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**‘The Breaking Point of Every Man’:**  
**Escaping the Retributivist Prison Paradigm**

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**Abstract**

*The question, "who is to be respected," seldom invites the examination of the class of imprisoned criminals as a serious answer because more people than not have become accustomed—by reason of history, religion, psychology, and/or the law—to some form of a thesis in retributivist criminal justice that says: a criminal C deserves some punishment P owing to their incurrance of any illegal act(s) A. Through this article, I wish to challenge this retributivist thesis by critically analyzing the processes of punishing the criminal—both within the prison complex and outside of it—and providing the means necessary for reconceptualizing criminal justice along the lines of transformative recognition and redistribution. To that end, the article is broadly divided into three thematic inquiries. First, I unpack the concepts of humiliation, stigma, and exclusion in the prison paradigm to comprehensively distinguish between the visible and invisible forms of punishment. Second, I address the sociological hurdle encountered when attempting to remedy this punitive paradigm, which includes the twofold issue of domain congruence and the endemic nature of humiliation. Third and finally, I explain my proposed remedy through the mechanism of bottom-up social recognition and transformative redistribution. Ultimately, what weaves the article together is the argument that there is a timely need to escape the retributivist prison paradigm in an effort to rediscover the now obscured meaning behind the sentiment of safeguarding basic human dignity for all.*

**Keywords:** *criminal justice, stigma, exclusion, social recognition, critical theory*

## **1.0 Introduction**

By definition, a society is a collectivity of individuals that is characterized by persistent social interactions among its members, which tend to revolve around certain organizational principles; either natural or human. Most notably, these ordering principles are conceptualized as patterns of behaviour known as social norms that help compartmentalize the conduct of the society's members on the basis of whether it is acceptable or unacceptable to the ambitions of the society. Individuals whose behaviour aligns with the acceptable norms of the society are permitted to preserve their membership; however, those who fail or refuse to comply with the societal conventions are brought under punitive scrutiny—pending which they may be allowed to either remedy their behaviour or forgo their previously equal membership to the society altogether. In modern societies, we comprehend this regulation of conduct, or denunciation, through a system of rules and regulations understood as law; we have designated adjudicative, correctional, and punitive institutions for the realization of the same.

While there exists a plethora of readily available literature detailing the macro-sociological causes and consequences of institutional incarceration, this paper acknowledges a dearth of micro-sociological analysis centring on claims of dignity for the incarcerated individual. This outcome is to be expected, as the prison setting is often used in mainstream conception as an excuse to glorify violent forms of hyper-masculinity, wherein prisoners are framed as savages rather than persons, making it easier to ultimately sideline the conversation of their inherent human dignity. Public sentiments, often through the consumption of mass media, help entrench a conceptualization of the prison as a place where the artifice of the social contract is stripped away, and prisoners must embody an aggressive, unconstrained, and almost animalistic form of manhood. As such, politicians often articulate a strong demand for more rigorous and punishing penitentiary measures that would discipline such 'savages.' Through this paper, I intend to analyze the socio-political processes that normalize the assumption that prisoners deserve to be exploited, humiliated, and stigmatized—both within the prison complex and outside of it—in an effort to realize the lost meaning behind providing basic dignity for all.

In doing so, I inquire whether the only paradigm at our disposal is the quest for retribution, which entails administering the appropriate punishment for the appropriate crime, and whether we are ultimately complicit in our reluctance to acknowledge the possibility of reconceptualizing criminal justice along a transformative redistributive and recognition-based paradigm.

To give substance to my argument, I begin by conceptualizing the current conventions of punishment for prisoners and their relationship with claims of intrinsic dignity. For this, I utilize concepts such as humiliation, stigma, and exclusion in order to distinguish between the visible and invisible forms of punishment: categorizing humiliation in the private domain, and, stigma and exclusion in the public domain. Next, I address a few sociological challenges encountered when attempting to remedy this punitive paradigm, such as the issues of domain congruence or the endemic nature of humiliation. With these challenges in mind, I provide an avenue for reconceptualizing the functioning of the penitentiary system in terms of “bottom-up social recognition” and “transformative redistribution;” therefore, allowing for a sociological remedy that treats criminals with basic dignity without requiring the abolishment of institutional incarceration. In the end, I engage with the limitations of my paper and acknowledge the direction and extent of future research required to better represent the claims extended here. As a side-note, due to limitations of scope and complexity, I have chosen to exclude the gendered idiosyncrasies of the prison system from this article.

