, justice has not been the American Dream. Assata has given a detailed account of the unfair judicial system of America which entraps the Blacks into imprisonment and then delays their trials in order to keep them

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subjugated forever. She tells in her autobiography that seventy percent people living in America are whites; still all the jails are full of the Black convicts. This statement of her speaks for her distrust in the judicial system of America. Seen from the standpoint of the Black people, the judicial system of America has not been fair towards the African-Americans. It works as an apparatus for the perpetual subjugation of the Blacks. Every judicial system is constructed on the ideals of truth and objectivity. The rules are constructed objectively and are applied to all the cases neutrally.

The biases in the American judicial system can be found working since the very beginning. The so called 'objective' rules were constructed by the whites. The whites were the first ones to enter the judicial system in its formative years. The entry of the Blacks into the system is only a recent phenomenon. When the Blacks entered the judiciary they shook the status-quo and were not fully accepted into the system. They still seem like sitting on the fringes and only nodding to the decisions which their follow white judges make. The personal identification of the judges with the defendants as well as the defendants' expectations from the judges plays a pivotal role in the distribution of justice. The perspectives of the judges can lead to different treatment of the convicts.

Morality lies at the heart of any law and bringing in diversity in the judiciary can make substantial difference to the distribution of justice in America. The decisions of the judiciary have great impact on people. And some people in the society need to be positively affected by these decisions before they choose to drop out of the social- structures. Recognizing and understanding one's own point of view is very important in the understanding of the point of view of others because one's own assumptions and prejudices define one's behavior and perceptions. The judicial system in America consists mostly of the white judges. Those judges have no or little knowledge about the living conditions and psychologies of the American Blacks. Their biases make it very easy for them to see the Black convicts in a bad light. Black judges on the other hand, are well aware of the daily trials and tribulations of the lives of the Blacks in America.

Therefore, their approach towards the Black convicts can be more realistic. The people, whose voices have been silenced in the past, need a chance to be heard. If more Blacks will be allowed to enter the judiciary, it will help the judiciary get rid of its institutional biases. This will ensure that all voices are heard and it will in turn result in fair trials and fair distribution of justice to all. Assata has shared her disappointment with the ideal of the American Dream endorsed by America. She refuses to accept that America has been successfully living up to that ideal. "The American dream is the belief that anyone regardless of where they were born or what class they were born into can attain their own version of success in a society where upward mobility is possible for everyone. The American dreams is achieved through sacrifice, risk-taking hard work, rather than by chance" (Investopedia Online).

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American dream makes a promise of the freedom and equality. It offers one the right to make decisions that affect his or her life and the freedom to aspire better things in life. It also provides the freedom to earn wealth and the chance to lead a dignified existence as per one's own values and beliefs even when these beliefs are not widely accepted. The concept of the American dream has always been central to America's value-system and it has always been the defining idea of the American culture. But this American dream has proved its applicability and achievability only to the white Americans. While their circumstances as well as limited acceptance in the white society has made the American Blacks skeptical about the American dream.

Assata realized that there was just the pretence of justice, no real justice for Blacks. In her speech during her trial she clearly declared "And Justice, in my eyesight, had not been the American dream. It has been the American nightmare. There was a time when I wanted to believe that there was justice in this country. But reality crashed through and shattered all my day dreams. While awaiting trial I have earned a PhD in justice or rather, the lack of it" (Shakur 166). Assata had been waiting for her trial for two and a half years. She was imprisoned for so long without even knowing whether she was a criminal or not. She tells that the Black women were convicted for the crimes as minor as stealing a box of pampers from a store and the same judicial system pardons a president who had been responsible for the deaths of thousands of people.

