

# **A Physicist, a Philosopher and a Politician: What penologists can learn from Einstein, Kant and Churchill**

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## **ABSTRACT**

*For the past three decades scholars, politicians and prison officials within the United States have collectively ignored offender rehabilitation as a legitimate penal pursuit. This has stifled the development and use of treatment initiatives. The absence of a treatment objective signifies a state of ideological imbalance. Prison specialization is offered as a potential solution to restore this balance while helping to break the criminogenic cycle. In looking at the feasibility of prison specialization, attention is given to three great thinkers, Albert Einstein, Immanuel Kant, and Winston Churchill. Both Einstein and Kant suggested that creative and innovative thinking can produce immensely rewarding results regardless of the field under consideration. Likewise, Churchill specifically lobbied for the creation of a specialized prison system.*

*The mood and temper of the public in regard to the treatment of crime and criminals is one of the unflinching tests of the civilization of any country.*

Winston Churchill, 1910

## **Introduction**

Upon reviewing the history of the American prison, it becomes evident that few substantive differences exist between early and modern correctional facilities (Haney, 2006; Morris, 1972). The modern prison closely resembles those in use a century ago. Of those differences that do exist, many have been the result of recent laws that mandate increasingly long sentences. Legislative acts are generally undertaken with little thought about how correctional institutions might be affected. For example, three-strikes legislation has, in a round-about way, created prisons that are overcrowded, increasingly violent, and void of therapeutic programming. These characteristics combined with high recidivism rates suggest a need to reevaluate our current use of incarceration (Crary, 2008).

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America's prison system is comprised primarily of federal, state, and privately operated facilities, although a few large cities also operate their own institutions. Nearly 90% of all offenders are under state jurisdiction (Sabol and Couture, 2008). Currently, there are 2.3 million individuals confined in the United States (Tewksbury and DeMichele, 2009; Sabol and Couture, 2008; Reiman, 2007). More than half of all state inmates have been convicted of violent crimes with nearly a fifth being sentenced for drug related offences (West and Sabol, 2009). While prison admissions have recently slowed, commitments still outpace releases (Sabol and Couture, 2008). An additional 7 million citizens, or nearly 1 in every 32 adults, are under some form of correctional control with a third of all commitments being offenders sentenced for violating the conditions of their supervision (Tewksbury and DeMichele, 2009; Reichel and Dammer, 2004; Sabol and Couture, 2008). The large number of individuals under correctional control has strained the system and led to widespread concern about its ability to continue operations.

The acknowledgement that the prison is in a state of crisis has produced a great deal of national debate about its operational objectives. On one side of this debate (Vieraitis, Kovandzic and Marvell, 2007; Turner et al., 2007) are those that believe that the prison should incapacitate, control, and punish offenders. These writers support current approaches and largely deny that a crisis exists. In an opposite fashion, there are those that believe treatment should be the primary purpose of the prison (Cullen, 2007; Blakely, 2007). They propose that treatment is necessary to decrease overcrowding, violence, and recidivism. While each of these positions has merit, we hypothesize that it would be socially advantageous for the prison to pursue both punitive and treatment objectives simultaneously. Pursuing one of these objectives while ignoring the other intuitively appears unwise since each seeks to alter the post-release behavior of the inmate (albeit in a different manner).

### **The Hypothetical Pendulum**

Incarceration largely absent any attempt at offender reform may aptly be compared to the swing of a hypothetical pendulum. To understand this comparison, imagine a pendulum in constant motion even though it sits on an uneven base. This lopsided base causes the pendulum's swing to favor one direction more strongly than it does the other - as is the case with our pendulum. Historically, our pendulum's movement has occasionally favored rehabilitation while at other times it has favored punishment (Adams, Flanagan and Marquart, 1998; Blakely, 2008). During the periods in which our pendulum's bob more strongly favors punishment, innovative penal thought and practice becomes passé. Conversely, in periods where a reform ideology is favored, innovative thought as a means to treat and educate inmates is prevalent. With this being said, one might describe the current state of American penology as being less than dynamic, since punishment is now favored to the near exclusion of offender reform.

