

1922

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Recommended Citation

Sanford Bates, Honor System for Inmates of Prisons and Reformatories, 13 J. Am. Inst. Crim. L. & Criminology 109 (May 1922 to February 1923)

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HONOR SYSTEM FOR INMATES OF PRISONS AND REFORMATORIES¹

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Is an honor system for inmates of prisons and reformatories desirable?

No modern intelligent warden or superintendent would fail to answer this question in the affirmative if obliged to do so categorically. He would, no doubt, have his own definition of what constituted an "honor system" and therefore it will become necessary at once to define what we mean by these words.

We shall assume for the purposes of this discussion that the honor system referred to in the question propounded means a system of managing inmates of a penal institution in which the inmates themselves participate to a greater or lesser degree.

Several forms of what might be called an honor system have been practiced for many years in the penal institutions of this country. The "trusty" system is one whereby certain of the inmates, through a recognition of their good behavior or their superior intelligence, or for other less meritorious reasons, are designated by the superintendent to carry out his instructions and occupy positions of trust and responsibility in the management of the institution.

The "state farm" or "prison camp" system, at least as practiced in Massachusetts, is strictly an honor system. There surveillance is considerably relaxed. The camps are filled up with men who, it is felt, may be trusted in a less restrained atmosphere, and the men are frankly told that the superintendent of the camp relies on their loyalty and honor that they will not attempt to escape or abuse the privilege which is extended to them.

Variations of both of these systems have been practiced with remarkable results by prison officials the country over, and it is often claimed that a prisoner responds more readily to a course of treatment which increases his responsibility and gives him an opportunity to practice self-reliance and self-restraint.

It is doubted, however, whether the committee that propounded the question which provoked this paper intended to elicit a discussion of the

¹Delivered at the American Prison Congress, Jacksonville, Fla., October, 1921.

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merits of either of these systems. What they desired to have discussed, no doubt, was the question as to whether it is wise and proper to permit the inmates of a penal institution to govern themselves, choose their own officers or executive committee and to allow that committee or board of officers to dictate or suggest as to the methods of running the institution. The Mutual Welfare League, as set up by Commander Osborne at Auburn and at Sing Sing, and later at the Portsmouth Naval Prison, immediately comes to mind as the most advanced example of this system.

While answering the general question propounded in the affirmative, if I were to be obliged to answer the question specifically as to whether to approve the Osborne system of the Mutual Welfare League, I would be inclined to answer it in the negative, unless allowed to impose certain qualifications.

Many people will object to an honor system on the ground that it minimizes punishment and thereby decreases the security of the public from a recurrence of the crime. In this discussion, however, while we do not overlook the importance of the protection of the law-abiding sections of the community, we are proceeding on the further assumption that the best protection to the community is a reduction in the number of criminals, and we are discussing how criminals in an institution can be turned out better men, with less desire to prey upon the public, and thus indirectly, and, we submit, more efficiently, we do have in mind the ultimate aim of the administration of the criminal law, to-wit: the protection of society.

The self-government plan seeks to inculcate in the prisoner ideas and habits of sobriety, reliability and a due regard for the obligations of citizenship by setting him immediately at work to practice these traits in prison. It would seem that this attempt, laudable as it is, fails to take into account the real reason why men and women are sent to prison. In America, as nowhere else in the world, democracy is the heritage of every man who will accept it. Never in the history of mankind has the common man come into his own as he has in America in the last fifty years. Education is practically universal. Participation in our government is virtually unrestricted, and opportunities for success were never so frequent. If our fellow citizens so far forget their duty to their government and their neighbors, if, in other words, they, by disobedience of their own laws, show themselves incapable of participating in a democracy, they are sent to prison. It seems anomalous to put them immediately to work at the business of self-government in which they have so signally failed. Is it not the

business of the ideal prison first, through the educational process and through the example of those who do realize what it means to be an American citizen, to supplant in the minds of the inmates the ideas of anarchy, envy and cupidity with those of democracy, fraternity and generosity?

It must also be continually borne in mind that the rapid development of the probation system in Massachusetts and in many other states of the Union extends to the offender a further opportunity to adjust himself in our democracy, under a limited supervision, and is in itself at once an honor system and an experiment in self-government by lawbreakers. At the present day, therefore, when, owing to the severity of the crime or the failure of the probationer to show his capability to improve, he is nevertheless committed to an institution, it may be further assumed that he is more in need of restraint and superimposed discipline than of further participation in his own government.

We shall also, for the purposes of discussion, be obliged to overlook the presence in our prisons of feeble-minded or otherwise mentally defective prisoners. The segregation and elimination from prison of this class as proposed in some states, notably New York and Massachusetts, should precede any successful introduction of self-government.

