

WHAT IS PRISON FOR?

'And where be you straving to at this unearthly hour?
'To hearken to the hoolet that hoots by Staward Tower.'
 'Round the Pele at midnight the brags and horneys prow,
 And no good comes to any lass from listening to the owl.
 'So don't say I've not warned you, whatever may betide.'
'And what should I be fearing with Robert at my side?'
 'What should you be fearing? Since the world began
 No good has come to any lass from walking with a man.'

WHAT IS PRISON FOR?

BY E. S. HITCHCOCK

I

IT must be apparent to the most casual observer that the public is beginning to have grave misgivings as to the efficacy and real service performed by its penal institutions.

It is trying, more than ever before, to devise ways and means for keeping the misdemeanant outside the bars rather than behind them and, with this end in view, has greatly added to the number of persons on probation and parole.

That part of the public interested in civic reforms realizes that locking up a man or woman for thirty, sixty, or ninety days and then letting him loose on society again is an unscientific and futile performance, which tends to make more criminals rather than to reduce their number.

Although we admit that our hope lies in keeping our people within the law and even forgiving them as much

as possible for overstepping the legal boundary (a line often as invisible as that which separates the colors in the spectrum), our legislators still spend a large part of their time in complicating our already complex civilization with more and more laws, many of them impossible to enforce.

Both men and women are still laboring under the superstition that making an abuse of liberty illegal solves the question and that henceforth we shall be secure from that particular abuse.

The Federated Women's Clubs of Detroit drew up an elaborate anti-vice bill, designed to do away with prostitution and its consequent evils. They were zealous in their efforts, lobbying in the State Capitol through many weeks. Asked for an opinion, there was only one answer which could be truth-

fully given — it was that, before this law could go into effect, there would have to be a jail and prison capacity in the city of Detroit three or four times greater than that which it possesses.

The Prohibition law has created a criminal class from formerly law-abiding citizens. Bootleggers abound and, in the majority of cases, go scot-free with their ill-gotten gains. The law is powerless to cope with the number of its infringers, while more and more of the taxpayers' money is spent to increase the strength of the police.

When one has been associated with a prison he cannot but realize that we are beginning at the wrong end in trying to diminish crime. We have never taken the trouble to determine the causes, our one thought being to catch the offender and lock him up where he can no longer harm society.

In the majority of cases he is set free again and if the same circumstances prevail which deprived him of his liberty, with the added handicap of a prison sentence to his discredit, there is little doubt but that he will offend again and frequently more seriously.

There is rarely a reform in a prison. Locking up a man and taking away everything in life that he desires is not conducive to a frame of mind which will bring about a reformation.

This being the case, is it not stupid on the part of society to deal with this subject so superficially?

We spend huge sums of money for the isolation of disease germs and for hygiene to ensure physical health, but we accept crime as an incomprehensible thing coming from no ascertainable cause, and show our helpless bewilderment by our inability to cope with it. Locking a man or a woman behind bars is merely an acknowledgment of our weakness and lack of intelligence.

I was invited recently to sit down at a long table in the Detroit prison in the

women's department. One woman explained to me that this was the bootleggers' table and they would like to ask me a few questions. Looking around, one could see that here was a new type of criminal, manufactured by us with our Prohibition law. The huge gains to be made by selling liquor, and the strong probability of not being caught, were two elements beyond the power of certain kinds of people to withstand. The question was, 'Why are we here, when the judges on the bench, the police, the rich in their homes, the frequenters of high-priced restaurants and hotels, are at large while having and enjoying as much liquor as they see fit to buy?'

This is a time-old question, merely fitted to a new issue. There was only one answer, 'Because you are poor, without influence or power of any kind.' We may have gained in prohibition but we have lost in temperance. A very respectable class of persons who once regarded liquor as something to be avoided now consider a social gathering incomplete without its exhilarating accompaniment. Add to this the undermining of the public service and the demoralizing devices resorted to by the police to entrap makers of homebrew in their homes, and we have a miserable spectacle in which mothers are torn from their children and families completely disorganized.

A law, to be successful, should be in accordance with the instinctive sympathy of the mass of the people.

In our prison we have a population of entirely new criminals, bootleggers and other liquor violators, while our disorderly drunken charges are not diminished.

Add to this the tremendous expense incurred by the government in its efforts to enforce an unpopular law and the crimes of homicide and murder which have followed in the wake of the

bootlegger, and one is inclined to believe that the 'cure' is worse in its effects than the disease.

Often the criminal is insane or feeble-minded and should be put in an institution for such unfortunates, or he is the product of a social or economic condition existing in the country where he has been reared. Legislating against crime will never do away with it. Repressive measures only increase the trouble. A doctor who treated a deep-seated malady with outward applications alone would not stand well in his profession. But that is exactly what the legislators are doing when they pile up repressive laws for the cure of criminals.

We have made a beginning toward better things with the psychopathic clinic which examines the 'patient' as to his mentality. But this science is hardly a science as yet. It is too stereotyped and inflexible. The human brain is not a mere machine, and the so-called 'tests' are absurdly inadequate. Besides, if a criminal is reported as seven years of age, mentally, the law takes no note of that. He must still pay the penalty imposed upon a full-grown man. There will have to be radical changes in the law before the psychopathic examinations will be followed by scientific treatment of the patient.

II

It would seem that our only hope, until we have become more intelligent, is to keep from further entanglements through ever-increasing laws in an effort to solve our problem on the outside.

In other words, there is little hope of improving society by locking men in prison.

