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Philosophical Implications of Taxpayer Funding for Prison Education

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Critical Education Special Series

Radical Departures: Ruminations on the Purposes of Higher Education in Prison

Abstract

This paper addresses the question of whether it is fair to use US taxpayer dollars on prison education programs. Through a philosophical inquiry from a pragmatist lens and a feminine ethic of care, issues of fairness are clarified. Following the philosophical inquiry, a historical analysis provides some background on the issue of prison history and reform movements in America. Finally, I conclude by briefly highlighting the main arguments in favor of funding prison education programs with US tax payer dollars.



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In February of 2014 Governor Andrew Cuomo proposed a prison education program for the state of New York. It would provide college-level courses to incarcerated people throughout the state's prison system (McKinley and McKinley, 2016). Designed to provide opportunity and education for currently incarcerated people, it was not an unprecedented program – in fact, it was designed around a previous state-run prison education program which was decimated by the Omnibus Crime Bill and, as a result of the Congressional action, closed a year later in 1995 (Kasperowicz, 2014). Prison education in New York, as in many states across the country, has been lauded as a method of serving the needs of the community both inside and outside of prison (e.g., educational opportunities for all citizens) and serving larger goals of justice (e.g.: rehabilitation and safety and security inside facilities). Proponents of higher education in prison have also suggested it serves the state-sanctioned goal of reducing recidivism, while opponents have argued it is an unfair use of US taxpayers' funds (Kasperowicz, 2014).¹ In this essay, I address the question, *is it fair to use U.S. tax revenue to fund higher education programs in prison* through the lenses of three philosophical approaches: utilitarianism, pragmatism, and a relational ethic of care. The three perspectives represent three common goals of prison education as well as representing different political aims for prison education: prison education serves to reduce costs and create compliant citizens (utilitarianism), prison education serves the democratic community by fulfilling societal needs of reducing crime and rehabilitating “offenders” (pragmatism), and prison education serves to create and/or foster rehabilitative and caring relationships (ethic of care). By examining the claims made by proponents and opponents of higher education in correctional facilities and connecting their claims to the philosophical perspectives, I provide a case study showing three divergent philosophical paths. For each philosophical method, I conclude with what their particular argument about the fairness of using tax revenue to fund prison education programs.

Terminology

So that there is no confusion in the terminology used, I offer definitions for several key ideas. *Fairness* in this context refers to the balancing of two seemingly opposed factors: the first factor is the improvement and/or rehabilitation² of the person in prison and their ability to reintegrate into the community – typically measured through recidivism rates, an imperfect and controversial methodology (e.g., see Hediemann et al., 2016). Fairness for the society and taxpayers is often evaluated through cost-savings over time and reduced crime rates; in other words, the second factor is that correctional facilities ought to reduce crime for the most affordable price via incarceration. Thus, fairness refers both to the treatment of those within the criminal justice system as well as the society at large. From the perspective of people in prison, the focus of fairness may refer to the health and development of the person while under correctional supervision. On the other hand, from non-incarcerated society and the taxpayers, the focus of fairness may refer to the larger goals of societal safety through crime reduction and cost-savings over time (an implicit and theoretical contribution of legal confinement). *Prison Education Programs* in this context refers to any higher educational program that is organized around improving the cognitive abilities and/or skills

¹ In the past, funding prison education programs through Pell Grants and other state or federal funds created far more programs, and as a result, program participants, than are available today through private sector means.

² Rehabilitation is a difficult idea to measure. It is obviously a deficit-based position to believe one can rehabilitate another or that brokenness is a requirement of incarceration. However, rehabilitation becomes almost meaningless when the idea is equated with recidivism. Simply because people do not return to prison does not demonstrate that they have reformed or been rehabilitated.

of the currently incarcerated person. Some, but not all, higher education in prison programs confer a degree or certificate of completion. Prison Education Programs may include college programs that confer degrees or vocational training programs that grant certificates for course completion (e.g., electrical, plumbing, or carpentry). On the other hand, because in many states GED courses are required and even when they are not required do not evoke much controversy, GED programs will not be considered an example of a prison education program for the purposes of this essay. *Efficacy* is a term often used to describe the value of a higher education program in prison. Efficacy in this context refers to one contemporary/common measure: the cost-effectiveness of the program.

