

## Sociology Professor Asks: "Is Punishment Really Necessary?"

by Larry Krywaniuk

*Gateway Features explores the fields of criminology and penology in this interview with Dr. Richard Laskin, professor of criminology at the University of Alberta.*

Crime is natural.

Generally we think of behavior as "natural" as though it is usual or desirable, and undesirable behavior as though it were abnormal. Theoretically though, society involves a system of norms with necessary and inherent deviancies, both positive and negative. Some of the negative deviancies are arbitrarily, by law, defined as crime.

Crime is a legal concept. The easiest way to eliminate crime is to repeal all of the crime laws. Crime would then be eliminated but the social deviancies would still be there.

### UPSURGE IN CRIME

If we desire a crime wave, all we have to do is hire more policemen and have them enforce laws that they ordinarily ignore. An upsurge in the number of known crimes is then inevitable.

These somewhat surprising comments were brought out Wednesday in an interview with criminology professor, Richard Laskin. Dr. Laskin comes to the U of A from New York City where he has spent most of his life, and has received his BA. He received his MA and PhD (1959) at Pennsylvania State University. He has also taught at Penn. State, the U of Ohio and at Brandon College.

### CRIME RELATES TO LAW

Dr. Laskin then went on to say that crime is relative to the law, and that morality is not necessarily the same as legality. Many people in Alberta, for example, would regard not going to church as morally wrong, but it is not illegal.

On the topic of the Alberta penal system, particularly the new minimum security forest camp, Dr. Laskin said that "minimum security is definitely a good thing." A series of work camps have been established as minimum security prisons.

Dr. Laskin feels that these camps could have a terrific therapeutic advantage to the prisoners. "They are more able to accept help—there is not as much resentment, and it could be used in prerelease to show confidence. Such



**DR. RICHARD LASKIN**  
... professor of criminology

'camps' would be even more effective for rehabilitation if located in normal communities."

### PURPOSE DEFEATED

However, in Alberta, instead of a staff of trained therapists there are just the prison administrators, and these camps are simply satellites of the jail. This tends to defeat their purpose.

"Fort Saskatchewan is not a correctional institution—not at all. It is penal institution." The work camps could start to be correctional if proper steps are taken.

The idea at "the Fort" is that you can't help them in such a short time. Even the John Howard Society is not allowed to conduct pre-release programs within the walls as yet.

### ALBERTA SYSTEM FAILS

"Alberta's jails work on the 'ancient penal hypothesis' of punishment through detention with hardly a suggestion of help," he said. The system of "be careful or we'll put you away" is an overwhelming statistical failure. Over 80 per cent of all inmates are recidivists, so this system cannot be a deterrent.

A recent royal commission into the penal system recommended:

- elimination of all short-term sentences (under one year),
- removal from society for treatment, not punishment.

This brings up the question, "Is punishment really necessary?" Dr. Laskin feels that the answer is "no." "Correction and rehabilitation should be the main idea. This is direct positive action."

Prison should be a learning situation and a person should be incarcerated only for his own good. Only in rare cases is maximum security really needed. A prison might need a maximum security wing just as a hospital needs an isolation ward, to be used on a temporary basis upon recommendation of a competent therapist, not only a prison guard.

The idea of making it tough for the prisoners is archaic and dates back to the French Bastille. The attitude seems to be Dr. Laskin says, "Let's give him a vocational training but then before he goes to bed, let's whop him a little bit."

### COMPASSION IS NEEDED

The social learning that is needed can only take place in a satisfactorily conducive environment. Hate and bitterness in this way can be eliminated. Sincere compassion is need to achieve positive social learning.

Dr. Laskin is "inalterably opposed" to the death penalty. Social rationale for the penalty could only be:

- social vengeance (retribution)
- protection of society
- rehabilitation and reform
- deterrence
- restitution
- expiation

If the rationale for punishment is prevention of "recidivism," (recurring criminal behavior) then capital punishment is very effective. "I guarantee," Dr. Laskin says, "that he won't do it again. Long term sentences come pretty close to this, so the death penalty is absurd."

Many studies have shown that capital punishment does not serve as a deterrent, since murder is usually a crime of the moment or one where the motive overrules the consequences. Places where the death penalty has been established have shown no rise in the murder rate.



**CRIMINOLOGIST LASKIN**  
... opposed to death penalty

### POOR EXAMPLE SET

"Capital punishment would be very effective in stopping traffic violations." The example set by the student in this case is not a good one when we try to teach children the values of life.

Dr. Laskin again emphasized the need for correction. "There is no doubt that force keeps people in line, as in Nazi Germany, but this system is undemocratic and negativistic." We must select properly trained correctional officers and have trust in them.

"Like all human behavior, criminality occurs in society; it is produced by the society, rather than by something done to it. When a person develops into a talented musician, or becomes a great philosopher, we look with pride at what we have produced. But when a person becomes a murderer or a prostitute, we are not so quick to take the credit. We appear astonished and ask 'What happened?' The answer is, of course, that the same society has produced the murderer and the prostitute."

### SOCIETY MUST CHANGE

To prevent delinquency, the whole fabric of society must be changed. "You can't raise a kid to believe in certain values and then have a society in which he is prevented these things. Indian and Metis children, for example, are taught normally and then blocks are put in their way. The answer is not to teach them to be laborers, but to remove the blocks."

Alberta should seriously begin to emphasize the field of correction and should de-emphasize penal systems. A Government Department of Correction could be set up, and professional training schools with it. The department would also promote an attitude of rehabilitation in the public. On the other hand, it could also do away with present stagnant prisons and the short-term sentences.

The license plate factory at Fort Saskatchewan might be a step in the right direction but the training is useless and the work is menial. Most of the prisoners could very easily be replaced by automation. "Even if there was any skill, there is nowhere else they could use it, except in jail," says Dr. Laskin.

The prisoners who now occupy the minimum security camps are not sent out essentially for correctional purposes. The idea is to get the work done and to save money.

However, the start is right and if progress is kept up, these minimum security camps could have great value in the future.