

# BEHIND PRISON WALLS—By Julian Hawthorne

Stating That All Attempts to Make the Jail Lead to Reform Will Continue to Fail, Author Outlines What, in His Opinion, Is the Only Method By and Through Which Society's Prodigal Brother Can Be Regenerated

WHAT would you advise to check lawbreaking? A good practical answer to that question would save civilized humanity a great many millions of dollars every year.

The old answer was "Jail" for minor cases and death of the others. There was much to be urged in favor of the latter. Dead men not only tell no tales but they commit no crimes. Kill all criminals and crime would cease. The device has been tried—it was tried in England for a while—but the result was disappointing. It threatened to decimate the population and in spite of logic it failed to discourage lawbreakers. Criminals seemed to get used to being hanged and drawn and quartered; they no longer minded it. There is a psychological reason for that, no doubt, though it is not so sure that psychology as understood and practised to-day can find out what it is.

Moreover the spy system, which always accompanies and thrives upon severe legislation, became so productive of information that it was soon clear that the end would be the indictment not so much of a tenth part of the population as of all but a tenth—or even more. So a compromise was made; only murderers should be killed.

That did not lessen the number of murders and seems rather to have increased them, for the impulse to murder is commonly a very strong impulse, producing a brain condition in which consequences are not weighed. Also when the community takes life for life it appears to weaken the general respect for life and men can be hired to do a killing job for small sums. Sentimental persons too insist on making heroes of convicted murderers, which in a degree perhaps counteracts the depressing conditions surrounding them. So we made another compromise.

This is not on the statute books, but it operates actively nevertheless. It is the development of the appeal industry among lawyers for the defence. "I will teach you to respect human life," says the Judge, "by depriving you of your own."

"Don't worry, my boy," says the culprit's counsel, patting him on the back, "you'll die some time, I suppose, but nothing is more certain than that it won't be on the day set for your execution by his Honor. And I'll risk my reputation on your death being no less in the ordinary course of nature than his Honor's, and very like—for he looks like a diabetes patient—not so soon."

These anticipations often prove well grounded. No one in the court room therefore is often more cheerful and confident than the prisoner doomed to the noose or the chair. Besides, if all else fails he may petition for pardon or for life imprisonment.

In short the death penalty stays on the statute books, but the community does not want it, though it has not the courage to demand its abolition outright. It forfeits its self-respect and the murderer draws the inference that it is safer to murder than to steal. A thoroughbred man does not compromise; he does one thing or he does the other, retains his self-respect and commands that of his fellows, whether or not he be "successful." This nation is not thoroughbred as regards its laws and is neither self-respecting nor respected.



On a Sunday morning in a Southern prison yard.

But while we may abolish the death penalty easily, the suggestion to abolish imprisonment staggers us like an earthquake. Every moral instinct in our little souls leaps up and shrieks in protest, and if that be not enough we fall back with full conviction upon the consideration of security of property. It is impossible to consider a measure which would leave crimes against property unpunished. And what other punishment for them than imprisonment is there or can there be?

Argument upon this matter evidently bids fair to drag in pretty nearly everything else—sociology, political economy, religion, politics, law, medicine, psychology—the whole conduct of our life and history of our opinions. But I must content myself here with a few words and leave volumes to others.

That personal property has value is undeniable; whether it be worth what it costs us in the long run and from all points of view may be left to the judgment of generations to come. Law in its origins is divine; whether our human derivations from it partake of its high nature is debatable. Medicine and psychology, professing much, have not explained to us what or why we are or what is our degree of responsibility for what we are and do. Politics sits on the bench and argues through the mouth of the public prosecutor; is justice safe in their keeping?

This age did not invent prisons, but inherited them from an unmeasured past. It is a primitive device. The mother looks up her naughty child in the closet or ties its legs to the bedpost. Society does the same with its naughty children, though with one difference—the mother still loves her child. She, following the example of God, chastens in love; but what do we chasten in? If not in love, then in hate or indifference or to get troublesome persons out of our way without regard to harm or benefit to them.

And that is not Godlike, but diabolical, being based upon selfishness. The community being stronger than the individual, its selfishness is tyranny or despotism. Many of us indeed may be willing to admit that prisons are perhaps objectionable or altogether wrong in theory; but surely something must be done with malefactors, and if not prison, what?

The only answer hitherto is compromise—the old answer fresh once more from the devil's inexhaustible repertoire. We are willing to abolish the death penalty, which is more merciful than imprisonment, but we are unwilling to abolish the latter, because in spite of its inhumanity it seems to protect our property. In other words we consider our own interests exclusively and the culprit's not at all, though we still protest that our object in imprisoning is as much the individual's reformation as our own security.

