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## The Past and Future of U.S. Prison Policy Twenty-Five Years After the Stanford Prison Experiment

**Craig Haney**

Department of Psychology

**Philip Zimbardo**

Department of Psychology Stanford University

**ABSTRACT**

In this article, the authors reflect on the lessons of their Stanford Prison Experiment, some 25 years after conducting it. They review the quarter century of change in criminal justice and correctional policies that has transpired since the Stanford Prison Experiment and then develop a series of reform-oriented proposals drawn from this and related studies on the power of social situations and institutional settings that can be applied to the current crisis in American corrections.

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Readers interested in the corrections system may contact the American Psychology—Law Society or Psychologists in Public Service, Divisions 41 and 18, respectively, of the American Psychological Association. Correspondence may be addressed to Craig Haney, Department of Psychology, University of California, Santa Cruz, CA, 95064.

Electronic mail may be sent to [psylaw@cats.ucsc.edu](mailto:psylaw@cats.ucsc.edu).

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Twenty-five years ago, a group of psychologically healthy, normal college students (and several presumably mentally sound experimenters) were temporarily but dramatically transformed in the course of six days spent in a prison-like environment, in research that came to be known as the Stanford Prison Experiment (SPE; [Haney, Banks, & Zimbardo, 1973](#)). The outcome of our study was shocking and unexpected to us, our professional colleagues, and the general public. Otherwise emotionally strong college students who were randomly assigned to be mock-prisoners suffered acute psychological trauma and breakdowns. Some of the students begged to be released from the intense pains of less than a week of merely simulated imprisonment, whereas others adapted by becoming blindly obedient to the unjust authority of the guards. The guards, too—who also had been carefully chosen on the basis of their normal—average scores on a variety of personality measures—quickly internalized their randomly assigned role. Many of these seemingly gentle and caring young men, some of whom had described themselves as pacifists or Vietnam War "doves," soon began mistreating their peers and were indifferent to the obvious suffering that their actions produced. Several of them devised sadistically inventive ways to harass and degrade the prisoners, and none of the less actively cruel mock-guards ever intervened or complained about the abuses they witnessed. Most of the worst prisoner treatment came on the night shifts and other occasions when the guards thought they could avoid the surveillance and interference of the research team. Our planned two-week experiment had to be aborted after only six days because the experience dramatically and painfully transformed most of the participants in ways we did not anticipate,

prepare for, or predict.

These shocking results attracted an enormous amount of public and media attention and became the focus of much academic writing and commentary. For example, in addition to our own analyses of the outcome of the study itself (e.g., [Haney et al., 1973](#); [Haney & Zimbardo, 1977](#); [Zimbardo, 1975](#); [Zimbardo, Haney, Banks, & Jaffe, 1974](#)) and the various methodological and ethical issues that it raised (e.g., [Haney, 1976](#); [Zimbardo, 1973](#)), the SPE was hailed by former American Psychological Association president George [Miller \(1980\)](#) as an exemplar of the way in which psychological research could and should be "given away" to the public because its important lessons could be readily understood and appreciated by nonprofessionals. On the 25th anniversary of this study, we reflect on its continuing message for contemporary prison policy in light of the quarter century of criminal justice history that has transpired since we concluded the experiment.

When we conceived of the SPE, the discipline of psychology was in the midst of what has been called a "situational revolution." Our study was one of the "host of celebrated laboratory and field studies" that [Ross and Nisbett \(1991\)](#) referred to as having demonstrated the ways in which "the immediate social situation can overwhelm in importance the type of individual differences in personal traits or dispositions that people normally think of as being determinative of social behavior" (p. xiv). Along with much other research conducted over the past two and one-half decades illustrating the enormous power of situations, the SPE is often cited in textbooks and journal articles as a demonstration of the way in which social contexts can influence, alter, shape, and transform human behavior.

Our goal in conducting the SPE was to extend that basic perspective—one emphasizing the potency of social situations—into a relatively unexplored area of social psychology. Specifically, our study represented an experimental demonstration of the extraordinary power of *institutional* environments to influence those who passed through them. In contrast to the companion research of Stanley [Milgram \(1974\)](#) that focused on individual compliance in the face of an authority figure's increasingly extreme and unjust demands, the SPE examined the conformity pressures brought to bear on groups of people functioning within the same institutional setting (see [Carr, 1995](#)). Our "institution" rapidly developed sufficient power to bend and twist human behavior in ways that confounded expert predictions and violated the expectations of those who created and participated in it. And, because the unique design of the study allowed us to minimize the role of personality or dispositional variables, the SPE yielded especially clear psychological insights about the nature and dynamics of social and institutional control.

The behavior of prisoners and guards in our simulated environment bore a remarkable similarity to patterns found in actual prisons. As we wrote, "Despite the fact that guards and prisoners were essentially free to engage in any form of interaction . . . the characteristic nature of their encounters tended to be negative, hostile, affrontive and dehumanising" ( [Haney et al., 1973](#)), threats, insults, and deindividuating references that were most commonly directed by guards against prisoners. The environment we had fashioned in the basement hallway of Stanford University's Department of Psychology became so real for the participants that it completely dominated their day-to-day existence (e.g., 90% of prisoners' in-cell conversations focused on "prison"-related topics), dramatically affected their moods and emotional states (e.g., prisoners expressed three times as much negative affect as did guards), and at least temporarily undermined their sense of self (e.g., both groups expressed increasingly more deprecating self-evaluations over time). Behaviorally, guards most often gave commands and engaged in confrontive or aggressive acts toward prisoners, whereas the prisoners initiated increasingly less behavior; failed to support each other more often than not; negatively evaluated each other in ways that were consistent with the guards' views of them; and as the experiment progressed, more frequently expressed intentions to do harm to others (even as they became increasingly more docile and conforming to the whims of the guards). We concluded, "The negative, anti-social reactions observed were not the product of an environment created by combining a collection of deviant personalities, but rather the result of an intrinsically pathological situation which could distort and rechannel the behaviour of essentially normal individuals. The abnormality here resided in the psychological nature of the situation and not in those who passed through it. ( [Haney et al., 1973](#), p. 90)" In much of the research and writing we have done since then, the SPE has served as an inspiration and intellectual

platform from which to extend the conceptual relevance of situational variables into two very different domains. One of us examined the coercive power of legal institutions in general and prisons in particular (e.g., [Haney, 1993a](#), [1997b](#), [1997c](#), [1997d](#), [1998](#); [Haney & Lynch, 1997](#)), as well as the importance of situational factors in explaining and reducing crime (e.g., [Haney, 1983](#), [1994](#), [1995](#), [1997a](#)). The other of us explored the dimensions of intrapsychic "psychological prisons" that constrict human experience and undermine human potential (e.g., [Brodt & Zimbardo, 1981](#); [Zimbardo, 1977](#); [Zimbardo, Pilkonis, & Norwood, 1975](#)) and the ways in which "mind-altering" social psychological dynamics can distort individual judgment and negatively influence behavior (e.g., [Zimbardo, 1979a](#); [Zimbardo & Andersen, 1993](#)). Because the SPE was intended as a critical demonstration of the negative effects of extreme institutional environments, much of the work that grew out of this original study was change-oriented and explored the ways in which social and legal institutions and practices might be transformed to make them more responsive to humane psychological imperatives (e.g., [Haney, 1993b](#); [Haney & Pettigrew, 1986](#); [Haney & Zimbardo, 1977](#); [Zimbardo, 1975](#); [Zimbardo et al., 1974](#)).

In this article, we return to the core issue that guided the original study ([Haney et al., 1973](#))—the implications of situational models of behavior for criminal justice institutions. We use the SPE as a point of historical departure to briefly examine the ways in which policies concerning crime and punishment have been transformed over the intervening 25 years. We argue that a series of psychological insights derived from the SPE and related studies, and the broad perspective that they advanced, still can contribute to the resolution of many of the critical problems that currently plague correctional policy in the United States.

## Crime and Punishment a Quarter Century Ago

The story of how the nature and purpose of imprisonment have been transformed over the past 25 years is very different from the one that we once hoped and expected we would be able to tell. At the time we conducted the SPE—in 1971—there was widespread concern about the fairness and the efficacy of the criminal justice system. Scholars, politicians, and members of the public wondered aloud whether prisons were too harsh, whether they adequately rehabilitated prisoners, and whether there were alternatives to incarceration that would better serve correctional needs and interests. Many states were already alarmed about increased levels of overcrowding. Indeed, in those days, prisons that operated at close to 90% of capacity were thought to be dangerously overcrowded. It was widely understood by legislators and penologists alike that under such conditions, programming resources were stretched too thin, and prison administrators were left with increasingly fewer degrees of freedom with which to respond to interpersonal conflicts and a range of other inmate problems.