Historical Framing

In the 1990s, opponents of higher education in prison began to roll back existing policies. Since the passage of the 1994 Violent Crime Control and Law Enforcement Act rescinded Pell Grant eligibility for incarcerated people, colleges and universities and students have been denied Pell funding for college courses taught in prisons. After one year, 19.6% of prison education programs were shut down (Ubah, 2004). Few colleges retained their education programs in prison; however, many more programs could not remain open without the access to government funding. One of the earliest studies to provide a comprehensive analysis of the efficacy of prison education came from a review of studies by Douglas Lipton, Robert Martinson, and Judith Wilks (1975). The study came at a time when many in the U.S. were looking for ways to improve institutions. For example, Heather Ann Thompson (2016) points out that “over 150 prison reform bills were introduced in the legislature during the 1972 legislative session” (p.559). The Lipton et al. (1975) analysis concluded that prison education programs showed mixed results. There were programs that showed that people were less likely to return to prison, but there were also programs that showed no effect, and still others showed increased recidivism rates. Researcher Robert Martinson also used the Lipton et al. (1975) study to write his own assessment of the efficacy of prison education programs. His piece – “What Works?” – analyzed several studies and came to the conclusion that rehabilitative programs do not work. Not only did he conclude that the studies supporting the pessimistic view that educating prisoners did not work, Martinson also criticized studies that supported education for people incarcerated by writing “with few and isolated exceptions, the rehabilitative efforts that have been reported so far have had no appreciable effects on recidivism” (Martinson, 1974, p. 35). Many in the criminology field derided Martinson’s findings. His article was renamed the “Nothing Works” article by his critics. They pointed out that many of the programs that “did not work” per Martinson were the programs that were starved of funds (Sarre, 1999). Unfortunately for his critics and appallingly for incarcerated people, politicians took his study as the solid evidence they needed to begin removing rehabilitative programs and ramping up punishments and retributive systems. Despite the fact that the Lipton et al., (1975) study lacked any randomized assignment of participants and that the majority of studies analyzed were quasi-experimental at best, the impact was significant (Davis et al., 2013). The answer to Martinson’s question of what works was interpreted by politicians to be draconian systems of punishment and control. Both opponents and proponents used the ill-designed research, specifically the metric of “recidivism”, to bolster their claims, but with the Violent Crime Control and Law Enforcement Act, higher education in prison was on the decline throughout the second half of the 1990s (Ubah, 2004).

It is worth noting that the studies Martinson reviewed all focused on recidivism as the gold standard of measurement. In other words, the definition of fairness used within this text (that is fairness both to society *and to people in prison*) is hardly even approached. There is

simply an assumption that if a person is released from prison and they do not return to prison, then they must have been “rehabilitated.” Thus, it should be noted that reducing recidivism rates may not in fact amount to fairness to society and to people enrolled in the higher education in prison program.

Higher Education in Prison in New York

As Governor Cuomo’s 2014 proposal indicates, prison education remains an important issue for states and taxpayers. Proponents of prison education programs like Governor Cuomo’s, point out that in the past twenty years studies have shown that being enrolled in a single course can significantly reduce a person’s chance of returning to prison. The RAND corporation engaged in a meta-analysis to examine the effects of prison education on reducing rearrest and return to prison (i.e., recidivism) in 2013. They found that individuals who participated in correctional education programs were 43% less likely to re-offend (Davis et al., 2013). Proponents also claim that using prison education may cost money at the beginning, but the amount of money saved by reducing prison populations will lead to states saving money in the long run (NASBO Report, 2009). In a quantitative study of crime and government expenditures, a team of UCLA researchers found that spending one million dollars on prison education prevents 600 crimes, while the same amount of money spent locking up people prevents 350 crimes (Bazos & Hausman, 2004).