The fact, however, that imprisonment brutifies and destroys instead of reforming is beginning to glare at us in a manner so disconcerting and undeniable that we feel something has to be done, and in accordance with our ancient habit and constitutional predisposition that something turns out to be compromise. We sentence for murder, but put obstacles in the way of carrying the sentence out. On the same principle we will now retain prisons, but make

them so agreeable that convicts will not mind being committed to them.

That is the compromise; and it is already in operation here and there. In the first place, numbers of good men and women, with motives either religious or humanitarian or both, obtained leave to visit prisons, talk with the inmates, give them religious exhortations, supply them with some forms of entertainment, and in other ways try to lighten the burden of their penal slavery. These persons deserve great credit. It was not so much the exhortations or entertainments that did good as the idea thereby aroused in convicts that somebody cared for them. Between them and the community there was still war to the knife; but certain individuals separate from the community were not hostile but well disposed toward them.

A man fallen into evil may sometimes be redeemed by coming to feel this; he will try to be good for the sake of the person who was kind to him in his misery. I once asked a comrade in Atlanta whether if the warden were to give him \$20 and tell him to go to the town, make a purchase for him and return would he do so. He said, "No," and when I asked him why he replied that he would know the warden had something up his sleeve and was not on the square in his proposition.

I then named a certain benefactor of the prisoners outside the prison, and asked if he would do it for that person. After some consideration he said that he would, because he "would hate to disappoint" that person and would believe in the bona fides of that person's request. This man was held to be rather a bad case, but he was still capable of acting honorably if the right motives were supplied.

But this is not enough. The great mass of convicts could not be reformed by "chatting to disappointment" any particular person who had been kind to them or trusted them. Their personal gratitude to the individual would not stem the tide of their well grounded conviction that people in general were neither trustful nor kind, and the numberless and constant temptations of their life after liberation would prove too strong for them. There have been instances to the contrary, touching and beautiful instances, some of them, but they are far from establishing the principle that Christian Endeavorers, or Salvation Armies, or prison angels or angelic wardens can effect the reform

of men in prison. Some stimulus much more powerful is required.

The next step in compromise was to improve the physical conditions in the prison; to give more light and air and exercise, better food; to mitigate or do away with dark holes, assaults and tortures. There were many zealous critics of these leniencies; they said we were making prisons so attractive that criminals, so far from being deterred from crime by fear of imprisonment, would commit crimes in order to be sent to prison. And they could quote in confirmation cases of men who had accepted liberation at the end of their terms reluctantly or had actually refused it, or of men who had voluntarily returned to prison after having been discharged.

There have been such cases, but they prove not the attractiveness of prisons, but their power to kill the manhood in a man. What does it not suggest of outrage and degradation perpetrated upon a human soul that he should come to prefer a cell and a master to freedom!

## THE SINGER By JULIAN HAWTHORNE. Written in Atlanta Federal Penitentiary.

To us in our rows of sodden gray,  
In the guarded prison hall,  
Through window bars the great blue day  
And golden sunshine call—  
Call us, as Christ called Lazarus, dead,  
To rise and come forth from his grave;  
Little cares Christ for us, we said,  
Or the living dead to save!

Better the dead than the living dead  
Whom the world shuts out and the bars shut in—  
Man-made scapegoats of all men's sin!  
Then in the hush of the great blank hall  
Was wrought a wondrous miracle:  
For a glorious voice, like a trumpet call,  
Arose as a soul from the depths of hell,  
And our souls rose with it on sudden wings—  
Rose from their prison of iron and clay,  
Forgot the grime and shame of things—  
Once more we were men in the sunlight day!  
Sin and grief and punishment—all  
Were lost in that human trumpet call!

Bars nor banishment can abate  
The strong, swift wings of the deathless soul  
Soaring aloft over grief and fate  
As the tones of the master of music roll  
Through the gloom and doom of the prison pen,  
Disilling fragrance of flowering song  
Into hearts that remember Youth again  
And innocent loves that knew no wrong.  
If such be music's godlike power,  
Shall we doubt of Christ in our Lazarus hour?

mind, every impulse of his soul, and we he is another. It is an unhuman crime, and yet there is no punishment for it among human laws; rather it is regarded as a mark of superiority. The most respectable persons in the community are most apt to commit it. And it was upon the suggestion and initiative of this crime that penal imprisonment was invented and is perpetrated to this day.

Christ condemned it; Christianity is based upon its repudiation; we call ourselves Christians; and yet it is the characteristic crime of our civilization. The Law and the Prophets are against it; it defies every injunction of the Decalogue, for it takes the name of God in vain, it steals, murders, commits adultery, covets and bears false witness; but we clasp it to our bosoms, and actually persuade ourselves that it is the master key to the gates of heaven. What is it? It is the thought in a man's heart that he is better, more meritorious, than his fellow.

