

## BOOK REVIEWS

### **Can Prisons Work? The Prisoner As Object and Subject in Modern Corrections**

By Stephen Duguid

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*Reviewed by P.J. Murphy*

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When Stephen Duguid sent me a copy of his new book, I eagerly set to work on it: this was the long-awaited study on the University of Victoria–Simon Fraser University Prison Education Program, which I had worked in from 1981 to 1984, under the aegis of the University of Victoria, and from 1984 to 1990, under SFU. The program was cancelled in 1993 and, ironically enough, that was the very same year that Duguid and his research team received a very substantial Social Sciences and Humanities Research Council of Canada (SSHRC) Strategic Grant to investigate the “transformative capacity of education” when offered to people on the margins of society; in this case, adult male prisoners. When university programs in prisons were shut down by the Correctional Service of Canada (CSC), the “positive” aspect was that Duguid’s research team was thereby able to acquire the complete administrative and academic records of the program, including the University of Victoria records from 1972–1984 and SFU records from 1984–1993, as well as the administrative records kept by university staff at each of the four prison sites in which it operated (Kent, Matsqui, Mountain, and William Head Institutions). It was the comprehensive nature of this evaluation of university prison education programming in British Columbia over its twenty-year life-span that made this research project so special.

Duguid’s landmark study raises, in the final analysis, a number of searching questions about new ways to proceed in terms of our theorizing about university programs in prison. I had already made it clear in “Response,” my debut article in *JPP* (Murphy, 1998), that I disagreed with commentators such as Ray Jones and Brian D. MacLean who had argued that the SFU Program was, at best, an “unintended collusion with the penal apparatus” (Jones, 1992), or, at worst, “a strategy of control by prison administrators under the guise of a liberal rehabilitative ideology... and evaluated not on its pedagogical merit, but on its efficacy of reducing recidivism” (MacLean, 1992). As I pointed out then, and as Duguid makes patently clear at several key junctures in *Can*

*Prisons Work?*, there was no ideological party line to be followed. There were some who actively advocated the cognitive–moral development strategy, and there were those like myself who worked on the principle that the critical thinking dimensions of what I taught more than justified themselves. We need to move beyond these old and tired mock debates with their naive adoption of a “purist” (indeed often “puritanical”) would-be moral highroad when it comes to university-level prison education: that any so-called perceived collaboration with the powers-that-be is somehow theoretically debilitating and morally reprehensible. MacLean’s views cited above appeared in a 1992 article; the next year all university programming in Canada’s prisons was terminated. Neither party can claim victory, Pyrrhic or otherwise, when there is nothing left to argue over. Duguid’s study affords us the opportunity in our post-mortem reflections to assess just what worked and what did not in terms of the politics and pedagogy of university prison programming in Canada, and, implicitly, what might be the most profitable routes to pursue in the future.

Duguid’s theoretical framework is shaped by an interdisciplinary focus on the prison as the archetypal Enlightenment project in which there is reasoned application of various strategies to make sense of issues of social deviance, and indeed, to “cure” such deviations from a posited norm. This history of ideas approach affords a “lens” whereby we can critically re-examine our principle ideas about how prisons function. Duguid’s triad of Voltaire, de Sade, and Rousseau is permuted throughout the study in order to throw a critical searchlight on various paradigmatic approaches to the corrections enterprise. Voltaire represents a “fatalistic” view of human nature in which deviance and crime are regarded as, alas, the kinds of things humans tend, repeatedly, to do. De Sade’s position is characterised as “one which may enjoy more current popularity, namely, that deviance is inherent in all, embedded in human nature” (12). Rousseau’s views are, in Duguid’s assessment, the ones which have proven most influential in determining the views which dominate the modern correctional enterprise; namely, the affirmation of “an essentially ‘good’ human nature and that reform of selves is possible via a combination of personal reflection and reform of society and its institutions” (16). Duguid’s own argument is confessedly linked to a “more romantic version of Rousseau” which blends reason and passion and “retains the modernist universalist ideal that citizenship is possible even with the most troubled of our peers if we appreciate their complexity, treat them with respect, and demand reciprocity—treat them, in other words, as subjects rather than objects” (18).