Some opponents of prison education programs disagree with studies that show a reduction in recidivism, pointing out that earlier studies – in particular the Martinson (1974) study “What Works?” – are far more pessimistic about the benefits of prison education (e.g., Vito and Allen, 1981). When the Martinson (1974) report was first published, it took the world of criminology and prison education by surprise.³ Both politicians and everyday citizens were suddenly involved in the conversation of higher education in prison. On August 24th of 1975, Martinson even went on *60 Minutes* to discuss the sobering fact that, according to his research of over one thousand currently incarcerated people, prison education did not show consistent results. Thus, opponents stated, if higher education in prison does not lower recidivism, Americans should not have to pay for the education programs (Miller, 1989). Martinson did later publish a 1979 article in the *Hofstra Law Review* that laid out a far more nuanced claim about what works and what did not work in prison education programs; however, some people still maintain the belief that the best method of dealing with crime is to lock up the “criminal.” The notion that “nothing works” to rehabilitate a person in prison remains, despite the fact that Martinson’s study has been resoundly denounced.

Rather than focusing on the efficacy of helping people in prison reform, people may focus on the perceived unfairness that results. Reps. Tom Reed and Chris Gibson from New York represented such a position well when they stated that in February, 2014, “New York students leave school with an average of about \$26,000 in debt... [and] families should be allowed to focus on this debt rather than pay for an inmate’s education” (Kasperowicz, 2014). When a student ends up thousands of dollars in debt to receive a degree while a person convicted of a crime could leave prison with a degree and no debt, some Americans may feel that they are paying for others to get a free ride. However, this ignores one of the most pressing reasons why Pell Grants are granted in the first place: need. People who get locked

³ The report was duly criticized by others in the research community and Martinson joined the research team that produced the report after they had already begun work. Despite the report’s methodological problems and misguided conclusions, it would be used by politicians on the Left and Right to drastically reduce rehabilitative programs in prisons and have a devastating effect on the ability to secure political buy-in for higher education in prison.

up and stuck in prison are usually amongst America's poor who lack access to some of the most basic needs (see: Rabuy & Kopf, 2015).

With the largest and most expensive prison system in the world (Alexander, 2010), the United States must begin to deal with competing claims about how to improve our criminal justice system. Should tax money go toward funding a system of education and rehabilitation or is it an unfair financial burden for non-incarcerated tax payers?

Prison Costs to Taxpayers

Through the 19th and 20th centuries United States prisons have had cycles of overcrowding from various external forces like immigration or social unrest; however, in the 1970s America saw a sharp upward trend in incarceration on an unprecedented scale. Criminologists and social researchers highlight multiple causes for the mass incarceration in the contemporary era of U.S. prisons. Primary among the reasons cited have been tough-on-crime policies, the War on Drugs, mandatory minimums, and truth-in-sentencing laws (Alexander, 2010). In this era of mass incarceration, much like the previous eras of prison history, states must balance their dedication to imprisonment as punishment and imprisonment as rehabilitation. State costs for prisons have skyrocketed through this contemporary era of mass incarceration. The Pew Center for States released a report that showed state expenditures rising from \$6.5 billion in 1985 to \$51.9 billion in 2013. To defray costs, states have turned to privatizing prisons and cutting expenses to run correctional facilities more efficiently. Thus the current era of mass incarceration in the United States is one in which prisons are a growing business both in the public and the private sector. States have returned to an older method of keeping costs low as well. Much like the convict-lease program following the Civil War, people in prison are seen as sources of cheap labor for business to use in order to compete with foreign nations that use cheap labor (see Pigeon & Wray, 2000). Prison growth is also fueled by the money to be made by incarcerating people. From enormous profits for phone companies who charge a premium to speak to family members to prison clothing and prison meals, prison mega-corporations have formed to save states money on imprisonment and make a profit on the system of incarceration (Schlosser, 1998).

One method to lower costs and keep criminal justice affordable for states that the private sector seems to ignore, however, is education. Costs for imprisonment to taxpayers have actually been going up. A 2012 Vera Institute of Justice study shows that over the last four decades there had been a 700% increase in the number of people behind bars. The cost to the American taxpayer was an additional \$39 billion (Kincade, 2017).