When one reviews literature spanning the entire twentieth century, it becomes evident that a fair amount of scholarship exists about penal objectives and in particular, the need for balance among correctional ideologies (Adams, Flanagan and Marquart, 1998; Blakely, 2008). As the turn of the 21<sup>st</sup> century neared, scholarship increasingly emphasized punishment to the near exclusion of rehabilitation (Vieraitis, Kovandzic and Marvell, 2007; Blakely and Bumphus, 1999; Adams, Flanagan and Marquart, 1998). This shift in

ideology is reflected in the enormous number of prisons built during this period. From 1980 to 2000, more prisons were built within the United States than at any previous time in our history (Vieraitis, Kovandzic and Marvell, 2007). It was during this era that the bob of our hypothetical pendulum swung away from rehabilitation and toward imprisonment for punishment and incapacitation as an increasingly popular aim in criminal justice sanctions (Schmallegger and Smykla, 2009). This resulted in prisoner populations growing by nearly five hundred percent (Stephan and Karberg, 2003; King, Mauer and Young, 2005; Mears, 2008; Vieraitis, Kovandzic and Marvell, 2007). This increase has made the United States the world's leading user of incarceration – ahead of both China and the former Soviet bloc nations (Spelman, 2009; Crary, 2008; Corbett, 2008; Rosenfeld, 2008). Statisticians from the United States Department of Justice estimate that nearly 13% of black males and 2% of white males in their twenties are in prison or jail (Harrison and Beck, 2005). Stated somewhat differently, approximately 28% of all black males will enter a prison in their lifetime compared to 4% of white males (Sabol and Couture, 2008; Palacios, Cromwell and Dunham, 2002). This is significant since blacks currently comprise only 13% of the American population but account for nearly half of all inmates (Uzoaba, 2009). Black males aged 30 to 34 have the highest incarceration rate of any race, age, or gender group (Sabol and Couture, 2008).

Contemporary scholarship reflects confusion about the prison's overall objectives (Philliber, 1998; Haney, 2006) as well as a growing concern about imprisonment trends. A pervasive confusion about the prison's objectives has produced a system that is unbalanced (Brennan, 1998) and that may negatively affect inmates and staff, alike (Rynne, Harding and Wortley, 2008). Historically, an objective (if not the primary objective) of imprisonment within the United States was 'the reformation of the criminal' (Buchanan, 1921; Walker, 1980; Friedman, 1993). This sentiment was reflected in a survey conducted in the 1960's, in which more than three-quarters of U.S. respondents stated that the prison's purpose is to 'reform' inmates (Time, 1968). Yet, in the two most recent stages of the prison's development (representing the past three decades), reform ideology has largely been abandoned by our officials (Schmallegger and Smykla, 2007). This abandonment signifies the unbalanced state of the contemporary prison.

Though an interest in offender reform has roots that date back to colonial America, the contemporary idea of treatment remains contentious. This is due to a political system that seeks to forever abandon a reform ideology based on lingering doubts about the prison's ability to reform inmates (Clear, 1994). When doubts of this kind are combined with budgetary deficits, the result tends to be a reduction in most non-essential services (Blakely, 2007; Adams, Flanagan and Marquart, 1998). In at least twenty-five states, prison officials have cut or altogether eliminated educational curriculum (Tewksbury, Erickson and Taylor, 2006; Vieraitis, Kovandzic and Marvell, 2007). Reductions of this kind have resulted in fewer inmates being able to participate in reform-oriented programming (Turner et al., 2007).

Incarceration absent any attempt at treatment has now become commonplace. Referred to as warehousing and no-frills incarceration, this approach offers inmates few opportunities for educational, vocational or therapeutic betterment (Johnson, 1996; Adams, Flanagan and Marquart, 1998). It may also contribute to elevated recidivism rates (Cullen, 2007; Vieraitis, Kovandzic and Marvell, 2007). Recent studies reveal that half of all former

inmates return to prison within three years of release (Fleisher and Decker, 2006; Petersilia, 2007), yet only a fifth of those that have participated in treatment programs return (Turner et al., 2007; Schmalleger and Smykla, 2007; Harlow, 2003; Adams, Flanagan and Marquart, 1998). This difference in recidivism trends warrants a re-evaluation of current practices.

