

If the Catholic Church Administrated Prisons: Saint Benedict's Rule and Reform

James Franzetti

Follow this and additional works at: <https://scholarship.law.stjohns.edu/tcl>



Part of the [Catholic Studies Commons](#)

This Article is brought to you for free and open access by the Journals at St. John's Law Scholarship Repository. It has been accepted for inclusion in The Catholic Lawyer by an authorized editor of St. John's Law Scholarship Repository. For more information, please contact selbyc@stjohns.edu.

IF THE CATHOLIC CHURCH ADMINISTRATED PRISONS: SAINT BENEDICT'S RULE AND REFORM

JAMES FRANZETTI

The founders of a new colony, whatever Utopia of human virtue and happiness they might originally project, have invariably recognized it among their earliest practical necessities to allot a portion of the virgin soil as a cemetery, and another portion as the site of a prison . . . The rust on the ponderous iron-work of its oaken door looked more antique than anything else in the New World . . . [The prison was] the black flower of civilized society.¹

I am sure it lies in your power to ease the lives of these people while they are in your charge. I know that by doing so you will become happier yourself . . . [T]he din of voices mingled with the clattering of chains and the horrible smell—always merged . . . into one agonizing sensation of moral nausea which soon turned into a physical feeling of sickness . . . Worst of all . . . was added an unconquerable feeling of loathing and horror . . .²

It is not easy to accept and persevere in obedience but it is the way to return . . . when you have strayed through the laxity and carelessness of disobedience . . . by following him through taking to yourself that strong and blessed armor of obedience which he [Christ] made his own on coming into our world.³

¹ NATHANIEL HAWTHORNE, *THE SCARLET LETTER* 45–46 (Bantam Books 1986) (1850).

² LEO TOLSTOY, *RESURRENCTION* 492–95 (Rosemary Edmonds trans., Penguin Books 1966) (1885).

³ SAINT BENEDICT'S RULE 1 (Patrick Barry OSB, trans., Ampleforth Abbey Press 1997).

The French postmodernist Michel Foucault chronicled the evolution of Western penal law and prisons in his seminal book, *Discipline and Punish: The Birth of the Prison*.⁴ Before the Eighteenth Century, “punishment” manifested itself in the great spectacles of torture and public execution; accordingly, it was swift, painful, and always directed at the body of the criminal.⁵ In contrast, modern punishment is administered by a non-corporal regime.⁶ Protracted sentences and nefarious social spaces known as penitentiaries and jails have superseded the swift element of physical torture once endured by criminals.⁷

Foucault theorized that although the modern penal system, born of the humanistic ideologies of social science, is thought to be more enlightened and kind, the effects of punishment are much more sinister.⁸ He wrote:

There remains, therefore, a trace of ‘torture’ in the modern mechanisms of criminal justice [T]he penalty . . . no longer addresses itself to the body The expiation that once rained down upon the body must be replaced by a punishment that acts in depth on the heart, the thoughts, the will, the inclinations . . . the soul.⁹

Foucault believed that time spent in jail and prison ruinously impacts the souls of inmates.¹⁰ Although it does not torture the physical body, the prison experience changes the hearts and wills of criminals dwelling within the milieu of the damned.¹¹ Many unsophisticated criminals master their trades while imprisoned alongside more adroit, accomplished men or women of the same ilk; hence, prisons are filled with return inmates and rates of criminal recidivism are high.¹² Because

⁴ MICHEL FOUCAULT, *DISCIPLINE AND PUNISH: THE BIRTH OF THE PRISON* (Alan Sheridan, trans., Vintage Books 2d ed. 1995) (1978).

⁵ *See id.* at 7–18 (discussing the evolution of punishment over the past 200 years).

⁶ *See id.* at 16; *see generally id.* at 3–32.

⁷ *See id.* at 11, 16; *see generally id.* at 3–32.

⁸ *See id.* 16; *see generally id.* at 3–32.

⁹ *Id.*; *see generally id.* at 3–32.

¹⁰ *See id.*; *see generally id.* at 3–32.

¹¹ *See id.* at 16; *see generally id.* at 3–32.