We should endeavor to arrest as few as possible; to parole and put on probation — a serious warning — as

many as is at all compatible with public safety. We should then get about the business of why we have criminals and try to remove the causes. The criminologist, Ferri, in his book, *The Positive School of Crime*, declares that crime has its root in 'anthropological, telluric, and social causes.' We may not be able to change the first two, but the last is one which should engross the attention of all criminologists.

As a matter of fact, the Detroit prison might easily be called the poor-house. The man or woman with more than a few dollars to his credit is so scarce that he is a curiosity. There seems little doubt that poverty breeds crime. Housed in squalor, crowded in tenements, ignorant and often diseased, these victims of economic maladjustment live by their wits and in the majority of cases end in the clutches of the law.

The improvement of economic conditions, by which a man can be fairly certain of a livelihood and not be the football of fluctuating markets which throw him out of a job at a moment's notice, would be a big factor in stabilizing the character of men and keeping them from crimes against property.

In spite of ignorance and lack of advantages generally, the average person in prison realizes the terrible gulf of inequality which separates the rich and the poor. He knows that justice is not blindfolded, as the courts would have him believe, but fully awake to the individual with whom it is dealing. He knows that a great number of laws are made to protect the rich and that to him that hath shall be given. He knows that if he had been able to employ an expensive lawyer he would probably have been free, or that if he had had influential political friends many strings might have been pulled in his behalf. Knowing all this, he believes himself a victim, rather than a

culprit. He justifies his lawless act, whatever it may have been. If he is strong he determines to 'get even' when he is freed, if he is weak he descends to self-pity and becomes more and more demoralized. Any effort at reformation on the part of prison officials he secretly regards with contempt. Any form of punishment is merely adding fuel to his flaming grudge against society. There is no doubt but that the world has advanced in this last respect, though punishments and some forms of torture still exist.

At present we are reaping the aftermath of war in the crime wave of banditry which has swept the country. Training hundreds of thousands of young men to kill and applauding them as heroes in war would naturally lead to the lawlessness and disregard of human life which we are now obliged to endure. Having sown the wind we should not be aghast at the whirlwind which follows. Add to this the lawlessness resulting from the Prohibition amendment and we understand certain phases of our condition to-day.

What, then, can be done by way of betterment?

Why could not the government scientifically study this matter of crime

with a view to ascertaining the causes underlying the particular varieties from which we are suffering?

Why could not a committee of psychologists, economists, and sociologists be appointed who would diagnose intelligently the reason for the increasing number of bandits, bootleggers, narcotic violators, and so forth?

Let an epidemic of any sort appear among the hogs of our nation, let an insect pest attack our grain — there is quick action on the part of Washington to safeguard our food supply and, incidentally, the profits of the packers and the grain dealers.

Why, then, should we be indifferent to the disease of crime and remain content with the antiquated methods of the classic school in its treatment?

Why should we continue to follow the line of least resistance — manufacturing laws galore, adding to police forces, employing more and more judges, building more and more jails and prisons, creating more and more criminals, spending the taxpayers' money for repressive rather than constructive measures, when we know that we are in a vicious and ever-widening circle which ends nowhere and, therefore, accomplishes nothing?

WILD HORSES

BY WILL C. BARNES

I

ON the top of a small prairie mountain dotted with half a dozen wide-spreading cedar trees, a man armed with a pair of field glasses eagerly scanned the country below him. A short distance away his horse stood close to a tree as if to screen him from sight. For all the interest the animal took in his surroundings he might have been a graven image. His closed eyes, the pendulous lower lip lying loosely back from his teeth, the flopping ears, indicated very clearly that he was sound asleep.

Suddenly he raised his head in a startled way, looked off into the hazy distance, cocked first one ear, then the other, in the direction his eyes were taking, as horses always do when they discover some moving object coming suddenly into view. The change from complete indifference to an attitude of keen interest was remarkable. The rattling of the long chains on the heavy Spanish bit in the animal's mouth caught the man's ear. He glanced toward him.

'What you see, old fellow?' he queried. 'I have n't been able to get my eyes on a single movin' thing since we came up here exceptin' that skulkin' coyote down there on the flat watchin' for a dinner of fat prairie-dog. What you wigglin' them ears for?'

Taking a position before the horse, the man trained the field glasses in line with the pointing ears. 'H-m-m, shucks!' he said, beneath his breath.

'There's what ole Blue Jay's lookin' at. Beats all how quick a hoss will catch sight of anything a-movin'. That's either a "dust-devil" or the smoke from a bunch of runnin' hosses.' A minute's close study of the distant bit of yellowish dust; then — 'No, 't ain't a dust-devil, for it strings along the tops of them trees 'stead of risin' straight up. Hosses all right, an' I reckon it's Bill, hazin' old Baldy along after a bunch of broom-tails.'

He turned to the horse. 'Come alive, old skate, for if I'm not mistaken you got a regular job cut out for you. If that there dust comes from a bunch of wild ones headed by that renegade gray hoss what got away from the schoolmarm last fall, it'll take some ridin' to head 'em into a corral.'

Rapidly he loosened the cinches, re-set his saddle, threw the long reins over the horse's neck, and swung on to his back. Still keeping close to the trees as if to hide his presence, he scanned the point in the distance where he expected the bunch of wild horses to emerge from the shelter of the trees into the open prairie. Soon the leaders broke into sight, swinging along on a smooth, sweeping run, dropping at intervals into a fast trot, with necks outstretched, manes and tails flying in the wind. Twenty-seven grown animals he counted, all dark colors except the leader, a gray which he knew to be the notorious escaped saddle-horse 'Steeldust,' the animal every cowboy