

**SOLITARY CONFINEMENT AS VIOLATION OF
HUMAN RIGHTS IN PRISON:
CASE STUDY OF THE UNITED STATES AND FINLAND
PENITENTIARY SYSTEMS**

by

Claudia Salas Giménez

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ABSTRACT

The international legal framework towards the treatment of prisoners has evolved over time, achieving the formal recognition of basic rights of individuals serving sentences in penitentiary facilities. Yet, the development of high-security institutions like “supermax” prisons in more than 30 states within the United States (U.S.) has posed a challenge to the accepted legality with the implementation of disruptive practices for the management of threatening inmates, including the use of solitary confinement. Nevertheless, certain nations have followed different initiatives when targeting their criminal justice structure, aiming to support the basic principles for the treatment of prisoners by transforming their outdated penal justice system into an innovative process whose primary purpose is the social reintegration of inmates. The Scandinavian countries, particularly Finland, evidence this shift in penal policies implemented in prisons through the instauration of the so-called “open prisons”. They are state-funded and low-security imprisonment institutions that respect the Constitutional Law Committee to guarantee the Finnish fundamental rights and encourage the reinsertion of prisoners into society via cooperative efforts with the authorities, minimal supervision, and reliance on the self-discipline and social responsibility consciousness of inmates. Thus, Finland supports the theory in favor of the necessity of reforming the criminal justice system to engage with the modern principles of human rights.

I. INTRODUCTION

This article provides insight into the use of solitary confinement as a punishment in penitentiaries and a violation of human rights by analyzing the contemporary political and legal basis of human rights, and the demands for the restructuration of the penitentiary systems by highlighting the controversy when attempting to manage disruptive inmates. Disciplinary

approaches supportive of praxis like solitary confinement have threatened the traditional criminal justice conception, impelling the implementation of alternative legal models as in the open prisons developed in Finland. Part II analyses the historical criminal justice legal framework from post-WWII to the present. In the wake of the atrocities committed during WWII, the bursting of political and social movements advocating for human rights led to transformations of the criminal legal foundation to fight against violations of inmates' rights. Part III discusses the basis of what solitary confinement entails, along with its physical and mental aftereffects. Despite the current international legislative structure and debate around the legality of solitary confinement, it persists to be a severe violation of human rights still tolerated in prisons. Part IV examines two alternative penitentiary models: the Auburn and Pennsylvania prisons in the U.S., and the pioneering concept adopted in Finland with the instauration of open prisons. This analogy allows drawing relevant conclusions on the discrepancies with the restrictive prison layout adopted in the U.S., and potential improvements of the criminal justice system to preserve the right of inmates, which will be displayed in part V.

II. INTERNATIONAL LAW FRAMEWORK IN HUMAN RIGHTS IN PRISON

Following the crimes perpetrated during WWII and the declaration of the Charter of the United Nation in 1945, the mistreatment of inmates became a matter of worldwide concern. Ensuring the protection of human rights emerged as the prevailing moral code in most contemporary developed societies upon the signing of extensive international contracts like the Universal Declaration of Human Rights (UDHR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), or the International Covenant on Civil and Political Rights (ICCPR) (Bagaric et al., 2017). Grounded upon the principle of morality, individuals were

granted inherent and inviolable rights that were subsequently extended to inmates during the Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment (the “Torture Convention”) in 1984, and the sign of the International Covenant on Civil and Political Rights in 1966 (Miller, 1995, 3). Article V of the UDHR declared “no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment,” and at the end of the 20th century, the General Assembly adopted the Standard Minimum Rules for Treatment of Prisoners to establish alternatives to imprisonment and promote the social integration of inmates through cultural and educational involvement. Article VII of the Standard Minimum Rules explicitly supported the abolition of solitary confinement (OHCHR, 1990). In the U.S., the Organization of American States (OAS) drafted the American Declaration of the Rights and Duties of Man (1948) which included two articles concerning the treatment of inmates in prison. “Every individual who has been deprived of his liberty [...] has the right to humane treatment during the time he is in custody”, remarked article XXV (Miller, 1995, 5). Moreover, Europe documented in the European Convention for the Protection of Human Rights and Fundamental Freedoms (1953) that “no one shall be subjected to torture or to inhuman or degrading treatment or punishment [...], even in time of war or other public emergency threatening the life of the nation.”

