

## DEMOCRATIZING PRISONS

HANS TOCH

*State University of New York at Albany*

\*\*\*[AUTHOR: please provide 150-word-maximum abstract]\*\*\*

In 1924, a town in West Virginia wanted to become the site of the first federal reformatory for women. To attract this prize the town donated 202 acres of prime pasture adjoining a river, a railroad, and a neighboring farm that became available at distress prices.

The Alderson Reformatory opened on February 22, 1928, and on that date its 200 inmates adopted a constitution setting up what they called "cooperative clubs" in each of the prison's 14 cottages. The constitution said that the inmates resolved "to improve the life of our cottages, thence [of] the whole institution, and finally [of] the families and communities to which we hope to return." The inmates also declared that they would show themselves "capable of taking responsibility" and earning "the trust reposed in us" (Harris, 1936, pp. 344-345).

The way the Alderson cooperative clubs worked is illustrated by the minutes of a typical session, which read (in part) as follows:

Our meeting of the Co-operative Club was held Monday, October 19, 1931, with Lulu chairman and Carrie secretary, and was opened with the Sentence Prayer in concert. We took in six new members who were: Mary, Virginia, Charity, Georgia, Maude, and Willie.

---

This article is a revised version of an address given at the Scottish Prison Service College, Polmont, June 24, 1993.

THE PRISON JOURNAL, Vol. 73 No. 1, March 1994 62-72  
© 1994 Sage Publications, Inc.

Our Secretary, Carrie, read the pledge to them and each signed it, and it was witnessed by our Warden [prison officer]. The minutes of the last meeting were read, and stood approved.

The opening of business was to elect a new Committee girl. When the votes were counted, Annie had the most and was made our new Committee girl. She thanked the Club and said she would do her best in every way she could.

As several of the girls had gone home, new ones had to be put on the different assignments as follows:

1. Lights	Lulu and Blanche
2. Promptness	Carrie
3. Courtesy	Mabel
4. Cleanliness	Blanche
5. Librarian	Elizabeth
6. Entertainment	Annie

Also, the Fire Drill was reorganized. . . .

Reports were asked from the different Committee assignments; there were no complaints. . . .

We talked of the Hallowe'en party, and Annie was given the assignment for Entertainment.

No further business, the meeting was voted adjourned. (Harris, 1936, pp. 348-349)

The inmates at Alderson willingly undertook civic obligations, and they farmed assignments out to each other. They made decisions about the running of their cottage and expended effort to implement these decisions. They elected representatives to groups concerned with activities in the institution as a whole and staged events that made for highlights in the daily regime of the prison.

A second valued innovation that was taken seriously at the Alderson Reformatory was the Classification Committee, which met two mornings of each week. The concept of the Classification Committee had been imported from another institution, but Alderson's version was self-consciously democratic. In the words of the warden of the prison,

An important departure from the procedure followed [elsewhere] is the inclusion in our classification meetings of the warden of the cottage where the inmate under consideration is living. In our small units the head of the cottage comes to know her group intimately, and the fact that she is expected to make a verbal report on the personal peculiarities and difficulties of her charges at these formal meetings undoubtedly tends to sharpen her observation and quicken her interest. She cannot confine her attention to a few even if she would lean in that direction, for she has a pride in being able to answer the searching questions asked about the progress or retrogression of all her wards.

Unquestionably these classification meetings are exceedingly educational for all who participate in them. Several warders attend each meeting and not only hear their own cases discussed, but learn how other warders are facing the common problems successfully. They become familiar with the significance of the physician's and the psychologist's reports and asks questions if matters are not clear. When a new medical term occurs, I ask the doctor to tell us what it means, and frequently she gives us a short account of the symptoms and remedies of the ailment mentioned. This clinic (case conference), for such it is, is far more educational for the staff than formal courses could ever be. When a new warder comes, one of the first things we have her do is to attend a classification meeting. All members of the staff, whether they deal directly with inmates or not, get a better understanding of what it is all about if they attend these meetings occasionally. (Harris, 1936, p. 329)

Alderson's classification process was not only a training process and an exercise in staff involvement but also a way to do participatory sentence planning for the prisoners, including an opportunity for the prisoners to express their desires, interests, and preferences, and to ventilate their grievances. The warden (Mary Harris) testified that

the women are always asked at these meetings if they wish to continue with their work assignments; if not, why. When possible, adjustments and changes, if they seem reasonable, are made. When they cannot be made, an explanation is given of the situation. These fixed dates for reconsideration are almost without exception kept to the day, and everyone knows that she is going to be given a hearing at a definite time. If at that time she does not ask for a change, she gets no sympathy from her mates when she complains afterwards. They say: "You were up for classification. Why didn't you ask for a change?" It is the recognized clearing house for complaints and dissatisfactions. (Harris, 1936, p. 332)

