

Why Have Penitentiaries Anyway?

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Most people realize that the court and penal systems in North America are seriously broken and must be fixed, yet contemplating doing away with penitentiaries sounds ridiculous, doesn't it? Barely 200 years ago, an experiment began which has cost us untold billions of dollars. Just last year, this experiment resulted in 1.4 million adults incarcerated in federal and state penitentiaries (a figure which has quadrupled since 1980) at a cost of nearly \$40,000 each.

As Alan Elsner pointed out in a recent Washington Post article, 2.2 million people are engaged in catching criminals and putting and keeping them behind bars, and "corrections" has become one of the largest sectors of the U.S. economy, employing more people than the combined workforces of General Motors, Ford and Wal-Mart, the three biggest corporate employers in the country. In many "prison town" counties, the number one employer is the Department of Corrections. This is a staggering expense of over \$50 billion, an amount that increases by additional billions for each year of the last 25 years of explosive prison growth. As the prison population ages, the taxpayer is paying for medical procedures he can't afford for himself, and the victims of these criminals realize no compensation at all.

Few realize that the first penitentiary in the world was founded in Philadelphia in 1792. Jails had always existed for the purpose of holding the accused until trial, after which the guilty would pay a fine, make restitution to the victim, be banished, be executed, etc. However, the concept of warehousing criminals to cause them to repent was entirely new.

Imagine a criminal justice system where penitentiaries didn't even exist, but where a person paid for his crimes rather than having society pay to keep him incarcerated.

One such nation existed. If you stole someone's property, say a sheep, and were caught with the animal in your possession, you repaid the victim with two sheep, but you didn't go to a penitentiary. The victim also got a financial settlement, satisfying the desire for victim restitution in our time.

If you sold the stolen sheep, thereby being more involved in the crime, you paid the victim four sheep.

If you committed a capital crime, (murder, rape, kidnapping, etc.) you paid with your life, but you didn't go to a penitentiary. Such facilities didn't exist in this nation. They were not needed.

Such a system would completely do away with our newest growth industry, penitentiaries, and restore the victim of crime financially.

I'm not going to tell you where I got the idea for this system, but it's from a reliable source. Of course, it will never happen here because a powerful lobby has grown up around the prison system that will fight hard to protect the status quo. Correction officers have formed powerful labor unions, and their financial contributions to our politicians will easily outweigh the will of the people. I know, I know, I'm such a young man to be so cynical.