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## Is Our Age in a State of "Uncertainty"?

E. Haldeman-Julius

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It has been said that man in the modern world is a lost soul wandering amid uncertainties and betrayed by his very knowledge, by his weakened hold on old assurances, into a distressing confusion of mind. Probably that description applies to a few who, more than usually sensitive, have a tenderness for lost illusions. The realistic thinker, who has entirely accustomed himself to a free and resolute cast of thought, does not bewail the loss of what he calls frankly superstition and dogma. The death of the gods is interesting to him, as an intellectual and dramatic spectacle, but he regards it as a triumph of human wisdom and progress. Man has done well to rid himself of those so-called "certainties" of ignorance which simply reflected the fact that he did not know the world he lived in. (To be sure, many men still cling to those notions, but broadly speaking we can say that the distinctive modern type of intelligence is skeptical and has really separated itself from the religious and moral dogmas of the past.)

On the other hand, the average man probably does not worry much about the loss of the old simple faith (yet if one reviews the intricacies and quarrels of theology as much as fifty years ago, one would hesitate to call that a simple faith which was so entangled in conflicting doctrines) which seems so pathetic or even tragic to a few tender-minded commentators on the changing ways of man which they are not progressively able to appreciate fully. It can be safely said that the average man is skeptical of about half of the religion that was believed fifty years ago—or, say, a hundred years ago when the "uncertainties" of modernism had touched only a limited circle of cultural awareness. If he is not an out-and-out atheist or agnostic, he is perhaps satisfied in a vague and not insistent way with a belief in God and immortality; he doesn't think out these beliefs nor is he interested either to test them critically nor to defend them faithfully; probably his greatest sensation is a satisfaction with the world, which is so much more comfortable, hopeful and interesting than that old world which a certain type of sentimentalist is wont to regret.

The confusion and uncertainty that is stressed in some discussions of modernism (I take, for present and particular example, Walter Lippmann's "A Preface to Morals") exists only or chiefly among those reflective persons who are mentally divided between sentimentalism and realism; who are in a sense burdened with the weight of thought because they cannot reconcile themselves to the nature and conclusions of that thought. It is true, indeed, that our knowledge today is so vast in extent and moves so rapidly forward to new truths and larger views of life that, in detail at least, the intellectual layman can scarcely hope to embrace it all; this does not trouble the realistic mind, however, which can grasp the great principles of modern scientific thought and at the same time realize, without vainly protesting against, the limitations of one man's knowledge. It is an attitude toward life that is important and that lends color and substance and feeling to a man's intellectual life; and the man who is genuinely a modern is not sore at heart, but rather grateful, that his thinking is not encumbered with the faiths and fallacies of the past.

Mr. Lippmann himself, one infers, is pretty much at home with the outlook of the world today; he is a shade too polite toward the old religious view of the universe, but he does not exhibit a profound sadness at the passing of that attitude; and certainly the ordinary man, who does not so keenly realize the change that has come about, is not so very sad but rather seems to enjoy himself very well and with pretty easy assurance in this interesting world. And after all, setting aside the suggestion of any absolutely final and certain and all-inclusive philosophy of life, isn't the modern man guided by a greater number of certainties, doesn't he know life better than his progenitors of a few generations ago?

It is well to remember that that old world of allegedly simple faith was actually a world of fears and superstitions; and undoubtedly on the whole—certainly in a social and utilitarian view—that old world was much more afflicted with uncertainties than the new world. One might fairly contrast the medieval world (when, according to Lippmann's presentation, man had such intellectual certainty and unity) and the modern world by the images of dark-

ness and daylight. In the darkness, man clung to a faith that was troubled by the shadow-shapes of fear and a faith, too, which did not carry with it any practical control over life; but in the light of the modern world, man has that knowledge, which if not complete, does enable him to carry on the business of life more clearly and successfully. True, the vista of possible knowledge has immensely widened; life is at once a more complicated and a more manageable business than men conceived it to be in pre-scientific times; yet even the average not very well-educated or studious man today has a working conception of the natural causes of things, beyond comparison more intelligent and realistic than the common man of, say, a hundred years ago.

Modern man is definitely emerging from the nursery stage, so to speak, and casting away his childish attitude of perplexity and resentment toward nature. His certainties, after all, are a great deal more important, more shrewdly verified and effective, than the "certainties" of the ancient faith. Allowing for change and development, which naturally produces a psychology of unrest and striving and experimentation which one does not find in a more stable (i. e., perhaps a more stagnant) society, it can be said that man was never so sure of himself and of his relations with his world as he is today.

Ideals of progress, a reaching out for more knowledge and a better life, do not signify that man has lost his way and is wandering distracted among uncertainties. It is a healthy sign that the modern age is an age of inquiry and discussion and changing ideas and more critically tested values and amazingly varied effort; contrasted with any age in the past, the modern age is significantly alive. It is not merely that we have gone so far with the explanation of things, that life has been, as it were, greatly debunked and is seen in a clearer light; we have also gone far with the organization of things and our life today, with all its complexity, exhibits a tendency toward unity, a conception of related efforts and values, socially and morally and culturally, that it did not have in the times, which Mr. Lippmann represents as leaning serenely on the firm certainties of a simple faith.

While Mr. Lippmann evidently is guided in the large by the modern view of things, he seems to be making rather an apology for being a modern, as it were propitiating the dead and gone gods, suggesting that he is modernistic because he can't help it and implying that, if it were possible by a sheer effort of will rather than thought, a belief in the medieval conception of Providence would be desirable. I don't absolutely say that this is Mr. Lippmann's attitude; indeed, it is so unreasonable that perhaps that is not at all what he really means; but it is an inference that some readers might draw, not unfairly, from the first half of his treatise on morals. Of one thing I am certain: Mr. Lippmann suggests by what he does not say as much as by what he says a false conception of the "simple faith" and God-defined unity of the pre-scientific (or rather, particularly, the Christian) view of life.

It is not enough to say that there was a universal belief in God, in human law as issuing from divine law, in a moral order of the universe, and the like: medievalism was not so simple as that; there was indeed much warfare among theologians' and fierce, bloody battles among the different sects even under Catholicism, which had continually to combat the numerous heresies that were always springing up. There never has been a time when men were anywhere nearly agreed upon the nature and the will of God or could unite in a simple, indisputable, clearly guided conception of the divine plan. In the realm of the higher theology, so to speak, the medieval schoolmen were endlessly weaving subtleties of dispute; while the more notable movements of heresy included the simple as well as the learned among their adherents. Theologically there was far from a unified outlook.

But if there was not unity in men's thinking, the situation was even worse in their behavior and social life. To speak of moral values in the Middle Ages—and it is medievalism that must be contrasted with modernism, for with the breaking of Catholic dominion the modern age began—is a peculiar irony. The only way in which it can truly be said that men's moral life was simpler then is to say that they were really not bothered very much by a moral attitude; they did not have the thoughtful and earnestly disputed ethics which were later to engage the critical attention of men, because in that medieval age they had virtually no ethics at all. High and low, men lived base and cruel and ignorant lives. Humanism was an idea and a feeling which did not penetrate the grim, hard armor of medievalism. Men did not disagree about morals; they simply agreed to have no morals;

with all our animated discussions about what is right and wrong in behavior, we have in the modern age a far higher moral outlook and are agreed upon many fundamentals of behavior which were not even thought of in the Middle Ages. As for a simple, indisputable code of morals—a moral viewpoint that was really consciously moral and that was really accepted (in theory at any rate)—probably the only place and period of the Christian era when such a code or viewpoint prevailed was during the Victorian Age in England; and that embraced less than a century, besides which, as the careful reader of Victorian history and memoirs well knows, it was more of an ideal than a precise, perfected practice.

As for the unity and certainty of the medieval view, and until recently of the religious view when that view (with, however, many contradictions) seemed to be really impressive in its claims of authority—such unity and certainty were poorly reflected in the actual life of the centuries of comparative faith. It certainly cannot be claimed by Mr. Lippmann that life in pre-scientific times had an untroubled, well-ordered, Providential simplicity. What, then, does he mean to convey when he speaks of man as having lost the old simple assurances, the old certainties, and having been perplexed by modern thought? Supposing that it were true that nearly all men were, in the year 1700, let us say, agreed in believing in a world governed by Providence, a world of laws divinely commanded which men should obey, a world which was created as the theater of man's destiny, a world in which authority was supreme and reason had no difficulties to settle—supposing that had been the attitude of men before the dawn of modernism (which it decidedly was not)—what would it signify in view of the fact that man's conduct of life was actually crude and haphazard and vicious?

If we admit that the modern age is the age of skeptical inquiry, the age of debunking, the age of smashed dogmas and broken illusions, we have also to admit that it is a more orderly and humane and hopeful age. Never has the idea of cooperation and common ideals been so realistically applied to the business of life; there is a nearer approach to unity in our social life, in our culture, in our sense of humanity. The world (man's world) grows more complex, but it is also being steadily and more carefully organized; and certainly for the common man life is more interestingly and comfortably arranged; he has a far wider range of satisfaction than his prototype in the times when life was "simple" only because it was so sordid and bare; as for certainties, the common man in the concrete relations of life has far more assurance than ever before in history, and I repeat that I do not believe he worries unduly about his relations to a mythical God nor as to the problem of his destiny in the larger philosophic sense.

It is obvious that the average man today has rights which are respected, whereas during medievalism and indeed until a century or so ago he had really no right; he is soundly established in (historically, comparatively speaking) an advanced measure of dignity and freedom; he has a greater degree of safety in life, and he finds that life is more definitely and fairly arranged. Violence, fear and poverty (the first two being kinds of uncertainty and the last being a deadly, heartbreaking kind of certainty) have been lessened so that they bear far less heavily than formerly upon the masses. The modern world is distinguished by its brilliant, prodigious aspects of enlightenment and power; which means really that man, while less certain about theology (and increasingly indifferent to it) is more certain and efficient in the management of life.

