

From Humiliation to Empowerment:

The Arts in Retributive and Restorative Justice

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SYNOPSIS:

How do prisons function to-day if our goal is to foster more peaceful societies?

How can music and the arts give convicts a voice and help in person reconstruction and social rehabilitation in a prison environment?

And in a broader context: What creative initiatives are needed to break the vicious circle of violence and crime in society?

What role can music play in creating empathy and conditions for non-violent and peaceful solutions of conflict both on the personal, social and political arena?

How can the arts prepare the transition from a retributive to a restorative prison system?

In the search for answers to these questions I went on a journey to corrective institutions in several countries.

Fifty years ago a new voice was heard when Johnny Cash recorded his first song in a Memphis studio, stepping into the footsteps of looming figures on the blues arena like Huddie Leadbilly, It will not be an exaggeration to see all his creative input as a social statement, and a social critique, mirroring the harsh realities of life within a prison system still largely built on retributive justice. Cash saw his prison concerts (there were to be 30 of them) as a chance to connect with convicts. Cash:” I mean, I just don’t think prisons do any good. They put’em there and just make ‘em worse, if they were bad in the first place, and then when they let’em out they’re just better at whatever put’em there in the first place. Nothing good ever came out of a prison. That’s all I am going to say” (Streissguth:2004: 42) His prison experiences made him an ardent advocate of prison reform.

And still Colombia records, in an attempt to perpetuate the wide spread public picture of inmates as unrepentant die-hards, forged the CD production at Folsom Prison. After Johnny sings the line “I shot a man in Reno just to watch him die” in *Folsom Prison Blues*, the prisoners are heard cheering loudly. The jubilation is in fact added during the post production, as Michael Streissguth confirms. “The prisoners in fact stood in complete silence and the applause broke out only after Johnny had finished the song.”

Prisoners’ songs of many countries are perhaps our main source of understanding humiliation as an integral part of the retributive system of justice. In Spain the *Carceleras* (Gypsy prison flamenco songs) may according to Gonzales of the University of Malaga be seen as major elements in the formation of Gypsy identity – an Identity of the Suffering.

In their disjunct poetic language these narratives or micro histories according to Gonzales, mirror the prison experience through a rich spectrum of expressive content. At the base we find the *plaint* directly bearing on the suffering sustained by a marginalized and distressed people, at the same time re-vindicating their claim to dignity and freedom and asking clemency in a tone of unbroken will and self esteem rather than submission. In a wider context however, these songs are found to disclose a *submerged justice system* in conflict with the established ethnocentric system of repressive justice.(Gonzales: 2003)

An equally large collection of prisoners ‘songs is contained in Irish archives, recalling the gruesome remembrances of the large scale deportations to Van Diemen’s land (Tasmania) once the home of over 12 500 convicts living under the most horrendous conditions of severe punishment. To-day the large number of aborigines in Australian prisons calls into question the claims of progress within the judiciary system:

“We still wrestle with the same question about the nature of crime and criminality, about how to achieve both punishment and reform. We still arrive at the same facile, punitive solutions. We still build prisons that warp and torture and break those unlucky enough to be fed into the machine.” Julia Clark, Tasmania

What role, then, can music and arts activities play in the process of transition from a retributive to a restitutive prison system? In the UK *The Unit for Arts and Offenders (UAOP)* is the national umbrella organization for the arts in criminal justice,

Their *Directory of Arts Activities in Prison 2003* lists 76 individual artists and organizations involved in 650 arts projects in UK prisons during 2002. All reported progress in the development of creativity, cultural diversity, self-expression, skills in the art forms and self esteem/self confidence. Among the organizations involved is Irene Taylor Trust, encouraging and establishing the use of music as part of a rehabilitative, educational and therapeutic process within the criminal system. A recent musical project *Julius Caesar* documents some remarkable behavioural outcomes: 94 % of participants did not offend during the time they were involved in the project. There also was a 58 % decrease in the offence rates of participants in the six months following the project, compared to the offence rates in the six months period before the project began.

In Norway a trail-blazing project was initiated in 1991 at the Breitvedt Women's prison in Oslo: *Music in Prison and Freedom*, paving the way for investments in mobilizing music resources in prisoner rehabilitation on a national scale. The main objective was to improve the inmates' chances of mastering everyday life after served time. Music was seen as a vehicle to consciously explore, master and change their emotions, at the same time strengthening social skills of cooperation and responsibility and nurture the development of identity and self confidence, fostering a positive and realistic image of self.

Financed by the Department of Justice, nine prisons around the country are now involved in the project, with 20 more out of a total of 43 prisons on the waiting list. It testifies to a string belief in the mission of music.

Out of the many such programs now evolving is the South African *Prisons Transformation Programme* born from the Centre for Conflict Resolution at the University of Cape Town in 1998, with an initial focus on imprisoned youth in Pollsmore prison. The BBC program *Killers don't Cry* gave impressive evidence of the place of music in transforming a prison confronted with destructive conflicts between gangs of convicted killers and their members.

With this background music was to be a key element in the training workshops offered to top managers, unit managers and unit staff in 2004. Under the heading *Re-dreaming My World. A Musical Journal in Personal Reconstruction* songs of different origins were used to help prison officials gain insight into their personal lives and their relationship to such issues as manhood, war, oppression, individualism, exclusion and insensitivity. All in the interest of reaching the professed final goal of the program: The Transformation of Prisons.

REFERENCES

Streissguth, Michael: *Johnny Cash at Folsom prison*, Cambridge, Mass. 2004.

González, José calvo. *El Cante Por Derecho*, Malaga 2003.