Despite these concerns about overcrowding, there was a functional moratorium on prison construction in place in most parts of the country. Whatever else it represented, the moratorium reflected a genuine skepticism at some of the very highest levels of government about the viability of prison as a solution to the crime problem. Indeed, the report of the [National Advisory Commission on Criminal Justice Standards and Goals \(1973\)](#), published at around the same time we published the results of the SPE, concluded that prisons, juvenile reformatories, and jails had achieved what it characterized as a "shocking record of failure" (p. 597), suggested that these institutions may have been responsible for creating more crime than they prevented, and recommended that the moratorium on prison construction last at least another 10 years.

To be sure, there was a fiscal undercurrent to otherwise humanitarian attempts to avoid the overuse of imprisonment. Prisons are expensive, and without clear evidence that they worked very well, it was difficult to justify building and running more of them (cf. [Scull, 1977](#)). But there was also a fair amount of genuine concern among the general public about what was being done to prisoners behind prison walls and what the long-term effects would be (e.g., [Mitford, 1973](#); [Yee, 1973](#)). There was a certain skepticism, but the real challenge came from other deeper currents in the larger society.

The late 1960s saw the beginning of a prisoners' rights movement that eventually raised the political consciousness of large numbers of prisoners, some of whom became effective spokespersons for their cause (e.g., [American Friends Service Committee, 1971](#); [Jackson, 1970](#); [Smith, 1993](#)). Widely publicized, tragic

events in several prisons in different parts of the country vividly illustrated how prisoners could be badly mistreated by prison authorities and underscored the potentially serious drawbacks of relying on prisons as the centerpiece in a national strategy of crime control. For example, just a few weeks after the SPE was concluded, prisoners in Attica, New York, held a number of correctional officers hostage in a vain effort to secure more humane treatment. Although national celebrities attempted to peaceably mediate the standoff, an armed assault to retake the prison ended tragically with the deaths of many hostages and prisoners. Subsequent revelations about the use of excessive force and an official cover-up contributed to public skepticism about prisons and doubts about the wisdom and integrity of some of their administrators (e.g., [Wicker, 1975](#)).

Legal developments also helped to shape the prevailing national Zeitgeist on crime and punishment. More than a decade before we conducted the SPE, the U.S. Supreme Court had defined the Eighth Amendment's ban on cruel and unusual punishment as one that drew its meaning from what Chief Justice Warren called "the evolving standards of decency that mark the progress of a maturing society" ([Trop v. Dulles, 1958](#), p. 101). It is probably fair to say that most academics and other informed citizens anticipated that these standards *were* evolving and in such a way that the institution of prison—as the major organ of state-sanctioned punishment in American society—would be scrutinized carefully and honestly in an effort to apply contemporary humane views, including those that were emerging from the discipline of psychology.

Psychologists Stanley Brodsky, Carl Clements, and Raymond Fowler were engaged in just such a legal effort to reform the Alabama prison system in the early 1970s ([Pugh v. Locke, 1976](#); [Yackle, 1989](#)). The optimism with which [Fowler \(1976\)](#) wrote about the results of that litigation was characteristic of the time: "The practice of psychology in the nation's correctional systems, long a neglected byway, could gain new significance and visibility as a result [of the court's ruling]" (p. 15). The same sentiments prevailed in a similar effort in which we participated along with psychologist Thomas [Hilliard \(1976\)](#) in litigation that was designed to improve conditions in a special solitary confinement unit at San Quentin ([Spain v. Procunier, 1976](#)). Along with other psychologists interested in correctional and legal reform, we were confident that psychology and other social scientific disciplines could be put to effective use in the creation and application of evolving standards inside the nation's prisons (see [Haney & Zimbardo, 1977](#)).

And then, almost without warning, all of this critical reappraisal and constructive optimism about humane standards and alternatives to incarceration was replaced with something else. The counterrevolution in crime and punishment began slowly and imperceptibly at first and then pushed forward with a consistency of direction and effect that could not be overlooked. It moved so forcefully and seemingly inexorably during the 1980s that it resembled nothing so much as a runaway punishment train, driven by political steam and fueled by media-induced fears of crime. Now, many years after the SPE and that early optimism about psychologically based prison reform, our nation finds itself in the midst of arguably the worst corrections crisis in U.S. history, with every indication that it will get worse before it can possibly get better. For the first time in the 200-year history of imprisonment in the United States, there appear to be no limits on the amount of prison pain the public is willing to inflict in the name of crime control (cf. [Haney, 1997b, 1998](#)). Retired judge Lois [Forer \(1994\)](#), in her denunciation of some of these recent trends, warned of the dire consequences of what she called the "rage to punish." But this rage has been indulged so completely that it threatens to override any of the competing concerns for humane justice that once served to make this system more compassionate and fair. The United States has entered what another commentator called the "mean season" of corrections, one in which penal philosophy amounts to little more than devising "creative strategies to make offenders suffer" ([Cullen, 1995](#), p. 340).

## The Radical Transformation of "Corrections"

We briefly recount the series of wrenching transformations that laid the groundwork for the mean season of corrections that the nation has now entered—the some 25 years of correctional policy that have transpired since the SPE was conducted. Whatever the social and political forces that caused these transformations, they collectively altered the correctional landscape of the country. The criminal justice system not only has become increasingly harsh and punitive but also has obscured many of the psychological insights on which the SPE and



numerous other empirical studies were based—insights about the power of social situations and contexts to influence and control behavior. Specifically, over a very short period of time, the following series of transformations occurred to radically change the shape and direction of corrections in the United States.

### **The Death of Rehabilitation**

A dramatic shift in correctional philosophy was pivotal to the series of changes that followed. Almost overnight, the concept that had served as the intellectual cornerstone of corrections policy for nearly a century—rehabilitation—was publicly and politically discredited. The country moved abruptly in the mid-1970s from a society that justified putting people in prison on the basis of the belief that their incarceration would somehow facilitate their productive reentry into the free world to one that used imprisonment merely to disable criminal offenders ("incapacitation") or to keep them far away from the rest of society ("containment"). At a more philosophical level, imprisonment was now said to further something called "just desserts"—locking people up for no other reason than they deserved it and for no other purpose than to punish them (e.g., [von Hirsch, 1976](#)). In fact, prison punishment soon came to be thought of as its own reward, serving only the goal of inflicting pain.

### **Determinate Sentencing and the Politicizing of Prison Pain**

Almost simultaneously—and, in essence, as a consequence of the abandonment of rehabilitation—many states moved from indeterminate to determinate models of prison sentencing. Because indeterminate sentencing had been devised as a mechanism to allow for the release of prisoners who were rehabilitated early—and the retention of those whose in-prison change took longer—it simply did not fit with the new goals of incarceration. This shift to determinate sentencing did have the intended consequence of removing discretion from the hands of prison administrators and even judges who, studies showed, from time to time abused it (e.g., [American Friends Service Committee, 1971](#)). However, it also had the likely unintended consequence of bringing prison sentencing into an openly political arena. Once largely the province of presumably expert judicial decision makers, prison administrators, or parole authorities who operated largely out of the public view, prison sentencing had remained relatively free from at least the most obvious and explicit forms of political influence. They no longer were. Moreover, determinate sentencing and the use of rigid sentencing guidelines or "grids" undermined the role of situation and context in the allocation of punishment (cf. [Freed, 1992](#)).

### **The Imprisoning of America**

The moratorium on new prison construction that was in place at the time of the SPE was ended by the confluence of several separate, powerful forces. For one, legislators continued to vie for the mantle of "toughest on crime" by regularly increasing the lengths of prison sentences. Of course, this meant that prisoners were incarcerated for progressively longer periods of time. In addition, the sentencing discretion of judges was almost completely subjugated to the various aforementioned legislative grids, formulas, and guidelines. Moreover, the advent of determinate sentencing meant that prison administrators had no outlets at the other end of this flow of prisoners to relieve population pressures (which, under indeterminate sentencing, had been discretionary). Finally, federal district court judges began to enter judicial orders that prohibited states from, among other things, cramming two and three or more prisoners into one-person (typically six feet by nine feet) cells (e.g., [Burks v. Walsh, 1978](#); [Capps v. Atiyeh, 1980](#)); agreed that prisoners could no longer be housed in these shockingly inadequate spaces and reluctantly faced the inevitable: Prison construction began on an unprecedented scale across the country.

