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**America’s Prison System: No Cruel and Unusual Punishment**

“Punishment rights the scales of justice that the criminal has tilted out of whack” (Lichtenberg). This is a quote by philosopher Immanuel Kant. In the article *Americas Prison System is Inhumane. Here’s Why*, Judith Lichtenberg introduces this quote. The quote suggests that as Lichtenberg says criminals deserve to suffer for what they have done. Simply because they are criminals. Sadly, this train of thought is common among many Americans. Instead of questioning what can be done to help these criminals to become “normal” citizens in society. This could be why the United States incarceration rate is so high. According to an article on Business Insider by Christina Sternbenz for every 100,000 people in America 707 are locked up. After watching a documentary titled *Where to Invade Next* starring Michael Moore I discovered that Norway one of the countries he traveled to, has a completely different approach. Norway treats their prisoners as normal as possible here’s how Dashka Slater Author of article Prison Break describes Norway’s prison “The prison was surrounded by a single wall. It has no barbed wire, guard towers or electric fence” (Slater) Their incarceration rate is significantly lower than that of the US “Norway’s Incarceration rate ...75 per 100,000 people” (Sterbenz). If you’re wondering why Norway’s rate is so low compared to the United States according to Sterbenz it’s because their prison relies on a concept called Restorative Justice. This concept “aims to repair the harm caused by crime rather than punish” (Sterbenz). America’s prison system should take after Norway’s model of rehabilitation and restorative justice because it can assist prisoners in becoming good neighbors in society rather than to punish them, reduce mass incarceration and lower the recidivism rate.

Michael Moore’s documentary Where to Invade Next, provides a useful entry into a conversation about the difference between prison systems in America and Norway. Here he discusses their prison system. His first stop was Bastoy Prison in Norway. He talks with the Warden, Tom Eberhardt who explains that Norway’s prison system is about rehabilitation not revenge. Their goal is to teach prisoners to become good neighbors. While talking with one of the inmates Moore learns that Norway’s prisoners dress like average citizens they wear regular clothes. They live in houses with a living room and a bedroom that only they possess the key to. They able to play basketball, ride bikes and participate in other recreation activities. Norway believes that taking away their freedom is the only punishment needed. According to one of the inmates Moore interviewed, on the weekends they only have four guards in charge of one hundred fifteen inmates. Inmates there are able to work in the kitchen with sharp objects like knives and it doesn’t cause an issue. While speaking with the warden Moore mentions that Americans may question this system. Edbardt responds by saying he couldn’t understand why America would question their system because it’s an American idea. He references the constitution which states, no cruel and unusual punishment. Norway has the lowest recidivism rate which comes in a twenty percent in other words once their prisoners leave they do not tend to come back., while Americas recidivism rate is eighty percent within five years.

Next Moore visited their Maximum security prison just to be fair. He was shocked to see that there was modern day art hanging all around the prison. He discovered that these inmates have a lot of the same privileges as the other prison inmates. They don’t live in houses but they have their own rooms that consists of a nice bed, television, shelving for clothing, a bathroom that they share with one other person one inmate even had an Xbox. They have access to a library which Moore compared to your average high school library. The have access to a recording studio and a pantry also. The guards there don’t carry guns or need to use excessive force. There is also no death penalty in Norway either. Ironic that this country seems to have taken an American idea and used it to implement in their prison system while Americas prison system is in need of huge change.

Mass incarceration is a huge issue in American prison systems “2.2 Million people are locked up across the country” (Lichtenberg). Mass incarceration is simply the high or extreme rate of imprisonment. In the article, Judith Lichtenberg tackles the topic of mass incarceration stating that mass incarceration costs too much and achieves too little. She mentions that in 2012, there were 10,000 people serving a life sentence for offences that were nonviolent. She also states that there were 50,000 people serving life without the possibility of parole. Now while some may believe that these sentences should deter people from committing crimes the statistics show that it doesn’t. What it does do is takes away an inmates opportunity to change and become a better person in society. Giving prisoners harsh sentences for nonviolent crimes pushes them from wanting to turn their life around leaves inmates left with nothing to look forward to. In their article that discusses the consequences of imprisonment Glembeski, Cynthia and Robert Fullilove attribute the significant growth with incarcerations to the change in sentence guidelines and the privatization of the prion industry and services. “The prison population had fewer than 200,000 inmates in 1972; by midyear 2004 the number of inmates in the United States prison had increased to almost 1,410,404 and an additional 713,990 inmates were held in local jails” (Golembeski, Cynthia, Fullilove).