While the Blacks are imprisoned for minor crimes, the whites are forgiven for their blunders. She tells that the witnesses are rented and bribed; the evidences are created for punishing people for their political beliefs. She tells that she was not imprisoned for a crime, she says she was never convicted of any crime ever, still she was forced to live in prison waiting for her trial because the authorities considered her to be a potential threat to them. She tells about her friend Donald Myers who was on trial just because he came across a photograph in the newspaper of an offender who looked like him. And he went to the police to tell them that they were mistaken. He was on a trial for making the mistake of believing in the law of the country. The people who show the courage to speak against the system were put behind the bars, so that their voices could not be heard. People were imprisoned for their political affiliations and then they were charged of crimes so that their imprisonment could be justified. How the people like Assata could be expected to believe that justice was the American dream; when all they received throughout her lives was injustice, treachery and discrimination only. The Black prisoners were well aware of the racial prejudices inherent in the society and they knew the mindset of the people in the system they were dealing with.

The Black prisoners tried to get white lawyers to fight for them. Their simple logic was that the judge, who in most of the cases happened to be white, would not be happy to see a Black lawyer. If the lawyer is a white then the judge might give a favourable decision. Assata tried to reason with the man who believed so. She argued that if the lawyer goes

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against the judge then the judge was obviously going to be upset no matter to which race the lawyer belonged. But the Black prisoners had come to that conclusion by observing the number of prisoners freed with the assistance of white lawyers. It reflects the racial biases inherent in the judicial system which not only keeps the Black subjugated but perpetuates the subjugation further by making them bow down again and again in front of the people of the white race. Assata's sole reason for participating in the struggle was that she had lost faith in American justice. Justice according to her was the American dream which could never come true for the American Blacks.

Assata's trial was her journey of her fight against the judicial system which denied justice to the African-Americans. When Assata was convicted for the bank robbery case and was waiting for her trial, she realized that she could never get a fair trial. All the judges in the jury were white. Since the whites always remained segregated from the Blacks, they never knew what Blacks undergo and what situations make the Blacks indulge in criminal activities. Assata instantly became hopeless about getting the justice because she felt that the white jury can never do justice to the Black convicts. When Assata needed to choose a lawyer for herself she refused to choose a white lawyer. She had expressed her willingness to hire a Black woman as a lawyer because a Black woman would have understood her situation, her struggles better than any other person.

When Assata came to know that there were very few Black jury members for her trial, she was depressed. When she appeared in the court room and saw the jury, she was shocked. The numbers of the Black judges were very few and they did not seem to form the core of the jury. They seemed to be sitting on the fringes. They looked like the extras of soap opera to Assata. The trial was being held on Morristown and that was supposed to be a rich state. Assata couldn't expect the Blacks of Morristown to understand the life and struggles of Black people living in the other parts of the world "How could they understand someone becoming a Black Revolutionary? They had so little to revolt against. They had bought the cameramen dream lock stock, barrel and seemed unaware that, for the majority of Black and third world people the American dream is the American nightmare" (Shakur 119).

The whole of the judicial system from top to bottom was biased. Everyone from the police men to the jail authorities, to the jury, nobody seemed trustworthy to Assata. When she was pregnant and wanted a gynaecologist to examine her, the jail authorities provided a white doctor and they were upset when Assata refused to get examined by him. They were infuriated that she desired a Black Doctor. Assata wanted to be very careful about her delivery and she was not able to trust her child's life with a doctor from another race; a race which has only brought misery and pain to her people. During her pregnancy the hospital authorities denied the basic medical care and nutritious diet to Assata. She had to plead them not to keep her chained as she could lose her baby through miscarriage. They refused to provide milk to Assata and she began to starve. Such was the treatment meted out to Black

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prisoners by the white jail authorities. It did not matter to them that the woman in question was pregnant. They did not care especially because the offspring was going to be from the subjugated race whose life did not mean anything to white authorities.