## **2.0 Unpacking the Penitentiary System**

In recent years, countries like the United States of America have come under increasing global scrutiny for their infamous treatment of prisoners and the criminal justice system—wherein racial profiling is reinforced, prisons are commodified as private industrial complexes, and the prisoners are systematically exploited. However, the fact that society expects remorse for the offence committed, and that the offender faces societal leaders as a “person undone,”<sup>1</sup> has not changed for thousands of years across countries. In order to emphasize this notion of a prisoner as a person undone, I advance a novel conceptualization of a two-fold injury to the dignity of incarcerated individuals—categorized on the basis of domains of visibility.

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<sup>1</sup> Smith, J. S. *Humiliation, degradation and the criminal justice system*. *The Journal of Primary Prevention*, 12(3), 1992, pp. 211-211.

In the private domain, which consists of space within the prison and outside the visibility of the general citizens, I argue that the source of injuring the dignity of a prisoner derives from the concept of humiliation. This is illustrated through the institutional causes and metaphors of humiliation, as theorized by the philosopher Avishai Margalit. In the public domain, which consists of the space outside the prison and in the visibility of the general citizens, I argue that the source of injuring the dignity of the prisoner stems from the concepts of stigma and exclusion. This is substantiated through Erving Goffman's arguments concerning stigmatized identities and Leonidas K. Cheliotis' dialectic of the inclusion/exclusion paradigm.

## **2.1 Prisoners in the Private Domain: Humiliation**

Margalit broadly defines humiliation as “any sort of behaviour or condition that constitutes a sound reason for a person to consider his or her self-respect injured;”<sup>2</sup> respect that they otherwise deserve “for the very fact of being human.”<sup>3</sup> Examples of such forms of humiliation within the penitentiary system are numerous, with prisoners being systematically dehumanized, isolated, and abused behind bars by figures of authority—away from the moralizing gaze of the public. Whether the source of this humiliation is institutional or not is better demonstrated by Margalit's theorization of the “decent society,”<sup>4</sup> which refers to a society that does not violate the rights of those dependent on it and whose institutions do not humiliate people. Discussing the underlying reasons for feeling humiliated, he remarks that it can either be attributed to the result of other people's behaviour, or conditions of life; however, only when such conditions “are the result of actions or omissions by human beings.”<sup>5</sup> From these definitions, it becomes possible to create a narrative of the prison system that distinctly underlines the source of humiliation for incarcerated individuals; thus, enabling us to recognize that this humiliation is first and foremost institutional. This narrative describes that what we define as humiliation is often popularized as retributive justice—reinforcing the notion that punishment, when imparted by legitimate authority, acts as a divine judgement or a “wake-up call” for prisoners. This phenomenon is better demonstrated in the passage that follows.

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<sup>2</sup> “Humiliation.” Margalit, Avishai. *The Decent Society*. Cambridge, Mass: Harvard University Press, 1996, pp. 16-16.

<sup>3</sup> *Ibid.*, pp. 20-20.

<sup>4</sup> “Humiliation.” Margalit, Avishai. *The Decent Society*. Cambridge, Mass: Harvard University Press, 1996, pp. 12-25.

<sup>5</sup> *Ibid.*, pp. 16-16.

From Margalit's description of humiliation, there are two additional caveats that are necessary for realizing that the source of humiliation is institutional. First, it is the belief that humiliation in the prison complex cannot be ascribed to conditions which are naturally or biologically predetermined, a claim which resonates with his description of the term.<sup>6</sup> Consider an incarcerated person of colour. According to our theorization, the cause of their humiliation within the prison should not be ascribed to their biologically determined skin colour; instead, the cause should be attributed to the condition of institutional racism, manufactured by humans, that systemically seeks to undermine the dignity of people who do not conform to the Eurocentric paradigm. Second, and more importantly, Margalit asserts that his use of the term humiliation is different from the "secondary-sense"<sup>7</sup> it is often employed in, which is used to refer to a form of metaphorical humiliation as a result of natural living conditions. He remarks that this view of metaphorical humiliation is often adopted by Christians, who are supposed to learn from Jesus' journey that "humiliating behaviour [functions] as a trial rather than a sound reason for feeling humiliated."<sup>8</sup> People who utilize terms of humiliation in their metaphorical sense would have us believe that the humiliating treatment of prisoners—through acts of punishment, ostracization, and exploitation—may be guided by a non-benign natural force, such as God, who adopts the mantle of the humiliator in an attempt to impart humility or exalt prisoners. However, rejecting this metaphorical humiliation is necessary because, otherwise, it romanticizes the belief that humiliation in the prison environment is essential for the cycle of redemption, which allows a prisoner to atone for their sins by welcoming divine punishment. This romanticization is explicit in mainstream media, especially through the consumption of literature and films, where prisoners are represented as stoic individuals, prepared to not only endure but rise above any punishment bestowed upon them. Once we discard the hidden assumption of a god in this argument, the problematic nature of romantic redemption through humiliation becomes apparent, as processes of humiliation act more as tools of an indecent society to inflict injury upon the basic dignity of prisoners, rather than being larger-than-life biblical instruments for teaching them lessons of humility.