To be sure, the modern intelligence is doubtful about many things that were once taken for granted; other ideas that were once taken for granted are absolutely discredited by the knowledge of our time; naturally, when man began to think more realistically about life he had to go through a process of disillusionment and readjustment; those uncertainties of which Mr. Lippmann speaks, which after all imply a more careful attitude toward truth, are simply the signs of the race's growing knowledge and intellectual maturity. If the idealistic picture of the Ages of Faith, which, whether consciously or not, Mr. Lippmann leaves with the reader were entirely true, one would still have to recognize that such an idealistic faith was at heart childishness or, in other words, a naive and, in its worst form, a dogmatic ignorance of life. Life appears simpler to a child than to a mature person, but growth is the way of life and, although we may as things are achieve it imperfectly, maturity is the goal.

We still are more or less the victims of faulty education; stated broadly, we have not yet fully emerged, as Joseph McCabe points

out, from the historic stage of medievalism. We still are struggling to be free of the past—not to lose our true connection with it nor to lose interest in it, but to view it with detachment and just appraisal. There are many dogmas, prejudices, illusions, snap methods of judgment which are today scientifically discredited—which the studious mind, really in search of wisdom, can rid itself of—but which linger on beyond their natural time in the common life and even among men who are educated prejudicially or in whom emotion has too great a power over thought. It is nothing to envy our ancestors for that they had an attitude of certainty toward such foolish, indeed such barbarously crude and cruel, superstitions.

Inevitably the evolution of man's intellectual and social life would destroy those deluding certainties and this, to quote him fairly, Mr. Lippmann is clear in stating or, at any rate, sufficiently clear in suggesting. He knows that culture is not likely to go backward. He knows that growing up, for the race as for the individual, is a necessity that we must face whatever its difficulties and that, too, the inquiring mind of the adult has an intensely significant and in a lofty sense a pleasurable quality which is well worth the loss of the naive mind of the child. In his statement of modernism, in his description or definition of morality as an intelligent and well-balanced scheme of adult behavior, there is nothing seriously to quarrel with. It is, in fact, a very good way of expressing the viewpoint of realism.

Morality—the good conduct of life—is what Huxley explained intelligence or a liberal education to be: it is an adjustment to the ways of nature and of social life as well. Nature, we know, takes no special, favoring account of the individual. She does not make exceptions in her fundamental ways of behavior. One who violates a natural law pays the penalty; and if the violation is serious and acute enough, the consequence is death. The first thing in education, then, is to learn how to live, how to get about safely and most expeditiously in this world, and, as society advances, one adds the more complex and cultured phases of education to the simpler necessities of successful behavior which all must learn to a certain extent if they are to survive at all.

Philosophically and ethically, as Lippmann well says, modernism is an adult as contrasted with a childish attitude toward life. The child confidently looks to have things done for him; the adult must learn to do things for himself; and in their various attitudes of dependence and selfishness and what we call "spoiled" behavior we can observe the persistent, unseasonable childishness of men and women. Strictly speaking, perhaps not one in a thousand is completely grown up, absolutely rid of childish impressions, demands, dissatisfactions, and the like. The child has wishes that are excessive, inharmonious, unnatural; he expects things which are not in agreement with the natural course of life; children, we say, cry for the moon—and that is a pretty good symbol of the childish attitude toward life as it persists to some degree in most grown-ups. The child is disappointed and hurt by the facts of life and it is the true business of education to teach him gradually and firmly to realize and reconcile himself to these facts.

In a sense, adulthood means an impersonal attitude toward life—a realization, that is to say, that the world is not made to accommodate one's own self particularly, that nature is indifferent to the individual, that realities are stronger than mere wishes, that time and chance happen to all of us and that we can only live as intelligently as we can and not expect the impossible. It does not mean, indeed, that one is simply to take things as they are, in the conservative sense, and be indifferent to the possibilities of improving life, to progress in its many phases, to the working out of desires that are sane and realizable. On the contrary, it is a sign of childishness to cling to the illusions and visions of the past in a changing world.

This fact of change is precisely one of the great facts of nature, as well as of the social life of man, which everyone should early learn. Yet many never do learn it; they refuse to understand the principles of development, the natural and social forces that bring about changes in thought and behavior, and they are always gazing longingly back to other days and ways. It is this childishness of deficient response to the realities of change and progress which explains why so many people in their later years insist that the younger generation in their time was so much better, that the arrangements of life were more satisfactory, that ideals were purer and truer, and even that the weather was superior. They simply do not, as a really grown-up person does, advance with the times; they do not keep pace with the procession of life; they are backward in emotional

development, which essentially means that their minds do not work consistently in adult fashion.

True, there may be a great deal of mental force and range, a very impressive thinking capacity in certain directions, combined with this childishness. One may be well-educated (as we usually think of education) and cultured and have a very lucid appreciation of great and significant ideas, yet at the same time have many aspects of a "spoiled" nature. He may be a great philosopher, like Schopenhauer, yet be irritated by a noise in the street. The adult way would be to choose a place to live where there is a minimum of noise; or, if one had to live among certain noises, to become accustomed to them and not rail against something that could not be helped; or to busy oneself, insofar as that were possible, toward the elimination or the moderation of noises.

It was childishness in Napoleon to imagine that he had a Destiny, with a capital D, peculiar and inevitable and that his "star" was something personal and Providential; a sublime and imperturbable egotism which accomplish much, no doubt, but only when it is applied in cooperation with the realities; in spite of Napoleon's famous dictum, one cannot achieve the impossible—as, for instance, Napoleon himself could not, under the circumstances, win the battle of Waterloo.

The struggle for power is a dramatic and impressive thing, yet it has many aspects of childishness; many of the great men of history were, after all, childishly grasping and tyrannical and insistent that their wishes be law; in a world of weaker children they have often been able to enjoy such power, within the limitations of time and changing social forces; yet the desire for power has led men on to countless disasters, whereas a more wholesome and well-reasoned attitude toward life would have been more richly fruitful in terms of happiness and understanding and the completion of personality.

But assuming that one strives extraordinarily for power, or takes life as a gamble, one should be prepared realistically to face the chances, to accept the consequences, to know insofar as a man can know what his chosen scheme of life involves; the statesman or the leader of men should not be childishly surprised and resentful at the caprices of political fortune; the gambler should be a good loser; whoever plays with fire should not cry out complainingly when hurt, as if nature had a particular malice toward him; we strive for many different things, we adopt many different courses or careers, in life and even though many of these aims may be open to criticism, although it may be shown that they are in some respects childish, one can at least make an intelligent effort to weigh, understand, and accept philosophically the terms upon which one deals with life.

If childishness may be regarded as simply lack of understanding, a poor adjustment to the actual conditions of life, even an insistence upon irrational idealism, then we can more readily place in their true relations to thought certain fallacies that have obsessed, and in a sense have really betrayed, the minds of men. One must, to begin with, make a sound distinction between the ideals and the ingenuities of man and the purposes of nature. To a certain and even a great extent man, by discovering the secrets of nature, can force them to subserve aims of his own human devising and that have peculiarly a human, social character. He can, obviously, accomplish more by using nature in a superior way than by abusing or opposing nature. He invents or naturally evolves moral, political, practical standards of morality—i. e., codes of behavior, a certain way of living together and getting things done—which, however, he has been enormously fond of regarding as intentions of an overruling Providence or, in another way, the inherent laws of nature with an eye to human situations.

Men have tried to believe, for example, that virtue must be infallibly the "open sesame" to good fortune; that to the good, so called, all good things must come; that obeying certain behests of piety or morality is assuring one's success in life. Primarily, of course, the trouble with this assumption is that so many of our notions of virtue are arbitrary, are derived from religion, are the petty but powerful inventions of an upper-class scheme of power or a middle-class code of respectability; and, in a word, right and wrong are highly disputable terms and the farther one argues from the practical point of particular actions—the more one enters into abstract discussions of right and wrong—the more vexatiously uncertain does the dispute become.

To be sure, if one takes a strictly utilitarian view of morality (and it is the only sound, safe view to take) there is less confusion. Thus viewed, good conduct, is that conduct which is sensibly justified by results;

there is no *a priori* nor is there any absolute rule of goodness: health is moral (at any rate if health or illness is the result of one's own behavior), good temper is moral, to enjoy the delights of love on terms of mutuality and cleanliness (regardless of conventional laws or dicta) is moral, to cultivate nice but various tastes and indulge them moderately is moral, to plan one's life and to foresee and weigh well the consequences of a certain course of action is moral, to live within one's income is moral (as a rule, though sometimes a policy of extravagance well-calculated for certain ends is practically enough)—in other words, morality is a question of consequences and comparisons rather than dogmas. Nothing is good or bad in itself; if an action is wrong, it is so because of certain very definite evil results; unless an action has such bad results, to say that it is wrong is merely to echo a baseless prejudice arising from religion or conventionalism.

Yet morality is not merely determined by the results of behavior for the individual in the narrower sense; our life is social, therefore we necessarily have a social view of morality, which has become more emphasized and classified in modern times. If there were only one man living on the earth, any action that pleased him and resulted favorably for him would be moral; in short, there would be no such problem of right and wrong as we have to deal with in our closely social world; as it is, the chief thing in ethics is the sum of general welfare and we commonly agree to consider as wrong such actions as deprive others of life, liberty and the pursuit of happiness—we agree in theory, at any rate, and the principle is undeniable although there may be selfish exceptions urged and disputes in the application of the principle.