¹² *See* Fox Butterfield, *Study Shows Building Prisons Did Not Prevent Repeat Crimes*, N.Y. TIMES, June 3, 2002, at A11. “[A Justice Department] report found 67

repeat criminal offenses may be rooted in factors such as the lack of educational opportunities within prisons,¹³ drug addiction,¹⁴ isolation from life-giving relationships,¹⁵ or other "harsh [prison] conditions,"¹⁶ the inmates' rate of return is often referred to in tandem with the environment of prison as part of the high-pitched call for prison reform.

Many diverse groups of social activists cite the lack of programs aimed at inmate rehabilitation¹⁷ and urge that prisons be reformed to contravene high rates of criminal recidivism and to protect the human rights of the imprisoned.¹⁸ The public, of course, responds viscerally to prison reform because the punishment of crime and the preservation of public safety are emotionally charged concepts that bear upon cooperative society and the rule of law.¹⁹ Those of the retributive or ascetic ilk²⁰ see the mission of the criminal justice system differently than do those ascribing to utilitarianism, thus no two prisons are exactly

percent of inmates released from state prisons in 1994 committed at least one serious new crime within three years [of release]." *Id.* A professor of criminology posits that one reason for the high rates of recidivism is that state governments cut back on rehabilitation programs. *Id.* "[N]early two-thirds of ex-offenders are arrested again . . . meaning they committed hundreds of thousands of new crimes." Steven Greenhouse, *From Jail Cell to the Job Market: Conservatives Back Work Programs for Ex-Inmates*, N.Y. TIMES, Dec. 13, 2002, at B1.

¹³ See Tamar Lewin, *Inmate Education Is Found To Lower Risk of New Arrest*, N.Y. TIMES, Nov. 16, 2001, at A22 (finding educational opportunities reduced recidivism); see also Jamie Stockwell, *Study: Schooling Inmates Reduces Recidivism, Costs*, WASH. POST, Nov. 9, 2000, at M03 (discussing a Maryland study that found "about 60 percent of all prison inmates have neither a high school diploma nor a general equivalency diploma").

¹⁴ See *Change Drug Laws, And See Crime Drop*, N.Y. TIMES, Jan. 19, 2001, at A32 (arguing that drug treatment and not arrests prevents recidivism).

¹⁵ See Dan Eggen, *U.S. Restricts Phone Calls by Federal Inmates; Limit of 300 Minutes a Month Will Increase Recidivism, Prisoner Advocates Maintain*, WASH. POST, Apr. 3, 2001, at A02 (finding that close family contact reduces recidivism).

¹⁶ See generally *Too Many Behind Bars*, WASH. POST, Aug. 20, 2001, at A14.

¹⁷ See Fox Butterfield, *Inmate Rehabilitation Returns as Prison Goal*, N.Y. TIMES, May 20, 2001, at Section 1 Page 1 ("Rehabilitation was discredited and largely abandoned decades ago in most state prison systems . . .").

¹⁸ See *id.* (discussing how the Oregon and Missouri state prison systems are aimed at fighting recidivism); Colman McCarthy, *Prisoners of Ignorance*, WASH. POST, May 25, 1996, at A25.

¹⁹ See generally Joshua Dressler, *Hating Criminals: How Can Something That Feels So Good Be Wrong?*, 88 MICH. L. REV. 1448, 1451-53 (1990) (discussing factors that cause people to hate criminals).

²⁰ See generally JEREMY BENTHAM, *THE PRINCIPLES OF MORALS AND LEGISLATION* 8-23 (Hafner Press 1998) (1843) (discussing the differences between asceticism and utilitarianism).

alike.