Assata had no hopes of getting a fair trial by the white jury. There were very few Black judges in the jury. Assata tried to convince the authorities for adding more Black members to the Jury. For that, she was allowed to question the existing jury. When Assata's aunt Evelyn asked the judges about their biases for the Blacks, they refused to be biased but when they were asked whether they had any Black friends or not, whether they will object to their children marrying the people of other race, the judges refused to answer. It was very clear from the behaviour that all of them were biased and held prejudices against the Blacks. Evelyn was successful in proving that the jury was not capable for judging Assata's case. Assata and Evelyn finally succeeded in getting three to four Black judges in the jury and hence their hope for justice was strengthened. In her address at the court Assata told the judges clearly that she had no faith in the judicial system. She pleaded them to consider the Blacks as humans and then listen to what they had to say. She pleaded the judges to be fair. She knew that all the statements of the witnesses would be against her as she was the victim of a political conspiracy. She requested the judges to notice the intention of people who were conspiring against her. She says "Our lives are no more precious or no less precious than yours. We ask only that you be as open and fair as you would want us to be, were we sitting in the jury box determining your guilt or innocence. Our lives and the lives that surround us depend on your fairness" (Shakur 170-171).

Assata's speech at the court room portrayed the mindset of a helpless Black convict who had no hope of getting out of the bars in a white judicial system. She was a Black revolutionary; she and her fellows were considered against the government. The whole white system wanted to persecute her. The only thing she could do was to plead them to be fair. During her trial Assata's distrust in the jury overcame her. She started feeling nervous. She felt that she was going to be convicted again. But her aunt pacified her by telling her that there were Black judges in the jury and they will be fair to her. At this Assata pondered how much difference the Black judges' participation in the jury can make to the providence of justice to the Blacks "But their sitting on a jury might mean that their neighbor's son or daughter doesn't end up the frying in the electric chair or rotting away behind the bars" (Shakur 215).

Assata tells about a Black judge Bruce Wright who was removed from the criminal court bench in New York because he had a set of bail amount of the poor people which was affordable. The white system of judiciary did not want the Black convicts to get released. They wanted the prisons to be full of the Black prisoners or convicts so that the system of slavery could operate in latent form in the prisons. Assata was disappointed with the fact that the judicial system was not working for the establishment of justice. It was rather working

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towards getting more and more Blacks convicted and saving the whites. The whole system was full of the white officials who had little or no knowledge of the Black people and their struggles. There was no hope to keep from such ignorant and biased system.

Assata has discussed the jury selection process in the autobiography. The way the judges were selected for a particular trial was ridiculous. There were asked simple questions like whether they were biased about the criminals or not and whether their biases will be reflected in their judgments or not. All of their fake pretentious replies were accepted and they were selected to be a part of the jury. Assata says, "The so-called jury selection process was biggest farce in the legal history" (250). Assata became sure that she was not going to be free in such a racist judicial system. Everything sounded like the theatre of the absurd to her. The judge denied her motion to act as co-counsel and her lawyer was not even allowed to read her opening statement to the jury.

Assata tells what a futile exercise was it to participate in the trial she says "Participating in the New Jersey trial was unprincipled and incorrect. By participating I participated in my own oppression" (Shakur 252). She realized that she could not expect the white people to provide her the justice. That she could get justice only by trusting her own people that were the Blacks.

### **Conclusion**

Through her story and her poetry written from the confines of the prison industrial complex, Assata has given the counter depictions of herself, of the organizations, she was involved with and of the other Black activists who were involved in her struggle. Her autobiography has recovered her identity which has been completely distorted by the repressive apparatuses of the state. The prisoners are variously written and re-written to suit the needs of the state through forced false confessions, state witnesses and political trials. Shakur has formed a counter discourse by unveiling the true picture of her life and struggle hitherto unknown to the world. She has laid bare the injustices incurred by the state, the prison industrial complex as well as the judicial system and media of America. She has redefined her persona for the world which is only seen through the eyes of FBI. Her life and work as a Black female Revolutionary has started a new phase of resistance against racism and her autobiography speaks for the sheer audacity and zeal of a Black female revolutionary who managed to tell the tale of her vigour and struggle against oppression from the inside of the most oppressive part of America's structure-prison.

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