These fundamental theoretical supports for Duguid's argument run throughout his study, and create a stimulating contextualization of the question of prison and educational programming, often generating intriguing metaphorical conjunctions. For example, my favourite, in which Galileo's telescope that opened up our view of the heavenly bodies is coupled with Bentham's panopticon, which turned a lens on the body politic in order to objectify those deemed in dire need of discipline and control. I have summarized, albeit very briefly, this aspect of Duguid's intellectual contextualization of *Can Prisons Work?* for, although the rest of my discussion will focus on a closer examination of the narrative of the rise and fall of university prison education programs in Canada, with primary emphasis upon the SFU Program, readers should at least be aware of the rich texturing of ideas which accompanies and shapes this central discussion.

#### THE OPPORTUNITIES MODEL AND THE RISE OF UNIVERSITY PROGRAMMING IN PRISONS

Duguid lucidly explains how and why the so-called "medical model" dominated corrections thinking in the period from 1945–1975. This model was psychologically driven, and placed the fundamental responsibility for "deviance"—the "disease"—upon the individual. The "cure" would then be effected by regarding the prison itself as a sort of hospital in which, as Duguid terms it, "insight wars" will be waged by therapeutic professionals who will fight for control of the prisoner's mind and soul. The insurmountable problem confronting the advocates of the medical model was that they could only liken the prison to a hospital; it was only a simile. They had finally to admit a prison simply could not be turned into an authentic therapeutic community.

At this critical juncture appeared a series of sweeping rejections and detailed critiques of the would-be goals of the medical model, the most famous of which was Robert Martinson's "nothing works" essay of 1974, which Duguid's own title ironically echoes. Add to this Jericho-like clarion call the major works by Norval Morrison (*The Future of Imprisonment*, 1973) and Michel Foucault (*Discipline and Punish*, 1975), and there is a clear demarcation of the point at which the medical model collapsed before the critiques of its failure to reduce recidivism through rehabilitation. In short, the very nature of prison itself is now recognized as being the fundamental problem which frustrates and negates

any reconstructive efforts because of its repressive representation of self as merely an object of “corrections.”

The new model was labelled “opportunities,” which signalled a belief, however provisional and qualified, that corrections would now look upon offenders as being able to appreciate and understand their own actions, and hence would be able to choose sensibly and rationally what options—or “opportunities”—they wanted to pursue in terms of prison programming (be it life skills, vocational training, or education). Duguid insightfully summarizes the implications of this new “model”: “the opportunities approach, for all its duplicity and contradictions, did nevertheless create a space for activities that were both subversive and progressive” (76). And the site *par excellence* of such contested space was the alternative community of a university program pursuing a critical dialogue with prisoners as student subjects via the traditional course offerings found in a liberal arts curriculum. Into the “programmatically vacuum” (90) left by the collapse of the medical model stepped “new faces” (98), those of university prison educators (such as myself), who at that point had no real familiarity with or understanding of prisons. Duguid’s study here expands its context to deal with the history of prison education, and to set up a comparative analysis of similar developments in university prison programming under the opportunities model in the UK and in the US. My focus will, however, remain fixed on the U.Vic/SFU program in which Duguid and I both worked, and on the chronicling of its rise and fall which constitutes the essential narrative line of *Can Prisons Work?*

Over a twenty-year period (1972–1993) this program was indeed highly successful and even claimed to “work” in the sense the word is used in Duguid’s title, namely, in terms of reformation and rehabilitation. The “sensational results” of the 1979 survey of prisoners who had been in the program (albeit a small sampling of only seventy-three), been released, and not re-offended, showed a recidivism rate of only fourteen percent, well below the average of forty-plus percent. Indeed, the founding father of the U.Vic (SFU) program, the CSC administrator Dr. Parlett, argued in his Ph.D. work with Professor Douglas Ayers of the University of Victoria that educational offerings would “hide,” as it were, a number of moral and cognitive lessons beneath the study of the initial offerings in literature and history. Such end-directed programming is clearly able to accommodate itself within the boundaries of the supposedly discredited and abandoned medical model. Duguid’s analysis emphasizes that the CSC “persisted in talking about education in prison as a means of moral

reformation” and then astutely counsels us not to assume naively “that policy and even paradigm shifts are total victories or ever necessarily conclusive” (125):