In the old view of things, which Mr. Lippmann erroneously flatters (double-edged flattery, even so) as having relied firmly upon revealed and dogmatic "certainties," the idea of authority prevailed and was held in great respect. Certain things were true or were false, because the authorities of Church and State so decreed and for no better reason. God and the King commanded and it was but for men to obey without question. Virtue was an inherent quality of certain attitudes and actions, as was vice. Granting for argument's sake that those dogmatic generalizations were in the main accepted by men, that they were very little disputed or defied at least in theory, even then we could not regard such a viewpoint of certainty as admirable, when we reflect upon what stupid and unfair limitations it placed upon life. Prejudices and dogmas, mistaken for unvarying principles of truth, confine us to a narrow sphere; they preclude growth; they must be smashed before there can be a natural development.

If comparatively the modern attitude is one of uncertainty, that is to say an attitude of less dogmatism and more experimentation, it is also an attitude that broadens life. Today we have an infinitely wider range of experience and reflection, we have a freedom of curiosity (in the fine and informal sense of learning) and development which was won with difficulty against the obstacles of medieval tyranny and intolerance. Liberty, in its largest application and its ultimate bearing, is the inspiration of the modern world. But with that conception of liberty is also the conception of life as something to be scientifically studied and managed, an understanding of social interests, the ideal, so to speak (and in the sense of something not yet fully arrived at, it is an ideal) of learning how to deal candidly and successfully with realities.

Modern man does not trust in a Providence (nor does he fear such a deity) as man formerly did; but he studies how to get more out of life. We do not believe that this world was made especially for us; but we are determined to make the best of the world as it is, to win as many tricks as we can in the stark game of nature by agreeable and orderly human devisings; we cannot have the moon that children cry for, nor eternal life, nor a world of unchanging things preserved from the accidents of time and chance; nor can we look up to a loving, omniscient Providence that has our destiny in hand and will not fail us; from our human standpoint there seems to be cruelty and treachery and ugliness in nature—but the fact is that unconscious nature neither knows nor cares about such purposes or judgments, and if one is fully mature one does not cry out against the natural, unalterable facts of life as a child cries out when it feels childish pains and disappointments.

It is not that one can or should hope to be indifferent to the tragic accidents or the tragic inevitabilities of life, that one should be utterly unemotional, a cold unresponsive being. That a thing is natural does not keep one from being grieved profoundly; the keener one's sen-

sibilities, the more quickly and deeply one responds to all the influences of life, to all the things that happen and that really matter; yet there is a great difference between a childish feeling—and a childish thought—about such things and the emotions and reasonings of a genuine adult.

What perfect adjustments of emotions to the trials and to the somber finalities of life the race may be able to make in the long, long future we do not absolutely know. As yet the race, for all its brilliant and latterly its powerful scientific achievements, is far from being grown-up. For one thing—the chief thing—our methods of education owe too much to the surviving point of view of a superstitious past. It is only in the quite recent modern period that even a fairly clear and coherent and practical conception of the meaning and the aims of education has been grasped in principle and is being progressively worked out in detail. How important this factor of education is, and what possibilities it must, have in the future, anyone in middle life may appreciate by reflecting upon the remarkable changes that have taken place in education—not only in the school but in the home—since he was a child.

Clearly the tendency of modern education is toward realism. Psychologists especially are telling us how to train the minds of children, how to prepare the young of each generation for the responsibilities of maturity, so that they can deal adequately with life as it is and not carry into their later years, which should be years of poised understanding and activity, the burden of a childish perplexity and querulousness and vain wishfulness and stubborn, blind belief imposed by religion and by illusive idealisms that leave them always at the mercy of the rude shocks of disillusionment. If education is a preparation for life, then primarily it should teach the facts of life and not, as it were, encourage the young, with respect to certain important phases of a philosophy of life, to remain too long in a state of mental infancy.

Modernism, after all, is the growing tendency to develop and practice a more certain, that is to say a more orderly and candid and sanely, poiselessly disillusioned attitude toward life. In the Ages of Faith men were sure in their ignorance that a God made the world for them and had mapped out their destiny to the last dotted "i" and crossed "t"; similarly the child is sure that all things are or that they should be contrived for his pleasure; and just as in the Ages of Faith men blamed a devil for the ills that befell them, so the child feels that there is a malice at the heart of things which, when things go wrong, must be specially directed against him. The race must grow up—it is growing up—and so too must each individual learn, not to suppress his sensibilities, not to deaden or deny his true understanding of the ironical and tragic aspects of life, but to adjust himself to these things; to learn, in a word, that while it is unescapably the fact that he must die, the more immediately significant truth is that first he must live.

Artistically, there is a place for a brooding, intense realism as well as a poetry of idealism; but the mature person will enjoy knowingly as a beautiful image what the child takes literally; false expectations, imperfect adjustments, and a disposition irrationally to confuse feelings and ideas—to mistake poetry or desire for truth—are signs of the child in the grown man or woman.

## Causes of the World War

Harry Elmer Barnes

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[Concluded from last week]

Izolski even imported Russian gold to assist in the election of Poincare to the French Presidency early in 1913. It was deemed wise to have Poincare elected to the Presidency in order to give him official permanence. A French Prime Minister may be easily overthrown, but a President holds office for seven years, and a forceful man like Poincare, by appointing weak Foreign Ministers, could direct French foreign policy as easily in the President's office as in the much more hazardous position of Prime Minister. In fact, Poincare told Izolski after his election to the Presidency that he proposed to be his own Foreign Minister in fact, and this he was right down through the outbreak of the World War.

In order to keep their plans moving smoothly it was desirable for Poincare and Izolski to have a sympathetic French Ambassador in St. Petersburg. M. Georges Louis, who held the office, was a member of the old Caillaux regime and was opposed to the bellicose schemes of



Poincare and Izvolski. Therefore, he was removed and replaced by M. Delcasse, a chief apostle of the war of revenge among the Republicans of France. Poincare cleverly arranged it so that the Russians requested M. Louis' recall. With Delcasse and his successor, M. Paleologue, as the French Ambassadors in St. Petersburg, there was no danger of opposition to the policies of Poincare and Izvolski.

It was also necessary to convince M. Sazonov, the Russian Foreign Minister, of the necessity of a European war to obtain the Straits. This was done: (1) by a ceaseless bombardment of letters written by Izvolski from Paris; (2) by Sazonov's consciousness that the Balkan Wars had proved futile as a means of obtaining the Straits for Russia; and (3) by Sazonov's resentment when, in 1913, a German general, Liman von Sanders, was sent to Constantinople to train the Turkish army. This was no worse than what had already existed, namely, that an English admiral was in charge of the Turkish navy, but England was supposed to be friendly with Russia. Hence, on December 8, 1913, Sazonov sent a famous memorandum to the Tsar stating that Russia could not tolerate any other nation in control of the Straits, that Russia must have the Straits, and that Russia could obtain the Straits only by a European war. Sazonov stated, however, that he desired to preserve the status quo until preparations were further advanced. On December 31, 1913, and February 8, 1914, the Russians held long and secret ministerial councils at which they carefully laid out the strategy to be followed when this war came. The Tsar approved the minutes of the councils in March, 1914. Incidentally, Sazonov mentioned the fact that English aid must be assured if France and Russia were to hope to crush Germany, though they could probably defeat Germany and Austria even if England did not intervene on the side of France and Russia.

It is quite true, as certain Russian writers have insisted, that the holding of these council meetings in 1913 and 1914 does not prove that Russia was planning to provoke a war, but they do show that she was very seriously considering the prospect of a war which would not be started by an attack upon Russia. Moreover, we hesitate to think what Entente sympathizers like Professor Bernadotte Schmitt would have said if a record of similar council meetings of the German Cabinet in December, 1913, and February, 1914, had been uncovered, along with the Kaiser's blanket approval!

This brings us to the final scene in the dramatic revolution of European diplomacy from 1912-1914, namely, getting England so involved in the Franco-Russian net that she scarcely hesitated in the crisis of 1914. In 1911, through the Mansion House Speech of Lloyd George, the British government had lined up decisively with France against Germany and had done all it could to inspire in the British press an anti-German tone. But Caillaux and the German leaders were inclined towards peace and war was averted. In September, 1912, Sazonov visited London in behalf of an Anglo-Russian naval alliance. While he was not immediately successful in this, he received from the British hearty assurance of naval cooperation against Germany in the event of war and was told of a secret military engagement to help France if war broke out. In late November, 1912, Poincare induced Sir Edward Grey to agree to an arrangement whereby the French fleet could be concentrated in the Mediterranean Sea while the British fleet could be relied upon to protect the French Channel ports. In 1912 also, Poincare was able to frustrate a possible Anglo-German agreement growing out of Lord Haldane's visit to Germany. In April, 1914, the British King and Grey went to Paris and there Grey, with Izvolski and Poincare, laid the basis for an Anglo-Russian naval alliance which was moving towards completion when the war broke out in August.

The fact that England and Germany seemed to be coming to an agreement over naval increases and over the Bagdad Railway project greatly alarmed the French and Russians early in 1914 and probably explains why they decided that the European war must be fought over the Austro-Serbian crisis of 1914, before England might slip away from the Triple Entente. France and Russia never felt absolutely certain of British support until August, 1914, but the recently published British Documents show that the British Foreign Office never had any doubts about its obligations to the Entente in the crisis of 1914 and made its decision to come in on the side of France and Russia with no reference whatever to the Belgian question. As Morel once remarked, the French and Russians had thoroughly "hooked" the British by the close of 1912, even if Izvolski and Poincare did not thoroughly realize they had done so.

We have often had our attention called to the bellicose tone of the

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relatively non-influential Pan-German press and we have here pointed out the methods employed by Izvolski to buy the French press. There has not, however, been sufficient emphasis on the vicious influence of the Northcliffe press in England before the war as a factor in bringing a large section of the English people into a frame of mind favorable to the war policy by the time Grey decided to cast his lot with the war party in 1914. While Northcliffe was bringing the Tory public and the British mob around to his point of view, the imperialistic and nationalistic propaganda was being successfully spread among the Liberals by Mr. J. Alfred Spender, editor of the Westminster Gazette, and the chief upholder of imperialism and Continental entanglements among the Liberal newspapermen of England.