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<sup>6</sup> Ibid., pp. 16-16.

<sup>7</sup> "Humiliation." Margalit, Avishai. *The Decent Society*. Cambridge, Mass: Harvard University Press, 1996, pp. 16-16.

<sup>8</sup> Ibid., pp. 17-17.

## **2.2 Prisoners in the Public Domain: Stigma and Exclusion**

What happens to the prisoner that attempts to rejoin society after completing the terms of their imprisonment: transitioning from the invisibility of the prison environment to the visibility of the public domain? The answer to this question lies in our discussion of stigma and exclusion, and the processes that conspire to keep the prisoner imprisoned even outside the direct ambit of the penitentiary system. Goffman asserts that the term stigma originated on the part of the Greeks, who utilized the term to refer to bodily signs that “expose[d] something unusual and bad about the moral status of the signifier.”<sup>9</sup> Initially, he claims that such signs would be “cut or burnt”<sup>10</sup> into the body, which signalled that the bearer was a morally corrupt individual meant to be avoided at all costs; thereby ritually ostracizing the individual from the space of the morally pure. Soon, the term came to be widely used in a sense that was somewhat similar to its origin but was “applied more to the disgrace itself than to the bodily evidence of it.”<sup>11</sup> However, even in the absence of bodily evidence, there were metaphorical signs that could make the stigma attached to a person visible, often leading to the person being treated with disgust or contempt in the eyes of the public; not quite like a fellow “human.”<sup>12</sup>

The prison system has ritualistic powers similar to our discussion of stigma, wherein it acts as an institution with a greater purpose than simply serving as a vessel of punishment or retribution; also being responsible for branding prisoners with the hot rod of the stigma attached to criminality. In such a scenario, incarcerated persons are not only subjected to invisible forms of punishment and humiliation within the prison, but they are also expected to wear the evidence of their past malice against society like an albatross on their neck that alienates them under the scrutinizing eyes of the society. Goffman argues that we construct a “stigma-theory”<sup>13</sup> for the stigmatized individual, or an ideology that describes their inferiority and the danger they represent to the society, also “rationalizing an animosity based on other differences,”<sup>14</sup> such as those of race, class, or caste.

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<sup>9</sup> Goffman, Erving. *Stigma: Notes On The Management Of Spoiled Identity*. Englewood Cliffs, N.J. : Prentice-Hall, 1963, pp. 1-1.

<sup>10</sup> *Ibid.*, pp. 1-1.

<sup>11</sup> *Ibid.*

<sup>12</sup> *Ibid.*, pp. 5-5.

<sup>13</sup> *Ibid.*

<sup>14</sup> Goffman, Erving. *Stigma: Notes On The Management Of Spoiled Identity*. Englewood Cliffs, N.J. : Prentice-Hall, 1963, pp. 5-5.

Moreover, it is common for terms of stigma, that target prisoners, to enter our daily discourse and become normalized in the process as a source of “metaphor and imagery”<sup>15</sup>—the examples of which have already been discussed earlier in our conversation about the mainstream representation of criminals and the prison setting. Therefore, society ultimately becomes complicit in manufacturing a discrepancy between the virtual social identity and actual social identity of the prisoner, and depending upon the visibility of this discrepancy, it carries the potential of spoiling the social identity of the stigmatized person.<sup>16</sup> This can often result in the ostracization of the newly reformed prisoner, not only from society but from themselves, condemning them to deal with the plight of being a discredited person facing an unaccepting world.

