

# All

## SEMINAR 7 Crime and Punishment

### ***Some Thoughts on Crime***

1 The major dangers of crime in modern societies are not the crimes, but that the fight against them may lead societies towards totalitarian developments. – *Nils Christie, Norwegian criminologist*

2 The prison industry is said to employ more than 523,000 people, making it the largest employer in the U.S. after General Motors. (see endnote 1)

3 Imprisonment is a process whereby a large number of **unemployed** are made **invisible**. American unemployment statistics appear to be low compared to those of other industrial democracies because 1.6 million mainly low-skilled workers are imprisoned, with a 2% difference in real unemployment levels. (2)

4 **Obviously** crime pays, or there would be no crime. – *Gordon Liddy, American radio talk-show host*

5 Few men desire **liberty**; most men wish only for a **just** master. – *Sallust, Roman historian, c. 40 BC*

6 Drugs – if they did not exist, our **governors** would have **invented** them in order to **prohibit** them and so make much of the population **vulnerable** to **arrest, imprisonment, seizure** of property, and so on.  
– *Gore Vidal, American author of The War at Home*

7 If we make enough laws, we can all be criminals. – *Anonymous*

8 Our **current\*** prison state has the **dual** effect of **getting rid of** extra people (unskilled workers – this is related to race), and **demonizing** them. The drug war is basically for this - it has nothing to do with drugs, but much to do with **criminalizing** an unwanted population and **scaring** everybody else. – *Noam Chomsky, American linguist and cultural critic*

### **Task 1 – Vocabulary matching**

Match the following words from the above texts with their equivalents; then choose a quote for discussion.

- |                 |   |
|-----------------|---|
| 1. scare        | a) not working                                  |
| 2. invisible    | b) make something/someone into a crime/criminal |
| 3. unemployed   | c) leader                                       |
| 4. obviously    | d) make something appear evil (bad)             |
| 5. liberty      | e) can't be seen                                |
| 6. just         | f) frighten                                     |
| 7. governor     | g) evidently, clearly                           |
| 8. prohibit     | h) open to attack                               |
| 9. vulnerable   | i) freedom                                      |
| 10. seizure     | j) double                                       |
| 11. current     | k) fair   |
| 12. dual        | l) remove                                       |
| 13. get rid of  | m) taking something                             |
| 14. demonize    | n) relating to the present                      |
| 15. criminalize | o) ban, not allow                               |

### Discussion questions

- 1 Do you think that crime has increased in your lifetime? How safe do you feel in your town?
- 2 Has the representation of crime on television or in the news increased?
- 3 Do you think that crime has gone up in this country since 1989?
- 4 What is a “police state”?
- 5 What percent of the population of a country must be in prison before we call it a “police state”?
- 6 Is it sociologically important how people are punished for crimes and how prisoners are treated?
- 7 Do you think that crime can be profitable? How?
- 8 What problems can arise with private prisons or private police forces?

### Task 2 – Comprehension and Scanning of Statistics

Scan the text to find the answers to the following questions.

- 1 How do the figures 3% and 51% relate to Australia?
- 2 How many people in the United Kingdom were sent to prison for not paying fines?
- 3 What was the ratio of private security forces to police officers in Canada in 1991?
- 4 Which country has the most prisoners per capita<sup>1</sup>?
- 5 What was the 1992 US government estimate<sup>2</sup> for the percentage of black and Hispanic drug users?
- 6 What percent of blacks and Hispanics were charged for drug use in New York?

**Task 3** – Formulate one question about a point that you find interesting from the text below. Ask your partner to find the answer and discuss.

## Crime and Punishment – Facts and Statistics

Rates for serious violent crimes are more or less stable, but prison populations and the resources spent on the crime-control industry are both increasing rapidly. While the US leads, the trend is the same almost everywhere.

### 1. Rates of Imprisonment



- In 1994, 5.1 million in the US were on probation/parole<sup>11</sup> or in prison – nearly 3% of the population.