Although this rapid prison construction briefly eased the overcrowding problem, prisoner populations continued to grow at unprecedented rates (see [Figure 1](#)). It soon became clear that even dramatic increases in the number of new prisons could not keep pace. In fact, almost continuously over the past 25 years, penologists have described U.S. prisons as "in crisis" and have characterized each new level of overcrowding as "unprecedented." As the decade of the 1980s came to a close, the United States was imprisoning more people for longer periods of time than ever before in our history, far surpassing other industrialized democracies in the

use of incarceration as a crime control measure ( [Mauer, 1992](#), [1995](#) ). As of June 1997, the most recent date for which figures are available, the total number of persons incarcerated in the United States exceeded 1.7 million ( [Bureau of Justice Statistics, 1998](#) ), which continues the upward trend of the previous 11 years, from 1985 to 1996 when the number rose from 744,208 to 1,630,940. Indeed, 10 years ago, long before today's record rates were attained, one scholar concluded, "It is easily demonstrable that America's use of prison is excessive to the point of barbarity, with a prison rate several times higher than that of other similarly developed Western countries" ( [Newman, 1988](#) ).

*Contemporary Psychology* : American prison and jail populations have reached historically high levels. . . . It is noteworthy that, although in several recent years the levels of reported crime declined, the prison and jail populations continued to rise. The desire for punishment seems to have taken on a life of its own. ( [McConville, 1989](#), p. 928) The push to higher rates and lengths of incarceration has only intensified since then. Most state and federal prisons now operate well above their rated capacities, with many overcrowded to nearly twice their design limits. At the start of the 1990s, the United States incarcerated more persons per capita than any other modern nation in the world. The international disparities are most striking when the U.S. incarceration rate is contrasted to those of other nations with which the United States is often compared, such as Japan, The Netherlands, Australia, and the United Kingdom; throughout most of the present decade, the U.S. rates have consistently been between four and eight times as high as those of these other nations (e.g., [Christie, 1994](#); [Mauer, 1992](#), [1995](#) ). In fact, rates of incarceration have continued to climb in the United States, reaching the unprecedented levels of more than 500 per 100,000 in 1992 and then 600 per 100,000 in 1996. Although in 1990 the United States incarcerated a higher proportion of its population than any other nation on earth ( [Mauer, 1992](#) ), as of 1995, political and economic upheaval in Russia was associated with an abrupt increase in rate of incarceration, and Russia surpassed the United States. (Additional data on the abrupt growth in the U.S. prison population and international comparisons of incarceration rates can be found in the [Appendix](#), [Tables A1](#) and [A2](#), and [Figure A1](#).)

The increase in U.S. prison populations during these years was not produced by a disproportionate increase in the incarceration of violent offenders. In 1995, only one quarter of persons sentenced to state prisons were convicted of a violent offense, whereas three quarters were sent for property or drug offenses or other nonviolent crimes such as receiving stolen property or immigration violations ( [Bureau of Justice Statistics, 1996](#) ). Nor was the increased use of imprisonment related to increased levels of crime. In fact, according to the National Crime Victimization Survey, conducted by the Bureau of the Census, a survey of 94,000 U.S. residents found that many fewer of them were the victims of crime during the calendar year 1995—1996, the year our incarceration rate reached an all-time high ( [Bureau of Justice Statistics, 1997b](#) ).

### **The Racialization of Prison Pain**

The aggregate statistics describing the extraordinary punitiveness of the U.S. criminal justice system mask an important fact: The pains of imprisonment have been inflicted disproportionately on minorities, especially Black men. Indeed, for many years, the rate of incarceration of White men in the United States compared favorably with those in most Western European nations, including countries regarded as the most progressive and least punitive (e.g., [Dunbaugh, 1979](#) ). Although in recent years the rate of incarceration for Whites in the United States has also increased and no longer compares favorably with other Western European nations, it still does not begin to approximate the rate for African Americans. Thus, although they represent less than 6% of the general U.S. population, African American men constitute 48% of those confined to state prisons. Statistics collected at the beginning of this decade indicated that Blacks were more than six times more likely to be imprisoned than their White counterparts ( [Mauer, 1992](#) ) one-half times ( [Bureau of Justice Statistics, 1996](#) ) men at a rate that is approximately four times the rate of incarceration of Black men in South Africa ( [King, 1993](#) ).

All races and ethnic groups and both sexes are being negatively affected by the increases in the incarcerated population, but the racial comparisons are most telling. The rate of incarceration for White men almost doubled between 1985 and 1995, growing from a rate of 528 per 100,000 in 1985 to a rate of 919 per 100,000 in 1995.

The impact of incarceration on African American men, Hispanics, and women of all racial and ethnic groups is greater than that for White men, with African American men being the most profoundly affected. The number of African American men who are incarcerated rose from a rate of 3,544 per 100,000 in 1985 to an astonishing rate of 6,926 per 100,000 in 1995. Also, between 1985 and 1995, the number of Hispanic prisoners rose by an average of 12% annually ( [Mumola & Beck, 1997](#) ). (Additional data on some of the disparities in imprisonment between Whites and Blacks in the United States can be found in the [Appendix](#) , [Tables A3](#) and [A4](#) , and [Figure A2](#) .)

### **The Overincarceration of Drug Offenders**

The increasingly disproportionate number of African American men who are being sent to prison seems to be related to the dramatic increase in the number of persons incarcerated for drug-related offenses, combined with the greater tendency to imprison Black drug offenders as compared with their White counterparts. Thus, although Blacks and Whites use drugs at approximately the same rate ( [Bureau of Justice Statistics, 1991](#) ), African Americans were arrested for drug offenses during the so-called war on drugs at a much higher rate than were Whites ( [Blumstein, 1993](#) ). The most recent data show that between 1985 and 1995, the number of African Americans incarcerated in state prisons due to drug violations (which were their only or their most serious offense) rose 707% (see [Table 1](#) ). In contrast, the number of Whites incarcerated in state prisons for drug offenses (as their only or most serious offense) underwent a 306% change. In 1986, for example, only 7% of Black prison inmates in the United States had been convicted of drug crimes, compared with 8% of Whites. By 1991, however, the Black percentage had more than tripled to 25%, whereas the percentage of White inmates incarcerated for drug crimes had increased by only half to 12% ( [Tonry, 1995](#) ). In the federal prison system, the numbers of African Americans incarcerated for drug violations are shockingly high: Fully 64% of male and 71% of female Black prisoners incarcerated in federal institutions in 1995 had been sent there for drug offenses ( [Bureau of Justice Statistics, 1996](#) ).

According to a historical report done for the Bureau of Justice Statistics ( [Cahalan, 1986](#) ), the offense distribution of federal and state prisoners—a measure of the types of crimes for which people are incarcerated—remained stable from 1910 to 1984. The classification of some offenses changed. For example, robbery is now included in the category of violent crime rather than being classified with property crimes, as it was in the past. Public order offenses, also called morals charges, used to include vagrancy, liquor law violations, and drug offenses. Drug offenses are no longer classified with public order crimes. Of course, not only have drug offenses been elevated to the status of their own crime category in national statistical compilations and their own especially severe legislated penalties, but there is also a "Drug Czar" in the executive branch and a large federal agency devoted exclusively to enforcing laws against drug-related crimes.

As we noted, the types and proportions of offenses for which people were incarcerated in the United States were highly consistent for the 75 years prior to 1984. For most of the 20th century, the U.S. prison population consisted of around 60—70% offenders against property, 13—24% offenders against persons (now called violent crime), around 20% public order—morals violations (which included drug offenses), and 10% other types of offenders ( [Cahalan, 1986](#) ).