In this way Izvolski and Poincare transformed European diplomacy in the two years prior to 1914 and were ready for whatever crisis arose. They did not originally expect that 1914 would be the year of the decisive crisis which would bring on the European War. They had expected this to come at the death of Franz Joseph, which they believed would bring about a serious Austro-Balkan crisis. When the Archduke Franz Ferdinand was assassinated in the summer of 1914, they decided, however, that the potential Anglo-German rapprochement was too dangerous to allow the test to be postponed, as England was known not to make wars for her health, and without British aid there was little hope that France and Russia could crush Germany and Austria.

Poincare has denied the truth of this indictment which we have been able to formulate on the basis of the Izvolski correspondence, but he has been unable to bring forward any French documents that contradict Izvolski's general interpretation of affairs. Moreover, there is little probability that Izvolski would have dared to lie regarding matters of such vital concern for the foreign policy of his country and for his own diplomatic ambitions. Professor William L. Langer, the foremost American authority on pre-war Russian diplomacy, in reviewing the latest edition of the Izvolski correspondence, says in the *Political Science Quarterly* for December, 1917: "When all is said and done this correspondence still formulates the most serious indictment of Franco-Russian pre-war policy and lends considerable color to the theory that there was a conspiracy against the peace of the world."

While the Triple Entente was being thus more firmly cemented and made aggressive in character, as far as the Franco-Russian nucleus was concerned, the Triple Alliance was disintegrating. Italy had made a secret agreement with France in 1902 to the effect that she would enter no war against France. Though the Germans counted on Italian aid in 1914, we know there was no chance of their obtaining such assistance. Then from 1912 to 1914 there was considerable friction between Germany and Austria over Serbia. The Austrians felt that Serbia must be punished in order to stop Russo-Serbian intrigues in the Balkans. The Kaiser, however, under the influence of the pro-Serbian German Minister in Belgrade, Baron von Griesinger, opposed the imminent Austrian aggression and twice prevented an Austrian offensive against Serbia. Heinrich Kanner, a disgruntled enemy of the old regime in Austria, together with Bernadotte Schmitt, have claimed to find in the memoirs of Conrad von Hotzendorf, the former Austrian Chief of Staff, evidence of a dark Austro-German war plot secretly laid in 1909 and executed in 1914, but Professor Fay, Count Montgelas and others have shown that there is no factual foundation whatever for this Schmitt-Kanner myth.

#### V. THE EVE OF THE WORLD WAR

In the first half of 1914 many developments were taking place which were likely to make any crisis in that year pregnant with the probability of a European war. The Anglo-German agreement greatly worried the French and Russians and made them feel that delay with the European war was dangerous. The Tory gang in England was favorable to a European war, as it would be likely to stop the menacing social reforms of the Liberal Party in England, particularly the proposed land reforms, and also would make it more difficult to enforce the Irish Home Rule Act. The Northcliffe press was bellowing for war against Germany, partly because of its Tory sympathies and partly because a war was good for newspapers. Russia had decided that she must have the Straits and could only obtain them by a European war. She held two long ministerial councils in December, 1913, and February, 1914, to decide on the proper strategy for the war. In March, 1914, General Danilov congratulated Russia on her readiness for the impending conflict and in June General Suchkominov, the Russian War Minister, boasted that Russia was ready for war and that France must also be ready. This was done in part to silence the foes of the Three Year Service Act in France. In the spring of 1914 France had refused to allow the retirement into the reserves of the class nominally

entitled to leave active service that year, thus having four classes instead of two with the colors in July, 1914. The Tsar had received the Serbian Premier, M. Pashitch, in January, 1914, had asked him how many men Serbia could put in the field when war came, promised him arms and ammunition from Russia, and told him to inform the Serbian King that Russia would do all in her power to aid Serbia.

In his memoirs Sir Edward Grey represents Russia as drifting into war because of lack of any decisive policy or leadership: "Perhaps it may be true to say, of Russia, that she was like a huge, unwieldy ship, which in time of agitation kept an uncertain course; not because she was directed by malevolent intentions, but because the steering-gear was weak." It is interesting to compare Grey's view with Sazonov's sharp denial, embodied in his memorandum to the Tsar on December 8, 1913, telling him that Russia must have the Straits and, in all probability, could secure them only by war: "In considering the future and in impressing upon ourselves that the maintenance of peace, so much desired, will not always lie in our power, we are forced not to limit ourselves to the problems of today and tomorrow. This we must do in order to escape the reproach so often made of the Russian ship of state, namely, that it is at the mercy of the winds and drifts with the current, without a rudder capable of firmly directing her course." From the reports of the ministerial conferences of December 31, 1913, and February 8, 1914, we can readily perceive that Sazonov had seized with determination the rudder fashioned by Izvolski and knew in what direction he was steering the Muscovite craft.

By January the plot to murder the Archduke Franz Ferdinand, heir apparent to the Austrian throne, was under consideration and in March it had taken definite form. In May it was perfected by high officers in the Serbian army, and high Russian military authorities approved of it and promised Russian aid in the event of an Austrian attack upon Serbia. N. Hartwig, the Russian Minister in Belgrade, was organizing a wide-spread Balkan intrigue against Austria, and the Austrians had captured many of his telegrams and had decoded them. This enabled the Austrian statesman to know of the Russo-Balkan menace to the Dual Monarchy, and before the murder of the Archduke they had drawn up a memorandum to be taken to Berlin, asking for German aid in thwarting the Russian intrigues in the Balkans. They particularly desired Germany to drop Rumania and to take on Bulgaria as the pivotal state for Austro-German diplomacy in the Balkans. Such was the state of affairs when the Archduke was shot down on the streets of Sarajevo in Bosnia on St. Vitus' Day, June 28, 1914.

In regard to this third level of war responsibility, then, that of diplomatic developments from 1912 to 1914, we may hold that the guilt is almost exclusively that of France and Russia among the major powers. The fourth level, namely, the crisis of June 28 to August 5, 1914, we have dealt with in a preceding article entitled "Who Started the World War?"

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## The Menace of the Modern Prison

Harry Elmer Barnes

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#### 1. THE ORIGIN OF THE MODERN PRISON

Imprisonment as it exists today is a worse crime than any of those committed by its victims; for no single criminal can be as powerful for evil, or as unrestrained in its exercise, as an organized nation.

We have to find some form of torment which can give no sensual satisfaction to the tormentor, and which is hidden from public view. That is how imprisonment, being just such a torment, became the normal penalty. The fact that it may be worse for the criminal is not taken into account. The public is seeking its own salvation, not that of the lawbreaker. It would be far better for him to suffer in the public eye; for among the crowd of sightseers there might be a Victor Hugo or a Dickens, able and willing to make the sightseers think of what they are doing and ashamed of it. The prisoner has no such chance. He envies the unfortunate animals in the Zoo, watched daily by thousands of disinterested observers who never try to convert a tiger into a Quaker by solitary confinement, and would set up a resounding agitation in the papers if even the most ferocious mannequin were made to suffer what the most docile convict suffers. Not only has the convict no such protection:

the secrecy of his prison makes it hard to convince the public that he is suffering at all.—George Bernard Shaw.

It is a purely scholastic and insoluble question as to when imprisonment, as a form of repressing crime, actually began. But it is very easy to answer such aspects of this question as have any practical significance. While prisons, as places for the holding of human beings in confinement, have existed since the days of primitive cannibalism, the prison, as a distinct institution for the confinement of persons convicted of crime, is an institution which has developed almost entirely within the last hundred and forty years. Down to about 1780, in both Europe and America, the jails or prisons existed primarily for the confinement of heretics and debtors or for the safekeeping of those accused of crime pending their trial. Such as were convicted were normally sentenced either to corporal punishment, or, as became common after the colonial expansion began, to deportation.

To speak with strict historical accuracy, the introduction of the notion of employing confinement within a prison, as the general method of punishing crime, was due to William Penn and the Quakers of West Jersey, who provided for a system of workhouses in the penal code they drew up in 1681. Soon afterwards William Penn introduced the same system into his Pennsylvania colony. It is believed that Penn derived this novel practice, which he brought to West Jersey and Pennsylvania, from the English workhouse as employed in poor relief, and from his observation of the operation of the Dutch system of workhouses as applied to the treatment of youthful and aged paupers and vagrants. To this possible source for imitation there should, of course, be added the natural and inevitable tendency of any Quaker government to desire to avoid, as far as possible, the cruel and bloody types of corporal punishment then in vogue, and to substitute therefor a more humane method of treating the convicted offender. But, interesting as these early historic instances may be to the student, in neither colonial Jersey nor provincial Pennsylvania was this Quaker method of imprisonment employed with any degree of permanence or uniformity. Its only effect upon posterity was to furnish a respectable precedent to which Quakers could turn a century later when they were groping about to discover some method of eliminating the barbarous prevailing methods of treating the criminal.

The real beginning of the systematic introduction of imprisonment as the prevailing method of punishment of the delinquent came in the last quarter of the eighteenth century, being prepared by the humanitarianism of the English and American Quakers, and the progress of rational and enlightened jurisprudence in the works of Montesquieu, Beccaria, Romilly and Bentham. Between 1773 and 1791 John Howard not only did much to improve the condition of imprisoned debtors in England, but also made a very thorough study of similar conditions on the continent of Europe. He brought back to England a vast amount of interesting penological information which served to interest and instruct his contemporaries. Twenty years after Howard's death a Quaker humanitarian, Elizabeth Gurney Fry, began her work among the horribly treated women prisoners in London. In this same generation following 1775 there were distinct advances in certain local English jails which definitely anticipated the modern prison system. Little could be done in England, however, to produce a prison system until, between 1815 and 1835, Romilly, Mackintosh, Peel and Buxton had succeeded in having repealed the barbarous English criminal laws and in securing a substitution of imprisonment for corporal punishment or banishment as the most approved method of dealing with the criminal. In the period of the first Revolution (1789 ff.) France also made certain marked advances towards the substitution of imprisonment for corporal punishment. Yet, in spite of these European advances which have been mentioned, as well as certain earlier or contemporary progress being made in the Papal prison at Rome and that of Ghent in Belgium, the real center from which modern prison and its accompanying system of discipline and administration has spread was the system introduced in Philadelphia by the Quakers following 1776.