The prisoner that leaves the prison system to rejoin society is perfectly conscious of their fate, that once imprisoned, they face the risk of exclusion, which refers to processes of “collective marginalization”<sup>17</sup> from the various social, economic, political, and cultural systems that, together, serve to integrate humans into a society. Upon realizing that the evidence of their criminal past is something they cannot change or hide, the prisoner actualizes the anxiety that society will potentially disrespect or even exclude them because of the stigma they carry, which makes them ‘insecure’<sup>18</sup> in their contact with other people. As the stigma surrounding the prisoner becomes increasingly visible, it gives rise to an asymmetrical relationship of domination through the metaphors of knowledge,<sup>19</sup> which simply reproduces these power/knowledge asymmetries further. Not only do they become insecure in their own mind, but having the knowledge of their stigma also reduces their stature in our minds from a whole to a discounted person.

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<sup>15</sup> Ibid.

<sup>16</sup> Ibid., pp. 19-19.

<sup>17</sup> Cheliotis, Leonidas K., *The Sociospatial Mechanics of Domination: Transcending the ‘Exclusion/Inclusion’ Dualism*. *Law and Critique: The International Journal of Critical Legal Thought*, Vol. 21, No. 2, 2010, pp. 133-133.

<sup>18</sup> Goffman, Erving. *Stigma: Notes On The Management Of Spoiled Identity*. Englewood Cliffs, N.J. : Prentice-Hall, 1963, pp.13-13.

<sup>19</sup> Cheliotis, Leonidas K., *The Sociospatial Mechanics of Domination: Transcending the ‘Exclusion/Inclusion’ Dualism*. *Law and Critique: The International Journal of Critical Legal Thought*, Vol. 21, No. 2, 2010, pp. 138-138.



Moreover, as highlighted by Cheliotis, the outlawing of daily intercourse between prisoners and the public empties the prisoner of any idiosyncratic information—such as qualities or circumstances—that might have rendered their inclusion “morally requisite in the eyes of the latter.”<sup>20</sup> Thus, insecure of themselves and discredited by others, the stigmatized prisoner will find themselves unable to rejoin society as a productive or functional member, often as a result of the failure to find a decent job, continue their education, or regain lost familial ties. Other differences, such as race, class, or caste can certainly exacerbate this phenomenon of exclusion since the marginalized individuals carrying these identity markers face dual or even multiple levels of stigmatization. As such, it is not uncommon or unexpected for the distressed prisoner to repeat their offence or commit another; resulting in a vicious cycle of recidivism that is ironically a consequence of society’s current criminal justice system and its by-products of humiliation, stigma, and exclusion.

### **3.0 Repacking the Penitentiary System**

Although it is easy to problematize the processes behind the humiliation and stigmatization of prisoners under the hammer, attempting to reconceptualize a remedy for this paradigm is slightly more challenging. Often, the popular contention against having better arrangements for prisoners and increasing the emphasis on their dignity comes from groups who either believe in the ‘sub-humanization’ of prisoners or hold true to the doctrine of deterrence. As such, these people emphasize extreme forms of punishment, citing that the threat of this punishment would deter people from committing criminal acts; thereby reducing the probability of crime in the future. However, there is already ample literature responding to this challenge which scrutinizes the effectiveness of deterrence and questions the process of using it as a justification to violently punish criminals. In this paper, therefore, I am more concerned with the sociological challenge of ending humiliation and stigmatization, which can be highlighted through the works of Cheliotis and Gopal Guru.

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<sup>20</sup> *Ibid.*, pp. 134-134.

