



Education



The Journal education columnist says prison discipline in no model for youths

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Last summer, when twice I visited maximum security at the Adult Correctional Institutions, all I could see were the schools' bad kids — the frequently-suspended throw-aways and the go-get-a-GED push-outs — all grown up. They had not always been bad. They had once been darling 2-year-olds.

To get Inside of "Max," you pass a series of security checkpoints and enter a cage made of metal bars, which serves as a sort of airlock that seals the outside from the inside. The heavy gate clangs behind you, and for a few long, claustrophobic moments, you're in a locked cage, observing inmates shuffling among the correctional officers. Their job is to control distilled danger that could, if out of control, threaten their very lives. Their career prospects are good because prisons are a growth industry.

No country incarcerates as many of their own as America does — more than China, a far bigger country, and at a higher rate than Russia, whose world-record rate of incarceration we passed about five years ago. There have always been more black men in prison than in college. But for all the threat of punishment and the misery of prison, recidivism is high and the burgeoning growth of prisons does not seem to make people feel safer.

Most important to me is that this seemingly unquestioned faith in our ability to hurt people into compliance trickles down to the kids. In school, as in prison, students who get into trouble tend to keep getting into trouble. The punishing doesn't work. Still we cultivate ever larger numbers of punishers and the punished.

In a gathering at the Institute for the Study and Practice of Nonviolence, Rhode Island's ex-federal prosecuting attorney, Margaret Curran, flicked her hand to dismiss the entire American criminal justice system as "broken beyond repair." Really! What could this former star of that very system mean?

Curran is an affable, even bubbly woman, but the moment we settled down to the subject, she snarled. "Even if you're not there in the first place, after time in the justice system, everyone gets into an aggressive mindset. Whatever it is, let's punish them. The taxpayers who don't want to pay taxes. The people who can't stop taking drugs. Let's punish them. People should be punished!"

Putting her hands up, she barks, "Step back. What is it you want them to do or not to do? How can we work together on this? They're humans — you can explain things to humans."

She speaks distinctly. "The purpose of government is to get things done for the people. So, one of the purposes of the justice system is to change people's behavior. Well, are we changing people's behavior? Or are we just warehousing them with hardly any rehabilitation programs, job training, drug treatment? Then somehow, when you (the inmate) cross back through the gate back into your own community, you're suddenly going to have an epiphany? Why would you? Shouldn't we be focusing on the goals and admit that the system we've created to meet those goals is not working?"

She concedes, "There are certainly individuals who are so dangerous that they have to be separated from the community. But the great majority of people in the justice system are just lost. Is this really someone who can never work? Never contribute to society? Isn't it better to explore the possibility that they can?"

She eats her lunch for a moment, then says, "I can't help but think about training dogs." A dog-lover and trainer, Curran enjoys studying how "anything and everything learns."

She says, "If you're training companion animals, yelling at them doesn't work. Throwing them in the crate doesn't work. What are we trying to advocate? 'You did something aggressive, so I'm reacting aggressively in turn?' It teaches aggression. For example, we train

kids to have aggressive attitudes.”

Yes, please, what about kids?

“Punishment doesn’t change their life situation. If anything it concentrates their badness. We’re just telling them, ‘You’ve got to be better.’ That doesn’t work. If a kid is acting out in school, can’t learn and comes from a terrible home background, unless you can address the factors in his life, you can’t help him create a new world view.” The kid needs to trust that someone out there is willing to help her, specifically to help her negotiate for her needs instead of feeling forced to fight for them. Punishing her escalates the fight.

Curran recommends mediation in lieu of retributive, punishing justice. “Mediation is an approach to life. Mediation recognizes that we all have certain needs and wants. So if we are all members of this community, we need to take a look at everyone’s needs and wants. To resolve conflict, you need to find out about the background. How did we get here? And what is the end goal? What do you want? What do you want? What’s the best way to get that?”

Recently, Curran joined the Board of the Institute for the Study and Practice of Nonviolence. “After working inside the criminal justice system for many years, I am convinced that it fails to achieve its goals and it doesn’t ‘do justice.’ The institute represents a wholly different approach to the problems that the criminal justice system is supposed to address. Nonviolence, restorative justice and community mediation might be a better way to do it. I think it is.”

The desire to punish is a feeling, and a primitive one at that. Vengeful feelings do not make good public policy. Civilized people can learn to respond to aggression nonaggressively. Indeed, it is the only way to stop our growing cycle of retributive justice.

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