In 1776 The Philadelphia Friends formed an association, entitled the *Philadelphia Society for Assisting Distressed Prisoners*, for the purpose of relieving the conditions of the debtors and accused persons confined in the jail at Third and High Streets. After the Revolutionary War this society was reorganized in the German School House at Philadelphia, as the *Philadelphia Society for Alleviating the Miseries of Public Prisons*. Between 1786 and 1795 the Society had secured the abolition of the barbarous criminal laws of Pennsylvania and the substitution of imprisonment for corporal punishment in the case of all crimes except murder. This necessitated the provision of a system of penal institutions which would make the confinement of the offender possible, and there was thus produced the modern prison. The Quakers derived their doctrines and reform proposals in

part from the earlier precedents of Penn and his associates and in part from correspondence with Howard and other contemporary European reformers.

The Quakers in this manner not only originated the general practice of imprisonment, but they also brought into being a system of prison discipline which has had a tremendous influence upon the subsequent history of penal administration and of the theory of penology. Struck by the filth and debauchery which were then to be observed in all of the so-called congregate or promiscuous jails of the time, they conceived the notion that the prevention of further depravity through evil association, as well as the probable future reformation of the culprit, would be most surely obtained through the solitary confinement of the convict in an isolated cell, where he might, in solitude and at his leisure, contemplate the evils of his past life, and be thereby led to resolve "in the spiritual presence of his Maker" to reform his future conduct. To provide such a beneficial moral environment the Philadelphia reformers were able to persuade the Pennsylvania legislature to remodel the Walnut Street jail in 1790-91, so as to permit of the solitary confinement of the worst types of offenders. With the growth of the population of the state it became necessary to provide more commodious penal institutions, and, in 1813-21, laws were enacted authorizing the erection of two state penitentiaries on the system of solitary confinement. The Western Penitentiary was opened at Pittsburgh in 1826, and the Eastern Penitentiary at Philadelphia in 1829. This Eastern, or Cherry Hill, Penitentiary immediately became the world's most famous penal institution, visited by prison reformers from every point of the Western World.

The originators and defenders of the system of solitary confinement alleged that it possessed the following virtues: (1) protection against possible moral contamination through evil association; (2) unusual invitation to self-examination and self-reproach in solitude; (3) impossibility of being visited by anyone except an officer, a clergyman or a reformer; (4) great ease of administration of the government and discipline; (5) possibility of an unusual degree of individuality in treatment; (6) little need for disciplinary measures; (7) absence of any possibility of mutual recognition of prisoners after discharge; and (8) the fact that the horrors of loneliness made the prisoners unusually eager to engage in productive labor, during which process they might be taught a useful trade, preparatory to their attaining freedom. But, whatever its incidental advantages, the element uniformly and most vigorously emphasized by the founders of the Pennsylvania system was the allegation that solitude was most certain to be productive of earnest self-examination and a consequent determination to reform.

Distinguished visitors from abroad came to view this new system of penal administration and to recommend with general success its adoption in their home countries. In the decade of the 1830's, Sir William Crawford from England, Dr. N. H. Julius from Prussia and Frederic Auguste Demetz from France came to Philadelphia and recommended the immediate adoption of the Pennsylvania system in their respective countries. In America, however, the Pennsylvania system was much less popular than it was in Europe. In spite of temporary adoption in other states, most notably New Jersey and Rhode Island, the Pennsylvania system made little headway in the United States. It was even abandoned by the State of Pennsylvania in the Western Penitentiary in 1869 and in the Eastern Penitentiary in 1913, though as a matter of fact, it had practically ceased to exist in the Eastern Penitentiary a half century before it was legally and formally abandoned.

The reason for the relative lack of popularity of the Pennsylvania system in America was primarily the rise in this country of another and rival system of prison administration, namely, the Auburn system of combined isolation and association, owing mainly to the indefatigable labors of Louis Dwight, came generally to dominate American penal administration until its popularity was threatened by the introduction of the Elmira system a half-century later.

In spite of the fact that the Auburn system became the great historical rival of the Pennsylvania system, it was in reality but a derivative or variant from the Pennsylvania type of prison administration. Imitating the precedent of Pennsylvania by substituting imprisonment for corporal punishment, New York state reformed its penal code in the last decade of the eighteenth century and thereby created the necessity for a system of prisons. The older institutions proving so unequal to the task of housing the larger number of prisoners confined under the new method of punishment that by 1810 the Governor had to pardon as many prisoners annually as were committed, the legislature, in 1816, authorized the building of a new prison at Auburn. Between 1817 and 1824 the system of discipline here enforced alternated between the old congregative system and the solitary or Pennsylvania system, but, by 1824, under the guidance of Elam

Lynds, Gershom Powers and John Croy, the Auburn system of solitary confinement by night and associated labor by day had come into existence. This type of discipline and administration was soon introduced in the new Sing Sing prison, and into the state prisons of Connecticut and Massachusetts at Wethersfield and Charlestown, respectively.

This method of prison discipline and administration was alleged by its supporters to be superior to the Pennsylvania practice because of the greater cheapness of erecting a prison on the Auburn plan; its greater adaptability to the economic advantages of associated labor and mechanical methods of manufacturing; and the fact that it did not render the prisoner liable to what the exponents of the Auburn system regarded as the deleterious effects, both moral and physical, of complete solitude. It was believed that the Auburn practice of complete isolation at night and of silent association during the day was ample both to provoke moral reflection and to prevent contamination through evil association. But it is doubtful if the advantages, real and alleged, of the Auburn system would have been sufficient to secure its remarkable success had it not received the vigorous support of the greater figure in early American prison reform, Louis Dwight, the active and alert secretary of the Prison Discipline Society of Boston. Possessing a firm conviction that the Auburn system was incomparably the best that human ingenuity had as yet devised, he gave unsparingly of his own energy and made what at times bordered on an unscrupulous use of the authority and prestige of his Society in order to urge everywhere and always the adoption of the Auburn system. So well did his efforts succeed that for a half-century after 1830 the Auburn system of prison administration was practically identical with American penal institutions.

In spite of their great prestige and reputation and their undoubted historical significance in the evolution of penology, however, both the Pennsylvania and the Auburn systems must be regarded as important chiefly through having originated the modern prison. Neither marks more than the first crude step taken in the effort to render more humane and more scientific the treatment of the violator of the law. In spite of the exaggerated pretensions and claims of their supporters, both of these methods of prison administration failed almost entirely to provide those deeper, moral, psychological and social impulses and motives which must lie at the foundation of any effective reformation of the offender. There can be no doubt that, whatever claims have been brought forward to the contrary, neither system actually advanced the cause of reformation to any degree comparable to the part that it played in carrying out the other conventional aims assigned to imprisonment, namely, social protection, revenge or retaliation, and deterrence. It is to that series of progressive reforms which culminated in the Elmira system that one must look for the first appearance of any even moderately successful machinery designed to supply the chief impulses which are necessary if it is hoped to create and widespread determination to reform in the minds of any large number of prisoners.

#### 2. THE ORIGIN AND DEVELOPMENT OF THE ELMIRA REFORMATORY SYSTEM

In his two works, *The Penitentiary Systems of Europe and America* (1828) and *The Theory of Imprisonment* (1836), that wise and progressive French penologist, M. Charles Lucas, had clearly taken the advanced position that a curative reformatory type of prison discipline ought to be substituted for the contemporary repressive prison system. It was a long time, however, before this aspiration was adequately realized. It was only achieved, and then imperfectly, in the Elmira Reformatory system introduced into New York State following 1870.

A number of significant currents of reform in penology converged in producing this system. An important element was contributed by the new methods of prison discipline introduced in the British penal colony in Australia. Captain Alexander Maconochie came to Norfolk Island in Australia in 1840, and was able to bring about a tremendous improvement in penal methods by eliminating the old flat-time sentence and introducing the beginnings of commutation of sentence for good behavior. Every convict, according to the seriousness of his offense, instead of being sentenced to a given term of years, had a certain number of marks set against him which he had to redeem before he was liberated. These marks were to be earned by deportment, labor and study, and the more rapidly they were acquired the more speedy the release.

At about the same time the notion of an indeterminate time sentence was originated and given popularity through the writings of Archbishop Whately of Dublin, the Scotchman George Combe, and especially the prison reformers, Frederick and Matthew Davenport Hill. Its supplement, the famous parole system, while anticipated by a number of other reformers, was most systematically and effectively advocated by the French publicist, Bonneville de Marsangy. Maconochie's system of determining the period of incar-

ceration upon the basis of the behavior of the convict was combined with the notion of the indeterminate sentence and parole in the famous Irish system of prison administration, which was introduced by Sir Walter Crofton in the decade following 1853. To these earlier progressive innovations he added the practice of classifying convicts in graded groups, through which each convict had to pass before obtaining his freedom on parole, the convict's advancement being determined by his conduct.

The notion of productive and instructive prison labor, which goes back to the Pennsylvania Quakers, was also developed by a number of progressive penologists during the second quarter of the nineteenth century, especially by Montesinos in Spain and Obermaier in Bavaria.