To put this story in perspective, one must re-emphasize that the account refers to procedures that were followed between 1928 and 1935 and that the institution later became a more conventional prison (Giallombardo, 1966). One must also note that both staff and inmates were the objects or targets of innovations.<sup>1</sup>

Prisons in theory are susceptible to any trends and fashions in organizational reform that are prevalent in the private or public sector. In other words, when administrators outside prisons have found a better way of running things, their ideas and experiments can carry implications for the prison. The obverse also holds, of course: Alderson's cooperative clubs and classification committees, for example, could have been adopted by schools or hospitals.

It is not a priori obvious whether democratization or participatory trends in society are relevant to prisons, or whether prisons can afford to ignore them. Some otherwise progressive countries have chosen the second option. That course of action was adopted in Yugoslavia, for instance, when there was a Yugoslavia. There, industrial enterprises were in theory self-managed, with workers making production decisions and allocating budgets (Blumberg, 1973; Zwerdling, 1980). Apartment complexes were run by tenants. Health decisions were made in municipal conclaves of providers and consumers. But prisons were run with paramilitary staff hierarchies. There were inmate groups, but they were described as gripe sessions, which is a far cry from self-management.

Yugoslavia is an interesting example because it is a country where organizational democracy had been institutionalized in an effort to avoid substituting state autocracy for private managerial autocracy. In this connection, it is ironic that perestroika envisioned a similar trend in Russia, under the heading of privatization—workers acquiring shares of enterprises and electing managers to manage them.

Different societies have had different reasons for vertically rearranging organizations. In Scandinavia, for instance, it has been a matter of importing democracy from the streets into the workplace (Thorsrud, 1984). Elsewhere, the goal has fit most neatly under a heading such as human resource management (Likert, 1967). The premise is that people work more effectively when they are involved in making decisions that govern their work and that organizations are more effective when they deploy the intelligence, wisdom, and judgment of all of their members, particularly those on the front lines—those in the bowels of organization. A second premise is that involvement brings a sense of ownership and buys loyalty, dedication, and commitment.

Another way of stating the human resource argument is that the classic hierarchical, top down management model may have outlived its day, even on the assembly lines where it was born (Morse & Reimer, 1956; Special Task Force, 1973). The most recent version of this argument sees organizational democracy as the only means to achieve quality of products or services. When we now produce quality cars, we advertise in commercials that we have had assembly line workers involved in the quality control process, as they do in Japan (Ouchi, 1981).<sup>2</sup> And if one can make this claim for assembly lines, the question arises how one can pretend to do quality social work, or nursing, or teaching, or police work, with managers attempting to second-guess the decisions that professional or paraprofessional employees make or subjecting them to detailed prescriptions and instructions? A second question is how one can expect workers in the human services to carry out policies

that offer implementation problems that supervisors who are not on the front lines might not anticipate.

Some human service managers can, of course, argue, "We manage workers who make fateful decisions, and we have to protect people from the damage these workers could do, and ourselves from the law suits that could eventuate from their mistakes." Teachers might not cover their lessons, nurses might poison patients, police might punish suspects, and correction officers might brutalize inmates. How can we prevent these sorts of contingencies other than through eternal vigilance, painstaking monitoring, and unsparing discipline?

Ironically, one of my own experiences with participatory involvement began against the backdrop of this concern in a police department that was having problems with uses of force by officers against civilians and was getting an exceedingly bad press. Some colleagues and I were invited in as researchers and confirmed that a minority of officers were repeatedly involved in violent encounters and saw themselves doing excellent police work in the process. I listened to the officers recounting incident after horrifying incident with evident pride while I shuddered at what they were describing to me (Toch, 1992).

The police department at issue was very tightly managed but could not fire the problems officers because it was hard to make airtight cases in individual incidents. The aggressive officers were also, as a group, productive officers and had many arrests to their credit. In one sense, they would never have been missed, but in another sense, the organization would have hated to lose them.

What we as consultants did in response to this situation was to set groups of violence-involved officers to work addressing the violence problem. We had seven of the officers seconded to us and had them study police-citizen violence. We also trained them as group leaders. We put them in charge of three other groups of violence-experienced officers to work on solutions to the problem. The groups advanced a number of useful ideas, but their most innovative and influential solution was a peer review panel run by experienced policemen for those policemen who were recurrently involved in incidents. The panels in short order retrained scores of officers and gathered the statistics to prove it (Toch & Grant, 1991). There is no way of estimating how many police careers they saved and how many incidents they prevented in which citizens would have been hurt. What outcome statistics suggest is that the officers succeeded where management had failed and did so because they were close enough to the problem to understand its nuances and carried credibility with other officers. And I suspect that it also helped that the

prescription they implemented was their prescription, not that of someone sitting behind a desk in an office.