However, these distributions have changed dramatically during the past 10 to 15 years. The federal government is now willing to incarcerate people for a wider range of criminal violations, and both state and federal prisoners remain incarcerated for longer periods of time. The number of violent offenders who are incarcerated has risen but not as steeply as the number of drug offenders who are now sent to prison. In 1995, 23% of state prisoners were incarcerated for drug offenses in contrast to 9% of drug offenders in state prisons in 1986. In fact, the proportion of drug offenders in the state prison population nearly tripled by 1990, when it reached 21%, and has remained at close to that level since then. The proportion of federal prisoners held for drug violations doubled during the past 10 years. In 1985, 34% of federal prisoners were incarcerated for drug violations. By 1995, the proportion had risen to 60%. (See [Figure 2](#) .)

We note in passing that these three interrelated trends—the extraordinary increase in the numbers of persons in

prison, the disproportionate incarceration of minorities, and the high percentage of persons incarcerated for drug offenses—reflect a consistent disregard of context and situation in the criminal justice policies of the past 25 years. The unprecedented use of imprisonment per se manifests a policy choice to incarcerate individual lawbreakers instead of targeting the criminogenic social conditions and risk factors that have contributed to their criminality. Sentencing models that ignore situation and context inevitably lead to higher rates of incarceration among groups of citizens who confront race-based poverty and deprivation and other social ills that are related to discrimination. The failure to address the differential opportunity structure that leads young minority group members into certain kinds of drug-related activities and the conscious decision to target those activities for criminal prosecution and incarceration, rather than to attempt to improve the life chances of the urban Black underclass, reflect dispositional—and discriminatory—views of crime control.

Moreover, excessive and disproportionate use of imprisonment ignores the secondary effects that harsh criminal justice policies eventually will have on the social contexts and communities from which minority citizens come. Remarkably, as the present decade began, there were more young Black men (between the ages of 20 and 29) under the control of the nation's criminal justice system (including probation and parole supervision) than the total number in college ( [Mauer, 1990](#) ). Thus, one scholar has predicted that "imprisonment will become the most significant factor contributing to the dissolution and breakdown of African American families during the decade of the 1990s" ( [King, 1993](#) , p. 145), and another has concluded that "crime control policies are a major contributor to the disruption of the family, the prevalence of single parent families, and children raised without a father in the ghetto, and the 'inability of people to get the jobs still available'" ( [Chambliss, 1994](#) , p. 183).

### The Rise of the "Supermax" Prison

In addition to becoming dangerously overcrowded and populated by a disproportionate number of minority citizens and drug offenders over the past 25 years, many U.S. prisons also now lack meaningful work, training, education, treatment, and counseling programs for the prisoners who are confined in them. Plagued by increasingly intolerable living conditions where prisoners serve long sentences that they now have no hope of having reduced through "good time" credits, due to laws imposed by state legislatures, many prison officials have turned to punitive policies of within-prison segregation in the hope of maintaining institutional control (e.g., [Christie, 1994](#) ; [Haney, 1993a](#) ; [Haney & Lynch, 1997](#) ; [Perkinson, 1994](#) ). Indeed, a penal philosophy of sorts has emerged in which prison systems use long-term solitary confinement in so-called supermax prisons as a proactive policy of inmate management. Criticized as the "Marionization" of U.S. prisons, after the notorious federal penitentiary in Marion, Illinois, where the policy seems to have originated ( [Amnesty International, 1987](#) ; [Olivero & Roberts, 1990](#) ), one commentator referred to the "accelerating movement toward housing prisoners officially categorized as violent or disruptive in separate, free-standing facilities where they are locked in their cells approximately 23 hours per day" ( [Immarigeon, 1992](#) , p. 1). They are ineligible for prison jobs, vocational training programs, and, in many states, education.

Thus, in the 25 years since the SPE was conducted, the country has witnessed the emergence of a genuinely new penal form—supermax prisons that feature state-of-the-art, ultra secure, long-term segregated confinement supposedly reserved for the criminal justice system's most troublesome or incorrigible offenders. [Human Rights Watch \(1997\)](#) described the basic routine imposed in such units: Prisoners "are removed from general population and housed in conditions of extreme social isolation, limited environmental stimulation, reduced privileges and service, scant recreational, vocational or educational opportunities, and extraordinary control over their every movement" (p. 14). (See also [Haney, 1993a, 1997d](#) , and [Haney and Lynch, 1997](#) , for discussions of the psychological effects of these special conditions of confinement.) By 1991, these prisons imposing extreme segregation and isolation were functioning in some 36 states, with many others in the planning stages (e.g., "Editorial," 1991). A newly opened, highly restrictive, modern "control unit" apparently committed the federal penitentiary system to the use of this penal form for some time to come ( [Dowker & Good, 1992](#) ; [Perkinson, 1994](#) ). Thus, by 1997 Human Rights Watch expressed concern over what it called "the national trend toward super-maximum security prisons" (p. 13), noting that in addition to the 57 units currently in operation, construction programs already underway "would increase the nationwide supermax capacity by nearly 25 percent" (p. 14).



A constitutional challenge to conditions in California's supermax—one that many legal observers viewed as a test case on the constitutionality of these "prisons of the future"—resulted in a strongly worded opinion in which the federal court condemned certain of its features, suggesting that the prison, in the judge's words, inflicted "stark sterility and unremitting monotony" ([Madrid v. Gomez, 1995](#), p. 1229) on prisoners and exposed them to overall conditions that "may press the outer bounds of what most humans can psychologically tolerate" (p. 1267) but left the basic regimen of segregation and isolation largely intact.

Here, too, the importance of context and situation has been ignored. Widespread prison management problems and gang-related infractions are best understood in systematic terms, as at least in large part the products of worsening overall institutional conditions. Viewing them instead as caused exclusively by "problem prisoners" who require nothing more than isolated and segregated confinement ignores the role of compelling situational forces that help to account for their behavior. It also overlooks the capacity of deteriorated prison conditions to continue to generate new replacements who will assume the roles of those prisoners who have been taken to segregation. Finally, the continued use of high levels of punitive isolation, despite evidence of significant psychological trauma and psychiatric risk (e.g., [Grassian, 1983](#); [Haney, 1997d](#); [Haney & Lynch, 1997](#)), reflects a legal failure to fully appreciate the costs of these potentially harmful social contexts—both in terms of immediate pain and emotional damage as well as their long-term effects on post-segregation and even post-release behavior.

### The Retreat of the Supreme Court

The final component in the transformation of U.S. prison policy during this 25-year period came from the U.S. Supreme Court, as the Justices significantly narrowed their role in examining and correcting unconstitutionally cruel prison conditions as well as drastically redefining the legal standards that they applied in such cases. Ironically, the early constitutional review of conditions of confinement at the start of this historical period had begun on an encouraging note. Indeed, it was one of the things that helped fuel the early optimism about "evolving standards" to which we earlier referred. For example, in 1974, just three years after the SPE, the Supreme Court announced that "there is no iron curtain drawn between the Constitution and the prisons of this country" ([Wolff v. McDonnell, 1974](#), pp. 556—567). Given the Warren Court's legacy of protecting powerless persons who confronted potent situations and adverse structural conditions, and the Court's legal realist tendencies to look carefully at the specific circumstances under which abuses occurred (e.g., [Haney, 1991](#)), hopes were raised in many quarters that a majority of the Justices would carefully evaluate the nation's worst prison environments, acknowledge their harmful psychological effects, and order badly needed reform.

However, a sharp right turn away from the possibility and promise of the Warren Court's view became evident at the start of the 1980s. The first time the Court fully evaluated the totality of conditions in a particular prison, it reached a very discouraging result. Justice Powell's majority opinion proclaimed that "the Constitution does not mandate comfortable prisons, and prisons . . . which house persons convicted of serious crimes cannot be free of discomfort" ([Rhodes v. Chapman, 1981](#), p. 349). None of the Justices attempted to define the degree of acceptable discomfort that could be inflicted under the Constitution. However, Powell used several phrases that were actually taken from death penalty cases to provide a sense of just how painful imprisonment could become before beginning to qualify as "cruel and unusual": Punishment that stopped just short of involving "the unnecessary and wanton infliction of pain" (p. 345, citing [Gregg v. Georgia, 1976](#), p. 173) would not be prohibited, pains of imprisonment that were not "grossly" citing [Coker v. Georgia, 1977](#), p. 592) would be allowed, and harm that was not "totally without penological justification" (p. 345, citing [Gregg v. Georgia](#), p. 183) also would be acceptable (italics added).