An honor system, therefore, which omits the vital preliminary of education and example and seeks to develop and supply the missing elements of character in our penal population by means of a suddenly imposed self-government or honor system, is like a man seeking to lift himself by his bootstraps. It has been one of the traditions of our government that those persons should participate in its management who are qualified so to participate. We restrict the franchise to persons who have attained the age of 21 years or who have lived in this country for at least 5 years, or who have not committed a crime against the government. It may be assumed that one of the reasons for the substitution of penal servitude as a punishment for crime for the more severe early forms of punishment was to take from the community of self-governing individuals certain men who had not learned the lesson of democracy until, either through repentance or education, or the power of example, they had mended their ways.

Two qualifications must here be inserted:

1. I do not mean to imply a criticism of those who have made a success of the Osborne system. Mr. Osborne himself has made an invaluable contribution to penology by securing the attention of the public to the needs of men in prison.

2. Again, it has been repeatedly demonstrated that, in the hands of an intelligent, big-hearted, persevering official, any system will be successful. We are discussing systems, however, and we are anxious to determine whether there is any magic in any proposed scheme for the government of penal institutions.

It seems to me, therefore, that the honor system as exemplified by the Mutual Welfare League possesses one serious defect in that it attempts to confer the privileges and duties of citizenship and self-government on those who have by their very positions shown their inability to accept them.

Nevertheless, the failure of the autocratic, repressive and brutal systems, which we hope are now passing away forever, has been so striking and the testimony from those who have utilized some form of honor system as to its value has been so encouraging that it behooves us to inquire whether a limited form of self-government system may not assist in the management of our penal institutions, both to the benefit of the men confined and to the advantage of those in charge thereof.

There are three qualifications which, if adopted, may render the self-government system less dangerous and more acceptable to those who are charged with the real responsibility of handling our penal institutions:

1. If the inmates are to be entrusted with any degree of self-government, it should not affect in any way the real management of the prison, with which the warden and other officers of the state are charged. The matter of the employment and discharge of help, purchase of supplies, and general financial oversight of the prison obviously can never be placed in the hands of the inmates themselves. On the other hand, the question of recreation, games, menus, and perhaps, to a limited extent, the school curriculum and the management of the shops, can be partly supervised by inmate committees, with profit to the management. Some of the greatest and most successful businesses of the day are managed by shop committees and through a participation of the employes themselves. I was informed only recently that one of the largest department stores in the city of Boston had adopted a policy whereby a committee of five employes pass on all questions of the hiring and discharging of employes. Such a situation ten years ago would have seemed revolutionary.

2. It is not vital to the success of a self-government scheme that the inmates themselves should have unlimited power to choose their own officers or committees, provided the warden or superintendent has

obtained the confidence and co-operation of his best men, and, of course, the existence of such a condition must underlie the success of any system. He can with better effect direct the choice of inmate officers and committees than would be liable to be brought about by the unrestrained and unrestricted choice of the men themselves. This has been proved by actual experience of those in charge of Suffolk County institutions in Massachusetts.

3. The right of self-government and the privilege of holding office in any self-government association in a prison should be earned by the inmate, and his education and those things which go to make a good citizen should precede his assumption of the powers and privileges which go with it. I cannot help at this point but draw a parallel between the situation in our institutions, which, if properly handled, is nothing but a cross-section of the world at large, and the history of the world itself by quoting from Wells' epoch-making book, "The Outline of History":

"It is upon the word educational that stress must be laid, and upon the idea that information must precede consultation. It is in the practical realization of this idea that education is a collective function and not a private affair that one essential distinction of the "modern state" from any of its precursors lies. The modern citizen, men are coming to realize, must be informed first and then consulted. *Before he can vote he must hear the evidence; before he can decide he must know.* It is not by setting up polling booths, but by setting up schools and making literature and knowledge and news universally accessible that the way is opened from servitude and confusion to that willingly co-operative state which is the modern ideal. Votes in themselves are worthless things. Men had votes in Italy in the time of the Gracchi. Their votes did not help them. *Until a man has education, a vote is a useless and dangerous thing for him to possess.* The ideal community towards which we move is not a community of will simply; it is a community of knowledge and will, replacing a community of faith and obedience. Education is the adapted which will make the nomadic spirit of freedom and self-reliance compatible with the coöperations and wealth and security of civilization."

In advancing the claim that education of the inmates is an essential in good prison management, we must be careful to define what we mean by "education." Not a narrow meaning—not simply the teaching of criminals to be educated criminals or more clever in their craft—not simply education in the elementary subjects. What we mean is education in its broader sense—education as a preparation for citizen-

ship—education as an eminence from which to secure a larger outlook on society. Education, as its name implies, is a leading out from the abyss of ignorance and superstition into the clearer and healthier atmosphere of knowledge and a realization of the importance of the idea of human brotherhood.

