ROBERTS GIRGENSONS

INTERPLAY OF RELIGION, MEDICINE AND PRISON
PRELIMINARY HISTORICAL STUDY

Medicine keeps its most fundamental prohibitive rules from the ancient times when Religion and Medicine were not yet two separate realms [1]. Subsequent history reveals that transgression of these rules leads to failure of the realisation of the declared objectives not only by Medicine but by other human institutions when they use Medicine directly or as an analogy.

The most famous is the NOLI NOCERE principle which positively implies not to inflict pain but to relieve it and help man to come to a state of constructive and even creative activity. This is the rehabilitation, the integral part of the Mission of Medicine.

The misapplication of a medical model which implies the transgression of the NOLI NOCERE rule began when Penance was called «heavenly medicine». Considering that Penance had been designated as Punishment which inflicts pain, the transgression of the fundamental rule is evident [2].

Penance is a fundamental Christian concept. Penance is voluntary harsh treatment which one imposes upon oneself to show repentance after the wrongdoing, i.e. sins. The true sense of repentance is the returning to God. Penance followed repentance and is a sign of purification and resolve not to sin again, a sign of readiness to receive Force from God, a sign of Force.

The Church's approach to repentance is based on the belief that penances are effective only when the sinner has voluntarily repented.

Penance may be misinterpreted as punishment only in the unprepared profane mind. Regarding as punishments the trials which the man returning to God voluntarily meets is the reversing of the true sense of Repentance, the ironical interpretation of the concept of Penance. Application of the punishment analogy to Penance turned out to be derisive transgression of the fundamental spiritual rules and by this the atment of the declared goals of the applicants of such an approach to Penance was doomed to failure.

After this fundamental error was made or rather simultaneously, early in Christian history, somewhere in the times of Tertullian (160–220) the Medicine analogy was misapplied to the concept of Penance. Penance has been explained as the «heavenly medicine» that heals the wounds inflicted by sin. Later Christian public accepted Penance imposed by the Church on the grounds that it is better to endure punishment in this world than in the
next. After the erroneous calling of Penance as punishment, this punishment with pain affliction was designated as Medicine. The fundamental prohibitive NOLI NOCERE rule of Medicine was transgressed with inevitably detrimental results for the attainment of the declared goals.

Prison appears on the historical scene of this interplay only after these fatal mistakes have been made. As for Prison, this is the most remarkable of all human institutions developed obscurely, empirically, almost accidentally, and although it has been in a state of continuos change it remains one of the few institutions that exist in an almost identical form in all modern cultures.

Prison in Ancient World as evidenced by Biblical prisons, though traumatic and dangerous, initially was not employed as a punishment and certainly never as condition for rehabilitation or as the true road to the salvation. Only afterwards, gradually this institution inflicting mental and physical pain has come to be regarded as the place of punishment.

Saint Pachomius (died in 346) as a pagan youth of twenty, had been imprisoned in Luxor, Egypt for deserting the army. Christians came to relieve the hunger and thirst of the prisoners. He was so influenced by their ministry to his physical needs that he was converted to Christianity. Saint Pachomius made use of his experience as prisoner to introduce the prison model for the place where penitence is performed. After his release Pachomius established no less than nine monasteries for men and two for women, the first institutions of this kind. He has thus come to be recognized as the founder of (cenobitic) monasticism, a style of religious life in which Christians devote themselves to a common life governed by a Rule.

Monastic communities gradually replaced the «heremitic» Christian lifestyle in which solitary hermits lived an unregulated life alone in the desert.

Saint Pachomius himself was well acquainted with the true meaning of Penance and had himself experienced the inappropriateness of Prison as the place for Penance manifestation; immediately on his release he spent three years as a novice hermite in the desert.

Subsequent history reveals that despite the good aspirations of the men taking part in the «cenobitic» monasticism, the doom and failure of the goals declared by the medieval cenobitic monasticism was determined by the transgression of the fundamental rules of Religion and Medicine.

Religious penitentiaries degenerated, becoming not the sign of Force but rather the sign of weakness. In their likeness to prisons they became indeed used as prisons. The 17th century Benedictine monk Dom Jean Mabillon described the adverse effect which the monastic prisons had on those incarcerated in them, imposing thinking upon the sad state into which they had precipitated themselves. The excess of sadness overwhelmed them and caused them to sign under the burden of their past sins. This was why
Mabillon saw so little fruit from the prisons and penances and why the inmates of such institutions so often lost their mind or all sensitivity becoming insane, hardened or desperate and depressed or becoming adapted only to live in institutions that were more retreats than prisons since there were heated rooms and workshops. This was certainly the sort of «penitentiary» the prison reformers envisaged.

The Church had largely dispensed with religious penitentiaries by the time secular pegists «discovered» the idea in the vain hope of reforming criminals. What did not work for monks was no more likely to succeed with inmates in secular penitentiaries.

With the Reformation of the Church began the series of vain hopes and efforts to transform criminals through Prison into noncriminals. In secular justice the principal goal is to preserve and restore the public order by inspiring terror in the offender. When the declarations were issued that the principal goal or even essence of imprisonment must be the transformation of criminals into noncriminals [3], secular justice, whose executive instrument was Prison, nourished hopes from the misconceptions of public mind. No wonder that these «concepts» turned to become failures. Prison reformers may well have honestly misinterpreted the Christian concept of Penitence because of their own ecclesiastic backgrounds. Most of them were members of denominations which resulted from the Reformation's repudiation of contemporary Roman Catholicism's practice of the sale of indulges as a condition of present or future absolution. If Protestants were in opposition against abuses in the practice of the Sacrament of Penance, it is no wonder that they missapplied its principles. Despite its religious justification, the reformer's model of punishment and penitence, with medical model implicated, was, in fact, significantly different from that of the Church.