As prison reform is a Herculean task, programs for reform vary immensely. Some reformers stress the need for broad programs encouraging the practice of religion in prisons and present statistics of low recidivism rates with prisons in which Christianity or Islam is a substantial part of the culture.²¹ Others wish to see more secular reforms and hope to create profuse, mandatory educational programs for inmates to encourage them to see life in new ways and to become more productive members of society.²² International reformers have gone so far as to fashion a prison out of an island paradise.²³ If the Catholic Church administrated prisons the way it already does schools and hospitals, Saint Benedict's Rule ("Rule of Benedict" or the "Rule") could transform prisons.²⁴

Benedictine spirituality and the challenge of an alternative world emanated from Christian monasteries in stark contrast to medieval society.²⁵ In a medieval world gone mad, monasteries were grain houses of learning, health, work, and preservation.²⁶ The Rule is Benedict's answer to a broken world, a plan fit for ordinary, fallen human beings.²⁷ Benedict replaces the rigorous asceticism and self-denial of other monastic experiments with humility, obedience, and accommodation to community life.²⁸

²¹ See David Cole, *Faith Succeeds Where Prison Fails*, N.Y. TIMES, Jan. 31, 2001, at A21. Perhaps faith-based responses to crime may be most effective when they address the drug and alcohol addiction at the root of much criminal behavior. *Id.*

²² See Brent Staples, *Prison Class: What Ma Barker Knew and Congress Didn't*, N.Y. TIMES, Nov. 25, 2002, at A20 (showing nearly all graduates of a Boston Program did not return to prison).

²³ See Mary Jordan, *Convicts Are Condemned To a 'Paradise' in Mexico; Inmates, Families Housed Together in Unusual Experiment*, WASH. POST, Feb. 3, 2002, at A22.

²⁴ Saint Benedict was born in Nursia, Italy in 480 of a noble family, died in 550, and was canonized in 1964. While studying in Rome, he chose to become a monk and devote his life to God. Eventually he founded a monastery at Monte Cassino, where he wrote the Rule. Saint Benedict's Rule was written as a guide for monastic life. It contains "directions for the formation, government, and administration of a monastery and for the spiritual and daily life of its monks [and has] been found valid and practical for more than fourteen centuries." 2 NEW CATHOLIC ENCYCLOPEDIA 283 (1967); see generally *id.* at 271-73, 283-87.

²⁵ See ROBERT ELLSBERG, ALL SAINTS 298 (The Crossroad Publishing Co. 1999).

²⁶ *Id.*

²⁷ *Id.* at 297.

²⁸ *Id.* at 297-98.

Thus, the rule retains relevance, continuity, and power.²⁹

The Rule of Benedict can be utilized as a tool for effective prison reform. Many chapters of the Rule, when examined closely, relate to prison reform. Although the Rule would specifically apply if the Catholic Church administrated prisons, the wisdom of that monastic *magnum opus* could inspire all reformers, regardless of religious or philosophical leanings. As excerpts from a few of the numerous relevant chapters of the Rule are presented, the reform-minded should remember that all aspects of Benedict's writing need not be applied concurrently; any number of relevant chapters standing alone could be used to modify or augment existing plans for prison reform.

Part I of this article discusses how some of the Rule's basic principles would apply in a prison: silence, structure, education, and daily labor. Part II and III suggest alternative forms of supervision and discipline in prisons. Part IV presents the goal of a Benedictine prison reformation and Part V concludes this note.

I. THE PRINCIPLES OF SAINT BENEDICT'S RULE

A. *Silence*

In Benedictine monasteries, monks and nuns are not permitted to speak without permission;³⁰ this silence is psychologically beneficial.³¹ Benedict writes:

I am guarded about the way I speak and have accepted silence in humility . . . [B]ecause of the value of silence, there are times when it is best not to speak . . . How much more important it is to refrain from evil speech . . . In fact it is so important to cultivate silence . . . that permission to speak should be granted only rarely . . . [O]ne who never stops talking cannot avoid falling into sin . . . [T]he tongue holds the key to death and life.³²

²⁹ See *id.*

³⁰ SAINT BENEDICT'S RULE, *supra* note 3, at 19.

