

upon their intercourse, and busies its officials mainly with the daily routine of receiving, guarding, feeding, punishing, employing and discharging the wards of the state committed to their charge.

### *The Contrast.*

Contrasted with this, sentence by sentence, we find the overwhelming weight of modern penology to be in favour of the recognition of all the rights of the criminal, except those which he has clearly forfeited by his crime. It declares that to let punishment take the form of revenge is senseless, inhuman, and costly. It proves clearly that criminals cannot be classified according to their crimes, and that criminals are as widely divergent in motive, guilt, and merit of punishment as east is from west. It claims that to hold, as is generally done, that all criminals are equally responsible, is to be blind to the undoubted fact of moral imbecility, insanity, variety of circumstance, temperament, and a host of other things, some of which it is undoubtedly impossible to make allowance for in a practical court of justice, but others of fundamental and far-reaching importance, which it is easily possible with the proper machinery, to always take into account. It holds, therefore, that punishment is not proper in all cases. The moral imbecile, the confirmed inebriate, and other similar cases should be treated for the disease they clearly have. Many law-breakers there are, too, who should be held under the authority of the prison, but should serve little or no time in prison.

Modern penology holds, further, that when imprisonment is necessary it should be firm, serious, and in no sense pampering; but on the other hand, that all the surroundings of the prisoner should give stimulus to, and hope of, reformation, at least as strongly as it is designed

to cause sorrow for crime committed. It claims that to make good citizens out of bad men and women should be second to no other object than that of the prevention of crime by the proper training of the children, and that these two objects attempted and achieved will give the surest protection to society.

It holds also that when the criminal is obdurate, or morally spineless, he should not be repeatedly sentenced to short terms, but be kept continually under prison authority, for the good of society and himself, even though this should mean imprisonment for life. It unanswerably proves that, to the end of reformation, every man should be kept separate from all other convicts; neither in gaol nor in any other place should one prisoner have any communication with any other prisoner,—though it should be noted in passing that this does not mean necessarily the "solitary" system, nor does it mean the bare stone and iron cage of the traditional and actual prison cell.

More could easily be said, but surely the utter contrast and contradiction of these principles with our practice has been made sufficiently clear.

### *What Are We Going To Do About It?*

The practical scientist has given us the facts. The inferences drawn from these facts unmistakably convict our forefathers of ignorance, more or less natural and pardonable, but gradually growing more and more culpable, and us of ignorance which is foolish, costly, and almost, if not quite, criminal. The citizen looking upon these facts and inferences can only conclude that he has been woefully astray in his treatment of the criminal, so far as the protection and betterment of society is concerned. And what