

Discuss Arguments for and Against the View That all Prisoners should have the Right to Education and Reach a Conclusion of Your Own

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Abstract: This essay mainly discusses the topic that all of prisoners should have the right to education. This essay will show two different arguments about this topic. On the one hand, Vorhaus (2014) and Easton (2022) advocate that all prisoners ought to have the right to education and the education for prisoners does benefit prisoners themselves and contribute to the society. On the other hand, Austin (2017) proposes that the benefit of education to some prisoners is subtle and not all prisoners request the education in prison. From my own viewpoint, all prisoners should have the right to education and the prison education is beneficial and necessary for prisoners.

Keywords: Prisoners; Prison Education; The Right to Education.

1. Introduction

This essay mainly discusses the topic that all of prisoners should have the right to education. The education here mainly represents the basic education and vocational education. Many prisoners have the low level of education, and some of them are in the school age, thus the local government takes the responsibility to provide the basic education, namely, basic literacy and numerical skills for prisoners. Meanwhile, the vocational education is aimed to assist prisoners to gain some practical skills for the employment outside the prison (Farley&Pike,2016) [1]. There are two main two arguments about this topic. Some scholars believe that all prisoners should have the right to education, since there are so many benefits of the prison education for both individuals and the society (Farley&Pike,2016; Vorhaus, 2014). Whereas some other scholars attempt to disapprove of that statement. They deem that the prison education is unlikely to be appropriate to every prisoner, and effect of the prison education towards some prisoners is so subtle that these prisoners cannot gain anything from the educational program (Austin,2017). From my own perspective, i personally support that all prisoners should have the right to education. The prison education is so important, since it helps prisoners to rehabilitate themselves and motivates them to pursue the good future life, which is beneficial for both prisoners and the society. This essay will firstly introduce the concept of the education as the human right, and then illustrates that the prison education is also the human right, and all of human beings are able to have the right to education regardless of the economic or social status [2]. After that, the main arguments by proponents of the prison education to all prisoners will be stated. Then, the arguments of opponents will be demonstrated. Eventually, the conclusion is about my personal statement of this topic and the brief summary of this essay.

2. The Right of Education as the Human Right

The education aims to develop children's personalities, talents and capabilities in order to assist children to have a

satisfying life in the society and also make the contribution for the society(Lee,2013) [3]. In this case, the education seems to be the superior public good for the country and citizens. Therefore, in a vast number of countries, every citizen is encouraged to accept education. The education here embodies the primary and secondary education(Lee,2013). According to the Universal declaration of human rights(1948), the local government has the obligation to financially support the education to all of citizens. The reason for the government to financially support education is that the education is the human right for all of humans. To be more specific, the right represents that someone for some reason demands the justified claim, and someone else for some reasons honors this claim(Orend,2002). For education, the education accepters as citizens in the nation are qualified to be given the entitlement to accept education, and the government or institution is the education provider, which has the obligation to provide the education(Lee,2013). The reason for the government to provide the education is the right of education as the human right which can compulsorily require the government to provide the education not only in legal compulsion, but also in moral compulsion(Vorhaus,2014) [4]. In terms of legal compulsion, when the right to education is involved into the human right, then the rejection of providing education violets the international law, since it is the legal obligation of the government(Vorhaus,2014,p.168). Factually, the right of education is considered as the human right in many countries with the support of the law. According to the Universal Declaration of human rights(1948), article 26, everyone has the right to education and the primary and secondary education should be compulsory to everyone. Technical and professional education should be generally available for everyone, and higher education ought to be equally accessible to everyone. Education is aimed to develop the human personality and strengthen the respect for human rights and fundamental freedoms(Lee,2013). Referring to moral compulsion, Poggy(2002) portrayed the human rights are the ethical guidelines in order to establish the universal criterion of justice which all of members in the society can accept as the basis for moral judgements about the global order(Poggy,2002). The human rights stand for the minimal

living standard of humans(Nickel,1987) [5]. The minimal standards represent that humans can survive with these elements that are involved into human rights. In other words, it is morally wrong, if the basic needs of humans are not satisfied. For instance, if the state does not equally provide the service for all of citizens to meet their basic needs, namely water and food, this state will be morally judged and criticized, since this action is against the human rights(Lee,2013). The basic needs represent the basic necessities for people daily life. In moral perspective, the state is responsible to provide these necessities. From Pogy (2002)'s argument, the provision of education is the basic need for people, since the education transfers the numerical and literacy skills to people, which not only helps people to survive in the society, but also develops the contributing members for the society. In this case, the education is beneficial for individuals and the society, thus the rejection of the provision of basic education impedes humans to pursue economic development, which is against the human rights. The violation of human rights is against the law and the morality [6].

