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THE CARDINAL ARCHBISHOP OF WESTMINSTER ON SOCIAL CRIME.

We subjoin a full report of the second lecture of this interesting series, which was delivered at Islington by His Eminence.

The text on which the Cardinal preached was that found in 22 Prov., v. 6—"A young man according to his way, even when he is old he will not depart from it." When a disease, he said, rises up and spreads itself abroad on all sides, we do not expect to find the symptoms it exhibits exactly alike in all cases. These are materially modified according to persons, to circumstances, or even to local peculiarities, but, at the same time, the general diagnosis is one and uniform, so that prescriptions for cure or directions for prevention may follow rule, and be made applicable to any case. This difference we observe in appearance, while the general character continues one only, gives further proof that it is not from the effects of contagion that it passes from place to place, but that it is epidemic, and has its source in a miasma springing from some hidden mass of corruption beneath our feet, or is carried about by some deleterious infection impregnating the atmosphere itself.

In speaking, therefore, of crime, as we see it spreading on all sides, tainting all classes, although it is necessary to observe diversities of modification according to the different spheres and ranks in which it manifests itself, yet all appear to spring from one common source, because all bear stamped on their features the symbol of one common complaint.

I therefore spoke in my last lecture of crime, because crime is unhappily now so common that it has become matter for serious reflection, and, in making it a subject for public instruction, I felt justified in tracing all crime to one source, and in dealing with all as if arising from one evil.

In treating of them there is but one course of prescriptions for their cure—but one method of prevention when only threatened. To this point I now proceed.

We will consider what has been often said of the two methods to be employed, either separately or combined, to eradicate the evil where it exists, or to check its growth where it seems to be menacing. Of this I will treat after a few preliminary observations to justify the position I have taken.

Of course it belongs not to me—not to those in my position—to apply a remedy to a great social evil, except as connected with that part of our duty which relates to the spiritual and religious treatment of offences, which, while they seem to be social, are no less the crimes of individuals.

It is quite possible, however, for two ministrations to operate so as to act simultaneously and without clashing with one another.

It is possible for one man to sit by the bedside of a patient, holding his hand, watching with attentive care every pulsation of his arteries, noting every fitful change which passes over his features, anxiously awaiting the moment when he thinks an alteration may take place, and the effect of the remedy administered will manifest itself.

At the same time, on the other side, holding the other hand, may be leaning over him the Minister of God, whispering spiritual comfort, aiding, it may be, the flight of that spirit the other is endeavoring to restrain, in its passage across the threshold of the lips, as it wings its unknown way to the throne of God. The administration of spiritual remedies in no way hinders the success of the corporal medicaments which are being essayed by the physician. To that very hand which he holds the Priest may apply the spiritual and healing unction, in the efficacy of which he has more faith than in the material prescriptions of science; and thus both may be engaged, side by side, the physician of the soul and the physician of the body, co-operating in works of mercy and of love.

Again, a culprit in the hands of the ministers of justice, as he goes forth from his gloomy cell to the yet more gloomy scaffold, finds the faithful Priest at his side, endeavoring to raise his thoughts above the dreadful scene around him, pointing out to him a spiritual path along which his soul must walk, regardless of that on which his feet are treading, and all this without interfering in any way with the terrible exactions of human justice.

I have no wish to interfere with the duties of the publicist and the politician. These I would leave entirely to those to whose responsibility God has left them: At the same time, to us does it, in like manner, belong to raise our voices when we think greater and higher considerations are at stake than those of philanthropy, and benevolence, and mere human charity, when we know God himself has spoken to us, His humble but certain messengers, and we shall not free our own souls unless we make known our errand before decisions are finally made.

preventive form two classes of media for the removal and final uprooting of crimes, which may be said to be a painful stain on our otherwise flourishing country.

The curative measures may be divided into two classes. With one of these it is neither my mission nor my intention to deal: how criminals are to be punished; the degree of severity to be exercised towards them: what is to be done with our convicts; what should be the nature of human retribution, and whether it is prudent to continue the lenient course we have adopted; with all this I have nothing to do. I have an undoubted right to carry my own opinion into conversation, where it is a question of judgment, and not a question of fact. If it be a question how far extreme severity is preferable to that leniency which renders punishment a matter of calculation there are statistical facts which belong to a different class of public speaking and public direction. But we now come to that question which is daily more and more agitated among us—how far society has a right to deal with crime in a particular way? Sacred authority, and not human wisdom, can alone give this right. I should be justified in saying that society has not a right to inflict extreme punishment, because philosophers, in supporting a train of argument, overlook the positive institution and the positive authority of Divine and superior power. I do not, however, intend to enter on this discussion, although it is a great and important question, before entering on my subject, and is one which takes the consideration of it out of the legislative or social line of action, and brings it within the moral influence. It stands between the two, and partakes of the remedial view, while it associates itself with the preventive.