The power of human freedom made it impossible to compel someone to feel truly repentant for sin. Repentance must be a free act of the will; otherwise, it would not be the result of sorrow or remorse, but of fear or self-interest. The penitential reformers failed to recognize the power of the human will, and the absurdity of trying to force offenders into true repentance by denying them liberty. And so the penitentiary prison turned to the absurd. Ironically, while the penitentiary denied prisoners' physical freedom and had deleterious psychological effects, it failed to eradicate their most imtant freedom – freedom to resist spiritual coercion. For those in the beginning the penitentiary was a radical change of direction from the nightmare of violence that characterized their society's response to criminals. The penitentiary model is gone except for some vestiges and prejudices, but the violent response of society to criminals continues, the nightmare goes on.

When the sequence of the misapplications which turned Penance into Punishment and Punishment into Medicine and vice versa inevitably failed
to reform criminals into noncriminals, penologists applied another misconception in the public mind which turned from Religion to Science, to justification of Punishment by Medicine. They declared that in the treatment of criminals the medical model ought to be used or in certain cases the Medicine directly, especially psychiatry or even surgery. Transsion of the fundamental prohibitive NOLI NOCERE rule in these extreme cases is the most evident. But even in the cases when sophisticated behavioral control techniques are used transgression still remains because they are employed under coercion.

Maybe the origin of behaviorism or learning theory needs not to be sought in Pavlovian experiments. Similar behavior control techniques have been employed in Prison from the times of its obscure origins and are theorized by penology in so called progressive systems of imprisonment. But considering the essential statement of the Eupean Prison Rules that the suffering inherent in imprisonment is sufficient for punishment, no aggravation of the conditions of imprisonment is needed. Under such terms any aggravation of the conditions of imprisonment and prison regimes may be regarded as torture. And one may conclude that degrees of liberty implied in progressive systems represent various degrees of torture. P.Moczydlowsky [4] in his systems study of the Polish prisons stated that depravation of liberty causes pain. This pain in itself is sufficient for punishment. And here answering the question: how to treat the human beings who are suffering such a pain Religion and Medicine meet again in one joint position: to help the prisoners to endure the trial of the deprivation of liberty so that they can emerge from Prison to a state of constructive and even creative activity. This is the true sense of Rehabilitation in Prison – positive Prison concept which may be proposed by Religion and Medicine.

Medicine through its Psychiatric branch using the new humanistic approach represented by A.Maslow [5] and logotherapy of V.Frankl [6] who himself experienced imprisonment in a Nazi camp may take the active part in such Prison renewal. The first step in this direction must be to stop programming prisoners as criminals. The psychotechnique or rather spiritual device «stop calling them criminals» must be applied. Penology or rather Prison Science ought to be separated from Criminology in order to become successful. In this endeavour Prison ought to remember its origins. Maybe Prison is coeval with Religion and Medicine, coeval with Temple. In many respects they seem similar. Isolated, sacred area, almost impenetrable, especially for information and research, inspiring awe rather than fear, immune personal. To this challenge Society will answer with due respect and rise of the fallen prestige and authority of Prison. Otherwise when Religion and Medicine are blamed for the failure of the rehabilitative concepts of Prison, Religion and Medicine should be able to take ownership of their history and their impact on the origin, maintance, transformation and ultimately abolition of penal institutions.
Failures of the declared positive prison goals are explained by transgression of the fundamental prohibitive rules, particularly by misapplication of the medical model. Joint position of Religion and Medicine is to help the prisoners to endure the trial of the deprivation of liberty so that they can emerge from Prison in a state of constructive and even creative activity. This is the true sense of the Rehabilitation in Prison.

REFERENCES


Roberts GIRGENSONS, MD, PhD
Brīvības iela 215-B-6
Riga, LV-1039
Latvija
system criminals into non-criminals, penalogists applied another
version of the behaviour modification theory to this problem. This
version considers the non-criminal to be the non-criminal with
underlying causes that can be treated. Thus, the treatment of
behavioural problems in non-criminal cases is the most evident
behavioral control techniques are used successfully and remain
because they are employed under coercion.

REFERENCES

The origin of behaviorism or learning theory needs not to be sought
in Pavlov or Watson. The true forerunners were Aristotle, Leibnitz,
and Montesquieu [3], or, more precisely, those systems of
philosophy in which the influence of Aristotle's psychological
philosophy was of importance. In such systems, e.g., in the
philosophy of the Persian mystics [4], the origin of behaviorism
is to be found. In his systems, Leibnitz stated that depriving of
liberty causes pain. This pain in itself is sufficient for punishment.
And one may conclude that degrees of freedom, and
in particular the extent of man's knowledge of himself, will be
attained in a joint position to help

The first step in this direction must be to stop programme
prisoners as criminals. The psychotechnique of rather spiritual
device to stop
calling them criminals must be applied. Penology or rather
Prison science ought to be separated from Criminology in order to
become successful. In this endeavour, Prison ought to remember its
origins. Maybe, Prison is equal

with Religion and Medicine. equal with Temple. To many respects they
seem similar. Isolated, sacred area, almost impenetrable, especially for
information and research, inspiring awe rather than fear, intuitive personal.

To this challenge Society will answer with due respect and care of the fallen
prestige and authority of Prison. Otherwise when Religion and Medicine
are blamed for the failure of the rehabilitative concepts of Prison, Religion
and Medicine should be able to take ownership of their history and their impact
on the origin, maintenance, transformation and ultimately abolition of
penal institutions.