3. Proponents of Prison Education to all Prisoners

According to the aforementioned the statement of the education as human right, prisoners are punished by the legitimate system, and the liberty is deprived, but the punishment does not include the deprivation of human rights, which means that all of prisoners still have the right to accept the education(Vorhaus,2014). The right of education is provided for all of human beings in the world regardless of the social or economic status, and the prisoners ought to be included into the all of human beings, thus the education should be provided to prisoners. In 1990, General Assembly also advocated that all of prisoners shall be given the right to attend in cultural activities including education for the full development of the human personalities(Muñoz,2009). The prison education has already been implemented by many countries, since the prison education benefits both the prisoners and the whole society [7].

There are many merits of prison education. Principally, the most conspicuous effect of prison education is the reduction of security risk(Farley&Pike,2016). The security risk in prison is the violent and aggressive behaviors by prisoners are likely to cause the damage to the prison in financial and managerial ways. Due to the day to day monotony life, prisoners are more likely to have conflicts with prison staffs and other prisoners, and some prisoners may use violent ways to express their dissatisfaction. In this case, on the one hand, these violent behaviors may damage the facilities of prisons, which results in the cost of maintenance(Farley&Pike,2016). On the other hand, the prison violence impairs the physical and mental health of prison staffs. In this context, the education can be the most effective approach to reduce the security risk. According to the survey in England prison, 81% of prisoners state that the education occupy their time and relieve the monotony in their prison life(Farley&Pike,2016). To be more specific, the education develops the cognitive ability and communication skills for prisoners. Within professional teachers' guidance, these prisoners use more calm and friendly expressions instead of aggressive and insulting expressions(Farley&Pike,2016). They start to know there is a more gentle way for negotiation and argument. Thus, the violence issue in prison is to some extents mitigated. In

addition, tutors treat prisoners in respectful, understanding and careful ways. These tutors pose the positive expectations towards these prisoners, which makes prisoners to reckon they can also have the bright future and better life. This teaching strategy can reduce the anti-social cognition of prisoners(Farley&Pike,2016) [8].

In terms of future-regarding concept, the prison education has the rehabilitation effect for prisoners, which not only benefits the prisoners but also makes the contribution to the society(Easton,2022). In order to fully interpret the term rehabilitation and the importance of the prison education, we need to firstly know the meaning of prison for prisoners, and then the reason that the prison education matters are revealed. The prison aims to protect the public, reform and rehabilitate prisoners, help prisoners to gain capabilities for the life outside prison, and guarantee the environment in prison is safe and secure(Easton,2022). In the reality, the prison educators take the responsibility of reforming and rehabilitating prisoners. The rehabilitation here embodies that people have the positive attitudes towards the future life(Vorhaus,2014), and they genuinely restore their lives through therapy, education or operation(Gumi,2014). The assumption of rehabilitation here is that prisoners do not stay in the prison in their whole lives and the aim of rehabilitation is to help prisoners to become contributing members of the society(Gumi,2014,p.8). Before learning some practical skills and knowledge, prisoners require to firstly have the belief that they can success and they can have the good life. In this context, prison educators help prisoners to establish the self-confidence to face their lives and also develop the ability of prisoners to be employed when they are released from the jail. In prison education, educators mainly use the mental guidance, the full respect and understanding to rehabilitate prisoners. The positive attitudes encourage prisoners to study and make progress, and the prison education can do more than that. The prison education also reduces the recidivism through developing prisoners' abilities for employment(Easton,2022). The recidivism means that criminals re-offend the crimes after the release from the prison. According to the statistics in the USA and UK, prisoners who participate in educational programs in the prison are less likely to re-offend the crimes, and the rate of recidivism in these prisons with educational programs is reduced(Easton,2022). The American research shows that the recidivism rate of prisons with educational program support is 43% lower than the rate of prisons without educational programs (Davis, et al.,2013). The main reason of recidivism is the incompetence of prisoners in the labour market(Easton,2022). Many researches depict that numerous prisoners have the low level of education(Vorhaus,2014). Without any qualifications and skills, prisoners are more likely to re-offend the crimes after releasing, since they cannot find the job occupations for living, thus they can only embark on illegal businesses which commonly has low entry requirements. Then, they will be sent to the prison again, which undermines the safety of other citizens and encumbers themselves to have the stable and good life [9]. The prison education can mitigate this problem. According to the research in the UK, participants who accept education in prison are more likely to find jobs within 12 month after release compared with those who are not educated in the prison(Ministry of Justice,2018). In this context, the increasing number of prisoners desire to accept the prison education, since there are many merits of the prison education for them. In the perspective of the whole society, prisoners