Among many theories and views lately put forward on crime and the manner of dealing with it, are two closely allied, which may be mentioned conjointly: the first brought forward by the zealous advocates of that, in many respects, excellent idea, which has taken possession of the mind in the present day in the wish to reform those who are, or have been, criminals.

It is an opinion publicly avowed at meetings in behalf of this project, by persons of high rank and considerable public influence and authority on the subject of reformatory institutions, and consented to by persons not present at such meetings, but who yet give their adhesion to the idea that criminals are to be treated as if they were insane—that they are not to be punished, in the ordinary sense of the word; that is, that, not being responsible for their acts, they are to be treated so as to be cured of the moral disease which rendered them unwilling instruments of the crime with which they are charged.

This dangerous hypothesis is closely allied with another opinion much discussed in popular literature, in flyleaves, pamphlets, and small periodicals which fall, as a matter of course, into the hands of the lower and less educated classes, and in which the theory of crime is in the boldest manner put forward: that every man's act are the result of physical organisation over which he has no control, so that neither a good nor a bad life are to be attributed to the will, but rather to the construction of the individual, and so stern is this law that there is no departure from it.—Thus, with infidels, it supplies the excuse that they do not believe in Christianity, because they cannot: their mind is so constructed that they could not believe if they would; and so, say they, a man devoted to a life of charity, piety, self-sacrifice, and the like, has not chosen this course, but can no more help following it than they can help being criminals. This reasoning in various forms comes to the aid of those who do not believe in Christianity. God, they argue, is so good that He looks upon grown and matured men as children; however wicked they may be God is no more displeased with them than we are with infants; and it is thus made attractive, and given as a sequel to the goodness of God; and men are led by evil-disposed persons to believe they incur no guilt by committing fraud, theft, or murder, but are only following the necessary bent imparted to them by God himself, which they cannot therefore overcome.

This is one insidious argument which the more gross reasoners are striving to make popular among us.

We will not, however, now go into a confutation of this principle, but I will offer one or two remarks to remove any erroneous impression to which I may have given rise.

It is true that in criminal jurisprudence criminals are often treated as if they were irresponsible, who are, yet guilty of the greatest crimes. The difficulty seems to be to decide the boundary line between crime and insanity, and how far our natural horror of crime contributes to make us suggest it as an excuse when it is committed.—This is beside the point, but hitherto this excuse has been the exception and not the rule. Two things are required to constitute this plea.

First, a proof, besides the crime itself, of aberration of intellect, i.e., of a departure from

that normal state which is not so much moral as intellectual. He must be proved to be insane from other speeches, other acts, other manifestations. The new principle reverses this totally.—It says this is madness, because it is a departure from the normal state; therefore there is no responsibility for the act.

We require that a proof of insanity should be demonstrated not by the act itself, but by what produced the act.

A man waylays a public character, a harmless individual; he strikes him dead. He was probably unconscious of the act; but we do not look at that deed as a certain indication of insanity.

The insanity lies in the motive.

Again, a fanatic is possessed by the idea that he is inspired with a mission from Heaven to slay some fellow-being. In this case the insanity lies in some previous cause. The blow he strikes may, to his imagination, be an act of self-defence; the idea that he is oppressed or injured may have wrought on the brain till it has destroyed the power of judgment; the sense of injustice urges him strongly; he is stung to the quick; revenge urges him on. Thus an act of cruel murder is perpetrated, but is, in itself, not that in which we seek the proof that the criminal has departed from the normal state of mind, but the state which produced the act.

In ordinary criminals there is nothing of all this. In ninety-nine cases of a hundred it is matter of simple calculation. The chances are well weighed; the plan is matured; the act is not perpetrated under the impulse of wild, ungovernable passion, under the control of a deluded mind, but contemplated with such an amount of foresight, prudence and skill, as would render it impossible to account for the act by an unsound state of mind, the motive power being the desire to procure, at any cost, property belonging to another. This constitutes the difference between the two cases.

There are various ways of testing a principle. This may be done either by its application to individual cases, or by extending its application to the utmost. Suppose that the body of men engaged in forming the legislature of future years, and others influencing the middle classes, become leavened with these false ideas, till all are convinced that criminals are not wicked men to be punished, but that society is to treat them as maniacs laboring under irresistible impulses in which they have no part. If this becomes the basis of treatment, it must become the basis of legislation. If these men merely reform without an idea of punishing, and if to be reformed like children or idiots, the law must treat them as such; the law must be framed on an opposite principle from that on which it now stands. The groundwork of the present laws suppose a responsibility and power of acting or forbearing in the individual. It would not only be absurd but unjust to legislate that men were to be punished for crimes they could not avoid.