The cost of prisons to taxpayers then is growing. Because they performed an aggregate study of 45 participating states, I use the Vera Institute of Justice (VIJ) 2015 figures. So, what is the cost to taxpayers for incarceration? The VIJ (2015) study found that "the total cost per inmate averaged \$33,274 [annually]" (*Price of Prisons* report, 2015). The "total state expenditure on prisons was just under \$43 billion [annual total]" (*Price of Prisons* report, 2015). And what did all of that spending amount to as far as crime reduction? According to the Bureau of Justice Statistics (BJS) *Crime Victimization Report* (2015), from 2014 to 2015 there was no statistically significant change in the rate of violent crime though there was a 0.39% decline in property crime (e.g, burglary, theft, motor vehicle theft). As the Director of the Federal Bureau of Prisons stated, "Society should recognize that the cost of college is really very insignificant when you compare the cost of the damage done by crime" (Hrabowski & Robbi, 2002).

Case Study: Philosophy

New insight could be gained by stepping back and approaching the problem of correctional education funding from philosophical perspectives. To accomplish this, the issue of funding prison education through tax dollars is analyzed from multiple philosophical perspectives. By analyzing the perspective of a utilitarian, a Deweyan pragmatist, and an ethicist of care, the issue of funding prison education programs will be placed in a broader set of contexts for examination (Mill, 1861; Dewey, 1930; Noddings, 2016). Through a utilitarian perspective, focus can easily be on the societal concern for garnering the most reward for tax dollars. The pragmatist perspective will also approach the issue by analyzing the benefits of the current system in comparison to other proposed methods. Diverging from the efficacious-minded methods, Nel Noddings's (2016) ethic of care will illuminate the relationships involved in the proposal while seeking to ensure caring relationships are developed through the process.

Utilitarian Perspective

The strength of a utilitarian perspective rests on the bedrock of the principle of utility: act for the greatest good for the greatest number. This is usually interpreted to mean act in a way that creates the greatest happiness with the least amount of pain for as many people as possible. This seemingly simplistic principle guides all utilitarian thought. However, it is not quite so easy to determine what the greatest good is, let alone how to make that goodness reach the greatest number. Utilitarians believe that "life is given a value above all other goods. After all, there can be no happiness without life" (Noddings, 2016, 155). This also implies that some acts could require an individual to make a sacrifice that causes temporary pains in order to uphold the dignity of another's life. For example, with the recent hurricanes in the Atlantic, some people have made the sacrifice to donate in order to support the dignity of those effected.

While Jeremy Bentham (1948) developed a utilitarian calculus to determine the ethical "ought" for a situation, John Stuart Mill (1861) qualified Bentham's calculus by insisting "that there were different *qualities* of pleasure and pain as well as differences in *quantity*" (Higgins & Solomon, 2010, p.264). Consequently, for a utilitarian like Mill, determining the fairness of funding higher education in prison with tax dollars is about examining whether the education program improves the quality of people's lives to a greater degree than it deprives taxpayers of a quantity of their wealth. In other words, does paying for prison with tax revenue hurt taxpayers to a greater degree than it helps students? For those who assume that education is a private good, it may seem odd to ignore the fact that the people being most helped by this system are people in prison and those being harmed are, presumably, "non-criminal citizens" (Laboree, 1997); however, utilitarianism does not often distinguish who *deserves* the most happiness. For this reason, a person in prison is equally deserving of happiness as any other citizen. Therefore, if a prison education program can show that it improves the living conditions of people in prison, it contributes to a process of rehabilitation, and it saves the taxpayers money by cutting costs over the long-term, utilitarians would likely accept the idea of using taxpayer money to fund prison education programs. On the other hand, if the program did not show improvement in the lives of people in prison, did not show improved circumstances postrelease, and it did not save taxpayers money over time, then utilitarians would likely refuse taxpayer-funded prison education programs. Lastly, if people's lives are improved by prison education programs yet it costs taxpayers more money over time, utilitarians would likely not provide a clear-cut answer because one would have to determine if the pain suffered by taxpayers is greater than the

happiness afforded to the people in prison; even with a calculus model for determining ethical action and the concreteness of the utility principle, utilitarianism can still fail to plainly prescribe right action.