Some of the same colleagues and I later worked with groups of prison officers in four large prisons. Each group originated proposals for prison reform—two designed for their own institution and two for the system at large. The ideas for these proposals evolved in the groups after systematic dissection of the problems the officers thought needed solution. The proposals were worked through by subgroups who reported to a larger group and then wrote up the proposals with some editing assistance from us. The officers in these subgroups were those who had shown intense interest in the problems and their solution and had a substantial investment in their product. They would have become dedicated implementers of the ideas they originated, in the event of their adoption. But although some of the ideas were adopted, in only two cases did officers get credit for contributions (Toch & Grant, 1982).

At this point, one must mention one other important strategy for change that is relevant to prison staff—and to guards in particular. The notion in question is that of job enrichment, which means roughly what the words job ENRICHment suggest. Again, the concern is with how we can motivate people at work, and the suspicion is that pay, fringe benefits, and other material commodities do not suffice as incentives (Herzberg, Mausner, & Snyderman, 1993).

The assumption is that it is work itself that can motivate, provided that it is interesting and that it offers variety, complexity, feedback, and a sense of completion when it is done—that a person can go home at the end of a long day and say, "I have accomplished something which has contributed modestly to human betterment. I get a sense of satisfaction from these accomplishments." The presumption in corrections is that the tasks of guarding, counting, and escorting people may not provide such satisfaction and that one may have to supplement traditional custody tasks by introducing other tasks, such as assisting prisoners or helping to rehabilitate them.

Some prison systems have followed the enrichment route but not across the board: They have enriched some of their custody jobs, but not others; they consequently ended up with two kinds of officers, the old kind and the enriched variety. This arrangement can work, but it also can become somewhat problematic, and occasionally, seriously problematic.

A case in point is that of the Norfolk (Massachusetts) Prison Colony, founded by Howard Gill in 1931. According to an article in *Corrections Magazine*, Norfolk was "a very special institution—the best hope of a whole generation of prison reformers" (Scrill, 1982, p. 25). The article pointed out

that "the State Prison Colony at Norfolk was the crucible in which many treatment and other programs were tested—the casework approach, the inmate council, the simulation of 'normal' society behind prison walls. The documents associated with Norfolk . . . are full of observations that seem as applicable today as they did in 1931" (Serill, 1982, p. 32).

Unfortunately, one thing that these documents make clear is that Gill saw one set of officers as the core of his enterprise and another as ancillary, or as a necessary evil. His core staff were House Officers, who, according to Gill's manual, "live with the men throughout the twenty four hours of every day while they eat, sleep, work and play, [and] their influence upon the inmate is the most constant and influential factor in maintaining morale and in promoting constructive, wholesome attitudes and adjustments to the institution and to life in general" (Commons, 1940, p. 32).

Gill's other guards made up a Custodial Division, which (according to the same annual) "is operated under a semimilitary type of organization, with periodic drill and instruction periods, and its regulations provide for continuous observation and frequent periodic, systematic checking of all inmates and their activities throughout the entire 24-hour day" (Commons, 1940, p. 22). The custodial officers had no meaningful inmate contacts, and their views were disregarded or disrespected, even on matters of prisoner discipline. These officers came to resent what they saw as unbridled anarchy and delighted in feeding examples of licentiousness to legislators and newspaper reporters. Gill's second mistake was to import professional classification personnel, who sat in resplendent architectural isolation and second-guessed the opinions of the House Officers. This created another destructive rift in his staff.

As for prisoners, Norfolk did have an elected council and prisoner committees that dealt with every subject under the sun. Observers agree, however, that the Norfolk experiment was most exciting when the institution was small and intimate and staff and prisoner involvement in governance was direct and immediate.

In general, inmate representative governance has had a checkered and, to date, unpromising history. The standard complaint has been that the wrong inmates arrange to get themselves elected and that they advance selfish and parochial interests to the detriment of the common good (DiIulio, 1987). This charge is the same as in the outside world: When you rely on representative democracy, politicians take over the process and prostitute it.

In prisons, we must also worry about the impact on staff of what we do with inmates. It is axiomatic that prisoner participation in the absence of staff participation lowers morale. There is no complaint more plaintive than that of an officer who says "the Inmate Council regularly meets with the warden,

but he does not listen to our views, and I cannot get to see him." Democracy should not lend itself to zero sum games.