### 2. Petty Crime

- Large numbers of people are doing jail time for non-violent, often petty (not serious) crime, or even the failure to pay fines<sup>3</sup>.
- The 11,846,833 US arrests<sup>4</sup> in 1994 included 86,733 for prostitution, 1,117,323 for drug offences<sup>5</sup>, 600,345 for disorderly conduct<sup>6</sup>, 105,781 for curfew<sup>7</sup> and loitering<sup>8</sup> violations, 200,863 runaways<sup>9</sup>, and 21,407 for vagrancy<sup>10</sup>.

- In the UK in 1994, 22,723 persons were imprisoned for not paying fines – an increase of 36% for men and 68% for women from 1990. In 80% of the cases, the cost of imprisonment was more than the amount of the fine.

### 3. Money

- By the mid-1990s, the US was spending over \$200 billion a year on the crime-control industry.
- In Canada between 1971 and 1991, the number of police officers increased 41% and the number of private security guards increased by 126%. By 1991, private security forces outnumbered police by about 2 to 1.
- In the US, two major companies account for 50% of private contracts to run prisons.
- Average yearly cost per prisoner in 1994: US \$30,000, Aotearoa (NZ) \$40,000, Canada \$51,000.

### 4. The War on Drugs

- Some 60% of prisoners in US prisons are there for drug offences. In 1992 some 3000 drug offenders<sup>12</sup> with no record of violent crime in the last 15 years were sent to prison for a minimum of 5 years.
- The 1988 anti-drug abuse act gives a minimum imprisonment of 5 years for possession of more than 5 grams of crack cocaine (mostly used by blacks) on a first offence. You need to possess 100 times that amount of powdered cocaine (mostly used by whites) to get the same sentence.
- In 1992, the US Public Health Service estimated that 76% of illegal drug-users in the US were white, 14% black, and 8% Hispanic. Yet in New York state 92% of all drug-possession offenders sent to prison were black and Hispanic; in California it was 71%.

### 5. The Color of Justice

- The number of white young people brought into the US criminal justice system increased by 1% during 1987-88; for non-whites it increased by 42%. In 1991 the US national imprisonment rate was 310 per 100,000: amongst white males it was 352; amongst black males it was 6,301.
- One in three black men (aged 20-29) in Los Angeles are jailed annually. In 1990 on an average day, one in four black men in the US were either in jail, prison, or on probation/parole<sup>11</sup>. In Washington D.C., 75% of black males could expect to be arrested at least once before age 35.
- In Canada, native Indians make up 5% of the total population, but 32% of the national prison population. There was a 204% increase in the number of blacks imprisoned in the province of Ontario between 1986 and 1994; for whites it is 23%.
- In the state of Western Australia, native aborigines<sup>13</sup> make up 3% of the population, yet account for 51% of all those imprisoned by the high courts (75% for less than three months).

**Task 4 – Reading and Summarizing** – Work with a partner to write a simple summary of one of the paragraphs. Use your own words and be prepared to read it out to the class.

## Prisons as Big Business

1 "Crime Does Not Pay" is a slogan we have often repeated, but which today is in doubt<sup>14</sup>. Crime does indeed pay! Some corporations are taking advantage of what is being called by Norwegian criminologist Nils Christie the "corrections industrial complex", an industry which since the mid 1980s has become an economic giant. It includes the construction, maintenance, and operation of private prisons. There is a basic problem with an industry which is economically interested in the continuation of a negative aspect of society. Dr. Christie explains, "You get private lobbying<sup>15</sup> for prisons and you get private capital interested in building more prisons, in expanding that system. The industry has no interest in its own abolition<sup>16</sup>."

2 With a prison population of over 1.8 million in the U.S., which has doubled within the last ten years, there will be a need for more room. Existing prisons are overfull and filled with the product of the "war on drugs". Non-violent drug offenders<sup>12</sup> are the largest and fastest growing section of the prison population. "Three Strikes and You're Out" laws serve neither society nor the offender<sup>12</sup>. Such "band aid" approaches<sup>17</sup> have not been useful, except for creating corporate profits. Crime-industry lobbyists<sup>15</sup> want tougher and longer punishment, even though the crime rate has actually decreased and is below what it was 25 years ago.