While warehousing inmates remains a popular practice, not all prisons have completely abandoned a reform ideology. Treatment, rehabilitation, and offender reintegration remain thematic objectives in about half of the mission statements of departments nationwide (Gaes et al., 2004; Mears, 2008). Even the word 'corrections' which has become synonymous with prison and probation efforts, suggests an attempt by some officials to maintain an interest in treatment, even when doing so is politically unpopular (Cullen, 2007; Blakely, 2008). This continued alignment has helped preserve a grass-roots interest in reform ideology (Schmalleger and Smykla, 2007; Rosenfeld, 2008; Tewksbury, Erickson and Taylor, 2006; Blakely, 2008).

### **'What if...?'**

It often proves helpful to consider the views of others when looking for a fresh perspective on one's own areas of interest. In our case, we considered the approaches taken by several iconic figures as they worked to gain a greater understanding of their disciplines. Since Albert Einstein is the quintessential scholar, he was an obvious choice. Einstein (perhaps the most celebrated physicist of all time) never had a laboratory, a telescope, or any of the other tools common to his discipline. Instead, he sought answers to the most perplexing questions of his time by using little more than pen, paper and a great deal of innovative and creative thought. He was, after all, an expert at conducting 'thought-experiments'. On one occasion when asked about his laboratory's whereabouts, Einstein removed a pen from his breast pocket and exclaimed 'here' (Regis, 1993). Such a response suggests that pricey equipment and complicated statistical analyses are not prerequisites for discovery. Instead, Einstein suggested that all advancements are grounded in innovative and creative thought. Furthermore, he often declared that 'God doesn't play dice with the universe' when explaining that complex and beneficial interactions occur by design and not by pure random chance (Regis, 1993; Brian, 1996; Clark, 1984). When reading about Einstein, we frequently encountered the name of Immanuel Kant (a German philosopher whose writings influenced Einstein). He too recognized the value of creative and innovative thought (Howard, 2006). Kant believed that the solution to any problem could be found in personal and collective experience. Kant was also suggesting, albeit in a less direct manner, the use of the thought-experiment. Both of these great thinkers recognized that the question of 'what if...?' naturally stimulates the process by which solutions are found. This question continues to shape the work of most scientists. In fact, in a recent movie adaptation of H.G. Wells' novel 'The Time Machine' it was noted that this very question has always driven humankind's insatiable thirst for knowledge (Wells, 1895).

While impossible to subject 'the prison' to the rigors of scientific experimentation, penologists may liberally use the thought-experiment. By asking 'what if...?' and mentally exploring the likely answer(s) to this question, penologists are better able to devise solutions to the prison's many challenges. Recently, Rosenfeld used a similar approach when considering the effects of imprisonment on the post-release behavior of

offenders (2008). Spelman mentions the use of the thought-experiment in his recent study of prison expansion and administration (2009). These uses of the thought-experiment demonstrate its contemporary value to penologists. Admittedly, physics, philosophy and penology are quite different disciplines. But, were more writers and politicians and academic research to embrace Einstein and Kant's thought-experiments and rely more heavily upon innovative and creative thought, little doubt exists that American penology would become more dynamic. As we asked 'what if...?' in our own search to find solutions to the challenges facing the prison, we noticed that one suggestion appeared to have particular merit. This proposition promises to restore an ideological balance to contemporary operations while reducing crowding, violence, and recidivism. The approach proposed is one of increased prison specialization. In typical Einsteinian fashion, specialization seeks to relegate happenstance to the periphery of prison operations by attempting to make correctional relationships more deliberate and purposeful.

Before describing specialization in greater detail, it is important to recognize that its foundations are historically based. Early within U.S. history, citizens sought a way to protect weak and less assertive inmates from those that were more predatory in nature. This desire eventually resulted in the separation of inmates based on age and gender. Modern specialization takes this idea a step further by suggesting that inmates also be separated based on their desire to undergo treatment. The separation of those who desire treatment from those who do not would eliminate the opportunity for the hardened and predatory inmate to coerce, intimidate, or otherwise victimize those who are more malleable (Johnson, 1996). This proposed separation is based upon the probability that the more experienced and hardened offender will corrupt those inmates that are impressionable and less assertive (Buchanan, 1921). Those inmates that are good prospects for reform are at risk since more experienced inmates can 'influence their lifestyle and help solidify their criminal identities' (Vieraitis, Kovandzic and Marvell, 2007). Appearing vulnerable and inexperienced is 'analogous to waving a red flag in front of a bull' (Wolff et al., 2007). By separating these two groups, the less experienced and more impressionable inmate would be shielded from the corrupting influence of those inmates that oppose therapeutic processes. Perhaps the most ardent supporter of prison specialization was Howard Gill. Gill asserted that inmate demeanor should be a consideration of the modern correctional practitioner (Gill, 1962). Gill's proposal for prison specialization suggested that:

- there is a diversity of demeanor within the inmate population relating to treatment,
- some inmates desire treatment while others do not,
- it must be determined into which group each inmate belongs,
- based on this determination, each group would be housed within its own prison – just as we now separate delinquents from adult offenders and female offenders from their male counterparts,
- separate housing protects the integrity of the treatment process and increases the likelihood for successful inmate reform.

For our purposes, inmate demeanor is of two varieties – it either reflects an interest in treatment (amenable) or it reflects little or no interest (nonamenable) (APPA, 2008). Recognizing that differences exist in demeanor, advocates of this approach suggest that specialized prison environments be created to deliver focused treatment to amenable inmate populations. This approach is based on the assertion that amenable inmates will benefit from treatment since a desire for change is a requisite for change itself (Johnson, 1996). Nonamenable inmates would be housed in custodial prisons without treatment programs, since a refusal to acknowledge a need for this type of assistance would render it ineffective. In other words, change cannot be forced upon an offender; instead it occurs only when actively and freely pursued. We must remember that it is not necessary for all inmates to be afforded treatment or be provided equivalent services (Johnson, 1996; Buchanan, 1921) especially when these services are unwanted or will fail to contribute to the betterment of society.

Separation is also based on the probability that amenable inmates are often targeted for aggression when mixed with nonamenable inmates (Kauffman, 1988). Nonamenable inmates may adhere to a preemptive mode of action that results in the liberal use of threats, coercion and violence against those perceived as weak or different (Johnson, 1996). Coercion and violence by nonamenable inmates may be intended to discourage participation in treatment. The Honorable Winston Churchill, when serving as the British Home Secretary (1910-1911) (an office responsible for dealing with crime and disorder occurring in England and Wales) sought to improve the certainty of offender reform by separating amenable offenders from those who might corrupt them (Bailey, 1985). Churchill's call for reform was mirrored later by Sir Walter Buchanan (Inspector-General of Prisons in the Presidency of Bengal) when he commented on the need to create a specialized prison system within the United States (1921).

Hesitancy by American penologists to more fully consider the benefits of prison specialization may be based on the unstated but prevalent belief that amenable inmates serve as change-agents within their respective prisons. Serving as examples of the effectiveness of correctional intervention, amenable inmates might motivate nonamenables toward personal reform. By separating these two groups, nonamenable inmates would be deprived of positive peer influence. While this is a distinct possibility, it appears even more certain that the opposite will occur - meaning that amenable inmates will be spared the effects of negative peer influence. After all, an incentive exists for the amenable inmate to assume the demeanor of those around them in an attempt to blend into the dominant, nonamenable prison culture. Nonamenable inmates are quite skilled in using peer pressure as a means to obtain and exert control (Hensley, et al, 2006). That being said, inmates that are less experienced or impressionable find it difficult to resist assimilation into this treatment-resistant and pro-crime culture (Schmid and Jones, 2006). Assimilation reduces the likelihood of personal victimization but also renders participation in treatment improbable. Were we to apply Einstein's 'playing dice' analogy to this possibility, we would be compelled to seek a greater understanding of the interplay between the amenable and nonamenable inmate populations. Furthermore, such an understanding would likely require officials to become more actively involved in the 'correctional' process rather than leave the reform of the amenable inmate to chance. Consider the following observation published nearly 50 years ago:

*'All kinds of individuals are received in prison; experienced, hardened criminals and those who have committed their first offense...the adolescent and the aged... The difficulty in providing a program that will adequately meet the needs and requirements of all these types in one institution is obvious...segregation is necessary for...rehabilitation'* (Handbook on Classification, 1965).