³¹ See *id.*

³² *Id.*

Silence, an essential element of monastic life, brings about discipline formation and avoids evil speech.³³ Although absolute silence need not be the general rule for inmates, periods of silence would lessen the negative effects of evil speech on the prison population. For, “[d]o you not realize that everything that enters the mouth passes into the stomach and is expelled into the latrine? But the things that come out of the mouth come from the heart, and they defile.”³⁴

The advantages of silent prisons would be myriad. Prison insiders admit that an unholy hierarchy among inmates based on past crimes and misadventures exists.³⁵ Silent prisoners could not glibly recount and share “war stories” about prior crimes or unsavory encounters with law enforcement. The absence of angry talk would prevent prison fights that begin in heated speech, and the peacefulness of silence may reduce inmate frenzy.³⁶ Refraining from speech may even reduce selfishness because selfish interests of speakers produces a large quantity of human conversation.³⁷

As inmates discontinue publicly reveling in and relishing past criminal accomplishments in front of reinforcing peers, perhaps recidivism rates will decrease. Instead of serving as “Silk Roads”³⁸ on which can be traded the cultures of crime,

³³ *Id.*

³⁴ *Matthew* 15: 17-18 (New American).

³⁵ See JOHN IRWIN, *THE JAIL* 93-94 (University of California Press 1985) (discussing inmates’ “social stratification system” with those who have served time on top of the hierarchy, followed by “petty criminals” and those with no criminal experience at the bottom); see also LEE H. BOWKER, *PRISON VICTIMIZATION* 87-88 (Elsevier 1980).

³⁶ See SAWYER F. SYLVESTER ET AL., *PRISON HOMICIDE* 14-15, 34 (Spectrum Publications 1977) (“[H]omosexuality, arguments, and debts” were the “primary motives” in 113 homicides committed by inmates against other inmates in 1973).

³⁷ FILIPPO PERFETTI, *THE CRADLE AND THE STONE: A BRIEF LOOK AT A LONG JOURNEY* 43, 76 (Alcantra Press 1997) (“Ninety-nine percent of what we do and say, no matter what we do and say it for, is done and said with ourselves in mind . . .”).

³⁸ “Silk Roads” is the name given to a vast network of land routes linking European and Asian countries and cultures that existed before Christ and until the nineteenth century. Along these routes, precious commodities and merchandise were traded as well as a mixing of knowledge, ideas, cultures, and beliefs. See United Nations Educational, Scientific and Cultural Organization, *The Silk Roads* (July 6, 2001), at http://www.unesco.org/culture/silkroads/html_eng/history.shtml. “Silk Road’ is a relatively recent designation dating from the mid-nineteenth century when the German geologist, Baron Ferdinand von Richthofen, named the trade and communication network *Die Seidenstrasse* (the Silk Road).” *Id.*

prisons may serve as tracks to truth, self-awareness, and repentance. For, in silence, God can be experienced as the "Silent Infinite,"³⁹ and in "solitude," preoccupations dissolve, clarifying God's voice that "makes all things new."⁴⁰ Where certain thinkers may suggest that speech is a human right, Benedict would reply that silence is a privilege!

B. Structure

Besides building community, waking up after midnight to pray and work forms the routine that brings structure to the lives of monks.⁴¹ Benedictine monks lie down to rest not long after nightfall, and awake about 12:30 A.M. to recite prayers as a community and then to work.⁴² Benedict writes: "[H]aving rested until a little after midnight, they may rise with their food well digested. Any time which is left after Vigils should be devoted to study of the psalter or lessons by those who are behind in these tasks."⁴³

Aspects of Benedict's routine can beneficially apply to prison life. There is no reason why inmates cannot learn to enjoy the routine and beauty of the late hours. Where chaos and disorder delivered some of the inmates into perdition, routine may deliver them from it.

Routine would bring structure, discipline, and a sense of community to the incarcerated. Inmates should be brought together during the night hours to participate in activities that have community-building implications, such as work, prayer, or education. Over time, the lives of inmates would be structured like those of monks, and the monastic discipline that comes after arising during the night may lead to more "monkly" attitudes and behavior. Perhaps the continuity and community within prisons could serve as a bulwark to counter the social brokenness characteristic of a number of inmates' pasts.

The night programs could be diverse and should stress togetherness. Night programs can be imported from religious

³⁹ KARL RAHNER, S.J., *ENCOUNTERS WITH SILENCE* 6 (James M. Demske, S.J., trans., 1993) (1960).