In addition, the rise of humanitarianism during the last two centuries influenced penal procedures in noticeable ways. Incarceration as a form of punishment for noncompliance with the legislation is new and acts in accordance with the humanitarian approach of rehabilitation as part of the penal structure (Clemmer, 1950, 311). The U.S. amended its penal code and introduced the correctional standards developed by the National Advisory Commission on Criminal Justice Standards and Goals in 1973 to formally incorporate the Standard Minimum

Rules, which were later remodified by the General Assembly's Sixth Committee. This recently developed legal framework aimed to safeguard the integrity of individuals deprived of their individual freedom (Miller, 1995, 10).

However, despite the broad attempts of international cooperation for the defense of human rights in prison, this subject matter continues to be controversial. The “Torture Convention” was imprecise in defining the extent to which practices were considered “cruel, inhuman and degrading punishments” (Danelius & Burgers, 1988). In 1984, the General Assembly described torture as any “act by which severe pain or suffering, physical or mental, is intentionally inflicted on a person for such purposes as obtaining information or a confession, punishing, intimidating or coercing based on discrimination of any kind [...]” Yet, terms like “cruel,” “inhuman,” and “degrading” remain vague and fail to include the suffering arising exclusively from legal proceedings (Miller, 1995, 8). The clarification of such terms would help to specify legal grounds regarding solitary confinement. Currently, the international consensus stands in opposition to the exercise of solitary confinement as a corrective measure in prisons. The Standard Minimum Rules, also known as the “Nelson Mandela Rules” (Gilmour, 2016), were expanded in 2015 to support the inarguable dignity of inmates and forbid any form of torture or ill-treatment, extending to the physical and psychological effects caused by the infliction of indefinite solitary confinement. Isolation has been defined as a last resort action, subject to time and hygienic conditions restrictions, in extreme cases where harsh disciplinary action is required. Yet, this punishment praxis remain controversial and is considered a violation of human rights.

III. SOLITARY CONFINEMENT

Solitary confinement refers to the physical isolation of individuals, including limited contact with prison staff, for around twenty-three hours a day. Although uninterrupted and full isolation is not exercised anywhere, solitary confinement continues to be the closest form of punishment to isolation (Volkart et al., 1983). Health care is restricted, and meals are slid into the cell. Social and physical interaction is kept to an absolute minimum, and inmates' mobility is limited, always under the supervision of a guard and video monitored, requiring inmates to stand naked for visual search before exiting and entering the cells (Miller, 1995, 21). Isolation was enacted as disciplinary punishment to ensure the control over challenging prison population. According to the Prison Discipline Study, a nationally distributed questionnaire to analyze humane imprisonment undertaken by the US National Institute of Justice in 1909, 72.7 percent of inmates experienced solitary confinement at some point, and 63.2 percent of them for more than a year. Solitary confinement poses serious psychological and physiological effects on inmates due to the absence of normal social interaction, reasonable mental stimulus, or exposure to the aspect of life that is worth living for. The list of symptoms ranges from stress, insomnia, confusion, hallucinations, insanity, and depression to cognitive impairment and suicidal tendencies (OHCHR, 2020) and could remain permanent. Smith (2006) pointed out in his literature review relevant results of previous analyses concerning prisoners' health to suggest that at least a third of the inmates described as healthy upon their entrance to the prison reacted to isolation's distress with adverse health effects, and at least a third of these suffered from major psychological and psychiatric problems including hallucinations, paranoia, and distinct kinds of personal degeneration (462).

While the international criminal justice theoretical framework rejects any violation of the inherent dignity of inmates and condemns any form of torture or degrading treatment, it does not

relate to practice. Supermax institutions in the U.S. are characterized by the use of solitary confinement within their walls to contain unwanted behavior from prisoners. In 1994, case reports on the Pelican Bay supermax prison showed that between 1000 to 1500 prisoners were held isolated in a solitary confinement complex called the Security Housing Unit, where individuals could go for extended periods of time without any type of social interaction (Miller, 1995; Smith, 2006). The foundation of supermax prisons started with the Federal Penitentiary at Marion, Illinois, in 1963, which established a permanent state of “lockdown” to modify prisoners’ coercive behavior. It is known as the prequel for the forthcoming use of severe isolation techniques in prison. Despite the condemnation of Amnesty International and Human Rights Watch (1991), such institutions operated in thirty-four states, including the Federal Prison in Florence, Arizona, and Pelican Bay in California. These institutions were extremely sophisticated, operating modern technology to ensure the harsh seclusion of inmates in the control units.