If a man were to take my hand, and with it strike another, he would be the guilty party and not I, who should be overruled by his greater strength. This, of course, corresponds to the case of a man impelled by an irresistible internal influence. Therefore, we must reverse the whole legislative action, and say, before God, "there is no guilt, no crime, but certain noxious acts producing bad effects on society must be prevented, not punished; but precautions must be taken to prevent evil to society." They are, therefore, removed for a time, instructed, taught, cured, and once more trusted to take their chance in the world.

We must begin by rooting up all legislation in all countries, and of the tremendous experiment of introducing a totally new system of merely reformatory discipline. Neither will the evil stop here, we cannot legislate on any principle on which we do not teach. You cannot say to a child "this is a crime" if the law of the country denies it to be one; the moral instruction of a country must harmonise with its legal teaching. If the law of the country is made in opposition to the laws of God, we are then justified in saying "resist the law;" but otherwise such a collision as never before existed would occur in a legislation totally contrary to education; and the whole moral teaching would be modified from the moment the child learned its first principles. He must be told, which would be impossible, that stealing was not to be considered a crime.

Is any one ready to let loose this idea? Already ten thousand writers are openly maintaining the principle that man is merely the slave of his constitution, and therefore of his moral organisation, because they admit no difference between the one and the other. Against this it is our duty to protest; we should not allow a child to imbibe such principles; yet they are likely to fall in with them.

We should dread the spread of such ideas, when we see them put forward by persons of rank, and they appear more terrible as we apply the test more fully—that is, in its universal application.

It is not the individual case of a father who sees his child growing up with a propensity for appropriating all that comes in his way, a propensity which sometimes grows upon persons till it becomes a monomania. It is not a question of a solitary case requiring care, watchfulness, gentle correction, or even harsh and severe reprobation, but it is a question of thirty thousand criminals annually (for that is something like the amount which our criminal calendar declares), who would need to be treated as idiots, powerless to exercise control over their own acts. We may imagine what a huge system of reform of eight or ten years' duration this would require.

While we are deliberating whether we are to transport them to a new country remote from this, whether we shall employ them on public works, whether we shall, after slight marks of improvement, set them free in remote colonies, or turn them once more into society here; while, I ask, we are perplexed how to deal with the delinquents, what means have we to try the experiment of reformation on all who fall into crime?

This is the tendency of the age; and, therefore, uniting itself so closely with reformatories, it is necessary to keep a watchful eye on it lest it interfere with the other, and ruin the hope of its being successful in its own more immediate sphere.

It is clear, however, on one point there is a great and strong feeling in favor of reformatories which, in their first simple principle, I should be sorry to say a word to thwart. The idea is that education is the most certain preventive of vice and crime; and, however we may be appalled by the appearances around us, all will be removed when the education which is being imparted in town and country on all sides has had time to take effect.

As this generation grows up we flatter ourselves it will take the place of that passing away, the scum, rising as it were to the top of this seething society, will clear away, and make place for something sweeter and more wholesome.

The children now educating will exhale a purer atmosphere; they will become members of society true to the principles they have imbibed, men of worth, and will do honor to their country and to those who have done so much for them.

This I desire in no way to combat, only to ask those who put forth such ideas, to ponder on them before we decide altogether whether we are in the right course in regard to our ideas on education.

Let us revert to our text. A young man, a boy, a child, "according to his way." What is the "way" in which a child walks during his education? If we really, in the joy of our hearts, were to describe it, we should say it was the spring of life, enjoyed in what, to a poor child, must be a paradise of delights.

Removed from his squalid and penurious home into a free atmosphere, from a narrow crowded garret into a spacious hall, receiving paternal kindness and encouragement from the master who teaches him, and surrounded by everything which can inspire him with cheerful and happy thoughts. His miserable rags are replaced by the whole and decent garb of charity, it is true, but still it is welcome; if he is hungry, the warm meal provided soon satisfies him; if diligent, he is honored before his fellows; he is made to feel his importance; he is flattered by the kind and gentle words, not only of his master, but by the school inspector, the casual visitor, the lady, or the nobleman who looks round the schools, and to whom the best boys are pointed out, and who does not fail to say a patronising word to them. Then the delights of the rewards he always has in anticipation. His feasts, excursions, prizes, distinctions; his appearance in a large church on some great occasion, a dignitary of his establishment preaching, and the swelling chorus filling the majestic dome.