Cheliotis posits that an obstacle facing prison reform is the effort to not only end mechanisms of exclusion but the system of domination as a whole. He suggests that the “reverse transition,”<sup>21</sup> from a state of exclusion to inclusion, should not be taken at face value as a remedy to domination—because the inclusion/exclusion paradigm consists of a horizontal problem (inside vs. outside) whereas domination constitutes a vertical or top-down problem. Therefore, the exploitation of a prisoner’s dignity as a consequence of structural domination cannot be simply rectified by attempting to include the once excluded prisoner in the society since they will still bear the burden of interacting with unjust<sup>22</sup> structures of inclusion that attempt to limit the prisoner’s autonomy and reproduce moral justifications for the cycle of exclusion. Furthermore, according to Guru, humiliation can be characterized as tragically endemic,<sup>23</sup> which, in a more specific sense, refers to the fact that the processes of humiliation often constitute a vicious cycle wherein the proposed remedy in a certain domain only serves to embed, rather than erase, humiliation in other domains or for different communities. Guru’s challenge is helpful in delineating two ways in which the motif of a remedy can itself be harmful: (1) by excessively dwelling on the past<sup>24</sup> which ignores present possibilities of change and (2) by challenging a specific system of power while ignoring the ways in which other systems of power might still continue to perpetuate. In either case, what permits the failure of remedy and the perpetration of disrespect is the commonality of ignorance, whether it constitutes the ignorance of violence in the obsession over a remedy or the ignorance of other forms of violence in the efforts to correct one.

### **3.1 Recognition and Redistribution**

Based on the complexities raised by these challenges, I argue that a reconceptualization of the prison system that attempts to comprehensively remedy not only the domination of prisoners but the tragic cycle of their humiliation requires the fulfilment of two conditions.

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<sup>21</sup> Cheliotis, Leonidas K., *The Sociospatial Mechanics of Domination: Transcending the ‘Exclusion/Inclusion’ Dualism*. *Law and Critique: The International Journal of Critical Legal Thought*, Vol. 21, No. 2, 2010, pp. 142-142.

<sup>22</sup> *Ibid.*, pp. 133-133.

<sup>23</sup> “Introduction.” Guru, Gopal. *Humiliation: Claims and Context*. Oxford: Oxford University Press, 2009, pp. 1-1.

<sup>24</sup> “Rejection of Rejection.” Guru, Gopal. *Humiliation: Claims and Context*. Oxford: Oxford University Press, 2009, pp. 213-213.

First, the domain of the proposed remedy must be congruent with the domain of the source of disrespect, which is to say that if the problem is vertical (top-down humiliation), then the solution must derive from the same vertical domain (bottom-up recognition). This will help in the proper identification of the domain for which a remedy is applicable; thereby preventing the externalities or spillovers of humiliation. Second, the nature of the remedy should be institutional rather than individual, which is to say that the amends I propose must attempt to reform the source of the stigma and humiliation, rather than simply providing concessions to individual prisoners *a posteriori*. With these conditions in mind, I propose a two-fold remedy to the exploitation of dignity within and outside the prison system: (1) bottom-up social recognition for prisoners to combat the invisibility of their humiliation and (2) transformative redistribution for prisoners to combat the visibility of their stigma and consequent exclusion. In order to substantiate the nature of this remedy, I invoke Nancy Fraser's conceptualization of "transformative remedies,"<sup>25</sup> which refers to the set of practices aimed at correcting the inequitable outcomes [for prisoners] by restructuring rather than reallocating the underlying framework. She adds that such treatments tend to redress disrespect, or in this case injury to the dignity of a prisoner, by destabilizing the underlying group differentiations. Therefore, one can attempt to reduce the social inequalities of recognition and redistribution without further stigmatizing the classes of ex-prisoners as the beneficiaries of "special largesse."<sup>26</sup>

As discussed earlier, the invisibility of the prison creates the risk of misrecognition—wherein prisoners frequently find that their identities have been reduced to a subhuman status, while the humiliating conditions they are surrounded by simply go unnoticed and unrecognized. The most dominant form of misrecognition in the prison system is the threat of "nonrecognition,"<sup>27</sup> which refers to the threat of being rendered invisible due to the authoritative representation and interpretation of the prisoner's condition. This can subsequently translate into other forms of disrespect, such as being periodically maligned in stereotypic public cultural representations, as was evidenced through the stereotypical representation of prisoners in popular media. However, through a bottom-up or transformative remedy of recognition, we can hope to counteract such problems associated with the invisibility of humiliation.

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<sup>25</sup> Fraser, Nancy. "From Redistribution To Recognition? Dilemmas Of Justice In a 'Post-Socialist' Age." *New Left Review* 212 (1995): 68–93, pp. 82-83.

<sup>26</sup> *Ibid.*, pp. 85-85.

<sup>27</sup> *Ibid.*, pp. 71-71.

