

Everywhere the Same

A service celebrated at the Unitarian Universalist Congregation of Grand Traverse on 27 January, 2008
Rev. Chip Roush

OPENING WORDS An inmate in Arizona, Judee Norton wrote,

"I am captured but not subdued They think they have me but my mind wheels and soars and spins and shouts no prisoner I am free." For the next hour, and for the rest of our lives, may we know and express the fundamental freedom of the human spirit.

FIRST READING Anna Andreevna Gorenko was born in Russia, in 1889. She wrote poetry under the name "Anna Akhmatova," although "wrote" is perhaps the wrong verb, as she often had to memorize her poetry, to keep her government from confiscating and destroying it. This is a small part of her masterpiece, "Requiem," which she asked her friends to keep in their memories, and which was published without her knowledge in the mid-1960s:

"INSTEAD OF A PREFACE During the frightening years of the Yezhov terror, I spent seventeen months waiting in prison queues in Leningrad. One day, somehow, someone 'picked me out'. On that occasion there was a woman standing behind me, her lips blue with cold, who, of course, had never in her life heard my name. Jolted out of the torpor characteristic of all of us, she said into my ear (everyone whispered there) - 'Could one ever describe this?' And I answered - 'I can.' It was then that something like a smile slid across what had previously been just a face.

DEDICATION Mountains fall before this grief, A mighty river stops its flow, But prison doors stay firmly bolted Shutting off the convict burrows And an anguish close to death. Fresh winds softly blow for someone, Gentle sunsets warm them through; we don't know this, We are everywhere the same, listening To the scrape and turn of hateful keys And the heavy tread of marching soldiers. Waking early, as if for early mass, Walking through the capital run wild, gone to seed, We'd meet - the dead, lifeless; the sun, Lower every day; the [river], mistier: But hope still sings forever in the distance. The verdict. Immediately a flood of tears, Followed by a total isolation, As if a beating heart is painfully ripped out, or, Thumped, she lies there brutally laid out, But she still manages to walk, hesitantly, alone. Where are you, my unwilling friends, Captives of my two satanic years? What miracle do you see in a Siberian blizzard? What shimmering mirage around the circle of the moon? I send each one of you my salutation, and farewell."

SECOND READING Victor Hassine was born in Egypt, in 1955. His family was expelled for being Jewish, and eventually settled in New Jersey. Victor earned a law degree, and was later sentenced to life without parole for his part in a murder conspiracy. He founded the first accredited synagogue inside a U.S. prison, and has edited several books on living in prison.

"I have heard Graterford called the Farm, the Camp, the Fort and Dodge City, but I have never heard it called safe. When I was in the county jail awaiting trial, I saw grown men cry because their counselors told them they were being transferred to Graterford... Like most first-time arrivals to Graterford, I was preoccupied with survival and how to avoid becoming the victim of violence. When there was general movement in the prison, for example, the main corridor would fill with hundreds of inmates in transit. This made the corridor an extremely dangerous place to be. I was more likely to see a stabbing than a guard on duty. The cellblocks were just as insecure. A guard at one end of a cellblock could not identify anyone at the other end; the distance of 700 feet was just too great. Because of their fear of being assaulted where no one could see them, many block guards never patrolled the inner perimeter and spent most of their time avoiding conflicts at all cost, even turning the other way. In fact, inmates serving long sentences preferred to lock at Graterford because, even though it was violent, it afforded them the most personal liberty.

If I made eye contact with a stranger, I would feel threatened. An unexpected smile could mean trouble. A man in uniform was not a friend. Being kind was a weakness. Viciousness and recklessness were to be respected and admired. I could feel my habits, my personality, and even my values change. I came to view the world as a place of unrelenting fear. Oddly enough, these changes were in some way comforting. In the struggle to survive, it was easier to distrust everyone than to believe in their inherent goodness."

SERMON How many of you have watched more than 10 episodes of the TV show, *Law & Order*? How many prefer the “Law” segment, about “the police who investigate crime”? How many prefer the “Order” segments, about the “district attorneys who prosecute the offenders”?