All of these liberal and progressive innovations, which have been all too briefly and casually mentioned above, attracted the attention of the leading American reformers, most notably Theodore W. Dwight and E. C. Wines of the New York Prison Association, F. B. Sanborn of Concord, Mass., Z. R. Brockway, Superintendent of the Detroit House of Correction, and Gaylord Hubbell, Warden of Sing Sing Prison. All of these men prepared able, vigorous and widely read public reports or private monographs, urging the adoption of these advanced methods in the American prison system, but they were able to secure the introduction of these innovations only for the treatment of younger first offenders. A law authorizing the creation of such an institution at Elmira, New York, was passed in 1869, and the institution was opened in 1871, with Mr. Brockway acting as its first superintendent. A decent preliminary approximation to the principle of the indeterminate sentence was secured, and the inmates were divided into classes or grades through which they might advance to ultimate parole by virtue of good conduct if they did not desire to remain in the institution for the maximum sentence.

The great advance which the Irish and Elmira systems mark over Pennsylvania and Auburn systems was the fact that in these later types of penal discipline the term of incarceration was made at least roughly to depend upon the observable progress made by the prisoner on the road to ultimate reformation. It was, thus, a system which chiefly stressed reformation rather than either retaliation or deterrence. As far as its application in the United States is concerned, however, even this method of discipline possessed serious and grave defects. In the first place, it was scarcely at all introduced into the prisons which confined the adult offenders, thus not being applied to the great bulk of the prison population. In the second place, while it was based primarily upon the idea of effecting the reformation of the convicts, it failed signally to provide the right sort of psychological surroundings to expedite this process. The whole system of discipline was repressive, and varied from benevolent despotism, in the best instances, to tyrannical cruelty in the worst. There was little, if anything, done to introduce into the mind of the individual convict, or into the groups of convicts generally, any sense of individual or collective responsibility for the conduct of the prison community, nor was any significant attempt made to provide any education in the elements of group conduct and the responsibilities of the citizen. There was little, if any, grasp of that fundamental fact which is basic in the newer penology, namely, that a prisoner can be fitted for a life of freedom only by some training in a social environment which bears some fair resemblance in point of liberty and responsibility to that into which he must enter upon obtaining release. Finally, there was no wide acceptance of the present position that the general body of delinquents cannot be treated as a single unified group. There was no general recognition that criminals must be dealt with as individuals or as a number of classes of individuals of different psychological and biological types that must be scientifically differentiated through a careful psychiatric study, as well as a detailed sociological study of their environment, preliminary to the major part of their treatment while incarcerated. These last conditions have only been very recently and very incompletely realized in systems of convict self-government, such as those which Mr. Thomas Mott Osborne has introduced, and in such careful psychiatric studies of the criminal class as were attempted in the psychiatric clinic introduced in the Sing Sing prison by Dr. Thomas W. Salmon and Bernard Glueck, and have been more extensively employed in connection with juvenile courts.

#### 3. INSTITUTIONS FOR YOUNG OFFENDERS

The historical background of institutions for juvenile delinquents is a long one. Their origins must be sought in the juvenile departments of the English workhouses of the sixteenth and seventeenth centuries. The movement reached its highest early development in Holland, where, by the seventeenth century, a famous system of such institutions for the neglected and delinquent youth had developed. From an observation of their operation William Penn is said to have derived in part his notion



of imprisonment as a method of treating the criminal.

The beginning of the modern movement is normally taken to date from the building of the House of Refuge at Danzig, in 1813, under the direction of one John Falk. In London, also, similar institutions were developing, in part out of earlier progress there and in part from imitation of continental methods. The introduction of such institutions into the United States was due to the work of Professor John Griscom, a Quaker who traveled extensively in Europe in the early twenties and was struck with the importance of these "child-saving institutions." He brought back his impressions to New York City and Philadelphia, where they were appropriated by the reforming groups. The first House of Refuge for juvenile delinquents in this country was opened at Madison Square in New York City on January 25, 1825. It was built far north of the center of the city, in the hope that a century of municipal expansion would not disturb it. The second institution of the kind was opened in Boston in 1826, and the third in Philadelphia in 1828. But these were private institutions, though in part open to the use of the commonwealth. The first state institution for juvenile delinquents was opened at Westboro, Mass., in 1847.

These early Houses of Refuge, however, were nothing more than prisons for young offenders. In neither architecture nor administration did they differ from the conventional prison, though an exception must be made in the case of the Boston House of Refuge, where, as early as 1831, Beaumont and De Tocqueville discovered the existence of a crude but real system of classification, promotion and inmate self-government. The origination of the more modern and humane methods of handling juvenile delinquents in the cottage or family arrangement was due to the work of the French publicist and reformer, Frederic Auguste Demetz. Looking upon the problem as a French judge, Demetz was shocked by the conventional method of handling juvenile delinquents. Aided by the Vicomte de Courteilles, a wealthy Touraine landholder, who gave Demetz the necessary farming land, the latter opened at Mettray in 1850 his first agricultural colony for juvenile delinquents administered according to the "family system." His system spread rapidly, being first introduced into this country at the state reform school in Lancaster, Ohio, in 1855. But the family system of housing and administration, initiated by Demetz, was only a beginning in the right direction. Long hours and heavy work were prescribed for the inmates with the avowed aim of making them too tired to desire to play or engage in mischief. The progress has been a long and gradual one from these early "cottage institutions" to such a system as that of the George Junior Republic or that now practiced in such a reform school as the girls' institution at Sleighton Farms in Pennsylvania, where inmate self-government and an extremely close approximation to normal family life prevail.

4. CRUEL AND VICIOUS NATURE OF CONTEMPORARY PRISONS

In this section we shall make no effort to present a technical analysis of the development of the prison psychoses, but rather to describe in a brief and general way the effect of contemporary imprisonment on the mind of the prisoner, the prison officials and the public at large. The key to the defects, abuses and cruelties of the present prison system is to be found in the fact that, whatever the pretense, the actual purpose of imprisonment is not reformation but punishment. If this were not so we would design our institutions and their administration so that they might more intelligently and directly promote the various methods and processes of reformation. Of course, the older attitude of conventional penology was that punishment itself necessarily produces reformation, but we now know that in most cases exactly the opposite result is brought about.

The modern prison system brings into play a large number of disastrous influences constituting a vicious circle. The present prison system would put the most severe strains upon even a thoroughly normal person, but its savagery actually operates in most cases upon those who are physically or mentally abnormal upon commitment. These emotionally unstable persons are upon entry into prison denied the assertion or enjoyment of the more important and basic human urges and impulses. Normal sociability is severely curtailed; self-assertion is practically denied; interesting work is rarely provided; play and recreation, if existent at all, are grotesquely inadequate. The desirable outlet for the sex instinct is totally denied in the average prison, though the sex urge is rendered abnormally active, due to the blocking of the other forms of emotional and intellectual expression which might otherwise drain off or sublimate sex desires. The effects of all these abnormalities and abuses are greatly intensified by the regimentation and cruelty inevitable in the conventional prison administration of today. Hence, it is but natural that prison life should result in various types of explosions such as psychoses, neuroses, sex perversions and general physical and moral disintegration. No under-

standing can be expected from the average warden, as his function is primarily that of jailer who must keep a certain number of human beings safely herded within the prison walls. Nor can any sympathy be hoped for from the majority of those outside the walls, as the prison supplies the herd's machinery for collective vengeance through which the individual gets a vicarious satisfaction as well as experiencing a pleasant indirect and symbolic release of the cruel and sadistic impulses which most citizens could scarcely apply in personal contact with another individual. This perverse emotional motivation of the average citizen renders him unfavorably disposed toward any proposal for an improvement of the situation, thus making it very difficult to break into the vicious circle and bring about any significant and permanent advances and reforms.

We may now briefly consider the various disastrous effects of imprisonment upon the individual convict. First and foremost should be placed the denial of one of the most basic human motives and impulses, namely, normal human sociability. The fact that the association and communication among criminals are looked upon as mutually degrading, together with the greater supposed ease and simplicity of administration with the relative isolation of prisoners, leads the average prison warden markedly to curtail the opportunities for normal sociability between the inmates of his institution. We have now in most places abandoned the unmitigated savagery of the old Pennsylvania System of solitary confinement, but almost never is there any adequate provision for healthy social intercourse among the inmates of modern prisons. Along with the blocking of sociability goes the impossibility of normal self-assertion. The whole plan and psychology of prison administration are based chiefly upon the desire to repress and intimidate the prisoner, in order that he may in this way feel very directly and certainly the displeasure of society in regard to his violation of its rules and his threat to its safety. Rarely is there any interesting work provided for the prisoner which might allow the development of some sense of craftsmanship and some absorption in a definite task. More and more, modern mental hygiene is coming to emphasize the fundamental integrating function of a definite job or task in which the individual can be interested. This salutary and dynamic motive is obviously almost entirely absent in the case of the majority of the inhabitants of our present-day penal institutions. Then there is the notorious lack of adequate physical exercise which is accompanied by unfortunate results both physical and psychological.

The inferior food and the unattractive methods of serving it remove practically all of the desirable psychic exuberance which is supposed to accompany the most successful execution of the process of nutrition. There is little opportunity for any considerable degree of emotional outlet in recreation, games, contests, music or sex. Particularly serious, though almost uniformly overlooked is the total denial of any sex life to all of the inmates of penal institutions, in spite of the fact that many prisoners are of a hyper-sexed type who have been leading an unusually free sex life before incarceration. This human animal, thus denied practically every phase of a normal expression of his personality, is still further rendered "safe and secure" through an elaborate scheme of regimentation and rules which are designed to simplify the task of a warden as a successful jailer. There is no attempt to understand or minister to the specific needs of a prisoner or to meet him on any ground of sympathetic human contacts. Rather, he is faced with a bewilderingly complete and rigid set of rules, any violation of which is punished either by physical pain or a decrease in his already slight body of privileges.