can become contributing members for the society within the prison education and the recidivism rate decreases, thus the local government has the willingness to take the responsibility of funding the education in the prison.

4. Opponents of Prison Education to all Prisoners

Some scholars doubt that all of prisoners should have the right to accept the education. As the aforementioned the right of education as the basic need for human beings, the government needs to compulsorily provide the education for every citizen in the nation, but it does not represent that all of humans in the nation need to compulsorily accept the education. Factually, citizens have the right to choose or rejecting the education provided by the government(Lee,2013). Similarly, the prison education is provided by the state and it seems to benefit most of prisoners, but it may not be appropriate for all of prisoners, and prisoners are not obliged to attend in the prison education. In fact, a few number of prisoners participate in the educational programs(Austin,2017). Some critics claim that the reduction of the recidivism rate in some researches cannot indicate the success of the prison education. In the reality, the effect of the prison education to the recidivism is subtle. According to the data analysis by Miller and Drake(2006), the basic education only reduces the recidivism rate by 5% and the vocational education reduces it by 13%. For some reasons, these prisoners are unable or unwilling to attend in the prison education, which results in low effectiveness of the prison education(Austin,2017). A large number of prisoners who are not largely impacted by the education stay in the prison for no longer one year. In Ohio, 11000 of the total 22000 prisoners stay in the prison for less than one year(Austin,2017). These prisoners can learn very limited knowledge in the short term sentence. The educational program is more available and effective for prisoners who have the long-term sentences [10]. Some prisoners who have the mandated behavioral programs, namely drug and alcohol programs are less likely to attend in the educational program, since they are still struggling with the addiction of drug or alcohol problems, and they do not have the stable mental status to attend in the educational program(Farley&Pike,2016). Meanwhile, the lack of financial support and the low interest in education trigger the low effectiveness of the prison education to prisoners. On the one hand, the budget for the prison education is scarce. The teaching facilities and teacher quality are not good enough to genuinely change prisoners' thoughts to rehabilitate themselves(Austin,2017). On the other hand, most of prisoners show low interest in education, since most of them have low level of education and negative experiences in the previous learning(Farley&Pike,2016). They readily get distracted in the class and learn nothing from the class. They would like to do other activities in the prison, namely cooking and landscaping, rather than attending in the educational program(Austin,2017). Therefore, the prison education is inappropriate for some prisoners, and these prisoners would like not to choose the educational program [11].

From my own opinion, the low effectiveness of the prison education is not incompatible with the statement that all of prisoners should have the right to education. Prisoners can reject the educational program, if they reckon that the prison education provides no assistance to them, but the state needs to take the responsibility to provide the educational program

in the prison for prisoners who desire the learning and education, which is the duty of the state, since the Universal declaration of human rights(1948) states that everyone has the right to education, and the state has the responsibility to provide the education to every citizen. Also, there are still many merits of the prison education, even though some prisoners do not admit that [12].

5. Conclusion

This essay mainly discusses the argument that prisoners should have the right to education. Most of scholars approve of this argument, since the education is the human right for all human beings which should include prisoners, thus prisoners have the right of education. Meanwhile, the prison education is genuinely beneficial for the whole society and prisoners, thus the educational program in the prison is supported. While, some scholars mention the ineffectiveness of the prison education, and they partially disagree with the argument, but the ineffectiveness cannot impede the provision of education to prisoners.

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