It is engendered most often by a successful outward morality—conformity to the letter of the Commandments—the whitening of the outside of the sepulchre. But the stench of the interior loathsomeness oozes through. The only person unaware of that stench is the man himself. There is but one cure for it, what we call regeneration; which makes us sensible of that deadly odor and drives us freely and sincerely to detest ourselves in dust and ashes and bitter humiliation, to pity, succor and love our brethren, and to wrestle with the angel of the Lord for mercy. But we prefer to seek salvation from evil in the building of prisons.

Now this crime may survive even in another. Not that crime does not corrupt a man—stain him of its color. But there is always another side to him, a place in him which it has not dominated.

Given his conditions we cannot affirm that he is not as good as we are—that he is unfit to associate with us. And it behooves us always to bear it in mind that to affirm the contrary is an unpardonable sin against him of whom we affirm it; it works more evil in him than anything else we can do and places us who repudiate him in a truly hideous posture. Shall we be more fastidious than God?

All crime is hateful; but I came to the conclusion that there is only one crime that prompts us to hate the criminal as well as the crime itself. For this crime is one which originates in his heart; it is not forced upon him by need or passion or heredity. Therefore it permeates every fibre of his being, every thought of his, every impulse of his soul, and we he is another. It is an unhuman crime, and yet there is no punishment for it among human laws; rather it is regarded as a mark of superiority. The most respectable persons in the community are most apt to commit it. And it was upon the suggestion and initiative of this crime that penal imprisonment was invented and is perpetrated to this day.

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prisons; but it is rarer there than in any other aggregation of human beings. Therefore there is a wonderful sweetness in the prison atmosphere. It is a sweetness which is perceived amid all the dreariness, stagnation and outrage, and it rises above the vapors of physical crime, for it is a spiritual sweetness.

There men are locked in their cells, but the whitened sepulchre is shattered and its sorry contents are purified by the pure light of humiliation, confession and helplessness; there are no hypocrites here, no masks, no holier than thou paraders. Their crimes have been proclaimed and branded upon their backs; pretences are at an end for them.

It was wonderful to look into a man's face and see no disguise there. "I am guilty—here I am!" This experience took the savor out of ordinary worldly society for me. I go here and there, and everywhere there is masquerading, the weaving of a thin deception which does not deceive. We were sincere and humble in prison; but that is a result which the builders of prisons hardly foresaw.

There was one more step toward compromise—to take the prisoner out of his cell and send him outdoors without guards or precautions, nothing but his promise that he would return when the work to which he was assigned was done.

I read the other day an agreeable account of this "honor system." The men were employed on road making chiefly, enjoyed the benefit of free air and the outdoor scene and kept order and faith among themselves. But the prison walls were still around them, though unseen. They were told that any attempt to escape would be punished by deprivation thereof of all liberties—any attempt! and if the escape were successful the fugitive would know that the chances of recapture were a thousand against one. Moreover, it was laid down that the escape or attempt of any member of the gang would react upon the liberties of all.

This made the men guards over one another; it was not honor but self-respect that was relied on. And in any event there was the prison at last; the chain might be lengthened to hundreds of miles, but it held them still. They were convicts; when their terms were up they would be jailbirds. Society had set them apart from itself; they were a contamination. "You are not fit to mingle with us on an equal footing," Society might condescend to them, be friendly and helpful to them, but admit them of its own flesh and blood?—well, not quite that! "We forgive you, but on sufferance; it is really a great concession; you must show your gratitude by good works."

Oh, the pharisees! The taint of it will not come out so easily, and until it does come out, to the last filthy trace of it, prisons will continue to be prisons, and compromises will be vain.

that you are the victim of a blind stupidity. Not in this way can you be reformed. All genuine reformation must proceed from within you; it can not be compelled by locks and bars, freedom is essential to it. Locks and bars arouse only the impulse to break through them, and this primal and righteous impulse leaves you no leisure to think of relieving your soul from stains of guilt.

The only imprisonment to which a man can properly be subjected is that imprisonment of good in him which evil doing operates automatically and spontaneously; any outside meddling with that operation hinders, confuses or defeats it. Crime weakens and shackles you; to put shackles on the body is no way to remove shackles from the spirit. It is the gross blunder of a brutal and immature era, but we have continued it down to the present day. Jail is still the remedy.