3 Not only do those financing private prisons have an interest in "the bottom line"<sup>18</sup>, but often the guard does as well. Many private prisons offer employees stock ownership<sup>19</sup> as opposed to guaranteed pensions, a money-saving plan that encourages guards to lengthen prisoner stays at every opportunity, while saving on such things as food, medical services, and rehabilitative activities.

4 Another issue in this industry is prisoner labor. If private prisons can use prisoner labor, then the investment comes full circle. Not only are they paid to house inmates for the state, but they have a labor force which needs no benefits, has no lobbying<sup>15</sup> power, and cannot strike<sup>20</sup> for higher wages or better working conditions. Critics are concerned with prison labor undercutting<sup>21</sup> outside wages or removing jobs from the private sector. There is also the fear of poor health and safety standards. Is such prisoner labor a way to rehabilitate them and decrease the amount paid by taxpayers, or is it exploitation<sup>22</sup> of a particular class of society?

5 There is a tendency to deprive<sup>23</sup> individuals of their liberty for purely economic reasons as the "prison industrial complex" (like any other) desires to expand. The only possible way for the industry to do this is for it to maintain high rates of imprisonment, while providing the least number of services (that cut into profits). This could lead to the privatizing of the justice system by the influence of the industry's lobbying power for longer, tougher, and stricter punishment.

6 The focus must be shifted away from profits made by a few individuals and financial interests, and redirected towards building a system that takes from the best of both public and private sectors. The goal is a system which is cost-effective, serves society, and produces what prison systems are designed for: a rehabilitated<sup>24</sup> prisoner. It is not an unachievable goal; America has done as much with greater problems. It is already proven that prisoner labor and prison privatization creates huge amounts of money. This money should benefit the taxpayers, and it should, in part, be for the funding of the justice system, including defender<sup>25</sup> expenses, prison construction, operation and maintenance, and crime prevention and prisoner rehabilitation<sup>24</sup>. Truly looking for answers to stopping crime is the only way that the industry will benefit society in a responsible way.

**Task 5 – Listening** – the song *Sacrifice*<sup>26</sup> (from *Contact from the Underworld of Redboy*) by Robbie Robertson. While you listen, try to identify which words in the text are different from what you hear.

- 1 You know we have a million stories to say  
I'm just one of a million or more stories that could be said  
Chorus: Sacrifice your leader  
Sacrifice your cares  
Take away your sandwich  
Cut off all your nails  
Sacrifice the brothers  
Who always stand by you  
Stranded in the desert  
Set my spirit loose
- 2 My name is Leonard Peltier  
I am a Lakota and Anishnabe  
And I am living in the United States penitentiary  
Which is the swiftest growing  
Indian reservation in the world
- 3 I have been in prison since 1966  
For an incident that took place on the Oglala-Lakota Nation  
There was a shoot-out between members of the American Indian Movement  
And the CIA and the local Sheriffs State Troopers  
Two agents were killed and one Indian was hurt
- 4 Two of us were charged with the deaths of the FBI agents  
My co-defendants were found not-guilty by reasons of insanity  
My case was separated and I was found guilty before a jury of Indian people  
The prosecutor stated that they did not see who killed their agents  
Nor did he know what participation Leonard Peltier may have played in it  
But someone has to pay for the crime
- 5 There's a lot of nights that I lay in my cell  
And I can't understand why this hell, this hell and this terror  
That I have been going through for twenty-nine years hasn't ended  
Chorus
- 6 But yet I know in my heart that someone has to pay sacrifice  
To make things better for our children  
The sacrifice I have made when I really sit down to think about it  
Is nothing compared to what our people a couple hundred years ago  
Or fifty years ago or ten years ago have made  
Some gave their wives  
Some had to stand there and see their children die in their arms  
So the sacrifice I have made is small compared to those
- 7 I've gone too far now to begin backing down  
I can't give up  
Not till my people are free will I give up  
And if I have to sacrifice some more  
Then I sacrifice some more

### Task 6 – Grammar Exercise – Probability and Possibility

Look at the following activity and choose either **if** or **when**, according to the context (sometimes you can have both). Try to decide what the difference in meaning of each statement is.

