

THE PROBLEM WITH IDEOLOGY: INCARCERATION AND UNINTENDED CONSEQUENCES

A L L E N R A M E R

America has a love affair with incarceration and tough punishment that borders on the extreme. The fact that U.S. prisons/jails hold a greater proportion of their population than 26 of the largest European nations combined is a telltale sign. Even countries with some of the most appalling records on human rights (namely, Russia and China) have lower incarceration rates. Although longer prison terms and more prison construction is believed to be the best answer in dealing with crime, the actual evidence supporting this view suggests something else. The current trajectory of the U.S. approach to the problem of crime, with its "lock-em-up-and-throw-away-the-key" ethos, has created more questions than answers, more problems than solutions, and more confusion than coherence. To understand the contradictory nature of such outcomes, we must delve into the convoluted world of ideology, gaining a perspective of its inherent flaws from the outside in.

Issues With Ideology

Underneath the shiny vaner of public safety, which the need for tougher sentencing and more prisons is usually couched, lies a vast universe of ideological positions. Ideas about how a society should be, what form institutions should take, and the manner in which transgression is resolved are basic issues that all populations will eventually address, and codify as the bedrock on which their societies are built. But even the best systems and ideological structures have their problems.

The issue with ideology is that it tends to be uncompromising. Its lack of flexibility often leads to clashes in values and priorities that it cannot easily cope with. From this, an array of unintended consequences are left in its wake, sometimes creating conditions that directly undermine its intended purpose and goals.

Containment

One of the most glaring examples of the negative consequences of ideological fixations, at once an aspect of its inherent nature, is the U.S. fight against communism. On its face, the battle was meant to protect the values, principles, institutions, etc., endeared by generations of the American public. But on many levels, and in plain contradiction to claims about shielding Americans from harm, the at times armed struggle against communism produced not a harmonious set of human relations, but the death, hardship, and physical and spiritual wasting of millions of the country's population.

During the height of the U.S.-Soviet Cold War, lasting roughly from 1945 to 1991, when the Soviet experiment finally collapsed from mismanagement and a combination of other factors, the United States backed a number of regimes and armed militant groups to contain what it perceived as a major threat to American civilization. In the process generous amounts of economic and military aid were dispensed to strengthen their ability to wage an effective campaign. However, many of the governments and militant groups supported by the U.S. were also engaged in rampant corruption, eventually adversely impacting the lives of millions of Americans, undermining the declared goal of the anti-communist undertaking, and causing us to reevaluate the success of this ideologically-driven offensive in terms of its real affect on human lives.

Southeast Asia was a principal hotspot in the fight against communism during the Cold war. Vietnam is probably the most easily recognized area of activity, but in reality the whole region was embroiled in the conflict, especially the nations of Burma, Thailand, and Laos, which also happen to constitute the territorial domain of the notorious

Golden Triangle, known today as one of the main zones of worldwide heroin production.

In each area of operations U.S. military and economic aid is what kept the various entities in the fight against communism afloat. But they also received hefty bribes from local drug cartels as well. To ensure the continued flow of drug money, these groups used their political power to protect drug traffickers. Thanks to this protection, organized crime syndicates were able to build global distribution networks and rapidly expand drug production. As drugs from the Golden Triangle poured into the United States, the number of heroin addicts, which dropped to around 20,000 by 1944, began to rise dramatically. By 1995, the number of people using heroin at least once a week stood at a staggering 810,000. Because of the U.S. government's supreme focus on stamping out communism, including their willingness to turn a blind eye on the corrupt relationship between their clients and the drug traffickers as long as U.S. interests were being met, a profound proliferation of drugs, addiction, and crime swept across the U.S. landscape with stunning affect. By 1995, for example, 23 percent of all inmates in state prison and 60 percent in federal prisons were drug offenders. Drug addiction is also one of the main factors of both premature death and homelessness in the nation. By this view, the fight against communism, rather than living up to its purported mission of protecting the integrity of American society, has contributed to a slow and steady degradation of our national character. Millions of addicts as well as myriad victims resulting from related crimes can attest.