This probing into the effects of the university experience shifted from a preoccupation with moral development, but it did continue throughout the twenty-year life of this program, thereby setting it apart from virtually all other similar programs, and for that matter, virtually all prison programs per se. (124)

Some qualification is, however, needed. While this professed intent may have been part of the program’s strategic rhetoric in order to “sell itself” to the CSC authorities, this view did not by any means constitute a party line. It was, in fact, this difference of opinion amongst teaching staff which created a “kind of creative tension that made the program particularly vibrant” (126). Many of us advocated education per se; moreover, it is difficult to agree completely with Duguid’s characterization of this program as set dramatically apart from all others in this regard. Yes, a certain “intentionality” was foregrounded in the literature dealing with the program, but was this fundamentally different than justifications made for similar programming ventures in the UK and US? The “good in itself” argument which others and I maintained did not preclude the additional sense that our courses affected positively the choices our students would make in other contexts, both within and without prison. Is not this the implicit assumption behind humanities and liberal arts courses offered *outside* prison, where the context is such that we do not need to justify our very *modus operandi*?

Duguid proffers a Rousseau-like “confession” which points to the much more complex realities inherent in the nature of education, moral or otherwise, in prison. He self-deconstructs his own earlier speculations about a “general theory” derived from the work of Jean Piaget and Lawrence Kohlberg on moral education and developmental psychology:

Seven years after my initial foray into theorizing about prisoners I had already begun to equivocate, fearing that the prisoners were “too complex a group about which to generalize,” and the theory of cognitive development requiring too much levelling of prisoners to common stages and too little differentiation. (87)

This “foray” is linked to Duguid’s opening statement in his Preface to the effect that he had “retreated to the humanities realm I know the best” and away from “general theory” of the social sciences sort. Duguid’s key point is that instructors in university programs, including, of course, the U.Vic–SFU one, believed in the “transformative power” implicit in their course offerings, which, whilst not claiming to be a panacea, could provide “the first steps into a new way of thinking about oneself in relation to others and to society” (131). And then comes his major point: “All this was, of course, incredibly complex and thus all but incomprehensible to correctional bureaucrats—not because they were in any way incapable of such comprehension, but rather because they needed simpler, more elegant explanations to satisfy both politicians and the public (120).

#### THE MEDICAL MODEL REDUX AND THE DEMISE OF UNIVERSITY PROGRAMMING IN CANADA’S PRISONS

The resurrection of the medical model in the guise of the new cognitive skills programming model supplied just such a wished-for series of simplified (hence “intelligible”) explanations, ones which certainly satisfied correctional professionals, though their endorsement by politicians and the general public still remains somewhat more problematical. Duguid explains why correctional bureaucracies were increasingly dissatisfied with a perceived “lack of consistency and lack of order implicit in this cacophony of programmatic activity within the prisons” (179). In Canada, for example, the *Sawatsky Report* (1985) on offender support programs railed against the eclecticism of the opportunities model and instead advocated an explicit linkage between offender need and program delivery. University programming, for example, was no longer deemed “core,” but a nice extra to offer—if resources permitted—to while away the time for those in maximum security institutions.

The CSC chose cognitive development over formal education models and the moral lessons approach as the foundation of a resurgent medical model that would soon sweep away all opposition forces. The university program model in BC contained all three of these educational strands, and hence was inadvertently complicit in its own demise because of its very success in these areas, as was recognized by Robert Ross, the chief architect of the new cognitive skills model. Ross and his researchers stressed that their new model was not a “magic bullet,” and that its success would depend in large part on

the other offerings that were made available in conjunction with it. This ideal synthesis of research from various points on the correctional education spectrum was, again, too complex for those in corrections who chose cognitive skills over other educational approaches for the obvious reason that it was more “correctional” than the other options. Corrections staff would now be trained to offer these “short courses” or new training modules which (supposedly) would specifically target particular offenders’ “criminogenic needs” (the new mantra of CSC professionals), and bring about effective “treatment.”