I have a long-standing debate with a friend, about the various *Law & Order* shows. He thinks they glorify our justice system, and influence people to accept the ongoing erosion of our civil liberties. I think they deconstruct the idea of impartial justice, and show how police and prosecutors must occasionally bend the laws and play games with the statutes in order to come closer to achieving some kind of satisfying “justice” in their cases.

I actually have a lot of sympathy for our criminal justice workers, who have to follow hundreds of rules and regulations as they attempt to deal with violent, often desperate persons who follow no rules, except possibly “escape at all costs.”

I think that we do need prisons and guards. Some people really need to be separated from the rest of us. I know that many criminals come from bad situations, they may have been neglected or abused as children, they may have been born into poverty or addiction. I agree that we as a society owe it to humanity to create more just and fair conditions for all people.

And, in the meantime, there are some people who really need to be locked away. We ought not mistreat them while they are behind bars, and we should be very, very careful when trying people, to eliminate as many mistakes as possible—and imprisonment is an appropriate response in many cases.

I was recently emailed the story of a woman and a man who were involved in a car accident on a snowy, cold Monday morning. Both of their cars were totally demolished, but amazingly neither of them were injured. After they crawled out of their cars, the man began yelling, and the woman tried to calm him down: “So you’re a man. And I’m a woman. That’s interesting. And just look at our cars! There’s nothing left, but we’re unhurt. This must be a sign from the universe that we should meet and be friends and live together in peace for the rest of our days.” Flattered, the man replied, “I can see that; this could be a sign. But you were still at fault. You can’t expect me just to forgive you, right away...” The woman continued, “And look at this, here’s another miracle. My car is completely demolished but this bottle of wine didn’t break. Surely we are supposed to drink this wine and celebrate our good fortune.” Then she handed the bottle to the man. The man nodded his head, opened the bottle and took a big drink, then handed it back to the woman. She took the bottle and immediately put the cork back in. The man asked, “Aren’t you having any?” To which she replied, “No. I think I’ll just wait for the police...”

Aside from the lamentable gender stereotypes in that joke, there is an important truth. Circumstantial evidence, and just plain bad luck, can be as damaging in a courtroom as actual guilt. Mistakes do happen. Innocent people do end up incarcerated.

Keeping that in mind—knowing that we must always be vigilant to minimize mistakes and corruption—there are still four common reasons for having prisons and prisoners.

First, prisons provide security—they keep the most dangerous people away from the rest of us. Second, they serve to punish the guilty. Perhaps it is from an unenlightened part of our brains, but human justice often requires some kind of punishment. That leads to the third reason: deterrence. Some criminal justice experts theorize that the fear of going to prison will deter some people from committing crimes. Finally, at least a part of our prison system attempts to rehabilitate the prisoners, so they may be better people, and better citizens, when they are released.

In theory, these can all be good goals. Unfortunately, our current system of justice falls short on every one of those goals, and it performs awfully on a couple of them.

Perhaps the biggest problem with our system is its inherent racism. This may be true of most countries and cultures, that one subset of humanity oppresses another, but it is definitely true in the United States. Blacks are stopped more often than whites, convicted more often than whites, given longer sentences, and condemned to death more frequently than whites in similar situations. It cannot be called a “justice system” if it is so demonstrably unjust. It certainly does not create security in our society. Most young black men are terribly insecure with their legal status, and that insecurity and fear leads to insecurity and instability throughout society.

Another systemic issue is mental illness. One in six prisoners in our country have mental illness—that's over 283,000 people. When our governments shut down most mental hospitals, without providing other facilities or sources of treatment, many mentally ill persons ended up in prison. Nowadays, mental health facilities are expensive, so many sufferers end up on the street, and then in jail. Most prisons provide inadequate or no care; the mentally ill are often mistreated by the staff and are virtually always abused by the other prisoners. Besides the obvious injustice done to the people experiencing mental illness, who would be better served in a hospital; there is also the fact that prison populations are 20% more crowded than they would be without their mentally ill prisoners, and these inmates stress the system by their inability to understand or follow the rules. Again, a system with such obvious flaws cannot be "just."

Putting aside those ills, which permeate all of society yet show up most starkly in our legal system, our prisons simply do not achieve our desired results.