⁴⁰ HENRI J.M. NOUWEN, *MAKING ALL THINGS NEW* 75 (Walker and Company 1986).

⁴¹ SAINT BENEDICT'S RULE, *supra* note 3, at 93.

⁴² *See id.*

⁴³ *Id.*

and secular traditions. Inmates could sing prayers or inspirational songs together during the programs. Night routines could be augmented by community work or education. Programs could even include time for directed reflection and examination of conscience in the tradition of St. Ignatius Loyola.⁴⁴ Reflection topics could include the nature and consequences of choices made to commit crime. When the prison experience is similar to that of a religious retreat, all is won.

C. Utilizing Inmates' "Creative Gifts" through Education

Benedict found it important to utilize the gifts and talents of the monks and nuns who lived in his monasteries.⁴⁵ He wrote: "If there are any in the community with creative gifts, they should use them in their workshops with proper humility, provided that they have the permission of the superior."⁴⁶

Benedict's recognition of the gifts and talents of members of his communities validated their worth.⁴⁷ Many monks and nuns have produced great works of art and literature during their residence in monasteries.⁴⁸ The time and peace present in these monasteries are conducive to great endeavors. To deny inmates the opportunity to transmute "dead time" spent behind bars into intellectual and spiritual enrichment is a crime.

Possibly, inmates can be taught to utilize their talents and gifts through educational programs. Inmates may come from impoverished backgrounds and were never afforded the opportunities to discern their own innate talents. Programs of prison reform under the Rule would address these deficiencies and compel inmates to find and develop their own talents and skills. Consequently, the self-esteem of inmates would rise, and inmates could take heart that time spent incarcerated will help them improve their futures. Whether or not prisons produce thinkers as profound as Thomas Merton⁴⁹ is not important, but

⁴⁴ See THE SPIRITUAL EXERCISES OF SAINT IGNATIUS 1-12 (Louis J. Puhl, S.J. trans., The Newman Press 1959); see also ELLSBERG, *supra* note 25, at 327-28.

⁴⁵ SAINT BENEDICT'S RULE, *supra* note 3, at 68.

⁴⁶ *Id.*

⁴⁷ See *id.*

⁴⁸ See, e.g., THOMAS MERTON, NEW SEEDS OF CONTEMPLATION (Burnes & Oates 1961).

⁴⁹ Thomas Merton (1915-1968) was a writer and Trappist monk at Our Lady of Gethsemani Abbey in Kentucky. He has written over seventy books ranging from

no one can deny that incredibly untapped talent and potential lie in every jail cell— prison education programs have worked!⁵⁰

D. The Value of Daily Manual Labor

Benedict required his monks to perform various forms of manual labor every day and to participate as a community in production.⁵¹ He writes:

From Easter to the first of October they will go out in the morning from after Prime until the fourth hour and work at whatever needs to be done. . . . [T]he community may themselves have to do the harvest work. If that happens it should not discourage anyone because they will really be in the best monastic tradition if the community is supported by the work of their own hands. It is just what our fathers did and the apostles themselves. Nevertheless there must always be moderation in whatever such demands are made on the community to protect those who have not a strong constitution. . . . As for those who are sick or too frail for demanding work, they should be given the sort of work or craft which will save them from idleness but not burden them with physical work that is beyond their strength.⁵²

For Benedict, manual labor was not solely valued because it related to the physical health of his monks and nuns. Community labor strengthened the bonds that formed monastic

poetry to autobiographical works to writings on peace, spirituality, social criticism and justice. His most popular works include *The Seven Story Mountain*, *New Seeds of Contemplation*, and *Zen and the Birds of Appetite*. He was killed accidentally at the age of 53. See MICHAEL MOTT, *THE SEVEN MOUNTAINS OF THOMAS MERTON*, at xix-xx (Harvest 1993) (1984); ANNE E. CARR, *PREFACE TO LAWRENCE C. CUNNINGHAM, THOMAS MERTON: SPIRITUAL MASTER*, 5–13 (Paulist Press 1980); MONICA FURLONG, *MERTON: A BIOGRAPHY*, at xiii-xix (Liguori Publications 1995) (1980); The Thomas Merton Center at Bellarmine University, at <http://www.merton.org> (last visited Aug. 2, 2003).