The CSC bought into this model because it reasserted its hegemony over an assortment of various program offerings, and supplied a much-needed morale booster to its own staff, who were now integral to the delivery process itself. In 1990, cognitive skills were officially adopted by the CSC as the jewel in the crown of their new programming ventures; indeed, one might at this point retranslate the CSC acronym to have it stand for the “Cognitive Skills Corporation.” The writing was on the wall; in 1993, all university programming in Canada was terminated.

### **TO SIR, WITH LOVE**

The heart of the matter in *Can Prisons Work?* is the comparative analysis of the success rates of university programming when set against those generated by the cognitive skills program—a sort of high-noon ideological/pedagogical shoot out—to extend the guiding metaphors behind Duguid’s argument. The common ground shared by both program evaluations is the recidivism prediction device developed by the CSC over a fifteen-year period, SIR, or Statistical Index on Recidivism. The “global” results determined from the 654 student-prisoners whose records were analyzed in depth were indeed impressive:

The SIR predicted a failure rate of 42 per cent for the group of 654 former prisoner-students (meaning that 275 of the men should have been returned to prison for a new offence within three years of their release, about average for North American prison systems), but in their actual post-release lives only 164 of the men were returned to prison, a failure rate of only 25 per cent. (134)

The sophisticated analyses of Duguid’s research team took into account, via SIR, the issue of self-selection which had been used to challenge the validity

of the earlier studies carried out for the U.Vic Prison Education Program in the late 1970s and the early 1980s. These “global” figures do not, however, as Duguid points out, tell us anything about specific mechanisms whereby such education programs were successful in particular cases, with certain types or categories of prisoners, nor do they engage the other critical issue of contextual circumstances which might have determined individual success or failure.

Let us leave these factors for a later comment and move directly to the comparison of these 1996 results with the 1995 evaluation of the cognitive skills program, as formulated in the *Robinson Report* (1995). Duguid points out differences in methodology between the two studies (issues such as “control groups,” length of follow up, and definitions of recidivism), but nevertheless concludes: “as evaluations go, these two efforts were remarkably similar even though done independently of each other” (211). This is where things get very interesting. Assessing the evaluations, Duguid concludes that though the CSC has declared the cognitive skills program to be a success, “the actual data make the claim a difficult one to sustain” (211) in two key areas; firstly, the recidivism rates for cognitive skills participants was only in a minor way (11.2 percent) better than the control group, far less than predicted, and, secondly, cognitive skills did not show any effects on subjects termed to be at high risk to reoffend by SIR. Duguid’s critical judgments here are carefully modulated in order to ensure an even-handed appraisal. He points out how Robinson circumvented the rather obvious conclusion that cognitive skills simply does not work as well as is claimed by declaring that all the subjects undergoing evaluation could be deemed “high risk.” Duguid underlines how “implausible” all this rhetorical sleight-of-hand is since it so obviously subverts the SIR system which was developed by the CSC from findings based on their own prisoners. Duguid does acknowledge some “positive results” in the *Robinson Report*, but the inevitable conclusion, one an even-handed assessor cannot escape, is that “the research on the cognitive living skills program is ‘not a pretty sight’ and unlike earlier, more speculative predictions, these data have remained buried in a government of Canada report, and not touted in the learned journals of academia, let alone the popular media” (213).

On the other hand, not only is the data on success rates in terms of recidivism very impressive in the university program research, but the study goes on to explain in detail the mechanisms whereby it works, and the contextual factors that lead to success in particular instances; for example, in certain high-risk categories. Duguid’s key points here are, in essence, the same as



those intuitively put forward by teachers in the program such as myself who were not tied to any particular school of theorizing; it is, however, very satisfying to see these results supported by such scrupulous and exhaustive research that can demonstrate that a culture of academic achievements is good in itself; that special emphasis should be given to students who are clearly making significant progress; that participation in the program as an alternative community within the prison is the very essence of the program itself; that extracurricular activities of all sorts, especially theatre, enrich the context of change; and, finally, that further involvement with education after release plays a decisive role in enhancing post-prison success rates. Now we can confirm, in a conclusive fashion, what we always knew to be true phenomenologically: to treat people (prisoners) as equals, as fellow human beings, will always win out over the “corrections model” of the “other” who needs “treatment” and is coerced to adopt the views “prescribed” by the authorities. The very last words of Duguid’s study are a very brief testimonial of a new student in the university prison education program who states, with pleasant surprise, that you can “act yourself” and are accepted by the instructors just like “they would anybody on the street” (267). Such teachers might have started off as Duguid earlier termed them as “penological amateurs” (129); to their credit, even after they were prison-wise, most of them never lost the root sense of “amateur,” of someone who pursues something for the love of it—“To Sir, With Love,” indeed.