Our penal system does not provide sufficient security. The United States is a violent country, and even though we lock up a higher percentage of our citizens than any other country, there is still a high level of violence in our society. Nor do prisons provide sufficient punishment—to be sure, some states, like Arizona, pride themselves on how brutal their prison system is. But there is enough corruption that some of the more powerful criminals are barely inconvenienced by their prison time, and others have home lives that were as bad or worse. And therefore, prison is certainly not a deterrent. In fact, many studies show that the *concept* of deterrence is a myth. Hungry people, addicted people, desperate people are not particularly good at determining cost-benefit ratios. Deterrence only works for rational, non-stressed persons. Finally, the concept of rehabilitation has become a joke. Funding for education and job training programs have been cut over and over, and we have the highest recidivism rate in the world. Our system does not rehabilitate inmates, it hardens them and dehumanizes them until many cannot perform in society other than criminals.

So, the system is broken, but at least we pay through the nose for it. In Michigan alone, we pay 4.7 million dollars per day to keep our state prison system functioning. That cost has been growing at 9% annually since 1980—that's three times the rate of inflation in the rest of the economy—and it accounts for 20% of our state General Fund. The Michigan Department of Corrections proposed budget for 2008 was over 2 billion dollars. And for all that, we get a system that does not help our society in the ways we want it to.

This is the time many liberals might point out that spending 2.1 billion dollars on education reform and job training might prevent a lot of crime, rather than punishing folks after the fact. They might quote Churchill, or Dostoevsky, or Mandela, about how a civilization should be judged by how it treats its prisoners. They would probably note that punishment without rehabilitation is failure by design, that we are merely perpetuating a broken system.

I think a lot of that is true. I know that our current system is not only hard on the convicts, but also on their families, as the folks at home struggle through visiting day, like in our story for all ages, as mothers like Anna Akhmatova have their spirits crushed while they wait outside the prison walls. Families of inmates are stigmatized and marginalized, and they are taken advantage of.

My sister goes bowling every week with a woman whose son is in prison. Approximately monthly, the woman gets a call from the wife of a prison guard, who asks how she is, and talks about how good a mother she was, that it wasn't her fault that her son wound up in prison. The caller notes how much she loves her son, and how grateful she must be that there are people there to look out for him, in such a dangerous place. Then they talk about how hard their lives are, and how they need another \$300 for medical bills, or to pay tuition to their child's school. The message is clear: "pay up, or the next time you visit your son, you'll know exactly why he has so many bruises."

It is not that all guards and prison workers are corrupt. Most of them try to do the right thing. Most are doing the best they can, in a bad situation. After all, they, too are confined in dangerous and deadly places. Like the guards in our second reading, who rarely patrol-led the dangerous inner perimeter, most correctional officers fear for their safety, and many develop health problems and have failed marriages and abuse alcohol or other drugs.

Our broken system takes a huge toll on our society.

How did we get into this predicament? Part of the answer is pandering politicians, who use scare tactics in their campaigns and promise to “get tough on crime.” Legislators pass tougher laws and longer sentences, and make it harder to get out on parole, and make it more difficult to work in any desirable job if a convict does get out—all of which make great sound bites for the six o’clock news, and virtually all of which only make the problems worse.

Another aspect of the problem is the pressure on prosecutors to close cases. In a candid moments, prosecutors have been known to admit that they are promoted for prosecuting cases, not ensuring that justice is served. Determining the actual guilt of the accused person is less important than getting a conviction.

Just this week, we’ve heard about Tim Masters, who was pursued by police for 12 years until they finally charged him with murder. Masters’ father cooperated with the police, and urged his son to trust them as well. However, he was convicted on mostly circumstantial evidence and spent a decade in prison before being recently exonerated by DNA evidence.

And here in Michigan, a man named Jerry was once told to drive his father and his uncle to the store. 15-year-old Jerry stayed in the car, as his relatives robbed and killed the owner. Jerry was tried as an adult, and spent 23 years in prison, before his self-taught legal knowledge helped him gain his freedom.

I guess Jerry’s story is in some ways a “success” story—he had access in prison to books, and did navigate the dangers of prison life. But he lost half of his life in the process. Wouldn’t it be better if our system focused on actual justice, as opposed to conviction rates?