⁵⁰ See Robert Worth, *Bringing College Back to Bedford Hills*, N.Y. TIMES, Jun. 24, 2001, § 14WC, at 1.

⁵¹ SAINT BENEDICT'S RULE, *supra* note 3, at 48.

⁵² *Id.* at 57–59.

communities; it also contributed to the financial well-being of monasteries when goods produced were sold on the open market.⁵³ Today, prison labor can do the same by reducing rates of recidivism and helping to pay the costs of administration.⁵⁴

Programs of daily labor could be diverse. Prisoners could participate in programs of farming, manufacturing, and service to society. A few may be able to lie down after a day's work knowing they had "built a wall and enjoyed doing it."⁵⁵ If prisons were like monasteries and were known for producing certain specialty products (i.e., wine or chocolate), inmates would take pride in their prisons. As law-abiding citizens purchased high-quality products that were produced in prisons, prisons would be viewed in a new light. If hearts and minds of individuals were won, society would venerate prisons and inmates instead of vilifying them.

II. SUPERVISION

Supervision will be a challenging aspect of manual labor programs. Corrections officers and prison staff will have to be out in the fields or in work rooms with inmates; however, under the current system, high numbers of officers are already necessary to supervise inmates in prison. Prison officials may even purchase farmland near prisons for inmates to cultivate. The fresh air and clean living may also make prisoners more tranquil and easy to handle. No matter what, bringing prisoners away from the stale, stagnant environment of the cells and prison yards to work will have life-enhancing effects.

A. The Importance of Choosing the Right Abbot, Abbess, or Warden

The most important role in a Benedictine monastery is that of abbot or abbess.⁵⁶ Benedict writes:

⁵³ See *id.*

⁵⁴ Richard Morin & Claudia Deane, *Bigger Markets for Inmate Workers?*, WASH. POST, July 30, 2002, at A15 (citing a report last week at a Capitol Hill briefing sponsored by the National Center for Policy Analysis and the Enterprise Prison Institute).

⁵⁵ ALEXANDER SOLZHENITSYN, *ONE DAY IN THE LIFE OF IVAN DENISOVICH* 158 (Ralph Parker trans., Penguin Books 1994) (1962).

⁵⁶ SAINT BENEDICT'S RULE, *supra* note 3, at 79.

The grounds on which a candidate is elected abbot or abbess must be the quality of their monastic life and the wisdom of their teaching The abbot or abbess, once established in office, must often think about the demands made on them by the burden they have undertaken They must understand that the call of their office is not to exercise power over those who are their subjects but to serve and help them in their needs. They must be well-grounded in the law of God They must be chaste, sober and compassionate and should always let mercy triumph over judgment [T]hey must hate all vice, they must love their brothers and sisters.⁵⁷

The abbot or abbess is called upon to handle the affairs of the monastery.⁵⁸ He or she is personally responsible for the livelihood of all who reside in the monastery as well as the future of the monastery itself.⁵⁹ As Benedict indicated, the person elected or chosen to be in charge must be very special,⁶⁰ even a "philosopher king."⁶¹ It is equally important to choose a good warden for each prison.

The Warden of a reformed prison must be as illustrious, erudite, and good-willed as any abbot or abbess. She must understand the conflict and despair of the "single human heart"⁶² and arrange for the special needs of the inmates who may behave profanely at times. She need dispense justice with mercy. The Warden will have the final say in who is hired to work at the prisons and how new corrections officers should be oriented to learn the mission of Benedict. Beside virtuously understanding the law, she should also have a background in business administration. Although the process of choosing a Warden will be arduous, the rewards of prison life under her would be endless.

⁵⁷ *Id.* at 79–80.

⁵⁸ *Id.* at 79–81.

⁵⁹ *Id.* at 80–81.

⁶⁰ *Id.* at 79.