The opening rationale for solitary confinement advocated for limiting prisoners' freedom as a disciplinary warning against unacceptable behavior, an administrative measure to dissipate the risk of potential escapes or riots within the prison complex, and as a protective mechanism to safeguard the well-being of more vulnerable inmates (Shalev, 2009). However, this praxis has been taken too far, being considered a living horror for inmates due to the exacerbation of mental disorders and increasing feelings of pain and suffering caused by the lack of social activity. Human Rights Watch (2000) reported that solitary confinement “presses the outer bounds of what most humans can psychologically tolerate.” Moreover, isolation does not deter crime. In fact, evidence indicates that psychological torture could lead to resentment and rage (Meskele, 2014). Wildeman and Andersen (2020), researchers for the Rockwool Foundation Research Unit

in Denmark, found that solitary confinement increases the risk of recidivism within the first three years after the release was about 15%. Several studies focusing on long-term prisoners supported this claim as well, by establishing a correlation between long incarceration periods and a higher rate of recidivism once released (Clemmer, 1950). There is no empirical measure for the psychological effects of solitary confinement, but it remains a matter of research. Benjamin and Lux (1975) emphasized that the evidence against solitary confinement appears overwhelming, even in the absence of physical brutality or unhygienic conditions, following the case study of the Maine State Prison.

IV. SOURCES OF PUNISHMENT IN PENITENTIARY MODELS

Nevertheless, the use of solitary confinement in penitentiary facilities is a long-lasting pattern within the criminal justice system. The modern prison system, dating from the 1770s to the 1850s, was implemented in the U.S. in the 1820s with the construction of the Auburn and Pennsylvania penitentiary models, which resorted to isolation as a corrective measure. The Auburn prison in New York allowed contact among inmates while working but established a strict regime of complete silence at night (Smith, 2006, 456), and became a prototype to follow in America. Oppositely, European nations, including France, England, Germany, Holland, Belgium, Portugal, Norway, Sweden, and Denmark (Morris & Rothman, 1995; Nilsson, 2003; Johnston, 2004; Smith, 2006), favored the Pennsylvania system between the 1820s and 70s, where strict isolation was enforced. For instance, Alexis Tocqueville, former Minister for Europe and Foreign Affairs of France, advocated for the implementation of the Pennsylvania prison prototype in France to favor his “political despotism,” arguing that the terror caused by employing solitary confinement in prison would be the solution to succeed in the rehabilitation of inmates (Boesche, 1980). However, in the early 1820s, New York eliminated the practice of

total isolation at Auburn for the outburst of harmful psychological effects produced on inmates. Additional statistical evidence supported this hypothesis in the 30s, although it was insufficient to provide conclusive grounds for the implementation of long-term policies (Miller, 1995, 23). Analogously, the Pennsylvania model prison also revealed its inefficiencies concerning mental health treatment in prisons. Much of the Western literature at the time stressed the powerful influence of the prison administration on the mental stability of inmates (Ignatieff, 1981; Smith, 2004). To prevent retaliation, penitentiary authorities embraced alternative administrative techniques to grant special privileges, such as extra yard time, as an attempt to offset the psychological effects of solitary confinement. Howbeit, in Germany, where the prison system resembled the Auburn model, 37 articles were published between 1854 and 1909 recording reiterated incidence of psychotic disturbances among prisoners (Nitsche & Williams, 1912). Social isolation and limitation of individuals outside stimuli deteriorated inmates' mental state, leading to psychiatric disturbances such as hallucinations, paranoia, or confusion (Grassian, 1983).

Nevertheless, the WWII political instability led to a transitional moment in the post-war period that completely reconfigured the scope of European prisons (De Vito et al., 2016). Some European countries branched off from the 19th-century penitentiary structure by implementing non-custodial punishments such as suspended sentences and supervised parole (O'Brien, 1995) and nonincarcerated options. Great Britain, for example, abolished penal serfdom, forced labor and flogging. From the early 1970s to the late 1990s, the European Union (E.U.), the Council of Europe, and the European Court of Human Rights (ECtHR) designed a new legislation that stressed the aim for rehabilitation and social reintegration of prisoners as guiding principles of the new criminal justice structure (Schartmueller, 2018, 68), following the emerging movements

advocating for the defense of human rights (Lappi-Seppälä & Nuotio, 2018, 8). However, this was not unanimous worldwide. Some nations opted to strengthen their prison system, and even if corrective punishments like the use of solitary confinement were not completely abolished, the European Prison Rules established by the Council of Europe agreed to the employment of isolation as a measure for reintegration.