So: What can we do about all this?

We can demand creative and different solutions from politicians, instead of more tough rhetoric. Quoting Robert Brown, Jr., who was Director of the Michigan Dept. of Corrections from 1984 until 1992, “We need to reserve prison space for criminals we’re afraid of and use more conducive and less costly alternatives to rehabilitate offenders we are simply mad at.”

We can support Michigan House Bill 4548, which will revise the current parole standards for nonviolent prisoners. The rate of parole has dropped significantly over the last few decades, as political cronies were given positions on parole boards, replacing criminal justice professionals. Even inmates who are model prisoners, who were convicted of nonviolent crimes, who have served all, or the majority of their sentence, and who have completed job-training or courses on better coping skills have routinely been denied parole. So justice is not served, and the prisons continue to get more crowded. House Bill 4548 may help with some of that.

And we can help to truly rehabilitate prisoners. Our Universalist theology insists that all people are worthy of redemption. Some programs of Buddhist meditation have been shown to help, to reduce the violence in prisoners’ lives, and to lower their rate of recidivism. Creative writing workshops, like the one that produced our second reading, can help prisoners learn to cope with their situation. We can help support and fund halfway houses and job training for the recently-released.

Just as importantly, we can provide the inmates with a sense of hope and connection, by writing them. In the order of worship this morning, are the addresses of Gary Singer and Maggie Zimmerman, two prisoners from our congregation, and the address of the UU “Church of the Larger Fellowship” Pen Pal program. The Church of the Larger Fellowship, or CLF, provides access to UU resources for people who are far away from a local UU church. Our congregation was started when Mary Anne and Jan found each other through a CLF mailing list. And there are many people behind bars who receive CLF publications on a regular basis. If you want to write to a prisoner with some UU sensitivities, the CLF Pen Pal program will get you connected.

Speaking of “get-tough” rhetoric with unintended and counter-productive results, allow me to speak about the Patriot Act for a moment. As with prisons, it is much easier to talk about building fences and creating identification check points than it is to create a truly just, and peaceful, and therefore stable and safe, society. And that is impacting our UU General Assembly.

The annual meeting of our association of congregations is scheduled to occur in Fort Lauderdale this year. Alas, the Convention Center there is part of the Port, which is administered by the Homeland

Security Department, so entry into the Convention Center requires identification. The Convention Center promised that this stricture would be removed, by the time our General Assembly occurred, but that was not their promise to make.

Some folks, who are sick and tired of the erosion of our liberties, want to make a stand on this issue. Several workshops at the GA will address these issues, but some people consider that insufficient. Some folks want to boycott the GA, to express their displeasure. I think that only harms ourselves and our closest friends, so I am urging us to come up with more creative protests. The most troubling issue for many, is the requirement to show ID to get into a free worship service. I hope we can set up telecasts to one or both of the local UU congregations, or even better, broadcast to a big screen on the streets, just outside the security perimeter, so we get some press coverage. It is not the same as gathering for worship, all in the same hall, but neither is boycotting and staying home.

If you have further questions, please talk to me later. I am still planning on going to GA. I will serve as a chaplain and witness at the Security Checkpoints, to hopefully minimize the chances that race or youth or disability will prevent people from accessing our meetings.

Finally, we need less tough rhetoric and more compassionate power when we talk to ourselves.

Many of us spend some or most of our time incarcerated in invisible prisons of our own. Whether it is addiction or feelings of shame, guilt...anxiety...phobias or depression, or whether we must cope with society's oppressions, like heterosexism, racism, classism, sexism, ageism, ableism and the rest, tough rhetoric is probably less likely to help than education, understanding and support from friends or professionals.

Yes, discipline and boundaries are important. And scolding and constantly criticizing one's self is not the most productive way to improve such situations. Try meditation (we offer it on Sundays and Wednesdays now!) or do something creative; get educated about your circumstance, and get clear about what is really your stuff to deal with and what is society's problems or projections.

Most importantly, don't try to "tough it out" alone. *Everybody* needs some help, sometimes. Hard-line rhetoric just tends to make things worse, in my experience. Talk to somebody, and take a step outside your metaphorical prison.

So may we be.