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The "Sinister" Business Of Jailing People

By Nora Boustany

Vivien Stern has inspected prisons in 32 countries, and in a book published here this month raises some disturbing questions about the need to reexamine the penal process, its purpose and philosophy.

A Sin Against the Future: Imprisonment in the World (Northeastern University Press, Boston) asks: If the purpose of prison is to make our social environment a safer place, is the concept of incarceration and its practical application really working? What are prisons for?

Are stated objectives being achieved or do prisons become a place where appalling unlawful acts are carried out in the name of law and order? she asked in an interview yesterday, referring to brutality and sexual abuse in prisons across the globe.

The world has become a small place and... we should all be committed to certain standards and to honor international obligations on human rights. Nobody wants to be tortured; this is not a cultural thing, Stern remarked.

The question of what society does with those who have done awful things is the [crux] of human rights and humanity, she said. In an introduction to her book, Carl Niehaus, South Africa's ambassador to the Netherlands, recalls that Charles Dickens was right when he wrote that the daily tampering with the mysteries of the brain is immeasurably worse than any torture of the body, Niehaus has been on both sides of prison bars, having spent 7 years in jail because of his opposition to apartheid.

The more you look at this institution around the world, the more you realize what an aberration it is, Stern noted. The business of locking people up is very sinister.

Anything that can be done to awaken consciousness, a sense of shame that they are hurting other people, is better than locking them up in places that confirm the view that being a criminal is okay. A protective culture grows in prisons against [inmates] feelings bad for others, she added.

She makes the point that there is ample evidence that crime prevention measures are cost-effective and that warehousing people makes people learn another grade of criminality, separating them from any consciousness that they have done wrong.

Stern said the best research on motives and causes of violence has been done in the United States, yet by the turn of the millennium there will be 2 million Americans in jail. Nobody can say they don't know the answer, she said. A total of 645 out of every 100,000 people in the United States are in prison, half of them African Americans, who make up only 12 percent of the population. This is the highest ratio in the world and compares with 80 per 100,000 in Europe.

Countries with low imprisonment rates have low crime rates - which is the case when there is a cohesive popular view about health care, mental institutions, welfare and other social issues, Stern said.

It is mainly about family. The more money is spent on dysfunctional families at the front end, the less will be spent on prisons later, she added.

The aim of the criminal justice system is not only to use prisons when necessary to protect the public from serious violence and a breakdown in law and order; for lesser crimes, one must find measures that help society and do something for the victims, she said.

Stern makes a case for the concept of restorative justice, whereby the offender makes some recompense or restitution, arguing that prisons do nothing for victims once criminals are locked up. She said traditional societies and native people have used this method, which comes from Pacific cultures.

In the United States, she pointed out, Vermont has a new system in which nonviolent crime is dealt with through community boards of local citizens at meetings that bring together victims and offender.

The main engine for change in the system is the correctional staff and officials in penal institutions around the world, who have come to hate running bad prisons because they fell bad about the work, she said.

That is what people say abroad and here after a lifetime of locking up people, but the politicians don't listen to them, Stern said. In the end, we get not the prisons we need, but the prisons we deserve, she wrote in her book.

Stern is senior research fellow at the International Centre for Prison Studies at Kings College London and honorary secretary general of Penal

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