In the light of the above atrocious situation it is not surprising that many and diverse types of psychic abnormality are either intensified or generated by prison life. First, one must remember the general attitude of hopelessness and despair which dominates the majority of convicts when they reach these living tombs. The "Mark Twain Burglar" thus describes his feelings on arriving at the Wisconsin State Prison:

I shall never forget the bleak November day during which the train passed through the barren country on its way north. I sat handcuffed to the sheriff and absorbed in my own thoughts, watching through the window of the car for the prison walls which were to receive me and shut me away from the world for six years. At last it appeared in the distance, the tall water tower and smokestack, then the group of gray buildings with their parapets and the watch towers on the high walls. A sickening feeling took hold of me, and a lump rose in my throat. Any other place in the world, I thought, except that awful prison! The loud voice of the brakeman announcing our arrival at Waupun roused me from my reverie. The sheriff took me by the arm, and we dropped off the train to the platform. When we arrived at the prison and the numerous iron-barred gates closed behind me, I felt as though some great cavern had swallowed me up and I would never see the light of the free outside world again. Society had fed another individual

into the great iron jaws of the prison hopper.

In addition to the general atmosphere of fear, isolation and hopelessness which is produced by the architecture and punitive psychology of the modern prison, there is the even worse situation generated by the usual method of handing over the practical control and operation of the prison to certain selected prisoners or "trusties" with the resulting cliques, favoritism, corruption and cruelty which this system produces. The results are bound to be evil in any event. If the prisoner "plays the game" and aligns himself with one of these inner gangs based on special favoritism and on "snitching" and "squealing" on his fellow prisoners he may get along fairly well while in prison, but instead of being trained to become a decent citizen he is getting the most effective education in fundamentally anti-social, and contemptible—even criminal—conduct, not matched by employment in the Prohibition enforcement service. On the other hand, if he remains a decent and honest man and refuses to cooperate with the scheme of prison politics he is hopeless, unprotected, and the legitimate prey of any who desire to secure special favors by passing on false stories about him to the prison authorities, who are usually themselves involved in the system of intrigue and conspiracy which honeycombs the whole institution. The decent convict is thus without friends inside the walls, and unable to communicate with those outside except through letters read and censored by the selected representatives of this same group of officials and intriguers from whose persecution and machinations the individual is seeking relief. There is thus generated in the mind of the convict a feeling of utter hopelessness and helplessness which not only promotes mental and personal disintegration, but also in many cases physical disease. The disciplinary system of the average prison, then, far from promoting efforts at reformation and personal rehabilitation, results either in most efficient training in crookedness, corruption and intrigue or in the gradual but certain breakdown of the body and mind of the convict.

If sufficient space were afforded we could describe in detail the numerous and varied psychoses and neuroses which modern psychiatrists have demonstrated to be the result of the abnormal modes of life forced upon inmates by the contemporary prison system. Suffice it to say that an extremely broad range of psychoneuroses are thus induced. Particularly should there be emphasized the inevitable development of the greatest variety of sex perversions, the pathogenesis of which has been so well described by Alexander Berkman. The sex situation in prisons is even worse than in abnormal modes of repression outside, for, in addition to the blocking of normal sexual manifestations, there is no opportunity whatever for sublimation through professional, cultural or recreational outlets. Hence, the sex urge necessarily finds expression in all sorts of pathological conduct. If one were to plan an institution designed to promote sexual degeneracy he would arrive at the modern prison. The wide prevalence of masturbation and homosexuality among men prisoners is a commonplace to all prison administrators and investigators, but Mrs. O'Hare thus describes an almost unbelievable condition existing in the women's department of one of the leading contemporary state penitentiaries:

Whether or not we agree fully with Dr. Sigmund Freud and the psychoanalytic school that sex is the dominating force of human life, we must admit that it is a powerful factor. Prison life, by denying the normal expression of sex, breeds and fosters sex perversions and all the degenerating vices that these perversions include. . . . It is a stark ugly fact that homosexuality exists in every prison and must ever be one of the sinister facts of our penal system. In the Missouri State Penitentiary it is, next to the "task," the dominating feature of prison life and a regular source of revenue to favored stool pigeons. In fact, homosexuality was not only permitted, but indulgence was actively fostered, and in the cases of young helpless, and unprotected women actually demanded and enforced.

The vile and degrading conditions which are thus brought about are, after all, the least serious aspect of this abnormal situation. The most deplorable result is the fact that these sex perversions are normally correlated with the parallel or consequent pathogenesis of many types of psychic abnormality and emotional instability, many of which emerge in definite criminal compulsions. Thus the sexual results of prison life, which have been practically ignored by both conventional criminologists and reformers, would by themselves alone suffice to train up a veritable crop of degenerates and potential criminals. Not only is the sex situation in the modern prison one of the most challenging of the social, psychological and administrative problems existing in penal institutions; it is also one of those most impossible to deal with in a direct or efficient fashion. As long as society is still medieval in its attitude towards the sexual problem in the general social world outside the prison, there is little hope that it will be able to handle the sexual problem within prisons in an

intelligent or expeditious manner.

This constitutes an additional argument for the abolition of the prison. Along with the various emotional defects and disorders, emerging chiefly on an unconscious level, should be mentioned the conscious resentment of the prisoners at the general complex of cruelty and dissatisfaction in which they find themselves, with the resulting unfortunate desire not to reform but to devise better and more efficient methods of avenging themselves upon society. Thus, the net result of modern imprisonment upon the average criminal is not only to produce an emotional situation which carries with it the high probability of generating subconscious criminal compulsions but also to create a conscious desire to commit crime in order to get even with society for its cruelties to the individual convict. We are not, of course, contending that society can afford to ignore criminal conduct, but are rather endeavoring to make it clear that it is a strangely ineffective method of dealing with criminal conduct which inevitably and uniformly results in the creation of a more serious and determined potential criminal as the chief product of the expensive machinery of the modern prison system.

Properly planned and administered a prison might be a good thing, but it would not be the institution which has passed under the name of prison up to the present time. Hospitals are extremely humane and therapeutic institutions as at present conducted, but they would scarcely be so regarded if they followed the practice of throwing a recently received patient suffering from double pneumonia into an ice-cold bath and then leaving him half-clothed on an exposed balcony in zero weather. The administrative and disciplinary system of the modern prison acts in a wholly comparable fashion upon the inmates of penal institutions. They inevitably render more unfit for civilized existence those unfortunate committed to their custody ostensibly for reformation and rehabilitation.

In describing the psychological effects of the contemporary prison system upon prison officials it is necessary, in the first place, to recognize the relatively low types of individuals who are normally chosen for positions in prison administration, particularly for those posts beneath the office of warden. Such appointments normally fall to a rather inferior grade of human being, usually as a part of the spoils system, and the salaries paid are not sufficient to act as an incentive to any competent person to seek the appointment. Mrs. O'Hare has thus admirably described these important, if regrettable, facts:

Because public opinion concerns itself less with prisons than with any other sort of public institution except, perhaps, almshouses, prison management has fallen to the most part fallen into the hands of the most ignorant and corrupt type of politicians, and prison jobs have become the dumping ground for the inefficient and unfit relatives and political hangers-on of the professional politicians. These human misfits and failures are thrust into prison jobs because, as a rule, they are too worthless for other employment. So far as I have been able to study them, I have found court bailiffs, jail turnkeys, prison guards, and prison matrons industrially unfit and generally illiterate human scums, mentally defective, normally perverted, and very often of much lower type than the prisoners whom they handle.

Starting with an inefficient and ignorant type of *homo sapiens* as the basis of the personnel of prison administration, we have to add to this the inevitably degrading and brutalizing aspects of the details of contemporary prison administration. The primary function of the prison warden is to act as an efficient jailer. It is not usually regarded as a part of his duty to bring about the reformation of the convict, except insofar as it is believed that this may be produced by the miseries inflicted through imprisonment. He is supposed, above all, to keep his subjects safely incarcerated during the period of their sentence, and his success as warden is measured very largely by the degree to which he is able to insure the minimum number of escapes and the least possible volume of friction and scandal.

To achieve this he naturally turns to the most rudimentary conceptions of discipline and regimentation. He relies almost entirely upon rules and coercive administrative procedure. This prevents practically all possibility of sympathetic human contact with the inmates of the prison, and the system thus generates a purely mechanical spirit which brutalizes both the prison officials and the prisoners, and creates a fatal antipathy between these two groups. This severe prison regimentation, being widely different from the life of freedom to which the prisoner will ultimately be restored, constitutes the worst type of training, if indeed it can be called any training at all, for the responsibilities of citizenship. Frank Tannenbaum, in his interesting book, *Wall Shadows*, has well summarized the effect of this mechanical attitude, inseparable from the conception of a warden as jailer, upon the development of prison cruelty as well as the unfortunate results of the system upon the prison population:

The function of the prison is to keep the men confined. The

function of the warden is to make sure that the purpose of the prison is fulfilled. He is primarily a jailer. That is his business. Reform, punishment, expiation for sin—these are social policies determined by social motives of which he, as jailer, becomes the agent. He is a jailer first; a reformer, a guardian, a disciplinarian, or anything else, second. Any one who has been in prison, or who knows the prison regime, through personal contact, will corroborate this fact. The whole administrative organization of the jail is centered on keeping the men inside the walls. Men in prison are always counted. They are counted morning, noon, and night. They are counted when they rise, when they eat, when they work, and when they sleep. Like a miser hovering over his jingling coins, the warden and the keepers are constantly on edge about the safety of their charges—a safety of numbers first, of well-being afterwards.

This leads to some very important consequences. It is the core of the development of prison brutality. It is the feeding basis upon which a number of other directions of brutality depend. The important elements tending in the warden is human. Being human, he is strongly inclined to follow the path of least resistance. And the path of least resistance, in the light of the ordinary understanding of a prison warden, is to make jail-breaking hard by making the individual prisoner helpless.