The Supreme Court thus set a largely unsympathetic tone for Eighth Amendment prison cases and established a noninterventionist stance from which it has rarely ever wavered. Often turning a blind eye to the realities of prison life and the potentially debilitating psychological effects on persons housed in badly overcrowded, poorly run, and increasingly dangerous prisons, the Court developed several constitutional doctrines that both limited the liability of prison officials and further undermined the legal relevance of a careful situational

analysis of imprisonment. For example, in one pivotal case, the Court decided that the notion that "overall prison conditions" somehow could produce a cruel and unusual living environment—a view that not only was psychologically straightforward but also had guided numerous lower court decisions in which overall conditions of confinement in particular prisons were found unconstitutional—was simply "too amorphous" to abide any longer ( [Wilson v. Seiter, 1991](#), p. 304).

In the same case, the Court decisively shifted its Eighth Amendment inquiry from the conditions themselves to the thought processes of the officials responsible for creating and maintaining them. Justice Scalia wrote for the majority that Eighth Amendment claims concerning conduct that did not purport to be punishment required an inquiry into prison officials' state of mind—in this case, their "deliberate indifference" ( [Wilson v. Seiter, 1991](#) ). Justice Scalia also had rejected a distinction between short-term deprivations and "continuing" or "systemic" problems of the sort that might have made state of mind less relevant. The argument here had been that evidence of systemic problems would obviate the need to demonstrate state of mind on the part of officials who had presumably known about and tolerated them as part of the correctional status quo. Scalia said instead that although the long duration of a cruel condition might make it easier to establish knowledge and, hence, intent, it would not eliminate the intent requirement.

Prison litigators and legal commentators criticized the decision as having established a constitutional hurdle for conditions of confinement claims that was "virtually insurmountable" and speculated that the impossibly high threshold "reflects recent changes in public attitudes towards crime and allocation of scarce public resources" ( [Hall, 1993](#), p. 208). Finally, in 1994, the Court seemed to raise the hurdle to a literally insurmountable level by explicitly embracing the criminal law concept of "subjective recklessness" as the Eighth Amendment test for deliberate indifference ( [Farmer v. Brennan, 1994](#) ). concern that the new standard meant that that triers of fact would first have to find that "prison officials acted like criminals" before finding them liable ( [Farmer v. Brennan, 1994](#), p. 1980).

This series of most recent cases has prompted commentators to speculate that the Supreme Court is "headed toward a new hands-off doctrine in correctional law" ( [Robbins, 1993](#), p. 169) that would require lower courts "to defer to the internal actions and decisions of prison officials" ( [Hall, 1993](#), p. 223). Yet, the narrow logic of these opinions suggests that the Justices intend to keep not only their hands off the faltering prison system but their eyes averted from the realities of prison life as well. It is difficult to avoid the conclusion that the Court's refusal to examine the intricacies of day-to-day existence in those maximum security prisons whose deteriorated and potentially harmful conditions are placed at issue is designed to limit the liability of those who create and run them.

Unfortunately, the U.S. Supreme Court was not the only federal governmental agency contributing to this retreat from the meaningful analysis of conditions of confinement inside the nation's prisons and jails. In April 1996, the U.S. Congress passed legislation titled the Prison Litigation Reform Act (PLRA) that significantly limited the ability of the federal courts to monitor and remedy constitutional violations in detention facilities throughout the country. Among other things, it placed substantive and procedural limits on injunctions and consent decrees (where both parties reach binding agreements to fix existing problems in advance of trial) to improve prison conditions. The PLRA also impeded the appointment of "special masters" to oversee prison systems' compliance with court orders and appeared to forbid the filing of legal actions by prisoners for mental or emotional injury without a prior showing of physical injury. Although the full impact of this remarkable legislation cannot yet be measured, it seems to have been designed to prevent many of the problems that have befallen U.S. prisons from ever being effectively addressed. Combined with the Supreme Court's stance concerning prison conditions, the PLRA will likely contribute to the growing tendency to avoid any meaningful contextual analysis of the conditions under which many prisoners are now confined and also to a growing ignorance among the public about the questionable utility of prison as a solution to the nation's crime problem.

## **Responding to the Current Crisis: Some Lessons From the Stanford Prison Experiment**

Where has this series of transformations left the U.S. criminal justice system? With startling speed, national

prison policy has become remarkably punitive, and correspondingly, conditions of confinement have dramatically deteriorated in many parts of the country. These transformations have been costly in economic, social, and human terms. At the beginning of the present decade, a stark fact about governmental priorities was reported: "For the first time in history, state and municipal governments are spending more money on criminal justice than education" ( [Chambliss, 1994](#) ) surpassed the state's fiscal outlays for higher education (e.g., [Butterfield, 1995](#) ; [Jordan, 1995](#) ). Despite this historic shift in expenditures and the unprecedented prison construction that took place during the past 25 years, many commentators still lament what has been referred to as the "national scandal of living conditions in American prisons" ( [Gutterman, 1995](#) , p. 373). As we have noted and one reviewer recently observed, "For over a decade, virtually every contemporary commentary on corrections in the United States has reminded us that the system [is] in crisis" ( [Cullen, 1995](#) , p. 338).

The dimensions of this crisis continue to expand and do not yet reflect what promises to be an even more significant boost in prison numbers—the effects of recently passed, so-called three-strikes legislation that not only mandates a life sentence on a third criminal conviction but, in some states, also doubles the prison sentence for a second criminal conviction and reduces existing good-time provisions for every term (so that all prisoners actually are incarcerated for a longer period of time). This three-strikes legislation was written and rapidly passed into law to capitalize on the public's fear of violent crime ( [Haney, 1994](#) , [1997b](#) ). Despite the fact that the crime rate in the United States has been declining for some time in small but steady increments, many of these bills were written in such a way as to cast the widest possible net—beyond violent career criminals (whom most members of the public had in mind)—to include nonviolent crimes like felony drug convictions and minor property offenses. As a consequence, a disproportionate number of young Black and Hispanic men are likely to be imprisoned for life under scenarios in which they are guilty of little more than a history of untreated addiction and several prior drug-related offenses. The mandate to create lifetime incarceration for so many inmates under circumstances where overcrowding precludes their participation in meaningful programs, treatment, and other activities is likely to raise the overall level of prisoners' frustration, despair, and violence. States will absorb the staggering cost of not only constructing additional prisons to accommodate increasing numbers of prisoners who will never be released but also warehousing them into old age ( [Zimbardo, 1994](#) ).

Remarkably, the radical transformations we have described in the nation's penal policy occurred with almost no input from the discipline of psychology. Correctional administrators, politicians, policymakers, and judicial decision makers not only ignored most of the lessons that emerged from the SPE but also disregarded the insights of a number of psychologists who preceded us and the scores of others who wrote about, extended, and elaborated on the same lessons in empirical studies and theoretical pieces published over the past several decades. Indeed, there is now a vast social science literature that underscores, in various ways, the critical importance of situation and context in influencing social behavior, especially in psychologically powerful situations like prisons. These lessons, insights, and literature deserve to be taken into account as the nation's prison system moves into the next century.

Here then is a series of propositions derived or closely extrapolated from the SPE and the large body of related research that underscores the power of situations and social context to shape and transform human behavior. Each proposition argues for the creation of a new corrections agenda that would take us in a fundamentally different direction from the one in which we have been moving over the past quarter century.

First, the SPE underscored the degree to which prison environments are themselves powerful, potentially damaging situations whose negative psychological effects must be taken seriously, carefully evaluated, and purposefully regulated and controlled. When appropriate, these environments must be changed or (in extreme cases) eliminated. Of course, the SPE demonstrated the power of situations to overwhelm psychologically normal, healthy people and to elicit from them unexpectedly cruel, yet "situationally appropriate" behavior. In many instances during our study, the participants' behavior (and our own) directly contravened personal value systems and deviated dramatically from past records of conduct. This behavior was elicited by the social context and roles we created, and it had painful, even traumatic consequences for the prisoners against whom it was directed.

The policy implications of these observations seem clear. For one, because of their harmful potential, prisons should be deployed very sparingly in the war on crime. Recognition of the tendency of prison environments to become psychologically damaging also provides a strong argument for increased and more realistic legal and governmental oversight of penal institutions in ways that are sensitive to and designed to limit their potentially destructive impact. In addition, it argues in favor of significantly revising the allocation of criminal justice resources to more seriously explore, create, and evaluate humane alternatives to traditional correctional environments.

