

Introduction

Every society must grapple with how people deemed to be legal wrongdoers are treated.

In the United States the analysis of laws and policies related to the treatment of people accused or convicted of a crime typically revolve around issues such as prison and jail conditions; medical and dental neglect; lack of educational and vocational opportunities; imprisonment of minors and mothers; spreading of diseases; access of prisoners to the courts to remedy wrongs; mandatory sentences that disregard personal mitigating factors; limitations on visiting, phone calls and mail; long sentences for relatively minor offenses; parole and probation; ad infinitum.

Scrutiny of behavior by law enforcement and jail and prison staff members toward arrestees, suspects, and prisoners commonly focuses on issues that include physical mistreatment and sexual misconduct.

Although it is important for those things to be exposed so interested people can bear witness to them, they occur as a result of, and are thus effects of laws, policies and attitudes. Consequently, focusing on those issues is not likely to result in any substantive lasting humane lasting changes to those laws and policies. Quite to the contrary, it is likely that publicity about issues such as deficient prison and jail conditions and suspect prisoner treatment has the opposite effect of reducing the possibility of positive change in the law enforcement system. That is because it is broadly viewed as whining by criminals who deserve punishment, and their apologists. That doesn't sit well with the large majority of people who share the prevalent societal attitude — “don't do the crime, if you can't do the time”.

The widespread and long-standing support for that adage is vividly exemplified by the fact that not only has the law enforcement juggernaut not been slowed in the least by all the activism within and without prisons during the past several decades, but criticisms of law enforcement and imprisonment policies going back more than 200 years have amounted to being ineffectual exercises in mental mastur-

bation, and dissipated physical effort and financial resources. Lack of success in meaningfully reforming law enforcement policies to be more humane was as predictable two centuries ago as it is today, because expending energy on the effects of any process while ignoring its causes will not result in it being fundamentally changed.

Three intertwining psychological factors are keys to understanding how and why the law enforcement system functions as inhumanely as it does: it provides a legally protected environment for unleashing the expression of *authoritarian attitudes*, and it relies on the tendency of human beings *to be obedient* and to *conform their behavior to social situations*.

Thinking in terms of the psychological causes of suspect law enforcement policies and activities instead of their physical results, requires a major mental shift to stop viewing the millions of people adversely affected by them as the equivalent of pool balls being ricocheted around a pool table, while ignoring it is caused by psychological factors underlying how the cue stick knocking them about is deliberately wielded.

That same psychological approach is applicable to every aspect of the law enforcement process. From the passage of criminal laws, to investigative and prosecution practices, to the manner of conducting court proceedings, to sentencing options, to police force management, to prison construction and operating procedures, to post-prison release policies, to the treatment of a person after completion of his or her sentence. For example, the immense amount of money flowing through the law enforcement system into businesses providing goods, services and facilities is dependent on the psychological factors outlined in the following reviews and articles. There are millions of people and thousands of organizations involved for varying financial and professional reasons in the law enforcement system. However, they no more cause the overwhelmingly support it enjoys among the general public than does Bill Gates' desire to have billions of dollars and to be thought of as a computer guru cause many millions of people to buy Microsoft products.

The concluding article about the dehumanizing treatment of German prisoners after WWII by U.S. and French military guards and staff members illustrates that bestial conduct of prison guards, staff members, and administration personnel toward prisoners is not unusual whether they are in military or civilian custody. Consequently, the mistreatment of Abu Ghraib prisoners, the suicides and attempted suicides and hunger strikes at Guantanamo Bay, and the drowning and machine gunning of prisoners in Afghanistan in custody as a consequence of the U.S. government's response to the events of September 11, 2001, is not unexpected aberrant behavior by the people exercising authority and acting under the color of law in those situations.

Taken as a whole, the following compilation of articles and reviews paint the picture that there is a need to explore radical new ways of how law enforcement — of which imprisonment is only one part — can be fundamentally altered to be more humane. They also provide some guidance for directions to take in seeking solutions to the current situation that can be described as: Dehumanization in the law enforcement realm is not an option. It is instead the predictable effect of the intersection between human nature, personal and societal attitudes, political policies, the law enforcement system's structure, and bureaucratic responses.

The law enforcement process taps into the basest of human emotions and stimulates vile actions, while submerging the noble and sublime aspects of the human spirit. It will take a new paradigm of thought to change that situation. This book is presented in the spirit of being a spark in that process by identifying some of the underpinnings of the dehumanizing law enforcement culture of this and other countries, so realistic and humane alternatives to it can be developed and effectively implemented.

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