Pragmatist Perspective

Deweyan pragmatist ethics overlaps with utilitarian ethics insofar as they are both consequentialist models but Deweyan ethics strays from utilitarianism in several ways. Pragmatist ethical thinking does not posit one greatest good like happiness. After all, pragmatists point out, a single definition for happiness “may induce insensitivity to the views that others hold on happiness” (Noddings, 2016, p. 156). Due to the dynamic nature of human life and sociocultural norms, Deweyan ethics also does not assume there are stable values for human happiness or pain (Dewey, 1930). Changing contexts and events shift the desires and interests of people. Finally, and perhaps most importantly for issues related to institutions of prison and schooling, “Dewey put much more emphasis on the *responsibility* of individuals and institutions than is usual in utilitarianism” (Noddings, 2016, p. 157). Dewey achieved this goal by tying the full range of anticipated outcomes to the moral actor. If an action is taken, is the person willing to accept the responsibility for each outcome? Like utilitarians, Dewey also used a “public test” of the outcomes by asking if the results of an action are acceptable or better than identifiable alternatives. Noddings (2016) points out that, “One must think through the problem not only from the perspective of others but...with their actual expressions of interest included in the problem solving” (p. 157). People cannot simply accept responsibility for a terrible outcome; they must consider how the event impacts other people and examine ways of handling the issue differently that could lead to better outcomes for those involved. Pragmatists are not given an equation to calculate right action; instead, they consider those involved, take responsibility for the action chosen, and evaluate ways of improving the action in the future.

When applied to the issue of using U.S. tax monies to fund prison education programs, Deweyan ethics seems to provide a more specific claim than utilitarianism. This is because, for pragmatist ethicists, prisons are already exhibiting testable outcomes. One can empirically discern the rate of recidivism as well as the criminal justice system’s tax burden on citizens. Thus, one must ask if our culture is willing to accept the responsibility of possessing the largest carceral state in human history. Even if the answer is an emphatic yes, pragmatist ethics pushes further and inquires whether there were ways to improve the current system. If the goal of prisons is simply to separate people with criminal records from society, then perhaps the criminal justice system is operating well. If, on the other hand, prisons are about separating those with criminal records *and* rehabilitating people in prisons, then the prison system also ought to produce citizens ready for work, ready for living on their own, and ready for reconnecting with families and friends. For Dewey, it is not a simple question of serving some large group of people over another group of people; it is about finding a solution that serves those involved in the problem. In this case, a solution that serves those involved would mean serving both people in our correctional facilities as well as serving the traditionally parsimonious American taxpayer. Under a Deweyan model of ethics, people ought to support tax-funded prison education if it meets the goals of producing employable, healthy citizens capable of building healthy relations with family and friends. Deweyans might even support prison education despite the cost to taxpayers if they see the prison system as failing to serve its essential societal functions: punishment under due process of the law, lowering crime in the community, and rehabilitating people so that they may live and participate in the benefit and responsibilities of society as they desire.

Ethics of Care Model

Developed by Nel Noddings (2016), the feminist ethic of care offers an important perspective that previous models of ethical thinking tend to discount: caring interactions. Rather than seeking an abstract, unchanging principle like duty or the utility principle, an ethicist of care turns to a caring relationship for guidance. As Noddings (2016) points out, “Kant’s moral agent can decide moral questions in solitude. Carers must rub elbows with the recipients of their care” (p. 227). Because Kantians, Utilitarians, and other moral models produce ethics and derive other values of action from a core principle, they place principles at the center of moral thinking. Noddings (2016), however, observes that “the ethic of care gives only a minor place to principles and insists instead that ethical discussions must be made in caring interactions with those affected by the discussion” (Noddings, 2016, p. 226). Within the ethic of care, a person makes ethical decisions through the dialectical relationship of a carer (e.g., a teacher) and a cared-for (e.g., a student). Through this framework, carers must exhibit *motivational displacement* (i.e., placing the needs of the person cared-for before their own) and *engrossment* (i.e., putting forth the effort to know the person cared-for in a meaningful way). The one cared-for has the responsibility to recognize the efforts of the carer. These two groups—carer and cared-for—are fluid groupings; through the lifetime of a relationship people may at times be the carer and, at other times, the cared-for. Through this process, the ethic of care develops a relational ethics based on the needs of those engaged in the relationship.