Tough On Crime

Similar to the fight against communism, the ideology of getting tough

on crime" has produced results antithetical to its stated purpose too. Rather than purifying the composition of American society by purging its unsavory elements through a program of mass incarceration and enhanced sentencing - thereby making the country a better-off, safer, more-just place to live - tough-on-crime policies have achieved the exact opposite. In many respects, the gears and wheels of tough-on-crime policies is now a machine churning out its own damaged product.

To come to such a conclusion is not arbitrary. In order to form sound opinions on the matter, one need only to question its basic assumptions. First, are we safer?

According to the FBI's Uniform Crime Report, tough-on-crime policies have made us safer. From around 1990, the overall rate of violent and property crimes has steadily declined, down to their lowest levels since 1973. But looks can be deceiving. Even though homicide rates have dropped precipitously, they are still appallingly high, 4 to 15 times greater than in most developed countries. If, for example, U.S. homicide rates (9.9 per 100,000 in 1990) were as low as Japan's (0.6 per 100,000 in 1990), 22,019 of the 23,440 Americans who were murdered in 1990 would still be alive. Similar statistical comparisons today can be just as compelling. Furthermore, although such indices as the FBI's Uniform Crime Report reflect a positive change in the direction of crime rates in general, recidivism remains an ongoing problem. With most emphasis these days placed on "warehousing" rather than "rehabilitation," the rationale of incarceration offers little in the way of addressing crime at its fundamental roots: the human mind. Rehabilitation programs are an indispensable tool in lowering crime rates.

To look at the question differently, we should focus on some of the consequences related to a central tenet of the get-tough-on-crime

ideology: that criminals should be locked away for as long as possible. First, lengthy prison terms mean more inmates in prison. And more inmates in prison means more money spent on housing and upkeep. As of now "corrections" as a percent of all State General Fund spending stands at around 6.8 percent, or \$44.062 (in millions). Thus for each dollar allocated to prison spending, an equal amount is being withheld from other sectors, such as education, public assistance, health care, and other important programs and services.

The worst part about siphoning funds from social programs to pay for rising and exorbitant prison costs, besides the obvious limiting of various opportunities for the population in general, is its ability to have a real impact on crime rates in the negative. Cuts in post-incarceration programs, drug treatment programs, and jobs training programs lessens the likelihood that ex-offenders will make successful community transitions. Denying the necessary skills and tools they need to re-enter society in a positive way is a set up for failure. Not having a safety net or a place or means to survive while trying to get their lives in order, which is usually the result of reductions in program funding, places at their feet a double burden that is very difficult to overcome. Taking both factors into account, the probability that ex-offenders will remain crime free is significantly reduced.

The problem with recidivism, however, aside from creating an additional pool of innocent victims, is how tough-on-crime proponents use it for their own advantage, using clever arguments about the intractable nature of criminality to justify uberly aggressive crime policies. In the meantime, politicians eager for recognition jump on the bandwagon and use their position to author equally repressive

crime legislation in hopes that it will further their careers.

Throughout this complex entanglement of cause and effect, though, it all basically boils down to the following summation: more inmates in prison means more money spent on housing and upkeep; more money spent on housing and upkeep means less money for important programs and services; less money for important programs and services means higher recidivism rates; and higher recidivism rates justify tougher crime laws and more inmates in prison: a vicious circle of the highest order.

However, to further highlight the impact funding reductions/eliminations can have on crime, we should examine the results of several studies. In 1994 a Justice Department study of inmates who entered prison in 1991 found that 64 percent had never graduated high school (compared with 19.8 percent of the general population), and only 8 percent had attended college (compared with 71 percent of all America). A three-state study of inmates in Maryland, Michigan, and Ohio determined that post-secondary education was nearly twice as effective at lowering recidivism than nonpost-secondary education. And a survey of inmate job histories revealed that about 45 percent did not have a full-time job when they were arrested; 33 percent were unemployed. With these figures in mind, the correlation between education, job skills and crime is abundantly clear. To a certain degree, they will determine a person's failure or success. For many Americans, a lack of competence or proficiency in the realms of education and job skills will directly lead to future lives of crime.