Several types of direct participation are possible in prisons. One is to involve inmates in the day-to-day running of small institutions and small subdivisions of large institutions. The second is involvement of prisoners in specialized groups that are concerned with some aspect of prison administration, including inmate-staff task forces that deal with problems of topical interest. The third approach is to have prisoners individually participate in their own management, sharing critical decisions along the way, and reviewing their progress at key junctures in their careers. Needless to say, these approaches are combinable, and a prison system can aspire to offer as many avenues of participation as possible.

One important conception that achieved popularity in the 1960s saw democracy as a vehicle of personal reform or of "social therapy" (Jones, 1968). One learns to be prosocial by working with others and to govern oneself through involvement in governance. As one learns, one assists others to learn and is assisted by others in doing so. Some even argued that inmate learning and staff development must go hand in hand in institutional settings. Such was the belief of the psychiatrist Maxwell Jones, who said in more mellow moments that he didn't know who needed therapy the most, his colleagues or his clients.

There are many examples of programs such as the Alderson classification teams in which staff acquire new responsibilities that permit them to provide new services that benefit inmates. Staff develop because they learn and exercise new skills. Prisoners acquire new roles, new ways of interacting with each other and with staff. Such social learning benefits are available even where they are not explicit, as in groups concerned with bread-and-butter issues or issues of governance or policy, in which prisoners and staff can interact around shared or intersecting concerns.

One can orchestrate groups to achieve desired intersections: A group that deals with issues of visitation, for example, could contain inmates and staff with very large families or those who have recently married. The presumption would be that custodial and inmate perspectives could be softened by shared concerns about the maintenance of family ties, which would be a common goal for the group. The problem-solving exercise would be meaningful and consequential, and it could even lead to further cooperation if inmates and staff were charged with coordinating modified visitation arrangements or were asked to monitor the impact of innovations in visitation.

Problems can be addressed proactively before they arise to culminate in disruptive crises. Institutional violence prevention, as example, can be a subject of concern to staff and inmates that benefits from conjoint delibera-



tion. As in the police example, prisoners who in the past have been sources of problems can become members of violence prevention task forces, and their expertise can be valuable if invoked. Past incidents of violence can be reviewed for lessons they may convey about future incidents. Prisoners and officers can meet separately and report to each other or to plenary sessions. Groups from different institutions can interact and pool suggestions.

Special skills and interests can be exploited in selecting participants in governance bodies. An advisory group to the prison kitchen, for example, could contain persons who have worked in restaurants, grown vegetables, or become famous because of the amount of food they consume. Former accountants could be enlisted to review budget decisions. A budget may seem an unlikely subject for participation, but at least one prison warden in the United States routinely presents his budget to prisoners and asks them if they would prefer to repair broken windows or buy television sets, given budgetary constraints.

Service consumption can become a passive or an active enterprise, and the latter is preferable to the former. A passive consumer can be forced into a regressive, dependent stance, which some students have described as a "gimme" posture (Fogel, 1985). Such a person's role becomes that of a mendicant, who is given to whining and tends to grouse and complain. An active consumer exercises options among available alternatives or invents options, given existing resources.

Gradations of consumer activism (or active consumerism) can be envisaged in prisons. Inmates can be afforded choices of services or combinations of services. Such choices can involve mindfully trading off something one would like to attain something else one would like, given existing constraints: A program one might want, for example, can be available at a relatively distant location, or require that one arise at dawn, or that one live in substandard accommodations. Choices can also be subject to review: An inmate may agree to try a program for a time, with the explicit provision that he can opt out of it after a reasonable time (Morris, 1974).

The most common form of active consumerism is a quid pro quo arrangement, in which the prisoner agrees to participate in a set of experiences that the staff feels he can use in exchange for actions the staff promises to take on his behalf, such as recommendations for early release.<sup>3</sup> Contracts can also provide for admission into a desired program after completion of a less desired one or for conditional increments in quality of life. The common denominator of such arrangements is that the prisoner has mindful control over the sequence of events, in negotiation with staff members.

More active participation involves the creation of new options by consumers, as in consumer cooperatives. A staff role in such arrangement can be

one of sponsorship or facilitation. Staff members might arrange adjoining housing, for example, to permit a group of inmates to engage in some constructive activity or to create a social milieu that affords a commodity (such as privacy) the inmates might want (Toch, 1992). Or the staff may provide modest funds or facilities so that prisoners can engage in self-educational pursuits not otherwise available in the prison.