Using the ethic of care adds the powerful element of relational ethics, but it poses the problem of determining who represents the carers and the cared-for in a prison dynamic. In a sense, people in prisons are both the carers and the cared-for. The prison system, those employed by it, and the democratic society as a whole have the duty to care for the needs of those under their charge. Though people in prison also represent carers, however. This is because part of the “debt they owe society” is to recognize the harm they have caused to themselves, other people, and/or their community. Implicit in the correctional process is recognizing one’s wrongdoing. Often part of the process of the end of a sentence, a person must show remorse for their crime; that is, they must *care for* the societal harm and/or the specific individuals harmed by the crime. On the other hand, as most relationships have shown, being part of a relationship is a reciprocal process. Thus, just as the person with a criminal record must show care for the societal harm, it is justifiable to expect the society to understand its role in criminalizing the person with a criminal record. In such a case, one might explore the structural and cultural ways that society contributed to a person’s criminalization; for example one might ask what role race plays in the targeting, criminalization, and incarceration of those charged with drug offenses. Because in a relationship there are reciprocal duties, one must look at the nature of the individual charged with a crime but also an ethicist of care may also look at the society charging the individual with a crime. Questions of fairness and duty run both ways for an ethicist of care.

From the perspective of an ethicist of care, if people are released from prison into an uncaring network of relationships (e.g. lack of housing, lack of employment, lack of a net of caring relationships), it may indicate that the relationships created by correctional facilities and society are not caring. Since developing caring relations is central to an ethicist of care, it is likely that they would advocate for more caring systems to be part of the criminal justice system and for more caring systems be available upon release. After all, it is a *correctional* facility because it is supposed to both provide retribution for the crime committed as well as rehabilitate the individual so that one may re-enter society and participate in the fruits of social engagement. On the other hand, if people are released from prison and a caring social

network is available to them and employment opportunities are available and the individual, while in prison, has been given the resources necessary to engage these opportunities, an ethicist of care may conclude that correctional facilities are typically fulfilling their duty to protect society while rehabilitating people in prison.

Through most of the aforementioned philosophical perspectives, funding higher education in prison programs through taxpayer dollars would depend on the current conditions of correctional facilities as well as the perceived cost to taxpayers. However, one additional insight seems implied through the ethic of care. Unlike the utilitarian view and the pragmatist perspective, an ethic of care does not seek a balancing of costs and benefits. Rather, Noddings's philosophy calls for action "to establish, maintain, or enhance caring relations" (Noddings, 2016, p. 226). Consequently, one might ask: Would funding prison education programs through taxpayer dollars enhance caring relations within the criminal justice system? Whereas the utilitarian and pragmatist perspectives ignore such implications, the ethicist of care's determination of prison education funding may hinge on whether such action enhances caring relations.

All three philosophical approaches indicate necessary elements of evaluating the fairness of using taxpayer dollars to fund prison education programs. By assessing the costs to the taxpayer and examining the effects prison education programs have on rehabilitation and on crime prevention, it could be determined whether it is fair to use taxpayer dollars in the service of educating students in prison. Therefore, to address the question at hand, we must figure out what the effects of higher education in prison programs are on the development of the learner and the rehabilitation of the person in prison as well as how much they cost compared to other methods. In the following section, I present the research regarding the efficacy of prison education programs and their costs in comparison to approaches that disregard higher education in prison.

Testing the Philosophical Perspectives

To return to the original inquiry: ***is it fair to use U.S. tax revenue to fund higher education in prison programs?*** The answer initially seemed complicated. But after an accounting of relevant theories and a recognition of the cost of imprisonment as well as the reduction in crime, we can begin to address the question of whether it is fair to use U.S. tax revenue to fund higher education programs in prison.