Tough on crime works against itself in other ways too. The so-called "War on Drugs" is a prime example of how being tough on crime literally can cause crime. "Single-parent households hold prominently in this particular arena. A 2007 PEW research study estimated the number of

women (of all ages) in jail or prison in America to be 1 in 746 women. Of these, a notable proportion were convicted for a nonviolent drug offense. However as the tally of women in lock-up situations rises, not to mention the number of men, so too does the aggregate in single-parent households. For example, only 43 percent of all state inmates and 58 percent of all federal inmates were raised by both parents. Moreover, a survey of 2,632 juvenile offenders found that 34 percent had a mother or father who had been in prison.

Putting things in perspective, the War on Drugs has been a dismal failure. Stiff penalties for drug convictions - as expressed in "mandatory-minimum" sentencing schemes, for example - have exacted a heavy toll on American family structures. Instead of safeguarding community well-being, the separation of families caused by overzealous efforts to curb narcotics trafficking has worked to their detriment. Fractured family units are associated with high rates of juvenile delinquency, and juvenile delinquency is a precursor for adult criminality and imprisonment. The financial costs in terms of prison spending is no small matter either. Adding everything up, then - from higher crime rates due to program cuts and eliminations, to the problems linked with the War on Drugs - we can fairly easily conclude that the stance on being tough on crime has not lived up to at least one of its lofty assumptions. To the question of are we safer: the answer is no.

But what about making America a better-off, more-just place to live: the other part of the equation? Hasn't being tough on crime satisfied these objectives? Again, the answer is no. In a nutshell, how can America be a better-off, more-just place to live in light of current realities?

Observe the following. 1 in 100 adults in America is doing time. With only 5 percent of the world's population and about a quarter of its prisoners, the United States outstrips the incarceration rates of some of the most brutally repressive nations on the planet. What does this say about our society? Moreover, the posture of American justice has left millions of children struggling to cope with the loss of at least one parent. Behavior problems and juvenile delinquency are a common result. Broken homes are now a ubiquitous blight on the U.S. landscape, casting a darkened pall over the social fabric of the nation.

In many states, inflation-adjusted prison spending is rising faster than higher education, the backbone of American prosperity and well-being. Between 1987 and 2007 collective state spending on education increased by 121 percent, while corrections spending over the same period rose by 127 percent. In some states prison spending rose and education spending dropped. Five states spend as much or more on corrections now than they do higher education. The intellectual capital of our nation is being wasted on imprisonment.

Trying to find funds for prison spending has also been met by immoral-like outcomes. For example, ex-California Governor Gray Davis proposed cutting funding for programs that provided rubber sheets to incontinent elderly folk and diabetic kits to the low income to secure an extra \$50 million for California prisons. Funding prisons too often comes at the public's expense.

But we can point out more. The reality is that such problems often go beyond their "visible" representations. Take the issue with absentee parenting situations caused by punitive drug laws. Apart from the objective circumstance of not having both parents in the familial fold,

certain downsides also exist. Many of the children of single-parent households will suffer some degree of separation anxiety and stress. Consequently, they are more disposed to developing various disorders such as "depression" and even more destructive conditions like "sociopathology." Drug use and crime are characteristic behaviors associated with these psychological disorders.

As noted, cause-and-effect dynamics of being tough on crime give birth to a number of troublesome consequences. It compares to the phenomenon of applying pressure on a balloon in which pushing in at any particular point produces bulging at another. For tough on crime, spatial displacements take shape in the form of program cuts, juvenile delinquency, single-parent households, psychological disorders, and ironically, more crime. By no means is this an exhaustive list.