This excerpt acknowledges the prison's inability to meet the needs of a diverse inmate population. And yet, in spite of this warning, both amenable and nonamenable inmates are still being housed within the same prisons. Furthermore, with almost absolute certainty, we can say that it is the amenable inmate that is being forced to assume the demeanor of the nonamenable inmate population. Since nonamenables are generally more criminally experienced and often violent, they control and perpetuate the prison's culture (Kauffman, 1988; Johnson, 1996). Following indoctrination into this culture, compliant inmates are granted access to contraband and illicit services (Kauffman, 1988; Schmid and Jones, 2006; Faulkner and Faulkner, 2006). In return, they are required to pledge their allegiance to their fellow inmates and to oppose and disrupt institutional operations when possible (Kauffman, 1988; Johnson, 1996; Hemmens and Marquart, 2006). This opposition may include a standing refusal to participate in therapeutic programs.

### **Peer Pressure**

It should come as no surprise that the prison's culture is characterized by a pervasive form of peer pressure that seeks to meld a diverse inmate population into a unified whole (Faulkner and Faulkner, 2006). The negative effects of peer pressure have long been recognized. For example, parental admonitions have cautioned an untold number of our nation's youth about the need to choose their friends wisely. O'Brien notes a similar warning given to a new inmate that urged him to carefully select his institutional associates (2006). Warnings of this kind suggest that one's peers can influence behavior. Generally, those that acknowledge the effects of peer pressure assert that:

- individuals tend to internalize the values of their associates,
- negative associations tend to produce negative behaviors, while positive associations tend to produce positive behaviors,
- a pro-crime attitude is encouraged in the contemporary prison where negative peer pressure thrives, and
- negative peer pressure can have a corrupting influence on the impressionable inmate, thereby perpetuating criminality.

The power of peer pressure is affirmed within the pages of any standard psychology, sociology or criminal justice textbook. In the field of psychology, there are many theories that are used to explain human behavior. Two appear especially appropriate for our purposes. The first of these is the behavioristic view. Proponents of behaviorism believe that the human mind is a blank slate (or *tabula rasa*) and that behavior is largely determined by one's environment (Lanier and Henry, 1998; Wooldredge, 2006). If one encounters positive and nurturing people within their environment, one's behavior is also likely to be (or become) positive and nurturing (Berk, 1972). However, if one's

environment is characterized by negative and predatory individuals, one's behavior may also become negative and predatory in nature (Buchanan, 1921). While inmates already display problematic behavior patterns, the prison's culture may serve to further encourage and develop those behaviors (Vieraitis, Kovandzic and Marvell, 2007). This possibility has led Adams, Flanagan and Marquart to call the culture of the modern prison 'toxic' (1998) suggesting that incarceration promotes pro-crime attitudes. Furthermore, since inmates outnumber staff, and since contact between the prison and the outside world is limited, the prison's culture is almost exclusively shaped by inmates. This has produced jungle-like prison environments (Johnson, 1996) where nonamenable inmates can freely corrupt those that are less assertive and more impressionable (Jiang and Fischer-Giorlando, 2006).

The humanistic view (our second psychological perspective) considers how one's perceptions of self-worth may affect behavior. Carl Rogers, a founder of humanistic psychology, suggested that human action is often shaped by behavior-reinforcements. Rogers postulated that childhood experiences are important in this process. He deemed it necessary for children to receive positive reinforcement and approval from their caregivers. When positive reinforcements are provided, respective behaviors tend to become normative. When praise and approval are withheld, one's self-image and perceptions of personal-worth may be adversely affected. Feelings of defeat and a poor self-image may lead to repeating and worsening of problematic behaviors. In essence, an unhealthy environment (where suitable nurturing is not occurring) may have negative effects on proper development and behavior. In the prison, which may be viewed as an unhealthy and hostile environment, opportunities for positive growth and development are limited, as is one's ability to avoid negativity and the modeling of inappropriate behaviors. The combined effects of a negative environment along with the reinforcement of pro-crime attitudes may lead to a criminal orientation that becomes more affixed.

Concerns about the negative effects of peer-pressure and imprisonment gain even greater significance when one considers that institutional and post-release behaviors are related. In fact, inmates may internalize the prison culture to such an extent that it remains firmly affixed following release. This process, referred to as institutionalization or prisonization (Johnson, 1996; Vieraitis, Kovandzic and Marvell, 2007) explains many of the behavioral problems exhibited by ex-inmates (Glaze and Bonczar, 2007; Buchanan, 1921). While psychological views increase our understanding of how peer pressure and environment can negatively shape behavior, they also suggest that positive peer pressure and a nurturing prison environment could be used to promote inmate reform (Morgan, Winterowd and Ferrell, 2006). Were this to occur, we might reduce or altogether eliminate the harmful effects of incarceration (Miller, Schreck and Tewksbury, 2006).