From the utilitarian perspective, we saw that the focus is on the greatest good for the greatest number. Therefore, a focus on the amount of money spent by taxpayers and the benefits reaped by students in a prison education program would likely be a utilitarian's focus. First, spending money on prison education programs is a far better investment than in simply incapacitating a person for a set period without access to rehabilitative advantages. As the previously referenced quote from the Director of the Federal Bureau of Prisons shows, it is simply more fiscally-rewarding to people in prison and to taxpayers to fund higher education in prison programs. With growing incarceration numbers and a high rate of recidivism, prisons could become more and more expensive. However, scholars, prison researchers, and criminologists have shown that spending money on education programs would actually save the taxpayers money (Messemer, 2003; Hrabowski & Robbi, 2002; Pigeon & Wray, 2000; Bhuller et al, 2016). According to the Center on Crime, Community and Culture (1997), the cost of incarcerating 100 individuals over four years is approximately \$10 million, and for an additional \$1 million, those same individuals could be given a full, four-year college education while incarcerated (Center on Crime, Community and Culture, 1997). Those individuals' recidivism rate would reduce from 40%-60% to about 15%. In

other words, with education, about 85 of those people would not return to prison. The 85 people that do not return to prison save the taxpayers money. It is costlier to house a person, increase their likelihood of returning to prisons, and then release them. Without government funded programs for the development of people held in prisons, people in prison face dwindling opportunities in the social and economic landscapes. If indeed fairness to taxpayers is about the efficacy and efficiency of the dollars spent for utilitarians, then prison education programs seem a more fair investment than mere incarceration. For example, Bazos & Hausman (2004) found that “one million dollars spent on correctional education prevents about 600 crimes, while that same money invested in incarceration prevents 350 crimes. Correctional education is almost twice as cost-effective as a crime control policy” (p.2). With the increased savings over-time from reducing prison populations through prison education programs (Center on Crime, Community and Culture, 1997), the reduction of crime that Bazos & Hausman (2004) found through better allocation of resources, and the limited investment needed to produce better results, utilitarians ought to conclude that prison education programs are an investment that passes the principle of utility.

However, a Deweyan pragmatist would remind us to situate the goal of using correctional institutions in the first place. After all, Dewey (1930) stressed the importance of finding a solution that serves those involved and when societal institutions are involved, the democratic populace ought to have their say. Correctional facilities, as the name implies, were organized around the idea of reforming a person in prison through corrective procedures. Thus, a Deweyan pragmatist would likely agree with the utilitarians that prison education programs are a fair use of taxpayers money because it assists in fulfilling the intent of incarceration: protecting society from potentially dangerous individuals while providing opportunity through education for re-forming and improvement for those individuals. In a sense, through the lens of Deweyan pragmatism, the institution itself comes into view and one asks if it fulfills its purpose (rather than if it is contributing to the greater good). For a Deweyan pragmatist, correctional facilities are not fulfilling their purpose of rehabilitating individuals and improving the lived experiences of Americans. As the 2015 BJS report on crimes and victimization noted, there was little to no statistically significant reduction in violent crime or property crime. The institutions of incarceration are failing to serve the needs of those in their care, and in so doing have failed to fulfill their public role. To a Deweyan pragmatist, prisons are not simply places of punishment. The punishment *is* being segregated from the society; therefore, instead of simple holding places to attempt to reduce crime, correctional institutions are more like recovery centers in which people develop and prepare for re-entry. So a Deweyan pragmatist would support prison education programs, and perhaps, highlight them as a recommitment to the societal goal of justice for all.

Lastly, an ethicist of care in some ways may echo sentiments from the previous two perspectives. That is, an ethicist of care would agree that prison education programs are a fair use of taxpayer dollars. However, their conclusion would involve thinking possibly lost on the aforementioned perspectives. Because the focus is on an ethical relationship, Noddings (2016) would include arguments about the troubled nature of the relationship. For example, because there is a long and nefarious racial aspect to prisons in U.S. history (see Blackmon, 2008; Alexander, 2010), not funding prison education programs furthers both a racial divide and a tacit cultural assumption of black criminality. It expands the racial divide by providing two distinct tracks in human experience in the criminal justice system. One for whom the justice system has typically organized their work around since the end of slavery: the black/criminal character narrative. The other experience within the criminal justice system will be for those swept up with the wide net used by criminal enforcement: the citizen-

bystander. The system, and the people involved, has produced an unequal and unfair relationship.