The very subtitle of Duguid’s study points towards an ideal “I—thou” relationship (as developed in Martin Buber’s work); however, there are certain limitations inherent in Duguid’s methodology which necessarily prevent the full embodiment of such principles. Whereas Duguid can say early on that “it is the lives of these men—as criminals, prisoners, and parolees—that provide the visceral substance of the book” (16), it is apparent as one reads through *Can Prisons Work?* that the heart of its argument involves a number of statistical conversions which, while not by any means eviscerating the substance of the book—these men’s lives—certainly does attenuate the sense of their presence as particular subjects speaking in their own voices. The fictionalized case histories, abridged and summarized throughout the study, are designed to compensate for the inherent methodological limitations of a social science grid posited upon a numerical accounting of various categories, but they are only partially successful in this regard since they are third-person renditions in which the subject is inescapably recast in the role—and grammatical position—

of object. Duguid is certainly aware of these in-built limitations: at one point, in a telling aside, he confides to the reader that he feels stifled by the abstract nature of the interpretation of statistical results and the concomitant contestation of theories. And in the most Rousseauesque of such confessions, Duguid confides to the reader that at one point in his career he left teaching in prison “in part because of an increasing inability to see my prisoner-students as individuals as opposed to types or categories” (87). However, the key point remains that Duguid’s refrain throughout his study is a passionate plea for acknowledging the complex reality of the nature of crime and criminals (and of human beings generally), and that any overly simplified theorizing will not be an adequate representation of such phenomena. We needed to have the statistical information which Duguid’s study delivers: it is a vital strategic and rhetorical tool for defending the value and function of university prison education programs.

#### A QUESTION OF ADVOCACY: O BROTHER, WHERE ART THOU?

And just what is the answer to the above query? This: crying in the wilderness, unless we can get the right people to listen to the message of Duguid’s book. We need to make the findings of *Can Prisons Work?* work for us in the lobbying for the reinstatement of university programs in Canada’s prisons. We know now, in a definitive and conclusive way, that the new “gospel” of cognitive skills, embraced by the Correctional Service of Canada with religious fervour, does not work anywhere nearly as well as its adherents would have us believe. As Duguid suggests, it will only be a matter of time before another Martinson of “nothing works” fame comes along and matter-of-factly points out some of the more obvious flaws and omissions in the Emperor’s New Wardrobe. But is anyone actually listening? If the CSC buried the unflattering results of the *Robinson Report*, are they not just as likely to turn a deaf ear to the results of Duguid’s study, which show that university programming in prisons, particularly in conjunction with community support on the outside, has a much greater chance of producing “working citizens” than any other method we know of? This would unfortunately appear to be the case; in a recent conversation, Duguid said that in the two years since the publication of his book he has had no response at all from CSC policy administrators about his study’s findings, that there has only been “a dead silence.”

We, prisoners and their advocates, need to find ways to ensure that these findings do become part of a revitalized debate about the role of education in prison programming. We need to lobby for the reinstatement of university programming in Canada's prisons; we need to educate prison administrators, politicians, and the general public about the need for such programming. The present CSC Commissioner's penchant for declaring the Canadian prison system the "best in the world" (shades of Voltaire's Pangloss) makes no sense when there are no fully-integrated programming options covering basic literacy skills, upgrading, technical-vocational training, *and* university-level educational offerings. University programming has managed to survive in the US and, ironically enough, articles endorsing its efficacy in reducing recidivism rates appear regularly in *Forum*, the CSC's flagship publication for correctional research in Canada. CSC programming needs the credibility and legitimacy that comes from outside agencies; it cannot rely solely on in-house offerings and unsubstantiated claims for the effectiveness of their programming. The quixotic tilting at prisons must go on; we must continue our lobbying for the reinstatement of university programs in Canada's prisons.

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