In further proof of the soundness of this theory I desire to take the opportunity to record the success of an experiment in prison management which took place at the Deer Island House of Correction in Boston a few years ago. For a number of years no apparent attempt had been made to educate, uplift, or in any way reform the inmates of what was called the "house of correction." It would have been idle to start any improvement with a mutual welfare league or self-government system. It took a year of fair treatment, improved food, frequent lectures and an occasional entertainment to convince the inmates that the new management really had in mind some measure of improvement for them. At the end of that time the privilege was extended to all those who so desired to join a graded school and with surprising avidity this opportunity was availed of, so that within a few weeks of its establishment one-half of the whole population were engaged in attending school four nights a week in addition to their day's labor. Under the supervision of one officer and one paid teacher, 100 men have remained out of their cells until 9 o'clock in the evening, intent upon their own self-improvement. The careful choice of inmate instructors by the master unwittingly brought about as effective a nucleus for a self-governed institution as could possibly have been devised. The very position of this group of inmates as teachers gave them a new prominence as leaders of the institution. The "hard-boiled" characters who had previously been looked up to as leaders were found to be deficient in intelligence and were gradually supplanted by those who showed a capability to teach and lead their fellows. Through the cooperation of the master this group of teachers gradually became the executive committee of the entire inmate body.

How significant it is and what a demonstration of the soundness of the third qualification, to-wit: that an honor system or a self-government system followed naturally enough upon the establishment of an inmate teaching force and at the same time secured as leaders those men really qualified to be leaders and who probably would not have been elected had the self-government system been established at the outset. In less than two years at this Deer Island institution but one escape was recorded, the admission of contraband was at a minimum, although war conditions and the presence on the same island of

a large naval camp made successful management doubly hard, and on the promotion of the officials in charge of the institution, a testimonial signed by every inmate, with two exceptions, was presented to the master and a similar testimonial was also received from practically every employe on the island.

May I take the time to quote the declared objects as contained in the constitution of this "Teachers' Association," as indicative of whether or not it was a true honor system?

"The following qualities shall be looked for in each member:

"1. That he will at all times so conduct himself as to set an example worthy of emulation by the other inmates.

"2. That he will endeavor by his own conversation and views to keep the men's thoughts on the things that are really worth while and commanding of respect.

"3. That utmost coöperation, both in school work and institutional matters within the inmate's sphere, be given to the body.

"4. That in view of his appointment, each member will pledge himself to abide by the decisions of the body and permit no personal matters to be reflected in any duty he may be called upon to perform.

"5. That his admittance to the Association carries with it a certain amount of trust and he is placed upon his honor to carry out his duties and respect the privileges granted him as a member of the body.

"6. That he will give due consideration to the welfare of the inmates in all matters and make suggestions he feels will be of a constructive nature in carrying out the aims of the body.

"7. That he shall at no time be expected to perform any act detrimental to an inmate, unless it is considered that said inmate has been guilty of something detrimental to the whole."

The best part of this experiment lies in the fact that many men with extended prison records have come from the island supported by the inspiration of their new experience, and in the two years that have elapsed have gone straight on the outside. This, after all, is the acid test of all systems of prison administration. Every warden in this country can cite instances where great reformations have taken place in the men under their charge.

One more point remains to be discussed. It is maintained by the advocates of the Mutual Welfare system that the league has succeeded in implanting in the minds of its members a loyalty to the league which is more important than any other characteristic. Examples have been cited where this loyalty to the league has resulted in remarkable demonstrations of reformation in individuals.

Unless any system of prison government instills loyalty into its inmate population it has not entirely succeeded. Would it not be better, however, through education and example, to instill loyalty to the whole of mankind rather than loyalty to a particular organization? Loyalty to the league restricts a man's fealty; whereas a belief in his duty to mankind in general is broad enough to include all of humanity and does not have the dangerous tendency to solidify the criminal class and set them apart from the rest of the world. We all know of cases of loyalty to a warden or superintendent which have resulted in a change of spirit and an improved attitude on the part of the prisoner. It would seem that the most wholesome kind of loyalty would be that which had for its object the whole democracy of which a man should be a part, rather than an organization which functions only in the institution to which he is sentenced for a breach of laws of the larger democracy in which, after all, it is hoped he may spend the greater part of his days. While the ideas underlying loyalty to the league are laudable in the extreme, the emphasis should be placed on the loyalty and not upon the organization.

The final answer to the questions propounded in the title—if we are expected to approve a system which without preliminary proposes to turn the management of the institution over entirely to the inmates, our answer must be in the negative. If, on the other hand, is meant a system based upon mutual relations between an intelligent and kindly warden and a set of inmates trusted as they deserve trust, directed in the paths of rectitude and good citizenship by members from their own number who have shown themselves capable to undertake such direction, working together for the benefit of the whole and proving itself in reformed and regenerated lives, this then must meet with our approval, no matter what we may call the system.