The newspapers the other day told of a man who had been sentenced to forty years in jail for an assault. A woman hearing the verdict said, "Well, that's better than nothing, but he ought to have got life!" We are told in the Bible that we must not let the sun go down upon our wrath. The wrath of the lady could not be appeased with forty years. Think of what that culprit will be after forty years in jail.

Assuming for the sake of argument the extreme absurdity that he is alive by that time, picture to yourself a fellow creature of his—and a woman—saying, "I won't forgive you yet—I pity you more than I do him, whom troubles in this world will probably soon be over. But when her time comes with what face, on what plea, shall she ask forgiveness?"

But if there are to be no prisons what shall we do to be saved from crime? I cannot for my part imagine any hard and fast plan being laid down in advance. But it would seem reasonable, to begin with, to free ourselves from the social crime of claiming superiority to our brethren. Having removed that beam from our eyes, we may see more clearly how to abate the mote in the criminal's. If we can bring ourselves to regard prisoners and jailbirds as inferior to ourselves only in good fortune, which has kept us out of jail and put them in, we may find ourselves on the road to remedying their lapses from moral virtues.

The majority of prison crimes are against property and are motivated by want and poverty. If the man had opportunity to work for his living he would as a rule abstain from stealing. Other crimes are committed in passion, but such criminals need education and training in self-control and (often) removal of the provocations which set their passions afire. Many other crimes and almost all vices are due to physical or mental disease or to actual insanity. It is the doctor and not the jailer who should seek the cure of these.

But there are also some persons, chiefly brought up or brought down in our cities, who practise crimes apparently for sheer love of evil. These gunmen and rule breakers from slums and malignant members of the community; they will not work and they rob and murder not from want or passion but because the suffering of their victims gives them pleasure and ministers to their pride and self-esteem. Most of these gangs, as we have too much reason to believe, stand in with the police, giving them a percentage of their plunder and getting protection from them for their misdeeds.

These creatures, as I have already suggested, are the most degraded and various evils in our cities which society has failed frankly to face or generally to attempt to lessen. They are not responsible for their existence, and as they indicate a general condition it can do no good to kill them or otherwise put them out of the way; others would take their places. They are not insane in the common sense, but they are the product of insane social circumstances, responsibility for which rests on us.

They must be taken in hand individually by workers self-consecrated to that duty, and deterred from doing evil and shown the value of doing good. One might work a lifetime with some of them and have little to show for it in the end; but it took a long time to build the Pyramids and the Panama Canal and to advance from the digout of the savages to the Mauretania. It is work better worth doing than any of these.

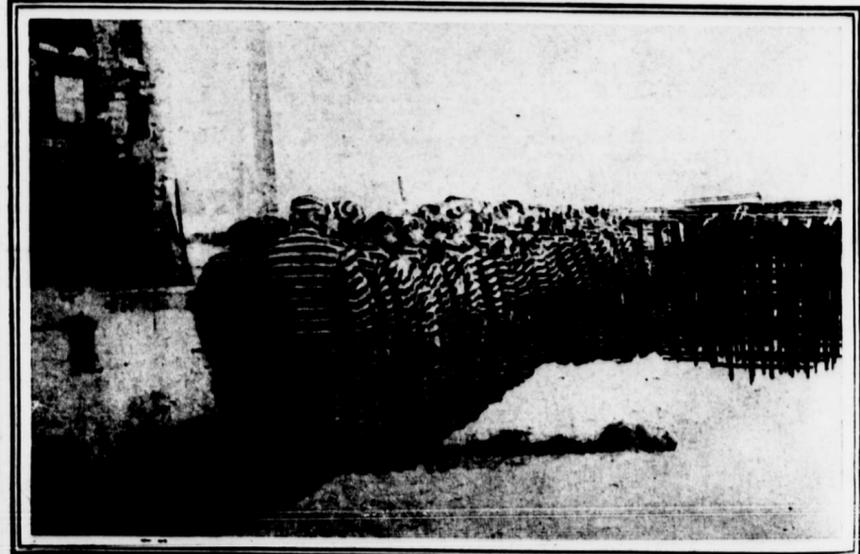
Taking the situation by and large, society must cease to be a sham and become truly social. The thing seems inconceivable and still less practicable, but it is not. Nor has history failed to admonish us that it has sometimes been the most difficult and improbable things which have been nevertheless accomplished, as if their very difficulty and the labor and self-sacrifice involved in doing them were themselves a stimulus.

Europe, a handful of centuries ago, at the behest of a fanatical priest or two, forsook all else and spent a generation in journeying to Palestine and trying to get a certain city from the Turks. The city was worth nothing to Europe; it was an idea that set them crusading.

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Men in the death chamber at Sing Sing prison.



The prison file; shuffling listless, sullen—dead.