1. If / when I get home tonight, I'll cook dinner.
2. If / when I was a child, I once stole some candy.
3. If / when I win the lottery, I'll buy you a coffee.
4. If / when I reach the age of 60, I'll retire and move to Costa Rica.
5. If / when I don't see you, have a nice journey.
6. If / when I get out of prison, I'm going to go to college.
7. If/when you put ice in a glass of hot water, it melts.
8. If/When it rains this afternoon, I'll stay at home.
9. If/When I get old, I'll probably have grey hair.

### Vocabulary

1. per capita	na jednu osobu
2. *estimate; to estimate	odhad; odhadovat
3. *to fail to pay fines	neplatit pokuty
4. an arrest, to arrest	zatčení, zatknout
5. *offence	přestupek
6. disorderly conduct	výtržnické chování
7. curfew	zákaz vycházení
8. loitering	potulování se
9. runaway	uprchlík, utečenec
10. vagrancy	tuláctví (bezdomovci)
11. probation; parole	podmíněně prominutí trestu; zkušební lhůta
12. offender	pachatel přestupků
13. aborigines	domorodci
14. *to be in doubt	být na pochybách
15. *lobbying; lobbyist	vykonávání nátlaku, intervenovat; lobb(y)ista
16. *abolition	zrušení
17. "band-aid" approach	povrchní přístup k řešení problému
18. "the bottom line"	základní, rozhodující (finance)
19. stock ownership	vlastnictví akcií
20. *to strike	stávkovat
21. to undercut	podbízet, pracovat za nižší plat
22. *exploitation	vykořisťování
23. *to deprive someone of their liberty	zbavit někoho svobody
24. to rehabilitate; rehabilitation	ospravedlnit; ospravedlnění
25. defender	obžalovaný
26. *to sacrifice; sacrifice	obětovat; oběť

### Word bank

1. to commit a crime	spáchat trestný čin
2. offence	přestupek
3. to witness a crime	být svědkem trestného činu
4. eye witness	očítý svědek
5. to charge with a crime	obvinít z trestného činu

6. to take to court	vzít k soudu
7. to sue sb	žalovat někoho
8. to be tried	být souzen
9. trial	soudní proces
10. to be taken into custody	být vzat do vazby
11. to plead not guilty	prohlašovat se nevinným
12. to defend sb	obhajovat někoho
13. state prosecutor	státní zástupce
14. to pass verdict	vynést rozsudek
15. judge	soudce
16. jury	porota
17. to appeal	odvolat se
18. Court of Appeal	odvolací soud
19. to be acquitted	být zproštěn obžaloby
20. to sentence	odsoudit
21. to pay a fine	platit pokutu
22. bail	kauce
23. to serve 2 years in prison	odpykat si 2 roky ve vězení
24. to be released from prison	být propuštěn z vězení
25. blackmail	vydírání
26. bribery	úplatkářství
27. to bribe	uplácet
28. drug trafficking	pašování drog
29. to smuggle	pašovat
30. human trafficking	ilegální převod lidí přes hranice
31. mugging	loupežné přepadení
32. kidnapping	únos osoby
33. ransom	výkupné
34. to hijack	unést dopravní prostředek
35. arsonist	žhář
36. copyright infringement	porušení autorského práva
37. breach of law	porušení zákona
38. to pass a bill	schválit zákon
39. community service	veřejně prospěšné práce
40. death penalty	trest smrti
41. to abolish	zrušit
42. life imprisonment	doživotní trest
43. jail	cela
44. to amend law	upravit zákon

Endnotes: (1) and (2) from <http://www.jpp.org/editorials/v-11-ed.html>, viewed on 15.11.2002

Other quotations from <http://www.newspeakdictionary.com/ot-quotes.html#QProhibition>, viewed on 22.11.2002.