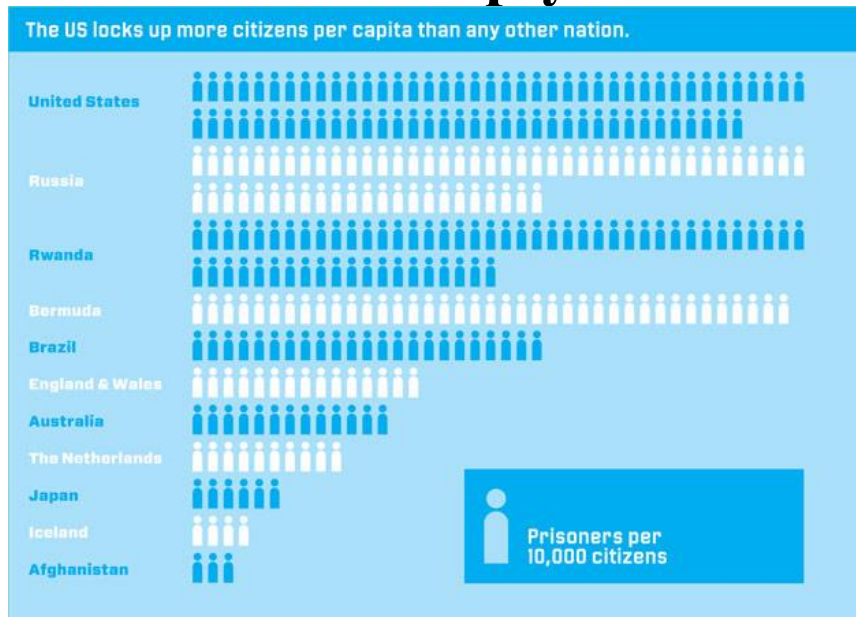


Nils Christie: Empty the Prisons



By Vince Beiser [✉](#)09.21.09 **From the death penalty** to "three strikes" laws, Americans love tough responses to crime—but not necessarily smart ones. [Nils Christie](#) has a better idea: Stop treating lawbreakers like criminals.

"I don't like the term *crime*—it's such a big, fat, imprecise word," says the renowned University of Oslo criminologist. "There are only unwanted acts. How we perceive them depends on our relationship with those who carry them out." If a teenager swipes a wallet, we call it a crime. If he snakes a twenty from his dad, it's a family issue. Locking up the pickpocket only sets him up to learn worse tricks from hardened thugs. Better, Christie says, to treat him like a badly behaved son. Send him to counseling and require that he compensate his victim. Similarly, drug abuse should be considered a matter of public health, not criminal justice. Give addicts treatment instead of incarceration and you'll cure more of them and (bonus!) foster a more humane society. Of course, seriously violent criminals should be locked up, but Christie points out that the justice system does a poor job of determining which ones are so incorrigible that they need to stay behind bars.

Christie's approach may sound implausible in the US, where crime is far more prevalent than in his home of Norway. But our national predilection for punishment has gotten out of hand. The Land of the Free incarcerates more citizens per capita than any other country on Earth, almost half of them for nonviolent offenses. And it's not because of a rise in crime rates—in fact, those have been falling for nearly a decade. Rather, tough sentencing and anti-drug laws have put a growing number of marginal offenders behind bars. Maybe that's why some US officials are starting to think like Christie. California and a few other states now mandate treatment rather than imprisonment for certain drug offenders, and many communities have launched victim-offender mediation programs.

If nothing else, cutting the prison population helps the bottom line. Each inmate costs US taxpayers more than \$22,000 a year. And return on the investment stinks: Two out of three prisoners released are arrested again, according to government studies. Now that's a crime.

