

The Evolution of Punishment Systems in America

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The current houses of correction including prisons have come a long way. Nowadays, the correction system is a lot different from the ancient punishment systems. Imprisonment intended to punish criminals became prevalent in America shortly before the American Revolution. However, penal incarceration had been widespread in England since the 1500s (Barnes, 1921). The British had an immense influence in the development of prisons in America because most parts of America including North America was a British colony. Fascinatingly, crimes are as old as the earth so Americans utilized other punishment methods during the pre-colonial period to deal with offenders. Indeed, these early punishment approaches were inadequate and incomplete so improvements were necessary to reach a complete and well-regulated punishment system (Lurigio, 2016). Essentially, this paper aims to describe the historical evolution of punishment systems in America.

The early punishment approaches date back to 2000 B.C. when Americans practiced vigilantism to hold offenders responsible for their obnoxious behaviors (Barnes, 1921). Americans sought vigilante justice without the intervention of the government whereby victims could revenge for crimes committed against them. In short, this was an era when Americans punished thieves by chopping off their hands. According to Lurigio (2016), vigilante justice was predominantly based on the philosophy of retribution, implying that criminals were entitled to what they deserve. Eventually, government justice replaced vigilante justice when organized governments were established in America by the British during the colonial period.

The subsequent shift was called corporal punishment and involved inflicting discomfort and pain into the criminal. Corporal punishment took myriad forms including locking into pillories, dunking, shackling, amputation, flogging, caning, and beating. Nevertheless, most

American societies utilized flogging that included caning and whipping, which was most common among the British (Barnes, 1921). Worth mentioning, corporal punishment was based on the deterrence philosophy, which suggested that criminals would not commit other crimes if they are humiliated.

Consequently, prisons began to replace physical punishment by introducing psychological punishment in the sixteenth and seventeenth century. By the eighteenth century, corporal punishment had been greatly replaced with jails that imposed psychological punishment on criminals (Lurigio, 2016). In the sixteenth Century, jails were mostly used to hold criminals for a short period while awaiting their punishments (Barnes, 1921). However, prisons in the eighteenth century were used as long-term confinement facilities for criminals already convicted and serving a sentence.

Still, in the eighteenth century, the British had introduced other forms of psychological punishment including transportation (Barnes, 1921). Criminals in America were banished from certain areas and transported to other British colonies in America. The practice of transportation was based on the philosophy of incapacitation, which suggested that criminals cannot commit other crimes in certain areas if they do not have access to those specific places. However, this practice terminated when colonies in America gained independence.

Two alternatives to transportation including hard labor and penal servitude were also widespread in America in the eighteenth century (Lurigio, 2016). Hard labor involved sending a criminal to a workhouse for some time, where they carried out manual labor the entire day, every day. Penal servitude involved sentencing criminals for a certain period to plantations or military where they performed hard labor without access to the outside world.

From the 1870s, the punishment systems evolved into the houses of correction (Barnes, 1921). Early prisons established by the British in various colonies in America were run just like jails. All kinds of criminals were placed together in a single large room, implying that these prisons held adults together with children while murderers stayed together with debtors. Regretfully, several prisoners passed on due to diseases while awaiting their trial because the facilities were poorly maintained. After the American Revolution, major improvements were initiated in prison systems to improve their conditions (Lurigio, 2016). As changes in the punishment systems were gradually implemented, lawmakers began to emphasize restoring criminals and reconciling them with communities by transforming early prisons into correctional facilities.

The early corrections in America differ from the current models. Firstly, the early corrections lacked government intervention while the current models include the government's justice. Unlike early corrections where a crime committed was considered to affect only the victim, the current models regard an offense committed against one victim as a wrongful act pursued against the entire society. Secondly, early corrections emphasized on physical punishment including beating, amputation, flogging, caning and whipping, while the current models emphasize psychological punishment (Lurigio, 2016). Moreover, early corrections did not separate children offenders from adult offenders. However, current correction models divide offenders into two, children and adults depending on age. Children are tried and corrected using the juvenile justice system while adult criminals are corrected using the criminal justice system. Nowadays, sentencing and correction decisions are based on the type of crime committed unlike in the early corrections whereby all types of crimes were punished and corrected in the same way. In the pre-colonial period, an offender of a minor offense could be punished, mostly killed,

in the same manner a murderer was punished so equity in correction was irrational (Cavadino & Dignan, 2006). Nevertheless, the current correction models consider each crime to be unique and different based on various factors associated with that specific crime. In short, the current correction models require offenders to be treated and punished differently depending on the type of crimes committed. For instance, offenders of misdemeanors undergo probation while offenders of serious crimes incarcerated. Unlike in the early punishment systems where capital punishment was most prevalent, the current correction models discourage capital punishment except in a few exceptions such as treason and genocide among a few others (Baldus, Woodworth & Pulaski, 1990).

The U.S. has three major areas concerned in the correction of offenders including local correctional agency, state correctional agency, and federal correctional agency. The goal of jail in a local correctional agency is the confinement of criminals by local law enforcement agencies prior to or after adjudication for a short period below one year to ensure that they are held responsible for their offenses (Cornelius, 2008). Prisons are usually operated by federal and state government so their goal in federal correctional agency and state correctional agency is the long-term incarceration of criminals who have committed felonies or offenses that require sentencing of more than one year. However, the outcome of jails and prisons in the three areas is seeking retribution, deterrence, incapacitation, and rehabilitation (Zamble, 1992).

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