Active consumerism involves adult-to-adult transactions between prisoners and staff. It requires prisoners to do something to get something. And it lets prisoners engage in assessment, deliberation, and planning in determining their future. This process gives prisoners an enhanced stake in the outcome and motivates them to validate the choices they have made. The prison remains physically confining but becomes psychologically liberating to a limited degree. The experience is also one that prepares prisoners for more responsible participation in the opportunity structures of society at large.

#### NOTES

1. Alderson was not the first effort at prison democracy but is unique in its concern about staff members in the design of the experiment. The best known early democratizing venture was that of Thomas Matt Osborne at Sing Sing prison, which was a radical experiment in inmate self-governance. Osborne's Mutual Welfare League was initiated at the Auburn Penitentiary in 1914 as the Good Conduct League. In Sing Sing, it survived Osborne's tenure, and was abolished—after a riot—in 1929 (Tannonbaum, 1933).

2. This claim can be substantiated because the most current approach to human resource management—which is called total quality management (TQM)—was introduced to Japan after World War II by W. E. Deming (1986), and universally adopted in Japan before being re-exported to the United States. TQM advocates rank-and-file involvement in policy decisions and input from consumers in the definition of qualitative production goals. The approach has been experimentally introduced in many government agencies (see, e.g., Keehley, 1992; National Governors' Association, 1992), including some correctional bureaucracies.

3. A recent development in corrections has been the revival of arrangements in which release decisions are affected by prisoner participation in educational, vocational, or rehabilitative programs. One way in which this can be done is through use of presumptive parole certificates, which increase the probability of parole.

#### REFERENCES

- Blumberg, P. (1973). *Industrial democracy: The sociology of participation*. New York: Schocken.
- Commons, W. H. (1940). Official manual of the state prison colony. In C. R. Doering (Ed.), *A report on the development of penological treatment at Norfolk Prison Colony in Massachusetts*. New York: Bureau of Social Hygiene.

## 72 THE PRISON JOURNAL / March 1994

- Deming, W. E. (1986). *Out of crisis*. Cambridge: Massachusetts Institute of Technology, Center for Advanced Engineering Study.
- DiJulio, J. J., Jr. (1987). *Governing prisons: A comparative study of correctional management*. New York: Free Press.
- Fogel, D. (1985). "We are the living proof . . .": *The justice model for corrections*. Cincinnati, OH: Anderson.
- Gialombardo, R. (1966). *Society of women: A study of women's prisons*. New York: Wiley.
- Harris, M. (1936). *I knew them in prison*. New York: Viking.
- Herzberg, F., Mausner, B., & Snyderman, B. B. (1993). *The motivation to work*. New Brunswick, NJ: Transaction Books.
- Jones, M. (1968). *Beyond the therapeutic community*. New Haven, CT: Yale University Press.
- Keechley, P. (1992, August). TQM for local governments: The principles and prospects. *Public Management*, pp. 10-18.
- Likert, R. (1967). *The human organization: Its management and value*. New York: McGraw-Hill.
- Morris, N. (1974). *The future of imprisonment*. Chicago: University of Chicago Press.
- Morse, N., & Reimer, E. (1956). The experimental change of a major organizational variable. *Journal of Abnormal and Social Psychology*, 52, 120-129.
- National Governors' Association, Office of State Services. (1992). Total quality management initiatives in state government. *Management briefs* (Attachment). Washington, DC: Author.
- Ouchi, W. (1981). *Theory Z: How American business can meet the Japanese challenge*. Reading, MA: Addison-Wesley.
- Serill, M. S. (1982, August). New debate over a famous prison experiment. *Corrections Magazine*, pp. 25-32.
- Special Task Force to the Secretary of Health, Education and Welfare. (1973). *Work in America*. Cambridge: MIT Press.
- Tannenbaum, F. (1933). *Osborne of Sing Sing*. Chapel Hill: University of North Carolina Press.
- Thorsrud, E. (1984). The Scandinavian model: Strategies of organizational democratization in Norway. In B. Wilpert & A. Sorge (Eds.), *International perspectives on organizational democracy*. New York: Wiley.
- Toch, H. (1991). *Living in prison: The ecology of survival*. Washington, DC: American Psychological Association.
- Toch, H. (1992). *Violent men: An inquiry into the psychology of violence*. Washington, DC: American Psychological Association.
- Toch, H., & Grant, J. D. (1982). *Reforming human services*. Beverly Hills, CA: Sage.
- Toch, H., & Grant, J. D. (1991). *Police as problem solvers*. New York: Plenum.
- Zwerdling, D. (1980). *Workplace democracy: A guide to workplace ownership, participation and self-management experiments in the United States and Europe*. New York: Harper & Row.