Second, the SPE also revealed how easily even a minimalist prison could become painful and powerful. By almost any comparative standard, ours was an extraordinarily benign prison. None of the guards at the "Stanford Prison" were armed, and there were obvious limits to the ways in which they could or would react to prisoners' disobedience, rebellion, or even escape. Yet, even in this minimalist prison setting, all of our "guards" participated in one way or another in the pattern of mistreatment that quickly developed. Indeed, some escalated their definition of "role-appropriate" behavior to become highly feared, sadistic tormentors. Although the prisoners' terms of incarceration were extremely abbreviated (corresponding, really, to very short-term pretrial detention in a county jail), half of our prisoner—participants left before the study was terminated because they could not tolerate the pains of this merely simulated imprisonment. The pains were as much psychological—feelings of powerlessness, degradation, frustration, and emotional distress—as physical—sleep deprivation, poor diet, and unhealthy living conditions. Unlike our participants, of course, many experienced prisoners have learned to suppress such outward signs of psychological vulnerability lest they be interpreted as weakness, inviting exploitation by others.

Thus, the SPE and other related studies demonstrating the power of social contexts teach a lesson about the way in which certain situational conditions can interact and work in combination to produce a dehumanizing whole that is more damaging than the sum of its individual institutional parts. Legal doctrines that fail to explicitly take into account and formally consider the totality of these situational conditions miss this psychological point. The effects of situations and social contexts must be assessed from the perspective of those within them. The experiential perspective of prison inmates—the meaning of the prison experience and its effects on them—is the most useful starting point for determining whether a particular set of prison conditions is cruel and unusual. But a macroexperiential perspective does not allow for the parsing of individual factors or aspects of a situation whose psychological consequences can then be separately assessed. Thus, legal regulators and the psychological experts who assist them also must be sensitive to the ways in which different aspects of a particular situation interact and aggregate in the lives of the persons who inhabit total institutions like prisons as well as their capacity to produce significant effects on the basis of seemingly subtle changes and modifications that build up over time. In contexts such as these, there is much more to the "basic necessities of life" than "single, identifiable human need[s] such as food, warmth or exercise" ([Wilson v. Seiter, 1991](#), p. 304). Even if this view is "too amorphous" for members of the current Supreme Court to appreciate or apply, it is the only psychologically defensible approach to assessing the effects of a particular prison and gauging its overall impact on those who live within its walls.

In a related vein, recent research has shown how school children can develop maladjusted, aggressive behavior patterns based on initially marginal deviations from other children that get amplified in classroom interactions and aggregated over time until they become manifested as "problem children" ([Caprara & Zimbardo, 1996](#)). Evidence of the same processes at work can be found in the life histories of persons accused and convicted of capital crime ([Haney, 1995](#)). In similar ways, initially small behavioral problems and dysfunctional social adaptations by individual prisoners may become amplified and aggravated over time in prison settings that require daily interaction with other prisoners and guards.

Recall also that the SPE was purposely populated with young men who were selected on the basis of their initial mental and physical health and normality, both of which, less than a week later, had badly deteriorated. Real prisons use no such selection procedures. Indeed, one of the casualties of severe overcrowding in many prison systems has been that even rudimentary classification decisions based on the psychological makeup of entering



cohorts of prisoners are forgone (see [Clements, 1979](#), [1985](#)) prison situation is likely given a boost by the pathology that some prisoners and guards bring with them into the institutions themselves. Thus, although ours was clearly a study of the power of situational characteristics, we certainly acknowledge the value of interactional models of social and institutional behavior. Prison systems should not ignore individual vulnerabilities in attempting to optimize institutional adjustment, minimize behavioral and psychological problems, understand differences in institutional adaptations and capacities to survive, and intelligently allocate treatment and other resources (e.g., [Haney & Specter, in press](#)).

Third, if situations matter and people can be transformed by them when they go into prisons, they matter equally, if not more, when they come out of prison. This suggests very clearly that programs of prisoner change cannot ignore situations and social conditions that prevail after release if they are to have any hope of sustaining whatever positive gains are achieved during periods of imprisonment and lowering distressingly high recidivism rates. Several implications can be drawn from this observation. The first is that prisons must more routinely use transitional or "decompression" programs that gradually reverse the effects of the extreme environments in which convicts have been confined. These programs must be aimed at preparing prisoners for the radically different situations that they will enter in the free world. Otherwise, prisoners who were ill-prepared for job and social situations before they entered prison become more so over time, and the longer they have been imprisoned, the more likely it is that rapid technological and social change will have dramatically transformed the world to which they return.

The SPE and related studies also imply that exclusively individual-centered approaches to crime control (like imprisonment) are self-limiting and doomed to failure in the absence of other approaches that simultaneously and systematically address criminogenic situational and contextual factors. Because traditional models of rehabilitation are person-centered and dispositional in nature (focusing entirely on individual-level change), they typically have ignored the postrelease situational factors that help to account for discouraging rates of recidivism. Yet, the recognition that people can be significantly changed and transformed by immediate situational conditions also implies that certain kinds of situations in the free world can override and negate positive prison change. Thus, correctional and parole resources must be shifted to the transformation of certain criminogenic situations in the larger society if ex-convicts are to meaningfully and effectively adapt. Successful post-release adjustment may depend as much on the criminal justice system's ability to change certain components of an ex-convict's situation *after*

alcohol counseling for starters—as it does on any of the positive rehabilitative changes made by individual prisoners during confinement itself.

This perspective also underscores the way in which long-term legacies of exposure to powerful and destructive situations, contexts, and structures means that prisons themselves can act as criminogenic agents—in both their primary effects on prisoners and secondary effects on the lives of persons connected to them—thereby serving to increase rather than decrease the amount of crime that occurs within a society. Department of corrections data show that about a fourth of those initially imprisoned for nonviolent crimes are sentenced a second time for committing a violent offense. Whatever else it reflects, this pattern highlights the possibility that prison serves to transmit violent habits and values rather than to reduce them. Moreover, like many of these lessons, this one counsels policymakers to take the full range of the social and economic costs of imprisonment into account in calculations that guide long-term crime control strategies. It also argues in favor of incorporating the deleterious effects of prior terms of incarceration into at least certain models of legal responsibility (e.g., [Haney, 1995](#)).

Fourth, despite using several valid personality tests in the SPE, we found that we were unable to predict (or even postdict) who would behave in what ways and why ([Haney et al., 1973](#)). This kind of failure underscores the possibility that behavioral prediction and explanation in extreme situations like prisons will be successful only if they are approached with more situationally sensitive models than are typically used. For example, most current personality trait measures ask respondents to report on characteristic ways of responding in familiar situations or scenarios. They do not and cannot tap into reactions that might occur in novel, extreme, or especially potent situations—like the SPE or [Milgram's \(1974\)](#) obedience paradigm—and thus have little predictive value when extrapolated to such extreme cases. More situationally sensitive models would attend less

to characteristic ways of behaving in typical situations and more to the characteristics of the particular situations in which behavior occurs. In prison, explanations of disciplinary infractions and violence would focus more on the context in which they transpired and less on the prisoners who engaged in them (e.g., [Wenk & Emrich, 1972](#); [Wright, 1991](#)). Similarly, the ability to predict the likelihood of reoffending and the probability of repeated violent behavior should be enhanced by conceptualizing persons as embedded in a social context and rich interpersonal environment, rather than as abstract bundles of traits and proclivities (e.g., [Monahan & Klassen, 1982](#)).

This perspective has implications for policies of crime control as well as psychological prediction. Virtually all sophisticated, contemporary accounts of social behavior now acknowledge the empirical and theoretical significance of situation, context, and structure (e.g., [Bandura, 1978, 1991](#); [Duke, 1987](#); [Ekehammar, 1974](#); [Georgoudi & Rosnow, 1985](#); [Mischel, 1979](#); [Veroff, 1983](#)) and violence—formerly viewed in almost exclusively individualistic terms—are now understood through multilevel analyses that grant equal if not primary significance to situational, community, and structural variables (e.g., [Hepburn, 1973](#); [McEwan & Knowles, 1984](#); [Sampson & Lauritsen, 1994](#); [Toch, 1985](#)). Yet, little of this knowledge has made its way into prevailing criminal justice policies. Lessons about the power of extreme situations to shape and transform behavior—independent or in spite of preexisting dispositions—can be applied to contemporary strategies of crime control that invest more substantial resources in transforming destructive familial and social contexts rather than concentrating exclusively on reactive policies that target only individual lawbreakers (cf. [Masten & Garmezy, 1985](#); [Patterson, DeBaryshe, & Ramsey, 1989](#)).