III.1. MODERN UNITED STATES PENITENTIARY MODEL

Since the post-WWII period, the U.S. has been responsible for numerous human rights violations within correctional institutions, particularly through the use of solitary confinement in supermax prisons. Imprisonment is one of the harshest sanctions allowed by the U.S. Federal Government, considered a form of deprivation of liberty, but solitary confinement goes beyond these limits. Since the early 1970s, the American penal system underwent a dramatic transformation. Changes in sentencing policies led to an increase in the crime rate that skyrocketed the incarcerations and contributed to creating discomfort within the prisons due to overcrowding and the rising violence towards the prison's authority or other inmates (Bureau of Prisons, 1973a; King, 1999). Between 1970 to the beginning of the 1990s, the number of prisoners increased by 332%, and the incarceration rate per 100,000 citizens increased by over 200% (Clear, 2008), particularly among the younger and more violent inmates. The increase in the level of assaults prompted the installation of high-security prisons to contain potential attacks and ensure more effective penitentiary safety (Smith, 2006, 248). Supermax facilities presented the solution to manage mass incarceration during the last quarter of the 20th century and are considered "one of the most dramatic features of the great American experiment" (King, 1999, 163). The lockdown strategy at Marion Penitentiary in Illinois in 1983 served as ideal for many states, who imitated it for its short-term effectiveness. The National Institute of Corrections

(NIC) (1997) reported that over 55 supermax units were operating nationwide, and approximately 34 states in the US ran one or more supermax facilities (Mears, 2006, 1). At the end of 1998, 1.8% of those serving sentences for at least a year in federal prisons were locked in such institutions (Pizarro & Stenius, 2004, 260).

The reasoning behind supermax prisons is the need for increasing control over violent inmates to protect the general prison population (NIC, 1997). The enforcement of isolation for 22 to 23 hours a day by limiting social interaction, including physical activity (both within or outside the prison walls), physical contact, verbal interaction of any kind, and the restriction of visitation rights, always under constant supervision (NIC, 1997; Riveland, 1999, 11; Chacon, 2000), helped supermax penitentiaries hold the most violent, disruptive or escape-prone offenders (Hershberger, 1998, 54). Nevertheless, the advent of supermax institutions has not been without dissension. While they may have improved the control over inmates, the most prominent objections towards these units refer to the unconstitutional and inhumane of supermax confinement and the economic hindrance they present to society. They are part of a U.S. bureaucratic sponsored initiative called the “prison-industrial complex,” conceived to improve the prisons’ efficacy in the country by expanding the U.S. public spending on imprisonment. This was subject to wide-ranging criticisms as corporate interests prevail over proper prison management in the U.S., allowing political elites to manipulate the justice system for profit (Gilmore, 2016; Xenakis & Cheliotis, 2018, 6), and doubling or tripling the penitentiary facilities' cost. Riveland (1999) noted that “in most jurisdictions, operating costs for extended control facilities are generally among the highest when compared to those of other prisons” (21). In terms of the effects of solitary confinement in supermax facilities, multiple studies have reported a correlation between isolation, distortion of reality, and mental illnesses. Korn (1988)

found that women living in supermax prisons experienced claustrophobia, chronic rage reaction, depression, hallucination, and symptoms attributed to depersonalization and denial of individuality. Similarly, Kupers (1999) examined the effects of seclusion in control units to assert that those facilities struck a loss of touch with reality and symptoms of psychiatric decomposition, pointing out that most inmates interviewed had difficulty concentrating, heightened anxiety, intermittent disorientation, and episodes of sudden anger. The Pelican Bay Security Housing Unit, a supermax facility in California, reported that between 83 and 91 percent of the prisoners suffered from anxiety, headaches, lethargy, irrational anger, and social withdrawal, and more than 40 percent experienced hallucinations and perceptual distortions (Craig, 1993, 133). In addition, supermax officers also suffered from high-stress rates, resulting in increased sick leave, more expensive medical care for injuries, and underperformance (Mears, 2006, 8; Riveland, 1999).