Also in their article they discuss the effects of mass incarceration which includes health risks. These health risks include mental health disorders and the spread of diseases such as HIV and tuberculosis. United states prisons “increasingly house inmates who have mental disorders: it is estimated that 1 in 6 US prisoners has a mental illness. The incidence of serious mental illnesses, such as schizophrenia, major depression, bipolar disorder, and posttraumatic stress disorder, is 2 to 4 times higher among prisoners than among those in the general population” (Golembeski, Cynthia, Fullilove). Golembeski and Cynthia and Fullilove also state that the commonness of infectious diseases is about four to ten times greater among inmate than the rest of the United States population. “There also has been an increase in HIV prevalence among prisoners during the past decade, with the rate of infection peaking at a rate that was nearly 13 times that of the nonprison population” (Golembeski, Cynthia, Fullilove).

It’s not just male inmates the women inmates are affected as well and the results of these jails being over populated is the spread of these infectious diseases. “Women are disproportionately affected: at the end of 2002, 3% of the nation's female state-level prison inmates were HIV positive compared with 1.9% of incarcerated males. Also in 2002, the overall rate of confirmed AIDS cases among the prison population (.48%) was nearly 3.5 times the rate among the US general population (.14%)” (Golembeski, Cynthia, Fullilove).

The effects of Mass incarceration not only affect the inmates but also the communities because those that are affected don’t even realize that they are. “Each year, many people are released from jails and prisons back into communities without knowing their HIV status. Because prisons and jails often house significant concentrations of persons who have HIV/AIDS and individuals who are at great risk for acquiring HIV and/or hepatitis C via injection drug use and sexual activity, these institutions also may be venues for the transmission of infectious diseases to other prisoners and to the residents of the communities where they will return upon their release” (Golembeski, Cynthia, Fullilove). Mass incarceration affects inmates and comminutes by following in Norway’s footsteps America can lower its incarceration rate which will in return stop mass incarceration.

Furthermore, as previously stated Americas incarceration rate is extremely high but so is their re-incarceration or recidivism rate. In an article titled *Norwegian Prisons Rehabilitate Criminal Offenders*, by Kim Andressen she analyses a study that was conducted by Katrine Loken in Europe. His study was called *The Social Costs of Incaceration*.In the article she calls it the “largest study of imprisonment and return to life that has even been conducted in Europe” (Andreassen). Andreassen explains, for this study researchers took a look at prison sentences that were linked to re-incarceration. Also they looked at what former inmates actually returned to work after being released. the results were “five years after a conviction, there is a 27% lower risk that convicts who have been in prison have committed new crimes” (Andreassen). Research showed that “the key” as Andreassen called it is to make sure that these work programs in the prisons actually offer opportunities. When the study was conducted in the United States to see how prison affected inmates many of them returned “A recent study by the U.S. Sentencing Commission found that almost a third of federal offenders were reconvicted within eight years, while evidence from Texas suggests that jailing people makes them more likely to commit more serious crimes and branch out into new ones (Lichtenberg). There was a repetition of the crimes still being committed. If America was to implement Norway’s system, they could see a decrease in the number of reoccurring crimes with repetitive inmates.

Another issue for inmates is the limitations put on them after they leave prison in America. Many jobs do not hire convicted felons. In the State of Pennsylvania, they ask to check off if you have ever been convicted of a crime on almost every job application. Once you’ve been convicted you’re no longer allowed to vote. “in most states prisoners have their voting rights revoked while in prison and the face a range of political and legal obstacles once they reenter the open society” (Golembeski, Cynthia and Fullilove). In their article Golembeski, Cynthia and Fulllilove also state that in nineteen states they allow for termination of your parental rights once convicted. In the documentary Where to Invade Next Moore talks with an inmate who talks about going into politics once he leaves jail. In Norway prisoners are still able to vote they actually get to sit in a live audience and watch politicians live in action discussing political topics. By taking away prisoners basic rights you’re stopping them from becoming normal citizen in society. These road block disable ex-prisoners from being able to reach their full potential as humans. The result of this is repeat offenders resorting to crime because that all they know because they weren’t given the skills to understand how to conduct themselves in society instead they are being stripped of their rights.

In conclusion, in order for the United states to see a decrease in their mass incarceration rate and to improve their recidivism rate they should take after Norway and implement a prison system that is based upon rehabilitation and restorative justice. The effects of mass incarceration affect the comminute as a whole and if something isn’t done to control it communities will continue to spiral downward. Also by giving inmates the tools to become great people in society instead of taking away from them America will see a significant decrease in their recidivism rate.

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