Fifth, genuine and meaningful prison and criminal justice reform is unlikely to be advanced by persons who are themselves "captives" of powerful correctional environments. We learned this lesson in a modest but direct way when in the span of six short days in the SPE, our own perspectives were radically altered, our sense of ethics, propriety, and humanity temporarily suspended. Our experience with the SPE underscored the degree to which institutional settings can develop a life of their own, independent of the wishes, intentions, and purposes of those who run them ([Haney & Zimbardo, 1977](#)) worldviews of those who inhabit them, on both sides of the bars. Thus, the SPE also contained the seeds of a basic but important message about prison reform—that good people with good intentions are not enough to create good prisons. Institutional structures themselves must be changed to meaningfully improve the quality of prison life ([Haney & Pettigrew, 1986](#)).

Indeed, the SPE was an "irrational" prison whose staff had no legal mandate to punish prisoners who, in turn, had done nothing to deserve their mistreatment. Yet, the "psychologic" of the environment was more powerful than the benign intentions or predispositions of the participants. Routines develop; rules are made and applied, altered and followed without question; policies enacted for short-term convenience become part of the institutional status quo and difficult to alter; and unexpected events and emergencies challenge existing resources and compromise treatment in ways that persist long after the crisis has passed. Prisons are especially vulnerable to these common institutional dynamics because they are so resistant to external pressures for change and even rebuff outside attempts at scrutinizing their daily operating procedures.

These observations certainly imply that the legal mechanisms supposedly designed to control prison excesses should not focus exclusively on the intentions of the staff and administrators who run the institution but would do well to look instead at the effects of the situation or context itself in shaping their behavior (cf. [Farmer v. Brennan, 1994](#)). Harmful structures do not require ill-intentioned persons to inflict psychological damage on those in their charge and can induce good people with the best of intentions to engage in evil deeds ([Haney & Zimbardo, 1977](#); [Zimbardo, 1979a](#)). "Mechanisms of moral disengagement" distance people from the ethical ambiguity of their actions and the painful consequences of their deeds, and they may operate with destructive force in many legal and institutional contexts, facilitating cruel and unusual treatment by otherwise caring and law-abiding persons (e.g., [Bandura, 1989](#); [Browning, 1993](#); [Gibson, 1991](#); [Haney, 1997c](#)).

In addition, the SPE and the perspective it advanced also suggest that prison change will come about only when those who are outside of this powerful situation are empowered to act on it. A society may be forced to presume

the categorical expertise of prison officials to run the institutions with which they have been entrusted, but this presumption is a rebuttable one. Moreover, to depend exclusively on those whose perspectives have been created and maintained by these powerful situations to, in turn, transform or control them is shortsighted and psychologically naive. This task must fall to those with a different logic and point of view, independent of and free from the forces of the situation itself. To be sure, the current legal retreat to hands-off policies in which the courts defer to the presumably greater expertise of correctional officials ignores the potency of prison settings to alter the judgments of those charged with the responsibility of running them. The SPE and much other research on these powerful environments teach that this retreat is terribly ill-advised.

Finally, the SPE implicitly argued for a more activist scholarship in which psychologists engage with the important social and policy questions of the day. The implications we have drawn from the SPE argue in favor of more critically and more realistically evaluating the nature and effect of imprisonment and developing psychologically informed limits to the amount of prison pain one is willing to inflict in the name of social control ( [Haney, 1997b](#), [1998](#) ). Yet, this would require the participation of social scientists willing to examine these issues, confront the outmoded models and concepts that guide criminal justice practices, and develop meaningful and effective alternatives. Historically, psychologists once contributed significantly to the intellectual framework on which modern corrections was built ( [Haney, 1982](#) ). In the course of the past 25 years, they have relinquished voice and authority in the debates that surround prison policy. Their absence has created an ethical and intellectual void that has undermined both the quality and the legitimacy of correctional practices. It has helped compromise the amount of social justice our society now dispenses.

## Conclusion

When we conducted the SPE 25 years ago, we were, in a sense, on the cutting edge of new and developing situational and contextual models of behavior. [Mischel's \(1968\)](#) pathbreaking review of the inadequacy of conventional measures of personality traits to predict behavior was only a few years old, [Ross and Nisbett \(1991\)](#) were assistant professors who had not yet written about situational control as perhaps the most important leg in the tripod of social psychology, and no one had yet systematically applied the methods and theories of modern psychology to the task of understanding social contextual origins crime and the psychological pains of imprisonment. Intellectually, much has changed since then. However, without the renewed participation of psychologists in debates over how best to apply the lessons and insights of their discipline to the problems of crime and punishment, the benefits from these important intellectual advances will be self-limiting. It is hard to imagine a more pressing and important task for which psychologists have so much expertise but from which they have been so distanced and uninvolved than the creation of more effective and humane criminal justice policies. Indeed, politicians and policymakers now seem to worship the very kind of institutional power whose adverse effects were so critically evaluated over the past 25 years. They have premised a vast and enormously expensive national policy of crime control on models of human nature that are significantly outmoded. In so doing, they have faced little intellectual challenge, debate, or input from those who should know better.

So, perhaps it is this one last thing that the SPE stood for that will serve the discipline best over the next 25 years. That is, the interrelated notions that psychology can be made relevant to the broad and pressing national problems of crime and justice, that the discipline can assist in stimulating badly needed social and legal change, and that scholars and practitioners can improve these policies with sound data and creative ideas. These notions are as germane now, and needed more, than they were in the days of the SPE. If they can be renewed, in the spirit of those more optimistic times, despite having lost many battles over the past 25 years, the profession still may help win the more important war. There has never been a more critical time at which to begin the intellectual struggle with those who would demean human nature by using prisons exclusively as agencies of social control that punish without attempting to rehabilitate, that isolate and oppress instead of educating and elevating, and that tear down minority communities rather than protecting and strengthening them.

## APPENDIX A

Table 2. Number and Rate (Per 100,000 Resident Population in Each Group) of Sentenced Prisoners in State and Federal Institutions on December 31 (Not Including Local Jobs)

Table 3. Number and Rate (Per 100,000 Residents) of Adults in Custody of State and Federal Prisons and Local Jails

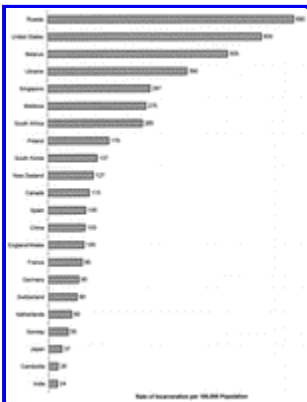


Figure 3. Incarceration Rates for Selected Nations, 1995.

Year	White		Black	
	Males	Females	Males	Females
1985	382,800	21,400	309,800	18,100
1986	417,600	23,000	342,400	19,900
1987	439,000	27,700	356,700	23,200
1988	469,200	32,600	407,400	28,000
1989	516,000	38,500	472,800	33,300
1990	545,900	38,300	508,800	38,000
1991	566,800	42,200	511,000	40,600
1992	598,000	44,100	590,200	43,400
1993	627,100	46,500	624,100	47,500
1994	674,400	51,800	670,000	52,300
1995	726,500	57,800	711,400	55,300

Table 4. Number of Adults Held in State or Federal Prisons or Local Jails, by Sex and Race, 1985—1995



Figure 4. Percent of U.S. Adult Population in State Federal Prisons in Local Jails, by Race and Sex, 1984—1995.



**Table A4**  
Number of Adults Held in State or Federal Prisons or Local Jails Per 100,000 Adult Residents in Each Group, by Sex and Race, 1985–1995

Year	White		Black	
	Males	Females	Males	Females
1985	528	27	3,544	183
1986	570	29	3,850	189
1987	594	35	3,943	216
1988	629	41	4,441	237
1989	685	47	5,066	321
1990	718	48	5,365	338
1991	740	51	5,717	356
1992	774	53	6,015	365
1993	805	56	6,239	403
1994	851	61	6,882	435
1995	919	68	6,928	456

Note. Data are based on resident population for each group on July 1 of each year. Reprinted from *Correctional Populations in the United States, 1995* (NCJ 163916), by the Bureau of Justice Statistics, 1997, Rockville, MD. Author. In the public domain.