This is the path in which he walks—the flowery path—cleared not of rocks and stones, but of briars, and even small pebbles, lest the smallest roughness should make it only slightly disagreeable, and so he passes his early years. His affections are in all probability estranged from those nearest to him, and perhaps they hardly deserve his notice, and yet good, noble, and elevating thoughts are infused.

This is the way in which the child walks, and Scripture says the man shall not depart from it; but let us practically examine this. "Will he when he is old not depart from it?" Is it under this high and flattering patronage he will go through life? Is it among these smooth pleasant ways, these flowery, these caressed companions, that he will go through the toil and labor of his days? and, if not, is not such an education contrary to the noble sentiment of the wisest of men, or rather of the spirit of God, speaking through Him in the text? Let us pursue it further. The times comes when the child's education is finished. It is supposed to have fitted him for the world; he comes forth denuded of all sustinements of encouragement; kindness and charity have forsaken him; stripped of everything, and looking in his face the fierce con-

test that is to begin with his career in life, crushed on one side, crushed on the other, trampled on from behind: his unchained passions, never yet called into play, are felt in all their force for the first time now. All his natural organisation comes into play; concupiscence and the lust of the eye, and the pride of life, and, at the same time, he sees all with which he must wrestle. What is the best thing that could happen to him now? It is terrible to say it; but the best would be that pestilence and death should visit his home, sweep away father and mother, and leave him an orphan and desolate. People he did not know before will fight for him; and if he be a Catholic, money, and influence, and everything needful will be immediately forthcoming to bring him up under Protestant care.

And yet the time must come when the child must go out into the world, and be torn from this artificial bed of education. I do not blame; but should we not take this thought into consideration: The child we are told, is now ready to be launched; it has been in port till now; its bows are gracefully carved and painted; its sides are elegantly formed and rounded; it is well and completely rigged, and manned, and ready to go out of port. Blow gently, ye winds; let not the turbulent storm and the agitated billows deal too roughly with the trim vessel. There has been no provision made for boisterous weather; no preparation for the trying, grating, vexing cares of the new life that is just beginning.

It is impossible with the present system of education it can be otherwise. We are told so by the wisdom of God. Holy Scripture recognises no difference between the path of the child and that of the man. One leads to the other, and is a part of it. The child must be led in the path in which he is hereafter to walk.

This is not what I think, but what I see. In a country divided on the vital question of religion I will not enter into any discussion upon methods, but I will take the necessary element in this argument—i.e., facts.

The great bulk of the children of this country must be educated by some religious class. The Church of England, of course, has a large proportion, and the great body of Dissenters has extensive and flourishing schools. We are in the minority; therefore we have fewer children to educate—not that we have less desire, but less funds. Perhaps if we exerted ourselves we might increase both our means and our usefulness.

Education, however, should be bringing up children as they are to be brought up for the rest of their lives. Let us take those who have to educate the great mass of the youthful population. What is their religious teaching? They learn to believe in God, and in the Blessed Trinity; they are taught that man fell by sin, and the doctrine of the redemption, that they are responsible for their acts, and will, according to them be rewarded or punished hereafter.

Here are all the great truths and basis of moral training; but having taught all this they say, "you are not to take one of these on our word—you are to exercise your own judgment; you are children now, and you accept these doctrines from us, but when you grow older you will read your Bible, in order that if you find anything different from what we have told, you may reject what you have learned at school." This is the principal of all Protestant teaching; the Bible is its foundation but the Bible is matter of private judgment and free interpretation. The doctrines must be taught subject to the approbation of the learner. They are not laid down as dogmatic certainties, but are submitted to the tests of him who learns.

After reading the Scripture and giving their own interpretation, they are more noble than the Catholic children who accept and believe what they are taught. Therefore, upon this principle, a child is trained not to walk in the way in which he should go. When he becomes a man he is required to walk in another path, a path of his own discovery. Can this serve his belief, after sixty years of life, in what he was taught when young. Does not all that surrounds him tend to unsettle his faith. He cannot walk along the streets without being aware that on all sides is machinery calculated to point out error in every doctrine he has been taught. He sees the People's Institute, or the Hall of Free Discussion, and he heard Mr. A. (who is far from confining himself to matters of opinion) descend upon the fallacies of the Bible, which he declares not to be an inspired book. He soon ceases to dispute between one view and another, but begins to doubt whether Christianity is true at all, and whether he is bound to believe in any system of religion or any system of morality.

In public weekly notices he will see the question being discussed, not whether David was a good or a bad man, whether or not he committed certain given crimes, but whether he ever existed at all, and whether his history is not a forgery. This education has entitled persons to discuss all