⁶¹ *Id.*

⁶² GRAHAM GREENE, *THE HEART OF THE MATTER* 272 (Penguin Books 1978) (1948).

B. The Deans of the Prison: Choosing Responsible Inmates

After the position of abbot or abbess, the most important positions of authority in Benedict's monasteries are those of "deans."⁶³ Deans are chosen from the members of the monastic community.⁶⁴ Benedict writes:

Deans should be chosen from among the community They should be chosen for their good reputation and high monastic standards of life. Their office will be to take care of all the needs of the groups . . . placed under them and to do so in all respects in accordance with . . . the instructions of their superior. They must be selected for their suitability in character and gifts so that the abbot or abbess may, without anxiety, share some responsibilities with them. . . . [T]hey should . . . be chosen . . . because of their upright lives and the wisdom of their teaching.⁶⁵

Deans help the abbot or abbess perform administrative duties.⁶⁶ As part of the monastery's hierarchical chain of command, the deans communicate directly with residents to ensure that the monastery is operating effectively.⁶⁷ Deans must share similar traits with abbots, possess righteous characters, and inspire the respect of all beneath them.⁶⁸

Inmates can be chosen as deans. A leap of faith is necessary to assume that inmates can share any part of prison administration without acting as a form of Gestapo. But the leap would be worthwhile. Those inmates whose behavior is both righteous and exemplary can act as liaisons between the warden, the corrections officers, and the rest of the convicts in the prison. Some of the problems with today's justice system arise because too many people regard inmates to be incapable of any good behavior or righteous deeds. Thus, prisons become not only

⁶³ SAINT BENEDICT'S RULE, *supra* note 3, at 30. "Prior" or "prioress" is second to superior. *See id.* at 81.

⁶⁴ *Id.* at 30.

⁶⁵ *Id.*

⁶⁶ *See id.*

⁶⁷ *See id.*

⁶⁸ *See id.*

houses of confinement but houses in which punishment eclipses rehabilitation. Benedictine monasteries would help to obliterate the damaging prejudices against inmates.

III. DISCIPLINE OF UNRULY INMATES OR "RECONCILIATION OF THOSE EXCOMMUNICATED"

Discipline of monks who have sinned is essential to the administration of a productive and peaceful monastery.⁶⁹ Benedict writes:

Any members of the community who have been excommunicated . . . for faults which are really serious must prostrate themselves at the entrance to the oratory They should in complete silence simply lay their heads on the ground before the feet of all the community coming out of the oratory and stay there until the superior judges that they have done enough reparation.⁷⁰

Generally, discipline of those who have misbehaved while living in a monastery assumes non-corporal forms.⁷¹ Monks and nuns are forced to humble themselves in front of the rest of the community.⁷² This form of psychological punishment may be more effective than more traditional, corporal forms.⁷³

Discipline of inmates will likely be more challenging. The misdeeds of inmates while in prison are generally much more disturbing than those of monks and nuns who fail to show up to nightly prayers or regularly engage in idle gossip. Even though Benedict generally abhorred corporal punishment, modern prison reformers may have to allow for some forms of corporal punishment if inmates misbehave. Because Benedictine prison reform will grant inmates more freedom, abuses of that freedom should be punished more severely. Hopefully, the Benedictine reforms will serve to decrease evil behavior among inmates to

⁶⁹ *See id.* at 53–54; 32–37.

⁷⁰ *Id.* at 53.

⁷¹ *Id.* at 32–33; 51–55.

⁷² *Id.* at 53.

⁷³ *See id.* at 34–35 (explaining that care and counsel are the most effective remedies for ex-communicated monks).

obviate the need for serious punishment.