Having briefly considered these two approaches, let us now turn our attention toward two sociological perspectives that are also relevant to this presentation. We will begin by considering the work of Robert Park and Earnest Burgess (Miller, Schreck and Tewksbury, 2006). These researchers developed the concept of social ecology. Accordingly, environments (described as communities) are comparable to living organisms. Like all living organisms, environments also evolve, adapt, and become sick. As Park and Burgess studied Chicago, they found that it consisted of various zones resembling the concentric circles of a target. As immigrant groups arrived at the turn of

the century, economic hardships forced each group to live near the city's center in squalor conditions. As each group's economic situation improved, it would vacate a particular zone to distance itself from the city's center. It would then be replaced by a new immigrant group. Regardless of differences in 'race', ethnicity or nationality, high crime rates remained stable in transitional zones. This finding suggests that high crime rates are not a characteristic of individual factors unique to any particular ethnic group, but are instead linked to social and political factors in high crime environments. Clifford Shaw and Henry McKay (Copes and Topalli, 2010) conducted a similar study and concluded that environment is indeed a crucial determinant in behavior. To explain this, they developed the notion of cultural transmission. Cultural transmission asserts that criminality is transmitted within one's environment through processes of communication and interaction. This research suggests that the dominant culture of any particular community can become so ingrained within its residents that it influences behavior. The communities studied by both sets of researchers share a number of traits in common with the prison. For example, each is characterized by residential turnover, ongoing conflict, relative poverty and an absence of personal privacy. Based upon these findings, one might surmise that prisons are also capable of transmitting attitudes and behaviors favorable to criminality. If this is true, then changing the prison's environment could have a noticeable effect on inmate behavior, criminal transmission, and consequently, crime rates.

Learning theories (representing our second sociological approach) assert that criminal behavior is learned through interactions occurring between individuals and their peers. Learning theories recognize that young and impressionable individuals tend to imitate the behaviors of those with whom they interact. Imitation is a significant component of the learning process - and, just as some individuals learn conventional behaviors by imitating lawful behaviors, some will also learn negative behaviors. According to Edwin Sutherland (Copes and Topalli, 2010), socialization involves both the teaching of criminality as well as the learning of attitudes and behaviors favorable to crime. Sutherland believed that criminal behavior is learned just like any other behavior and that this process is influenced by the frequency, intensity and duration of the contact that occurs between an individual and his/her peer-group. Of course, those groups having the most frequent, the most intense and the longest lasting contact with an individual will exert greater influence over his/her behavior than will those groups whose contact is less frequent, less intense, and shorter in duration. The effects of this contact may be magnified within a penal setting since it is difficult for inmates to escape membership in the dominant culture (Kauffman, 1988). Since peer contact within a penal setting is frequent, intense, and prolonged, the probability for a transfer of criminogenic values increases (Vieraitis, Kovandzic and Marvell, 2007). When this happens, an individual forms attitudes that are favorable to the commission of crime (Miller, Schreck and Tewksbury, 2006). Thus, future criminal acts by ex-inmates may be attributable (at least in part) to attitudes developed during a previous incarceration(s). Since this perspective recognizes that the process of learning criminal and conformist behaviors is identical, it stands to reason that the penal environment could be modified to more effectively promote offender reform. This perspective also suggests that if a pro-crime culture exists within our prisons, and if nonamenable inmates control that culture, then by separating amenable and nonamenable inmates, the process of negative transmission can be disrupted.

Finally, let's consider two criminal justice theories. The first of these is Ronald Akers' differential reinforcement theory (Miller, Schreck and Tewksbury, 2006). According to

this theory, both conformity and criminality are learned through processes involving the application of rewards and punishments. Behaviors that are desirable are reinforced by reward, whereas undesirable behaviors are discouraged by punishment. One's peers largely determine what behaviors are desirable or not. Associations with law abiding citizens may encourage conformity to the law. Similarly, according to Akers (1998), if one's associates support criminal activity, the likelihood increases for one to also develop pro-crime attitudes. This theory becomes even more significant when one considers that in the contemporary prison, impressionable offenders have little choice but to associate with a populace that is largely controlled by inmates that are more experienced and powerful. By embracing the pre-existing prison culture, impressionable inmates will likely win acceptance. This acceptance is a reward for acting in a manner considered appropriate by those controlling the prison's culture. However, a rejection of a pro-crime ideology by the impressionable inmate may result in censure, ostracism, and assault.