Our paradigm of bottom-up recognition would start by attempting to transform the underlying cultural-valuational structure of the prison system, in an effort to destabilize the existing group identities of prisoners which keeps them chained to a subhuman status. On the part of the society, this could imply a shift in the perspective we adopt towards the recognition of prisoners—such as moving from a punitive to a more rehabilitative approach—that would help create the potential for future assimilation rather than ostracization of prisoners. In doing so, one would recognize the prisoner first and foremost as a person; refusing to decisively condemn them to live out their humiliating fate within the prison as monsters. Therefore, by facilitating a bottom-up recognition of prisoners, one would not only be able to raise the self-esteem of currently disrespected prisoners but also change their “sense of belonging, affiliation and self”<sup>28</sup> to better prepare them for rehabilitation.

However, the question of remedying the stigmatized identities of ex-prisoners outside the prison remains, as they often find themselves dealing with not only humiliation but also various socio-economic injustices that occur as a by-product of stigma and exclusion. This mainly consists of “economic marginalization,”<sup>29</sup> which means either being confined to undesirable and poorly-paid labour or being denied opportunities towards attaining income-generating labour altogether. As a consequence of this economic marginalization, ex-prisoners may also be at the risk of facing relative deprivation—or the lack of access to an adequate material standard of living. In such a scenario, Fraser would argue that transformative remedies of redistribution are required, which implies redressing the unjust distribution by undertaking a deep restructuring of the underlying political-economic relationships; since affirmative remedies, while providing material aid, would only exacerbate the antagonistic group differentiations<sup>30</sup> between society and ex-prisoners. Through transformative redistribution, we would not only be able to alter the “end-state distribution of consumption shares”<sup>31</sup> but also alter the social division of labour and, thus, the conditions of existence for prisoners. This would involve measures that undermine class differentiations, such as social-welfare programs for ex-prisoners, which would aim to equip them with the vocational or educational skills necessary for streamlining rehabilitation.

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<sup>28</sup> Fraser, Nancy. “From Redistribution To Recognition? Dilemmas Of Justice In a 'Post-Socialist' Age.” *New Left Review* 212 (1995): 68–93, pp. 83-83.

<sup>29</sup> *Ibid.*, pp. 71.

<sup>30</sup> *Ibid.*, pp. 85.

<sup>31</sup> *Ibid.*, pp. 84.

It would also involve a non-market penitentiary system with public ownership; thereby preventing the commodification and subsequent material exploitation of both, the prison system and the prisoners. Ultimately, such measures of transformative redistribution help build a safety-net for prisoners through society, while also fostering a much-needed sense of solidarity.

Put together, the long-term goals of transformative remedies would be to combine the cultural politics of recognition with the socio-economic politics of redistribution and replace the humiliating and stigmatizing hierarchical dichotomies between prisoners and the rest of the society in favour of a more humanitarian perspective. More importantly, it would encourage forms of “coalition-building,”<sup>32</sup> which, if executed properly, can help actualize a more active role for members of society in helping rehabilitate ex-prisoners. Therefore, we as a society would be able to internalize more humane norms towards the treatment of prisoners over time—even taking control over justice back from indecent institutional actors.

#### **4.0 Conclusion**

There is little doubt in my mind that the very premise of this article is sure to raise doubts, especially from the subset of people who warn against being too sympathetic to the criminals of society—asserting that drastic remedies for the prisoners will not only hinder the deterrence of crime, it may even reinforce it in the process. Others remark that while the remedies proposed in this paper sound promising in principle, their implementation may be too difficult to comprehend without completely revolutionizing the foundations of society itself. It would be easy to be dismissive of such contentions on the basis of ideological difference but it is important to recognize that they raise important points, and even limitations, with respect to this essay. If we are to escape the current punitive paradigm, we must acknowledge the uncertainty that lies ahead in the future; however, these grounds of uncertainty should not be enough to stop us from trying to reform the criminal justice system altogether, especially when we have established that the current model is humiliating and stigmatizing.

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<sup>32</sup> Fraser, Nancy. “From Redistribution To Recognition? Dilemmas Of Justice In a 'Post-Socialist' Age.” *New Left Review* 212 (1995): 68–93, pp. 93-93.

Countries such as Norway, Sweden, and Switzerland, among many others, have already realized the indecency of their previous penitentiary models, and have begun to either adopt a more humanitarian approach towards criminals or embraced alternative sentencing programs; therefore, paving the way for future reforms to the criminal justice system on a transnational level.

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