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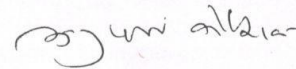
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Human Rights of Prisoners: A Case Study of Sampurnanad Open Prison, Sanganer, Rajasthan

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Abstract

Condition of prisoners and prisons in a developing country like India is in need of a lot of improvement as they continue to suffer due to lack of facilities and funds. Normal prisons also have many restrictions on movement of prisoners which impairs their adjustment in society after release. Open prisons provide an alternative which makes prisoners self reliant and helps in their adjustment in the society.

Keywords: Open Prison; India; Rajasthan; Sanganer; Prisoners; Human Rights.

Introduction

Prison is a place where people are physically confined and deprived of a range of personal freedoms. For a long time in the western world imprisoning has not been a punishment in itself but rather a way to confine criminals until corporal or capital punishment was administered to them. (Crighton and Towl, 2008: 71) American Quakers of eighteenth century looked at imprisonment as a method for dealing with civil offenders. (Mahaworker, 2006:10) However whipping, beating and execution continued inside prison for a long time as governments adopted the substance of the Quaker idea without accepting the philosophy behind it. (Sommer, 1976: 3-6) Reformers like Dorothy Dix, Samuel June Barrow, John Howard, Jeremy Bentham, Jonas Hanway, Elizabeth Fry worked to shift the emphasis from deterrence to reform and rehabilitation. (Choudhary, 2002: 19) Today prisons are increasingly called correctional institutions and defined as places properly arranged and equipped to keep in safe custody those committed there by the courts and where they are treated with humanity and helped to lead a useful life as law abiding

citizens after their release. However the authoritarian environment of prisons gives rise to following problems: deprivation, (Ahuja, 2000: 308-309) inmate socialization, over punishment (Carter, Glaser, Wilkins, 1977: xii) and corruption. (Bedi, 1998: 155)

Prisons in India

Prisons were in existence in India since ancient times. (Paranjape, 2008: 384) Ancient law givers like Brahaspati, Manu, Yajnavalkya, Vishnu and Kautilya have discussed prisons in their writings. According to Kautilya prisons should provide separate accommodation for men and women. These accounts throw light on harsh treatment of prisoners. During medieval (Muslim) period too criminals were detained in fortresses pending trial and judgment. The 'quazis' were supposed to visit the prisons and inquire into the conditions there and release those who showed signs of repentance. Prisoners were also released on special occasions. (Mohanty and Hazary, 1990: 19-23).

Prisons on western model were established during the regime of the East India Company. Lord Macaulay explained in 1835 that imprisonment should strike a balance between terrorizing the wrong doer and not