Table 5. Number of Adults Held in State or Federal Prisons or Local Jails Per 100,000 Adult Residents in Each Group, by Sex and Race, 1985—1995

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Jail inmates are not included.

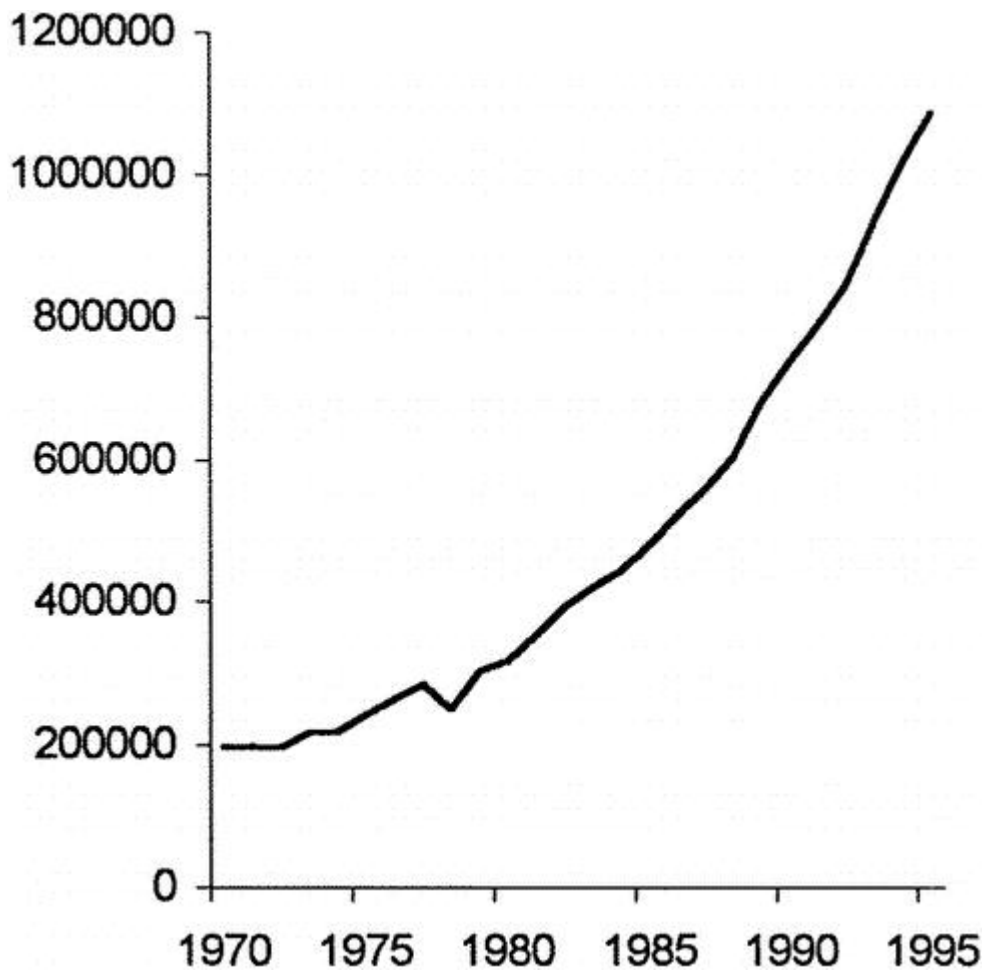


Figure 2. Distribution of Offenses: State and Federal Prisons, 1985 and 1995.

Fed = federal; inc. = including.

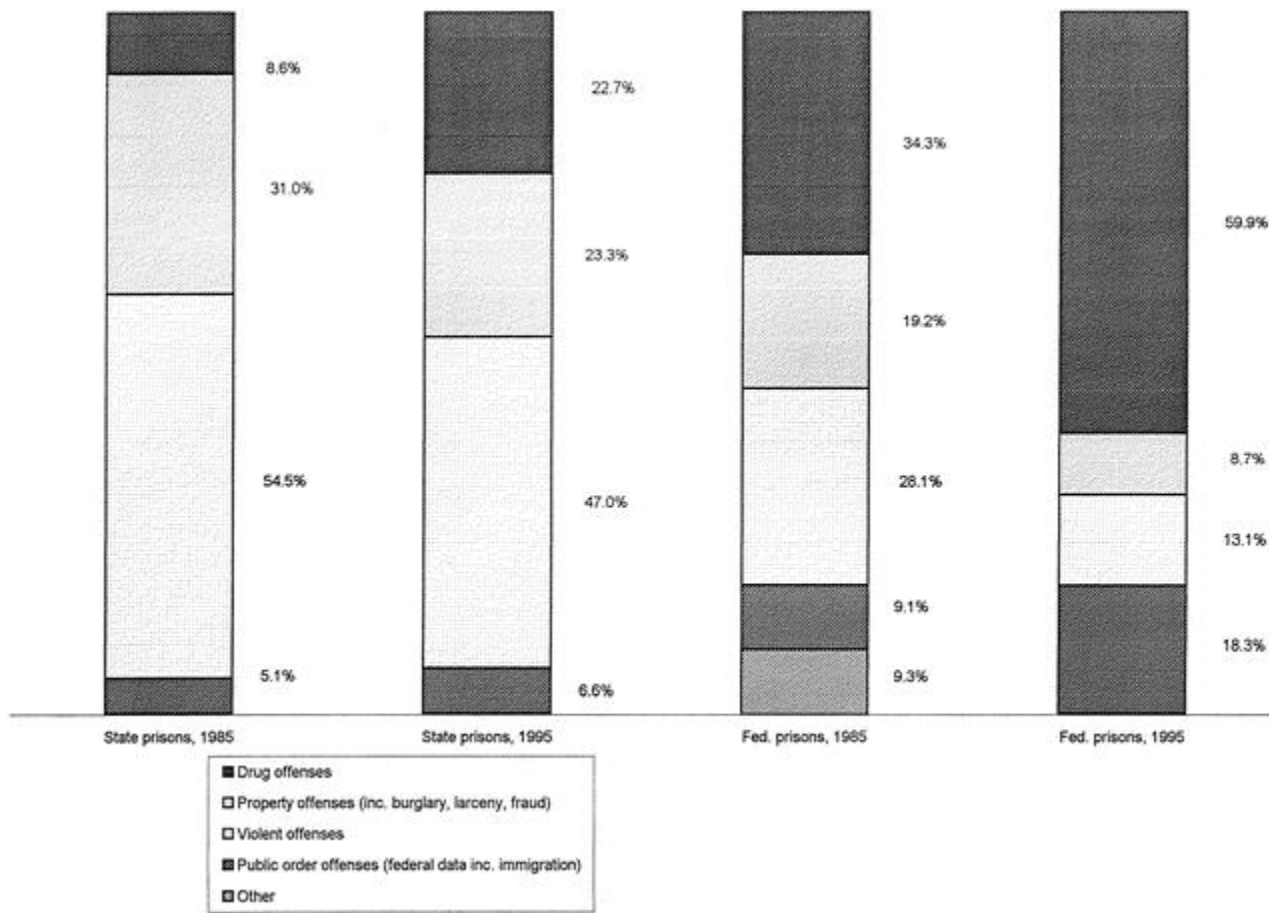


Table 1.

**Table 1**

*Change in Estimated Number of Sentenced Prisoners, by Most Serious Offense and Race, Between 1985 and 1995*

Most serious offense	Total % change, 1985–1995	White % change, 1985–1995	Black % change, 1985–1995
Total	119	109	132
Violent offenses	86	92	83
Property offenses	69	74	65
Drug offenses	478	306	707
Public-order offenses <sup>a</sup>	187	162	229
Other/unspecified <sup>b</sup>	–6	–72	64

*Note.* Adapted from *Prisoners in 1996* (Bureau of Justice Statistics Bulletin NCJ 164619, p. 10), by C. J. Mumola and A. J. Beck, 1997, Rockville, MD: Bureau of Justice Statistics. In the public domain.

<sup>a</sup> Includes weapons, drunk driving, escape, court offenses, obstruction, commercialized vice, morals and decency charges, liquor law violations, and other public-order offenses. <sup>b</sup> Includes juvenile offenses and unspecified felonies.

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