

the drug war were part of a national penance required to make amends for the excesses of the high-flying 1960's and the Sybaritic 1970's. In some cases—especially in the Meese Justice Department—there may also have been a hidden agenda of using the drug war to enhance police and prosecutable powers limited by the Warren Supreme Court. However, the activists were also able to tap into well-established currents of temperance and morality enthusiasm in American society, the sort of movement that has found prominent expression in groups like M.A.D.D.

But conservatives represented only one arm of the “nutcracker.” As America is the land of Puritanism and Prohibition, it is also the nation where therapeutic and psychiatric ideas and solutions have taken firmest hold, and the attack on drugs and “substance abuse” must be seen in the context of the whole industry of addiction, treatment, and 12-point recovery programs. During the decade, this became a booming sector of the economy, with ever more positions for medical and nursing personnel, counselors, and of course administrators, all funded from the cornucopia of insurance payments. The more apparent problems, the more need for specialist physicians and counselors to treat the proliferating wave of syndromes and disorders—from alcoholics and drug abusers to survivors of child abuse and ritual abuse, multiple personality and obsessive-compulsive disorders, co-dependents and adult children of alcoholics. This all formed part of what an excellent recent book has entitled the “Dis-easing of America.”

Naturally, members of the rehabilitation industry had a vested interest in stating the serious dangers of the problems

they were purporting to handle, and they disseminated their views through the mass media as well as the specialist press. Inevitably, building up the problem implied the vast scale of the measures necessary to combat it, and in the context of the 1980's, that implied support for the “war” analogy. Individual therapists and researchers might be politically liberal, and advocate nonpenal medical solutions to drug abuse, but they provided the questionable statistics and the exaggerated claims used by the drug warriors to pass ever more stringent legislation.

In other words, the drug war has been so successful and enduring because it is the triumphant outcome of a broad bipartisan coalition, the alliance of disparate factions of whom all have something to gain in material or ideological terms. The war continues because it is invaluable for any group or individual with the *nous* to claim (however implausibly) that their particular cause or obsession is somehow connected to the drug platform. It continues because it offers careers and official positions, votes and research funding.

With so many vested interests, the drug war has become an addiction that seems impossible to break, despite all the evidence of the harm that is being wrought on countless individuals, and on society as a whole. As with any addiction, reform can only come when the victim recognizes that the condition is beyond his or her control, and decides to seek help. At that point, just possibly, we can begin the process that leads back, however slowly and painfully, to confronting the problems of the real world. If ever we needed a twelve-stage recovery program. . . ◊

Semblance

by Paul Ramsey

The photograph, faded slightly,
Of her hungry, timid face
Calls forth his tenderness, his
Rage having somewhat subsided.
She looks shyly from the photograph
As though expecting damage
From any who would seek out frailty
To protect, trying to protect
Their own frailty and their fierceness
Of remorse.

Turning Bad Into Good

by Graeme Newman



Anna Mycek-Wodecki

In 1983 I noted in *Just and Painful: A Case for the Corporal Punishment of Criminals* that there were approximately 315,000 individuals incarcerated in federal and state prisons, plus some 158,000 persons in jails of various kinds. The annual cost of this incarceration was estimated then to be \$20,000 per inmate, amounting to an annual expenditure of some \$10 billion.

The solution I advocated at that time was to replace much of the punishment of prison with corporal punishment of a specific type: one that applied acute pain (that is, intense sharp pain of very brief duration). I contrasted this type of punishment with those punishments that applied chronic pains, such as prison. Chronic punishments, I demonstrated, always bring with them uncontrollable side effects, especially “punishment overflow.” Prison causes suffering of the individual that cannot be controlled in its severity since the pain endured often lasts well beyond the specified duration of the sentence. The suffering also spills over to the offender’s family members who are deprived of the offender’s earning power and presence in the family. This, I argued, is an immoral and unjust side effect of chronic punishments such as prison. It amounts to the punishing of innocent persons.

In order to implement a program of corporal punishment, I argued that the criminal justice system should be split in two: one system to deal with nonviolent offenders, and the other to deal with persistent and very violent offenders. The first group would be targeted for corporal punishment, the latter for prison. If this had been implemented, the prison population could have been reduced by at least 70 percent, since roughly less than one-third of inmates in prison at that time were violent offenders. This proportion varies from state to state and institution to institution, but this probably is still true today.

To drive home the radical novelty of this scheme, the type

of corporal punishment I advocated was acute electric shock. There were important technical reasons for selecting this punishment: it is less observably violent (and less spectacular than, say, whipping), and it is in line with current technology, meaning it can be calibrated and controlled very easily. The amount of pain delivered to the offender can now be controlled to a degree never before possible. The chances of punishing to excess are therefore minimized (though all punishments do have unwanted side effects, some more than others).

Penologists reacted to this scheme with outrage, and the media did their best to make me look like some kind of weird creep, but the logic of the argument was never assailed. Liberal critics in particular were invariably forced to fall back on a defense of prison as a cure-all, a position in which they felt very uncomfortable, or they were forced to advocate more probation or community service, none of which look to the public like punishments at all. The conservatives were silent, except for Pat Buchanan, who complained that the punishments I advocated were not severe enough, amounting to a mere slap on the wrist. Of all the criticisms, Buchanan’s was probably the only one that carried any weight. Let’s face it: who wouldn’t trade a year (or more given the long terms received by today’s drug offenders) of prison for some minutes of intense physical pain? The liberal critics were so busy calling the plan sadistic and barbaric, that they overlooked just how humane the plan was.

Many of my colleagues asked me whether “I was serious” about what I had written. A number defended me (and I thank them) by suggesting that they thought I didn’t really mean it, or that the book had been written “tongue in cheek.” It seemed as if I had written something that was beyond belief. The ideas were unthinkable in the late 20th century; a kind of blasphemy.

The most common reason given for the outright rejection of corporal punishment of criminals is that it is out of step with modern sensibilities, that “we no longer do that sort of

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