The second criminological approach that is pertinent to this presentation is the neutralization theory by Gresham Sykes and David Matza (Curran and Renzetti, 2001). This theory asserts that criminals and noncriminals share common values. It is proposed that all offenders have both conventional as well as criminal value sets. Conventional values are those that are promoted by larger society, whereas criminal values are those that stand in opposition to society's laws. Sykes and Matza maintain that criminals tend to adhere to conventional values but choose to indulge in criminal activities when doing so proves personally beneficial (Lilly, Cullen and Ball, 2006). In essence, offenders drift between value-sets depending on which set proves more beneficial at any given time. Furthermore, one value-set may, given the right circumstances, become the dominant determinant of behavior. Since incarceration tends to isolate inmates from conventional values, criminal values may become more deeply ingrained. By placing impressionable offenders into a setting with more experienced and hardened offenders, an environment is created in which conventional values may lose their significance and are instead largely replaced by those that are of a pro-crime orientation. More importantly, if most offenders ascribe to conventional values, then it stands to reason that these values, if given an opportunity, could be strengthened through positive peer-influence, treatment, and by protecting impressionable inmates from the corrupting influence of the more criminally-inclined.

## **Conclusion**

The body of literature existing prior to 1980 affirms offender reform as a legitimate penal pursuit. While current political posturing de-emphasizes rehabilitation and the effectiveness of treatment, that fact remains that nearly all inmates will eventually return to society (Hughes and Wilson, 2002). Officials are now acknowledging that current warehousing practices have done little to promote public safety on a meaningful or lasting basis. This acknowledgement is also helping re-ignite a grass-roots interest in inmate reform (Schmallegger and Smykla, 2007; Rynne, Harding and Wortley, 2008).

Perspectives based in psychology, sociology and criminology suggest that attempts at offender reform will continue to be ineffective, not because inmates as a group are unable or even unwilling to change, but because officials continue to house amenable and nonamenable inmates within the same institutions. This practice guarantees that cross-

contamination will continue, hindering amenable inmates from achieving a reformed state. Until its culture can be made more supportive and nurturing, the prison will not reach its fullest potential. This sentiment formed a central tenet of a recent article that urged policy makers to address the long-term consequences of current correctional practices (Vieraitis, Kovandzic and Marvell, 2007).

Ultimately, the value in considering prison specialization is twofold. First, it serves as the basis for inquiry about contemporary prison operations. An open discourse about objectives, recidivism rates and proposed changes to our prisons is a necessary first step to enhance public safety. Secondly, such a proposal provides a workable solution to address and perhaps remedy many of the prison's shortcomings. If negative peer pressure can prevent amenable inmates from seeking treatment and if a pro-crime culture exists within our prisons, then measures can be implemented to correct these problems. In doing so, the integrity and effectiveness of treatment processes could be improved.

The need remains as it has for many years for change to occur within the prison. By assessing each inmate's demeanor toward treatment and by shielding the amenable inmate from the corrupting influences of those that may disrupt therapeutic processes, recidivism rates might decrease. It is certainly conceivable that future prisons could be modified to render them more effective in reforming the amenable inmate population. Action based upon thought, observation and theory would improve a system that appears hesitant to embrace innovative and progressive ideals. By pursuing punishment and rehabilitation simultaneously, the bob of our hypothetical pendulum would again swing evenly, reflecting an ideological balance. Perhaps the contemporary penologist could learn something from Einstein, Kant and Churchill. Their examples clearly reflect the value of innovative and creative thought. And as Einstein reminds us, 'God doesn't play dice with the universe' - nor perhaps should penologists allow happenstance to dominate modern prison operations! Instead we should, by intelligent and deliberate design, ensure that amenable inmates are given the opportunity to achieve a reformed state without hindrance or fear of retaliation.

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