Notwithstanding, the constitutionality of supermax prisons remains unclear. The Eighth Amendment, and more specifically the Cruel and Unusual Punishments Clause, forbids the federal government from inflicting harsh penalties on offenders; however, it is up to debate whether supermax prisons' living conditions and treatment provided meet those standards (Metzner & Fellner, 2010). Federal court judges have repeatedly expressed their objection to prolonged isolation for being a cruel punishment, but yet U.S. district courts maintain that these conditions are necessary to ensure the safeness of prisons and therefore do not violate inmates' constitutional rights (Frost & Monteiro, 2016). The core rationale for the inconsistency of policies concerning solitary confinement is the inability to estimate quantitatively mental health. Courts are hesitant to consider the psychological impact on the prisoner. Growing literature researching the psychological effects of socio-environmental deprivation shows the detrimental

outcome on the brain, but still not enough to support the statement of solitary confinement.

Courts base their statements based on the concept of “basic human need,” prevailing physical needs over mental health for individuals’ survival, and solely consider isolation as harmful if it denies those minimal requirements (Coppola, 2019).

III.2. FINLAND’S INNOVATIVE PRISON STRUCTURE

Much less known than the case of the U.S., the use of solitary confinement was an integral factor in the Scandinavian penitentiary system for decades, and it was not until recently that it was considered dangerous for inmates’ health. Currently, Finland possesses what is considered one of the most advanced and efficient criminal justice approaches ever implemented.

The incorporation of the ECHR and European Committee for the Prevention of Torture and Inhuman in Europe influenced reforms of correctional policies to satisfy constitutional and fundamental rights (Lappi-Seppälä & Nuotio, 2018, 17), and Scandinavian governments took this guidance seriously. While there were traces of prior reforms of sanctions and criminal law in Finland dating back to the 1820s, it was during the 1990s that major transformations were undertaken due to the rise of further forms of international cooperation in Europe conditioned the Nordic system (Lappi-Seppälä, 2007). After WWII, Finland experienced a substantial increase in crime (Ekunwe & Jones, 1969, 174) that led to a general toughening of the criminal justice system in the 1940s and 50s, engaging new attitudes toward juvenile crime control. In Finland, those changes were minimally reflected. In the 1960s, researchers across the Nordic countries started investigating how punishments could help reduce crime, resulting in the criminal policy ideology of the 1960s and 70s designated as “humane neo-classicism”. It supported legal safeguards against coercive care to improve the rights of inmates and introduced the idea of prison leaves and “open penitentiaries” through the humanization of prison conditions. For

Finland, this entailed the beginning of a long-term reduction in imprisonment rates that continued up to the early 1990s, reaching the general Nordic level of around 60 prisoners for every 100,000 inhabitants (Lappi-Seppälä & Nuotio, 2018, 17). Finnish penal policy reforms resulted in the redraft of the Finnish Constitution in 1995 and 2000 to uplift the standards protecting basic and fundamental rights. The new constitution enforces the principle of protection by the law (section 7.3) and the public authorities (section 22), remarking that “no one shall be sentenced to death, tortured or otherwise treated in a manner violating human dignity” (Lappi-Seppälä, 2007, 341). In 2006, Finland carried out the Prison Act, a penal reform striving to bring in accordance with the legality in prisons of the new constitution and improve safety and transparency. It declared that “the rights of individuals deprived of their liberty shall be guaranteed by an Act of Parliament” to guarantee the harmonization of the Finnish fundamental rights and facilitate inmates’ social reintegration. Scandinavian nations followed the principle of normalization, which in Finland was reflected as prisoners being entitled to have as “normal” of a life as possible while in prison by participating in cultural and educational activities assigned by the prison administration (Finnish Imprisonment Act, 2006).

Currently, Finland has registered the lowest imprisonment and crime control rates in Europe (Ekunwe & Jones, 1969). Its criminal justice model has two distinct types of state-funded and administered units that satisfy the statements set in the Constitution: open prisons and closed facilities, which encourage freedom and community engagement. Open penitentiaries are unconventional legal structures that ensure freer conditions for inmates to participate in rehabilitative activities and labor, to promote social reinsertion. They are no-walls and drug-free facilities that offer a more relaxing setting, as there is unrestricted access to hallways and shared areas, and prison staff is unarmed, wears civilian clothing, and addresses the inmates by first

name (Ekunwe & Jones, 1969, 183). Inmates are obliged to work or do vocational training and have permission to pursue academic studies within or outside the institution. In addition, they arrange rehabilitative and supportive activities, along with group activities with psychologists and prison chaplains (Finnish Imprisonment Act, 2006), to improve the mental health treatment on detainees. Finnish open prisons hold about one-fifth of the current prison population, and in accordance with Finland's Criminal Sanctions Agency, they have shown their effectiveness in lowering the recidivism rate by almost 20 percent (Bichell, 2015). Closed prisons in Finland are used to occupy primarily long-term prisoners (over 2 years of imprisonment), carrying over 300 prisoners at most (Lappi-Seppälä, 2007, 344). Nevertheless, besides the innovation of the Finnish criminal system, solitary confinements remain present in the penitentiary structure. Prison officials are allowed to punish inmates with up to 20 days in isolation when infractions are committed (fights, drug possession), although it usually ranges from three to five days.