Punishment takes the form of a greater isolation, of more suppression, and for the prisoner has the result of greater discontent, more bitterness, and the greater need for friendship, for communication, and the very pleasures of attempted association, in spite of opposition. This simply means that the more rules there are, the more violations there are bound to be; and the greater the number of violations, the more numerous the rules. The greater the number of violations, the more brutal the punishments; for variety of the punishments and their intensification become, in the mind of the warden, the sole means of achieving the intimidation of the prisoner by which he rules.

Brutality leads to brutality. It hardens official and inmate alike, and makes it the ordinary and habitual method of dealing with the criminal. It adds hatred to the prisoner's reaction against the individual official, and makes the individual official more fearful, more suspicious, more constantly alert, and develops in him a reaction of hatred against the prisoner, making the need for brutality greater and its use more natural. This general consequence holds true for the whole prison. The punishment of the individual prisoner develops within the whole prison a feeling of discontent and hatred because of the natural sympathy which the prisoners feel for one whom they know to be no more guilty than themselves, and particularly because solidarity of feeling is in proportion to individual physical helplessness. This adds to the tenseness of the situation in the prison, adds fuel to the discontent, and makes the need for isolation in the light of the warden's disciplinary measures more justified, brutality more normal, hatred on the part of the prison group more constant, and irritation more general.

The harshness, silence, twilight, discipline, hold true, not only for the prisoner, but also for the keeper. The keeper, too, is a prisoner. He is all day long in this atmosphere of tense emotional suppression and military discipline, and, in addition, he is generally there at least two nights a week when on special duty. He is a prisoner. For him there is little beyond the exercise of power. This exercise is a means of escape and outlet, but it is not a sufficient means. It does not make the keeper a happy person. It makes him a harsh and brutal one.

The brutality and grossness of male prison guards have long been recognized, but we have frequently supposed that matrons in the women's wards are of an altogether different type characterized by kindness, sympathy, and insight. The following comments by Mrs. O'Hare on the nature of the matrons of the Missouri State Penitentiary are very illuminating on this point.

The matrons were required to live in the prison and were never, except on rare leaves of absence, out of the sights and sounds and smells of prison. They were prisoners to almost the same degree that we were, and they all staggered under a load of responsibility far too great for their limited intelligence and untrained powers. They handled human beings at their worst, and under the worst possible conditions, and saw nothing day or night but sordid, ugly things unglad by the glow of hope or love.

These women who were our keepers had missed love and wifehood; they had nothing to look back upon or forward to. There is a sort of stigma attached to their work that makes the possibilities of love and mating for them very limited indeed. The ordinary social relations of normal life were impossible for them, and they lived in a very inferno of loneliness and isolation.

The conditions under which these prison matrons lived and did their work would have made harpies and shrews out of the finest types of women—and these certainly had never been fine types. For the conditions that place women of their attainments and char-

acter in such positions, the public is incontrovertibly responsible.

5. PUNISHMENT AND PUBLIC MIND

Though it is usually overlooked in discussions of the psychological effects of prison administration, it is probable that the most serious and disastrous aspects of modern prison cruelty are not those which affect the prisoners or the prison officials but rather the results of this system upon the public mind. In the first place, imprisonment supplies the present method of carrying out the revengeful spirit of outraged society, which thus secures satisfaction for the wrongs, real or alleged, that are brought upon it by the convict. In an earlier period of criminal justice culprits were punished by mob vengeance, and imprisonment is the present substitute for this more primitive technique. Along with this element of social protection expressed in a crude psychological form, there must be taken into consideration the fundamentally sadistic and cruel tendencies of human groups, well analyzed by S. Sighele, E. D. Martin and others. The savagery of contemporary imprisonment offers a vicarious release of these sadistic traits under respectable and approved circumstances, whereas relatively few individuals would personally and individually find themselves able to carry out, or to admit themselves subject to, such obviously sadistic impulses. These points have been very well summarized by Bernard Shaw:

It is said, and it is in a certain degree true, that if the Government does not lawfully organize and regulate popular vengeance, the populace will rise up and execute this vengeance lawlessly for itself. The standard defense of the inquisition is that without it no heretic's life would have been safe. In Texas today the prospect of knowing that a murderer and ravisher will be electrocuted inside a jail if a jury can resist the defense put up by his lawyer. They tear him from the hands of the sheriff, pour lamp oil over him, and burn him alive. Now the burning of human beings is not only an expression of outraged public morality; it is also a sport for which a taste can be acquired much more easily and rapidly than a taste for coursing hares, just as a taste for drink can be acquired from brandy and cocktails more easily and rapidly than from beer or sauterne. Lynching mobs begin with Negro ravishers and murderers; but they presently go on to any sort of delinquent, provided he is black. Later on, as a white man will burn as amusingly as a black one, and a white woman react to tarring and feathering as thrillingly as a Negro, the color line is effaced by what professes to be a rising wave of virtuous indignation, but is in fact an epidemic of Sadism. The defenders of our penal system take advantage of it to assure us that if they did not torment and ruin a boy guilty of sleeping in the open air, the British public would rise and tear that boy limb from limb.

Along with the function of imprisonment as a means of manifesting social revenge and securing social protection, and as an "elegant" method of expressing collective sadism, there should be added the powerful factor of social catharsis which rests upon the age-old notion and symbol of the scapegoat. Our individual sense of guilt is drained off, and we inevitably feel a certain vicarious release and satisfaction at the conviction and imprisonment of an alleged culprit, who symbolically bears to the prison the sins of his social group. The insistence of those who wreck corporations, banks, and railroads, leaving a train of poverty-stricken widows and orphans, upon the necessity of solemn severity in the punishment of a man who has stolen a few dollars' worth of bread or cloth or failed to pay his debts admirably illustrates the operation of this mechanism.

Beyond all of these aspects of the function and effect of imprisonment upon the public mind must be mentioned the fact that at the present time crime and punishment have in them a high degree of publicity appeal, curiosity, and exhibitionism which arouse the more sordid emotions of the public and prevent it from having any intelligent insight into the basic questions and problems involved. Then, our system of justice is not free from being exploited in the interests of the political and personal careers of those in charge of it. These factors have been admirably summarized by Mr. Mencken:

If the criminal's art is irrational, then society's instinctive reactive reaction to it is equally irrational. This fact blew up the work of the old-time criminologists.

They accepted the current scheme of punishments, but tried to purge it of revenge. They found very quickly that revenge was a substantial part of it—that no criminal would ever be brought to justice if there were not somebody in the background, full of strong feeling against him. When the crime that is proceeded against is one that seems to offer a menace to the general security—that is, when every citizen feels that he is himself in danger unless something is done about it—then that feeling is generally dispensed, and we have a spectacle such as was witnessed during the Leopold-Loeb trial, with a District Attorney applying all the art of forensic to the undoing of the accused, the press full of inflammatory stuff about them, and even the ambassadors of Christ snoring and bawling from the pulpit against them. It is idle to say that such a process is rational. It is as full of pure emotion as a necking match. Its aim is to discharge emotions, to achieve a communal orgasm, not to establish and enforce a scientific fact.

There is even more to it than this. Criminal trials, if they are gory and obscene enough, make capital shows—perhaps the best shows that the average human being can imagine. They offer hunting in the grand manner; the quarry is man. They thus take on something of the character of war, and are just as powerful in their emotional appeal. To convert them into scientific investigations, entirely calm and impersonal, would be as grave an offense against the public happiness as to enforce Prohibition. Thus, even when mobile vulgus is not enraged against the criminal, and hence eager to see him barbarously used, it is delighted by the battle that goes on over him. Such battles make heroes. The District Attorney, if he wins, is sure to be elected to higher office; some of our most eminent statesmen got their starts that way; the names of Hughes, Folk and Brandeis come to mind at once. And if the District Attorney loses, then the counsel for the defense is the hero.

6. THE SOLUTION

These psychological characteristics of society's attitude toward crime and punishment thus quite apparently create attitudes which obstruct, if they do not entirely prevent, any true appreciation of the real problems involved in the detection, conviction, and treatment of the criminal. The psychological attitudes which prevail are in their core identical with the reactions of primitive man to those who violated the taboos and mores of tribal society. Society's reactions are almost entirely emotional and scarcely at all intellectual. Joined to this is the fact that the cruelties of present-day imprisonment are for the most part screened from the concrete and specific knowledge of the public. The individual can endure, can even get satisfaction out of, contemplating punishment in the abstract, but he tends to recoil in the face of concrete and specific pain and suffering, except when a member of a mob or when in personal danger. It is for this reason that we have outbursts of public indignation against prison officials following every sporadic revelation of unusual cruelty in a particular penal institution. As Shaw well suggests, much of the hideous nature of present-day penal institutions is due, not so much to our specific intent as to the fact that they have grown up unconsciously without our full knowledge:

We must, however, be on our guard against ascribing all the villainy of our system to our cruelty and selfish terrors. That would be inconsistent with the fact that, as I have pointed out, the operation of the criminal law is made very uncertain, and therefore loses the deterrence it aims at, by the reluctance of the sympathetic people to hand over offenders to the police. Vindictive and frivolous as we are, we are not downright fiends, as we should be if our modern prison system had been deliberately invented and constructed by us all in one piece. It has grown upon us, and grown evilly, having evil roots; but its worst developments have been well meant; for the road to hell is paved with good intentions, not with bad ones.

This being the case, it is quite obvious that one of the most direct methods of assaulting and alleviating the cruelties of the present system of prison administration will be found in making more frequent and more specific and concrete the revelations of contemporary abuses. It is here that books like Tannenbaum's *Wall Shadows*, Mrs. O'Hare's *In Prison*, and Fishman's *Cruelities of Crime* perform a useful educational function.

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