IV. THE GOAL IS HUMILITY

Benedict understood humility to be the most important virtue. The goal of monastic life was the achievement of humility.⁷⁴ Benedict writes:

If the peak of our endeavor, then, is to achieve profound humility, if we are eager to be raised to that heavenly height, to which we can climb only through humility during our present life . . . we are encouraged . . . Those who follow in that way have a sure hope of reward from God and they are joyful A new motive will have taken over Good habit and delight in virtue will carry us along.⁷⁵

“Profound humility” is the seat of virtue.⁷⁶ From the springs of humility flow much unselfishness and charity; however, the pursuit of humility is a daunting task that may take a lifetime.⁷⁷

The search for and dissemination of true humility should be the goal and byproduct of Benedictine prison reform. Silence, structure, education, and daily labor will humble inmates. Furthermore, the life-giving environment and the kindness of those who administrate the prisons will reverse the false humility that comes of the self-hatred and stigmatization that may accompany incarceration. An inmate who has achieved true humility and obedience to God will be ready to productively rejoin society.

The Rule is only a beginning. Benedict believed that the Rule was a stepping-stone to greatness.⁷⁸ He writes:

The purpose for which we have written this rule is to make it clear that by observing it . . . we can at least achieve the first steps in virtue Anyone,

⁷⁴ SAINT BENEDICT'S RULE, *supra* note 3, at 20.

⁷⁵ *Id.* at 20–24, 27.

⁷⁶ *Id.* at 20.

⁷⁷ *See id.* at 20–21, 27.

⁷⁸ *See id.* at 89.

however, who wishes to press on towards the highest standards . . . may turn to the teachings . . . which can lead those who follow them to the very heights of perfection . . . Whoever you may be, then, in your eagerness to reach your Father's home in heaven, be faithful . . . to this small Rule which is only a beginning . . . and with God's help you will then be able to reach those heights yourself.⁷⁹

Saint Benedict's Rule is for those who seek to improve themselves.⁸⁰ Sensitive, faithful searchers may live according to the words of Benedict to find peace and hope;⁸¹ moreover, as these searchers "press on," the Rule will serve as a guiding light to other means of achieving the "heights of perfection."⁸²

The Rule can benefit and reform inmates' lives because it affords prisoners an opportunity to climb the latter toward betterment and perfection. Inmates deserve the opportunity to find themselves and find peace. Benedict never intended the Rule to be reserved for saints, and he invited outsiders and the downtrodden to be regular guests in his monasteries.⁸³ The sick, the elderly, and the young were invited to live in the monasteries to be cared for by monks and nuns.⁸⁴ Benedict would certainly support the application of the rule to those who exist in the darkness behind the stones of oppressive, melancholy prison walls.

CONCLUSION

*"This happy state the Lord will bring about through the Holy Spirit in his servant whom he has cleansed of vice and sin and taught to be a true and faithful worker in the Kingdom."*⁸⁵

Ministering to inmates through prison reform will

⁷⁹ *Id.*

⁸⁰ *See id.*

⁸¹ *See id.* at 5.

⁸² *Id.* at 89.

⁸³ *Id.* at 62-64.

⁸⁴ *See id.* at 44-45.

⁸⁵ *Id.* at 27.

facilitate the creation of a "happy state."⁸⁶ By "cleansing" each "servant" (criminal) of past wrongs, prison reformers will help arguably damned souls re-enter "the Kingdom" known as society. In the process, reformers will also be "creating more love among people and destroying barriers which exist between them."⁸⁷ Prison reformers who undertake to master the Rule will find it to be the source of a plethora of new ideas. If the wisdom of Benedict led to a Benedictine zeitgeist of prison reform, prisons could reach the heights of Benedictine monasteries.

We must change the world by addressing the plights of those who have been banished from it due to their own misdeeds. Blessed are those who have the courage to try, for they will be resurrected!⁸⁸

⁸⁶ *Id.*

⁸⁷ LEO TOLSTOY, A CALENDAR OF WISDOM 173 (Peter Sekirin trans., Scribner 1997) (1912).

⁸⁸ See generally TOLSTOY, *supra* note 2, at 567-68 (Rosemary Edmonds trans., Penguin Books 1966) (1885). After Nekhlyudov decides once and for all to seek the kingdom of God, he is resurrected: "That night an entirely new life began for Nekhlyudov, not so much because he had entered into new conditions of life but because everything that happened to him from that time on was endowed with an entirely different meaning for him." *Id.* at 568.