V. ALTERNATIVE FORMS OF PUNISHMENT IN PRISON

The debate concerning the purpose of penitentiary facilities and whether they insure prisoner's rights within their walls has been a topic of concern across nations for decades (Kelk, 1982). Finland has been at the forefront of the dynamic change advocating for better condition for inmates by implementing drastic reform incorporating innovative initiatives transforming the approach of incarceration. As remarked by one of the supervisors of Hämeenlinna prison in Finland, "the loss of freedom is the major punishment, so we try to make it as nice inside as possible" (Ekunwe & Jones, 1969, 183). Finland realized imprisonment was not the solution to reduce crime, thus penal confinement should reflect life outside of prison as closely as possible. The system even favored social activity in prison for the case of life-imprisoned offenders allowing them to remain connected to families, friends, and societal institutions throughout their

prison sentence (Schartmueller, 2018, 82). However, some criticism complains about the excess of freedom granted to Finnish convicts. While the legality regarding prison leaves states that it cannot be awarded before two thirds of the prison term has been served (Keinänen et al., 2020), in the legal context of Finland, prison leave is allowed as part of the prisoners' social integration, so they take part in civil activities like community services or engage in education programs. Yet, the Finnish judicial system is considered the most independent and progressive in the world (Schartmueller, 2018). Finland currently has one of the lowest incarceration rates and ranks high on gender equality, and low on corruption.

Recently, media outlets worldwide have become particularly interested in exploring Scandinavian prisons. Several international organizations, most notably the United Nations Standard Minimum Rules for Non-Custodial Measures, advocate for more context-inclusive justice systems rather than the ex-post form of justice that is incarceration (Goodman, 2021, 1249). Thus, the world's growing search for the ideal criminal justice system has driven social movements to propose alternatives. In the U.S., major legal changes have been hardly considered, ignoring demands for the restructuring of the justice structure. Studies on American prisons provide ample evidence of failed management strategies, such as many of California's prisons, and expose large racial and socioeconomic disparities in the U.S. legal system. Angela Y. Davis, a prime advocate for the prison abolition movement (Shaw, 2009), gives voice to minorities and marginalized communities to strongly reject prison reforms as a solution to the problem of the prison industrial complex, and demand economic and civic standing, community self-determination, and equality as key aptitudes for social reintegration.

VI. CONCLUSION

This article studies denounces the use of solitary confinement as a form of cruel punishment in penitentiaries and a violation of human rights and supports the concept of reintegration as the essential innovative approach for the reform of the criminal justice system. Despite the progress made by the international legal framework regarding the treatment of prisoners over time, particularly during the post-WWII period, institutions such as supermax facilities in the U.S. remain to defiance the legality with the use of isolation as measures for punishment. Apart from deterrence or rehabilitation, social reintegration has been cited unanimously by the increasing literature as the contemporary solution to recidivism and an effective alternative to the use of solitary confinement as disciplinary sanction. Countries like Finland have proved successful in its implementation with the notion of open prisons, which have shown positive results in inmates' social reincorporation and display potential alternatives for upcoming legal reforms.

Although further research is needed to determine the right legal system and the outcome of open prisons in terms of inmates' physical and mental health and social reintegration, a priori, the Finnish system remains one of the most efficient and advanced legal systems to this date. While some nations have thought of gradually integrating the Finish system, particularly other Scandinavian country, every country's criminal justice systems differ and cannot implemented unanimously worldwide. For specifically, even if it is unlikely such radical measures like the Finnish model, or the Angela Y. Davis's prison abolition approach can be implemented U.S., there are further feasible alternatives for the betterment of the U.S. criminal justice system. The challenging question is how to go about implementing some of those changes. Loosening of restrictions and the amelioration of the relationship between the prison administration and inmates could foster a favorable work and cooperation climate for social reintegration, as well as

the improvement of the federal penal legislation through government financial incentive (Goodman, 2021, 1250) could be additional alternatives to effectively disregard the use of solitary confinement in prisons and support the human rights of individuals serving sentences in penitentiary facilities.

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