Thus, after taking stock of getting tough on crime and observing how its consequences pan out, we can reasonably conclude that strictly punitive approaches in dealing with crime are both misguided and fall short of hitting their mark. But to gain a fuller view of the shortcomings of getting tough on crime, we should turn our attention to its essential structure as well as to questions about its sustainability. First, tough on crime policies are reactionary. Rather than targetting the root causes of crime and trying to prevent crime before it happens, tough-on-crime methods are about addressing it after the fact. All resources are thus shifted to law enforcement and prisons. Deterrence, it is argued, is grounded in cost/benefit analysis. According to this theory, criminals will weigh potential punishments against the benefits of committing crime. By this view, tough sentencing acts as the deterrent, thereby replacing the need for preventive measures like "mentoring" programs and "anger

management" programs and "jobs" programs and "education" programs.

But this view is filled with holes because it just doesn't work. In the 1990s, for example, about thirty-five million crimes were committed, of which about twenty-five million involved serious violence or sizeable amounts of property. In the end, however, judges send only about 500,000 people to jail. That means the average criminal faces only a 1.4 percent chance of being imprisoned for committing one of the nation's 35 million crimes, and only a 2 percent chance for one of the 25 million serious crimes. If criminals were in fact such prudent calculators of risk, then obviously tough-on-crime policies offer little incentive to refrain from committing crime: The odds of not getting caught outstrip the odds of being punished. Besides, most criminals aren't thinking about the consequences of their actions anyways, or rightfully believe they won't be caught.

Sustainability is another issue to contend with. In 1993, the entire law enforcement system - prisons, police, prosecutors, courts - that managed to put someone in jail for only 2 percent of all serious street crimes cost about \$97.5 billion. So to increase the chances of a criminal's being convicted to 20 percent would require increasing the money tenfold to \$975 billion a year. The idea that we can simply lock everyone up for committing crime is both politically as well as financially impossible. From every vantage point, tough on crime is a notion steeped in defeatism and fantasy. In the economist sense, the benefits of being tough on crime are heavily outweighed by their cost.

Conclusion

In the final analysis, the nexus of many of the nation's problems lay in the rigid nature of ideology. The "single-mindedness" of its

purpose often leads to negative consequences and clashes in priorities and values that are not easily resolved. In terms of being tough on crime, the immediate concern is to get criminals off our streets and to punish them to the maximum extent of the law. However, this approach alienates other methods for dealing with crime, namely, rehabilitation and generous funding for programs. Valuing prison over rehabilitation and programs brings about problems though. Because behavior at a fundamental level is not being modified, the likelihood that criminals will return to crime after release is much greater than it would be otherwise. Contrary to tough-on-crime advocates, the threat of severe punishment is not sufficient to deter criminal activity. Relying on this hollow theory is naive at the least and grossly irresponsible at the most. A lack of programs and opportunities available to reduce criminal inclinations means more victims. If the goal of get tough-on-crime policies is to stop or lower crime rates effectively, then it is a failed institution. The latest national study of U.S. recidivism revealed that of prisoners released in 1994, within three years: 67.5 percent were rearrested for a new offense; 46.9 percent were reconvicted for a new crime; and 51.8 percent were back in prison, serving time for a new sentence. Although tough-on-crime supporters often ascribe human nature or the "real" existence of evil as primary reasons for high recidivism rates, the truth of the matter is that imbalanced prison spending as a result of get-tough-on-crime ideology has starved program funding geared towards creating responsible citizens and tackling crime at its roots. In addition, using prison to warehouse inmates produces no meaningful change in an inmates state of mind. Criminal thinking thus remains fully intact.

In the end, some of the main problems vexing society in the U.S. today can directly be traced back to ideology. Too often policy matters meant to deal with issues concerning the population become either/or propositions which effectively limit the full range of options open for consideration and implementation. This has a profound "weakening" effect on the effectiveness of public policy, leaving many problems unanswered and festering. Perhaps what is most needed in response to the shortcomings of partisan ideology is something more pragmatic. Rather than sticking with a framework constructed of personal views and beliefs, maybe policies should be designed around what actually is proven to work. The superiority of such an approach is obvious: a comprehensive mixture of fact-based solutions will undoubtedly produce better results in achieving objectives than solutions without them. For crime, we need much more than just prison and lengthy sentences. Programs funding and rehabilitation must be made a significant part of any strategy meant to reduce the crime rate. The well-being of society depends on it.