An ethic of care also stresses motivational displacement (Noddings, 2016), which appears lost in our current correctional formula. Rather than thinking about the needs of the person in prison, often scholars and researchers focus on the needs of the taxpayers, the correctional officers, or the safety of society. Noddings (2016) might urge us to re-center the person in prison as one deserving of our care and support. By focusing on recidivism as the measurement of “fairness” to inmates, society has substituted its motivations of affordability, safety, and efficiency. Such motivations focus on what is best for those in society *outside* of correctional facilities. It neglects the other half of the relationship – the cared-for – the person in prison.

Conclusion

It may seem far-fetched for some individuals in the U.S. to imagine a relationship of care for people in prison. However, thanks to the work of people across the nation, we have examples of people who enter into caring relationships with people in prison. For example, in New York the Bard Prison Initiative (BPI) has produced amazing results since it opened its doors to learners in prison. Like other higher education in prison programs throughout the country, instead of situating the goal of prison education programs in terms of the needs of the prison and focusing on recidivism rates, BPI situates people in their program as students and they focus on building caring relations with students as learners. Daniel Karpowitz (2016), the Director of Policy and Academics at BPI, writes

Every ‘student’ [in the program]...is also an ‘inmate,’ ‘offender,’ or ‘prisoner,’ in their own eyes or in the eyes of those surrounding them...The college’s role...is paradoxical: to open a space where these contested identities can be recognized as well as transcended, critiqued, and escaped and transformed – but *without* becoming terms that define and limit the educational project (p.10).

The program is focused on the cared-for, the student. The focus is not on making the cared-for a useful member of society by some standard of utility; BPI, and educators like Karpowitz rightly stress the relational nature of college in prisons. Another example of a program founded on building meaningful relationships through education is the Prisoner Reentry Institute at John Jay College which focuses on developing research about improving success for reentry for individuals who have come into contact with the criminal justice system, including creating bridges from prison to campus. Hudson Link for Higher Education in Prison is an inspiring example as well. The organization was started by people incarcerated in Sing Sing Prison, supported by documents sent to them by the women of the Bedford Hills College Program, seeking education after the Pell Grant ban. In 19 years, Hudson Link for Higher Education in Prison has conferred over 530 degrees and partners with multiple colleges and universities across New York State (HudsonLink.org, n.d.).

Sites of social relations and contested identities enable opportunities for reflection, action, and change. Education and learning, at its core is about change. However, too often, through the lenses of recidivism and criminal justice, people can become convinced that the reason for education in prison is to change the person in prison. But by discarding the lens of recidivism and deficit narratives, the goal of education in prisons is not merely the “improvement” of an individual nor simply the effort to make people social utilities upon leaving prison. “Our foremost goal must not be to change people in prison, but to change the

landscape of prison itself” (Karpowitz, 2017, p.12). Yet, society too must rehabilitate. The societal stigma of incarceration and the perpetual punishments which follow those released from prison⁴ show a need for educating those of us living our lives outside of prisons as well. If a people return to a society that refuses to accept them, no amount of education nor “rehabilitation” would improve the situation.

Lastly, individuals in prison deserve far more from the largest prison system in human history in one of the wealthiest nations in human history. The history of prisons in the United States is one endowed in its early years with a lofty goal: Criminal rehabilitation and reintegration into society; however, it remains plagued by the practical applications of that theory: prison population booms, sociocultural and economic (mal)functions of prisons like incarcerating the poor, assisting in maintaining white supremacy, and deskilling its populations through stagnation and dehumanization. Correctional facilities could offer higher education as part of the system of incarceration. Education is often considered a key to future success for any person. Rather than merely incarcerating and separating, education offers an opportunity to reduce prison costs over time while increasing the educational attainment and opportunities for our fellow citizens. Although all three philosophies explored here were not necessarily definitive in their support of spending U.S. tax revenue to fund prison education programs, they still provided arguments that favored investing in higher education programs in prisons. When value is placed on all members of our society and not just a select few, it is clearly fair to spend tax revenue on prison education programs.

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⁴ In most states, returning citizens are prevented from access to public housing and food support, access to student loans and face requirements to disclose past felony conviction(s) on job and school applications – to only name a few.

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