

The Management of Prisons

The evolution of a new outlook regarding the treatment of criminal offenders has made steady progress. Canada prepared for the practice of more advance theories

By J. W. MACMILLAN.

The recent criticisms by General Ross of the administration of the penitentiary at Kingston have again brought the question of societies reprisals upon the offender to the front. Without referring in particular to the accusations and denials regarding affairs at Kingston, it may be plainly said that Canada has travelled a very short distance as yet on the path she has entered of reform in the treatment of criminals.

Public ideas germinate slowly. Through centuries they lie apparently inanimate, but none the less waxing in strength and size. Then a day arrives when they come to life. In that day they are potent, winning approval on every hand, and overthrowing without resistance the entrenched customs of ages.

Such has been the history of the idea of the social utility of prisons. During many hundreds of years nothing was thought of but punishment. What progress was made lay in the direction of correcting abuses, restraining brutality and introducing common decency into prison conditions. John Howard pled only for sanitation and fair dealing. He did not criticize the retributive action of the law. Said the law "an eye for an eye and a tooth for a tooth." Said Howard and his followers "Very good, but do not make it two eyes for one, and a whole head for a tooth."

In our day, however, public opinion swings from the retaliatory theory, except in the few cases of crimes which nauseate or enrage the public. An offender is looked upon as a problem, and the kind of gaol which pleases the public most is a combination of school and hospital. The Juvenile courts are not courts at all in the old sense, and one of the aphorisms they have created is "No child is a criminal."

It was inevitable that the prisons where minor offences were punished and short terms of sentence were served should be the first to feel the impact of the new idea. For the public knew more about them and their inmates. It did not feel that abhorrence and dread which is evoked by the penitentiaries where are gathered the forgers and firebugs and murderers of the community. Happily, almost all the offenders are to be found in the city and county gaols. The whole penitentiary population of the Dominion is only a couple of thousand, while a police magistrate in any single city inflicts more than that number of penalties each year.

The retributive idea dealt with acts. The social utility idea deals with persons. There was an essential degradation of personality, like handcuffing a man to a log, in fixing the conditions of a man's life by some act, even though he had committed that act himself. No solitary act can possibly be a just expression of the spirit and quality of any man. If a man has injured society he has a right to ask that he himself and not his offence be put on trial. It is this respect for personality, this recognition of the essential sacredness of every human being, this conviction that even an erring man is not a thing, which is the heart of the prison reforms in vogue at the present time.

Many wonderful changes have taken place in a number of the Provinces of Canada in the establishment of Juvenile courts, gaol farms and probation officers. The Dominion parole system is of the same sort. But much is yet to be done of a

radical nature before our criminal system becomes harmonized with the new public idea of social utility.

There have been many arguments as to the proper end of punishment. Is it retribution? Is it the protection of society? It is the reformation of the offender? None of these has succeeded in proving its case, and disproving the cases of its rivals. The reason is that the administration of Justice is a complex affair, and cannot be ordered by any single principle. The element of retribution must be there, or else a policeman might arrest anyone he pleased. Society certainly must be protected. And the most enduring and profitable security against the repetition of the offence lies through the reformation of the offender.

As an illustration, take the question of prison labor. The old-time system was of enforced industry. An incidental difficulty was the free worker's objection to cheap prison-made goods. The new system is a wage system, so that the prisoner is paid a fair price for his labor. Instead of the motive of fear that of desire of money, the natural and current incentive in the world outside the prison, is substituted. The effect upon the prisoner is marvellously improved. Instead of learning to hate work, of loafing every moment the guard looks in another direction, and so becoming confirmed in the lazy and rebellious character which led to his offence, he is likely to acquire the work-habit, to become diligent and efficient, to find some joy in his toil, and to be

fitted to take the part of an honest man on his release.

Life is lived by habit, and the old-time prison regimen is incapable of creating new habits. Mere repetition, though continued through years, will not produce a habit. If it could, all ex-prisoners would be exemplary in their hours of retiring and rising. But men come out of the penitentiaries who have gone to bed every night at eight and risen every morning at five for ten years, and do not maintain that practice for a single day. It is necessary to kindle interest in order to create a habit.

It is not too much to hope that within a few years all civilized countries will have adopted a programme of treatment for alleged and convicted offenders which will completely replace the older treatment. The National Committee on Prisons and Prison Labor, in a recent report to the Congress of the United States, outlines such a programme. Here are some of its items:

"A man arrested and awaiting trial will be detained in a Jail designed only for men awaiting trial and treated according to the legal supposition that he is innocent until proved guilty."

"When sentenced by a court he will not face a definite term of incarceration but will come before a Board of Indeterminate Sentence and Parole to be studied and examined to determine how long it will take to make a man of him. This Board will have before it reports from the principal keeper, psychologist, physician, psychiatrist, probation officer, clergyman, teacher, superintendent of industries, Bertillon clerk and the court reports."

"When a man comes out of prison he will not find his home broken up by the absence of the chief provider but kept together by the wage he has earned in prison."

Such proposals will, I think, sound like good horse sense to most people. Is it not curious to think that our ancestors of a hundred years ago, except for a few passionate philosophers, did not get within a hundred miles of considering such proposals?

Vegetable Canning Good this Year

Some time ago the Journal of Commerce had an article on the shortage of tin cans owing to the railroad strikes in the United States preventing the shipment of metal to the can manufacturers. The latest reports are that the railways got back their employees in time to prevent any serious shortage around the island of Montreal at any rate. Cannerymen of both meats and vegetables in Montreal report that they are being well taken care of and in the canning of vegetables it is likely to be a banner year. Tomatoes around Montreal are said to be the best for seven or eight years, and prices are very reasonable. In spite of the fact that the fruit and vegetables will cost less than usual this year, the price of canned goods will be slightly higher owing to the increased cost of cans, labels and labor. In addition to this a representative Montreal canner stated that the cost of canned goods, particularly in the West, will be greatly increased if the freight rates asked for by the railways are granted. Canned goods weigh more in proportion to their value than most other goods shipped long distances, and so the freight rate affects them to a great extent; even, it is said, as much as ten or fifteen cents a dozen if the new rates go into effect.

Fruit Containers Scarce.

The Dominion Fruit and Vegetable Crop "Bulletin" published by the Department of Agriculture

of Canada at Ottawa, on the serious shortage of fruit baskets and apple barrels in all parts of Ontario, says that in some places the situation has reached an acute stage. With every prospect of large crops of both plums and peaches, the situation is even more difficult. Factories are doing their best to turn out baskets, but the shortage of apple barrels is blamed upon new business offered to mill men and coopers by breweries. Growers who have not secured contracts for barrels are being warned to plan for winter storage of their fruit. The supply of sugar for preserving and canning up to the present time has been ample, the "Bulletin" says. It is also expected that there will be a sufficient quantity available for the balance of the crop. The department has been assured by the refiners that notwithstanding the removal of control of exports they will continue to give preferred attention to the Canadian requirements, especially for canning and preserving.

"Did Y' Cut 'Im Down?"

Pat Hogan that used t' drive a team for me come running out of th' barn one mornin' yellin' like an Indian. "Whaddy' think!" he howls, "McCarty's hung his self t' a harness hook!" "Shut up!" sez I, "did y' cut 'im down?" "Oi did not," sez he, "he ain't dead yit!"—The Grid.